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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

## PRAYER

Rev. Dr. Vaughn Baker, Christ United Methodist Church, Fort Worth, Texas, offered the following prayer:

Gracious God and Loving Lord, we, Your people, call to mind the scriptures which remind us, saying, ''Blessed is the nation whose God is the Lord.'' You are our God, and we are Your people, the sheep of Your pasture. Lead us this day, O Gentle Shepherd, in the paths of righteousness for Your name's sake.

Send upon us this day the gifts that can only come from You. Grant us understanding, grant us wisdom, and grant us courage for the facing of these days. Give us as well the gift of unity, as we are reminded that a house divided against itself cannot stand. May we strive to be of one heart and mind as we seek to accomplish Your divine purpose, here on Earth, as it is in heaven.

We ask all of this in the name of our Lord and Savior, Jesus Christ. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Alabama (Mr. ROGERS) come forward and lead the House in the Pledge of Allegiance.

Mr. ROGERS of Alabama led the Pledge of Allegiance as follows:

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

## WELCOMING DR. VAUGHN BAKER, CHRIST UNITED METHODIST CHURCH, FORT WORTH, TEXAS

The SPEAKER. Without objection, the gentlewoman from Texas, Congresswoman GRANGER, is recognized for 1 minute.

There was no objection.

Ms. GRANGER. Madam Speaker, it is a pleasure to welcome Dr. Vaughn Baker, his wife, Jacqueline, and his daughter, Amanda, to the House of Representatives this morning to lead us in prayer. Dr. Baker is the senior pastor of Christ United Methodist Church in Fort Worth, Texas, and has various churches around Texas and the Republic of Ireland.

Dr. Baker earned his undergraduate degree from Miami University in Oxford, Ohio, and worked on his postgraduate degrees at the Perkins School of Theology at Southern Methodist University. Dr. Baker is also finishing his doctorate of theology dissertation from the University of South Africa in the field of missiology, the area of practical theology that investigates the mandate, message, and work of the Christian missionary.

Dr. Baker's family has also made service a core part of their lives. Dr. Baker's wife, Jacqueline, is a special education teacher in Weatherford, Texas, and his daughter, Amanda, is currently finishing two degrees at the University of Texas in Austin. Amanda has been involved in overseas education programs and has also been involved with mission work in Turkey. Dr. Baker and his wife currently live in Weatherford, Texas.

We thank Dr. Baker very much for leading us in prayer this morning.

## ANNOUNCEMENT BY THE SPEAKER

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

## HEALTH INSURANCE REFORM

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

Mr. BACA. Reforming health insurance must be our duty and responsibility. The vast majority of Americans have health insurance. The question is what does our health insurance reform mean for them.

It means that insurance companies no longer will decide to deny your coverage or jack up your insurance rate because of preexisting conditions.

It means that it will be against the law for insurance companies to drop your coverage when you get sick or water it down when you need it the most.

It means that there will be a yearly limit on how much you can be charged for out-of-pocket expenses, because no one should go broke because they get sick.

It means that premiums will stop growing three times faster than your wages, because more competitiveness in insurance markets will hold premiums down.

It means that if you lose your job or change your job, you'll be able to get affordable coverage.

In short, what health insurance reform means for millions of Americans who are insured today is more security and stability. Americans should not have to wait longer for this reform. Congress must act this year.

## CONGRATULATING THE CENTER FOR DOMESTIC PREPAREDNESS

(Mr. ROGERS of Alabama asked and was given permission to address the



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House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to congratulate the dedicated employees at the Center for Domestic Preparedness in Anniston, Alabama. This Friday, they will graduate their 500,000th trainee through the first responder training program.

As many of us here know, the CDP is a valuable training facility operated by the Department of Homeland Security. This facility is one of a kind in its mission as the only weapons of mass destruction training facility that provides hands-on training to civilian emergency responders, which includes the use of live agent training.

This graduation ceremony is a tremendous feat that we should all be proud of, not only because of this important milestone, but also for the unique and cutting-edge training that the CDP continues to provide to our Nation's first responders to this day.

To all the proud employees at the CDP in east Alabama and on behalf of all of us, congratulations.

## A TRIBUTE TO RAY CLIFTON

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

Mr. SALAZAR. Mr. Speaker, I would like to take a moment today to pay tribute to my very good friend Ray Clifton. Ray is the executive director of the Colorado Rural Electric Association, a position he has held since 1986. However, he will soon be retiring.

Ray is a graduate of the University of Georgia and began his career in the utility industry, working with the Georgia Statewide association of cooperatives, the Georgia Electric Membership Corporation. From there, he came to Colorado to take on the job of running the CREA.

As executive director, he has helped guide the CREA through exciting and challenging times, as the needs of supplying energy to Colorado homes and businesses has grown exponentially. He has been a leader and an innovator. His work has earned him awards and accolades, not to mention the many people who call him friend. I can proudly say that Ray is, indeed, my friend.

Since my election to Congress in 2004, I have had many occasions to call upon Ray for advice and help as we deal with the difficult energy issues facing our State and our Nation. I always knew that Ray would tell it like it is and that his years of experience would be of great benefit to me as we in Congress wrestled with ensuring that our constituents had access to a reliable supply of electricity.

What I really want to say today is thank you. Thank you for your years of service. Thank you for your always excellent and sage advice, and more importantly, thank you for your friendship and for the kindness you have shown me. Ray, I wish you the best in your retirement.

## THE STATUE OF HELEN KELLER

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

Mr. BONNER. Mr. Speaker, in a few minutes over in the Rotunda of the United States Capitol, America will be introduced to the newest statue to grace this historic old building. The statue is unlike any other. It's not of a man or a woman, of a general or a President, but it's a statue of a little girl and how one person helped change the world for the better.

Left deaf and blind from an illness in her infancy, many saw Helen Keller as a wild and disorderly little girl. For Helen, she would see it very differently. Fueled by a passion for interaction and a hunger for knowledge, Helen Keller's life is a tremendous example of overcoming even the most disabling of situations.

Her determination soon overpowered her deafness, and her belief in herself prevailed over her blindness. Her intellectual cravings were but slightly inhibited by her disabilities. Helen learned to communicate and interact in a world that she would never see nor hear; yet through her works, wisdom and passion, Helen Keller still stands not only as a symbol of hope and determination for the deaf and blind, but for all of us who seek a more just and peaceful world.

Mr. Speaker, the people of Alabama are proud to bring one of our most beloved, favorite daughters to this grand old building for the world to see and know and hear.

## HONORING SERGIO VELAZQUEZ

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in recognition of Hispanic Heritage Month, and I would like to recognize Sergio Velazquez, the publisher of Miniondas Newspaper and Farandula USA.

Sergio is a Hispanic American who has given so much to the Orange County community, exemplifying the principles of this month.

Sergio immigrated to the United States in 1961, and he established Velazquez Publications Incorporated in 1975. Today, his newspapers have a combined readership of over 100,000 people, and its focus is on politics, education, sports, and entertainment.

As a small business owner, Sergio has encouraged other entrepreneurs to seek business opportunities, and he serves as a board member on the Santa Ana Merchants Association. He is also an international first-place winner of the Boat Racers International competition, and he is a cancer survivor.

I'm very proud of Sergio's achievements and his work in fostering success in the Latino community.

## HONORING SPECIALIST JOSEPH WHITE

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

Mr. REICHERT. Mr. Speaker, I rise today to honor a fallen soldier from my district, Specialist Joseph White from Bellevue, Washington. Joseph, recently married in 2009, was killed in action in Afghanistan on September 24.

Joe's mom talked about her son's dedication to his country in this way: ''Joe was not happy to be leaving his bride to go to Afghanistan, but he did not complain. Rather, he went with a strong sense of duty and desire to maintain freedom and safety for others.''

This body, this House of Representatives, this government and the people of this country could not exist without the dedication and sacrifice from the soldiers that serve, soldiers like Joe; soldiers who, above all else, want to honor this country and those who have gone before to protect our freedom and the freedom of their families.

There is nothing we can say or do that will take away the pain, the suffering, and the sense of loss that the family feels at the loss of their son Joe. But Joe's family must always remember, the memory of Specialist Joe White will remain, we will never forget, and we will continue to honor his sacrifice each day.

□ 1015

## MENTAL HEALTH PARITY

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

Mr. KENNEDY. Mr. Speaker, I want to implore my colleagues to support the House reform bill with respect to the mental health parity provisions. The mental health provisions in the House support complete coverage for mental illness.

The AMA in the 1950s recognized alcoholism as a disease. In the House bill, we have full health care coverage for alcoholism and substance abuse coverage and for schizophrenia and all biological mental health disorders. The Senate doesn't have those strong provisions. I implore my colleagues to accede to the House with respect to these provisions.

Suicide is the third leading cause of death for young people 15 to 35. It is a tragedy in this country that mental illness is the single leading cause of lost workdays and lost days of quality of life in this country.

It's time that we treat mental illness as the physical illness that it is.

## KEEP THE INTERNET OPEN AND FAIR

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

Mr. WILSON of South Carolina. Mr. Speaker, the Internet has been a profound tool and resource of advanced knowledge to connect families and friends around the world. Internet users and providers have improved upon and utilized a free marketplace. However, there is a real concern that the new proposed ''net neutrality'' regulations may undermine or stifle innovation.

There is a time and a place for government to promote transparency in the pursuit of good business practices. However, the government and bureaucratic agencies should not needlessly impose regulations when the cause for concern is not justified. Before we move forward with new regulations on the Internet, we must weigh the consequences. We need to ensure we do not disrupt the necessary flexibility that has led to a vibrant marketplace, one which continues to foster new technology around the world, helping liberate people of Afghanistan, Iraq, and Iran.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

## THE MAYO CLINIC: PROVIDING HIGH-QUALITY CARE AT A LOW COST

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

Mr. WALZ. Mr. Speaker, I am proud that this Congress has started tackling the difficult issue of health care reform in a real way. Already in this Congress, we have passed legislation to provide health insurance to millions of uninsured American children and to bring our health care system into the 21st century with new health information technology.

In my district, the Mayo Clinic, in particular, is a world-renowned medical institution that has always been at the forefront of efforts to reform and improve our health care system. Mayo has been a leader in providing high-quality care at a low cost. As we move forward on health care reform, we need to acknowledge that our current system rewards the quantity of procedures but doesn't account for quality of patient care. We can look to Mayo, which has been lauded for its ability to produce the highest patient satisfaction with the lowest cost, and others like it. Unfortunately, in our current health care system, doctors are paid per procedure, giving them no incentive to coordinate care and determine the best treatment regardless of cost.

I encourage President Obama and my colleagues in this Congress to continue to listen to places like the Mayo Clinic, building on its incredible leadership to improve the way we provide care to all Americans.

## TAX DOLLARS ARE GOING UP IN SMOKE—LITERALLY

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

Mr. REHBERG. Mr. Speaker, our tax dollars are going up in smoke. And this time where there's smoke, there's no fire. Literally.

Bureaucrats in Washington, DC, plan to spend $2.8 million for wildland fire management right here in the District of Columbia. The trouble is there aren't any wild lands in DC, let alone wildfires.

Out West fires are a serious problem that cost billions of dollars. Because of poor forest management practices, combined with the Rocky Mountain pine beetle, fires are burning hotter and larger than ever before.

Spending millions on fire management in the District of Columbia is a poke in the eye to the American taxpayer and a slap in the face to the people living in danger of real wildfires in the Intermountain West like Montana.

Join me in extinguishing this wasteful use of so-called ''stimulus'' funds once and for all.

## WEST POINT RESOLUTION

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL of New York. Mr. Speaker, I rise today to congratulate the United States Military Academy on its selection as the Best College in America for 2009 by Forbes Magazine. I ask that my colleagues join me in cosponsoring H. Res. 747 honoring West Point's achievement.

I am proud to represent the Academy at West Point. Since 1802 it has trained and educated tens of thousands of Army officers, including two Presidents. In exchange for 5 years' service, the 1,000 cadets who graduate each year are exposed to world-class professors, a gorgeous campus, and, most importantly, a free education. U.S. News and World Report named it the Best Public Liberal Arts College, and it possesses a top-ranked engineering program. Eighty-eight Rhodes Scholars, 33 Marshall Scholars, and 28 Truman Scholars have graduated from West Point.

Mr. Speaker, I thank you for the opportunity to address this House and ask my colleagues to cosponsor House Resolution 747.

## TRIBUTE TO LUCY BECKHAM

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BROWN of South Carolina. Mr. Speaker, I am pleased to extend my congratulations to Ms. Lucy Beckham of Wando High School in Mount Pleasant, South Carolina, on her selection as South Carolina's 2010 National Secondary Principal of the Year.

This distinction, presented by MetLife and the National Association of Secondary School Principals, is a most deserving recognition of her leadership and dedication to the students entrusted to her.

The National Principal of the Year program began in 1993 and was established to honor those education administrators that have set the highest examples for their peers. Ms. Beckham's contribution and sense of purpose extend beyond the campus of Wando to so many areas, including her church and numerous community activities.

I am certain that all of the faculty and staff of Wando are proud to have her at the helm. And as a grandparent of a Wando student, speaking for all the families of the greater Charleston area, we congratulate her for being number one at Wando and now being number one in all America.

## A CLEAN ENERGY ECONOMY

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

Mr. INSLEE. Mr. Speaker, while we consider what we can really do to reduce unemployment, I think we ought to consider something Secretary Steven Chu, the Secretary of Energy, said yesterday. He told us that China will surpass or possibly has surpassed the United States, not in the ability to do low-wage manufacturing but to do high-technology manufacturing, unless we adopt an energy policy which will jump-start a clean energy economy for the United States and start bringing those high-tech manufacturing jobs home to the United States.

First Solar, a United States company using United States technology, will be building the largest solar plant but building it in China with manufacturing there. Applied Materials, a high-tech manufacturing company, an American company, is developing plants in China.

What Mr. Chu told us, Secretary Chu, is that we need to adopt the clean energy bill now pending in the Senate. This is the ticket out of this recession. This is how we're going to decrease unemployment. We urge the Senate to get moving on this bill.

## AFGHANISTAN/PAKISTAN AID

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

Mr. PITTS. Mr. Speaker, day in and day out our soldiers in Afghanistan are fighting a resurgent Taliban that directs its activities out of the lawless regions of Pakistan. They are fighting bravely but are consistently undermined by the poor direction of resources meant to aid Afghanistan and Pakistan.

It is deeply disturbing to hear that the Taliban are successfully diverting our own U.S. aid money to fund their insurgency. According to recent reports from GlobalPost, the Taliban has

extorted as much as $80 million from American aid contractors in just the last year. Taliban insurgents insist on getting a cut before projects are built in areas under their control, and then they turn around and use these funds to fight coalition forces. Further reports out of Pakistan indicate that billions of dollars in military aid from the U.S. was diverted to nonmilitary purposes over the course of the last 6 years.

This region must not become a haven for worldwide terrorism. Supporting our troops means that we must do everything in our power to root out this corruption and stop our tax dollars from being diverted to our enemies or misused by our allies.

## ADVANCED APPROPRIATIONS FOR VETERANS

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

Mr. KLEIN of Florida. Mr. Speaker, we in Congress will be able to make a real difference for the military veterans who have served our country so honorably this week.

From my first day in office, our local veterans groups in south Florida made it clear that one of their top priorities was securing advanced appropriations for the Veterans Administration. These dedicated servicemembers thought it was wrong that the VA, which provides health care and so many other critical services to our heroes, was subjected to the whims of an annual congressional budgeting process.

Mr. Speaker, I couldn't agree more. The needs of our veterans are too important to be bogged down and held up in this process. Putting advanced appropriations in place allows the VA to plan ahead, improve service delivery, and make smart, fiscally responsible budget decisions.

At long last this House will vote today on the Veterans Health Care Budget Reform and Transparency Act of 2009. This bill puts advanced appropriations in place, responding to the top priority of our veterans' organizations.

I strongly urge my colleagues to speak out with one voice as Democrats and Republicans alike to support our veterans and pass this legislation.

## COMMENDING THE HOPKINS POLICE DEPARTMENT

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

Mr. PAULSEN. Mr. Speaker, I want to congratulate the Hopkins Police Department for being awarded the 2009 Civil Rights Award by the International Association of Chiefs of Police.

By involving themselves in the Joint Community Policing Project, the Hopkins Police Department has enhanced communication and understanding between the law enforcement community and the multicultural residents of Hopkins. The department is setting a very strong example of leadership on this project through truly connecting with the community whom they protect.

I recently met with over a dozen police chiefs as part of my law enforcement advisory committee, and I continue to be very, very impressed with the level of service and dedication shown by our law enforcement community.

Congratulations again to the Hopkins Police Department for receiving this recognition and also for working hard for the community that they protect.

## HEALTH CARE AND THE PUBLIC OPTION

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

Mr. YARMUTH. Mr. Speaker, last week the distinguished minority leader, Mr. BOEHNER, told the national media that he had not yet met the first average American who was for the public option in our health care reform package.

Well, I would like to introduce him to the woman who introduced herself to me yesterday morning in the Louisville airport. Her name was Margaret. She was in her late 50s. And the job that she had had with a restaurant ended when the restaurant closed a couple months ago. They had been paying her full insurance premium of $700 a month. But now, because she has a preexisting condition, as do most people in her age category, she could not get any insurance in the private market and had to rely on the State insurance pool, where she now pays over $1,000 a month for her coverage.

She asked me to inform not just Mr. BOEHNER but all my colleagues that she is in favor of a public option, and she is dramatically and enthusiastically in support of our health care reform effort.

So for Mr. BOEHNER, if he wants to come to Louisville, I'd be happy to introduce him to Margaret. He can probably find somebody in southern Ohio who is in support of a public option, because there are thousands and thousands of people like Margaret who need our help.

□ 1030

## BAD PROCESS LEADS TO BAD POLICY

(Mr. LEE of New York asked and was given permission to address the House for 1 minute.)

Mr. LEE of New York. Millions of Americans are frustrated with the lack of transparency and the Federal Government, and rightfully so. I was dismayed earlier this year when the cap-and-trade national energy tax and the enormous stimulus spending bill were rushed to the House floor just a few hours before Congress would vote on these massive pieces of legislation. There was simply no way for the public, the press, or Members of Congress to know exactly what was in these bills before they were required to vote on them. Bad process leads to bad policy.

Taxpayers deserve the ability to weigh in on these complicated pieces of legislation, and the leaders of Congress have denied the American public the right to full transparency in this process.

Along with more than 180 of my colleagues, Republican and Democrat, I have signed on to a discharge petition to force the Democratic House leadership to make legislation available for public viewing at least 72 hours before a scheduled vote. This commonsense rule will allow western New Yorkers and Americans everywhere the ability to know what Congress is voting on and ensure a transparent legislative process.

## CREDIT RATING

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

Ms. SPEIER. Mr. Speaker, more than one in 10 of fellow Californians is out of work. This is due in part to decisions made 3,000 miles away by analysts at America's credit rating agencies ranking funds at AIG and Lehman Brothers as AA or AAA one day, only to have these companies bankrupt the next.

Last week at the Financial Services Committee hearing, I asked the executives of the rating agencies why they kept Lehman Brothers so highly rated when there were plenty of warning signs they were in trouble. The answer I got was astounding. They kept Lehman highly rated because they assumed the government would bail it out. I then asked how many of these analysts who base these decisions on assumptions rather than evidence lost their jobs. Again, the answer was unfathomable: none, not one.

Mr. Speaker, I did not come down to the floor this morning to seek retribution, but rather some common sense. This situation underscores the urgent need to enact strong financial regulatory reform and specifically make the rating agencies accountable for their decisions.

When the decisions of a few in a Manhattan skyscraper affect the livelihoods of hardworking Americans all across our country, there must be accountability.

## INDECISION IS A RECIPE FOR FAILURE

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

Mr. POE of Texas. Mr. Speaker, the country is at war in Afghanistan. Now

there seems to be reevaluation and hesitation by the administration: Do we move forward with more energy and commitment to achieve total success? Do we pack up and abandon Afghanistan heeding the cries of the weak that demand peace, peace, any price for peace? Or do we hold the line preventing success or failure?

Our commander on the ground, General McChrystal, wants more troops to ensure American victory. Meanwhile, delays, deliberation, and indecision leave our troops prey to the Taliban.

Our troops are waiting for an answer; the Afghan people are waiting. Our enemy, the Taliban, is not waiting. They are encouraged by our inaction. They believe we will falter. They're on a determined mission to spread hate and terror throughout the region.

Indecision is a recipe for failure. We would do well to remember the words of President Kennedy when he said: ''Let every nation know that we will pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty.''

America must stop the enemy of humanity.

And that's just the way it is.

## HEALTH REFORM DAILY MYTH-BUSTER: IMPACT ON SENIORS

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

Ms. WATSON. Mr. Speaker, there have been many myths about our health reform, and I want to give just a few facts.

Decisions about your health will be made by you, your doctor, and your family and not by anyone else.

They're saying that health care reform will lead to rationed care. Mr. Speaker, the fact is nothing will stand between you and your doctor or prevent you from making the best health care decisions yourself.

And, Mr. Speaker, there's a myth saying we can't afford to fix health care during an economic crisis. Well, rising health care costs are hurting our families and businesses now and driving up the budget deficit. If we do nothing, the cost of health care premiums will eat us up more and more. It will eat up your monthly paycheck, and the prescription drug doughnut hole won't get fixed.

## CREATING JOBS SHOULD BE TOP PRIORITY

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

Mr. BUCHANAN. Mr. Speaker, creating jobs and getting America back to work should be Congress' top priority. Unemployment nears 10 percent nationally and even higher in my district. We need to keep our efforts focused on the economy.

Today, there's a report the White House is looking for tax credits for companies that create new jobs. I fully support the incentive and think the American people would as well. According to The New York Times, the Federal Government tried this approach in 1977, 1978. During that period, employment climbed at a record pace. An economic review study suggested in 1970 that the policy was responsible for creating 700,000 jobs of the 2.1 million jobs created during that period.

I look forward to working with my colleagues on this important issue.

## WORLD HABITAT DAY

(Mr. MILLER of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. MILLER of North Carolina. Mr. Speaker, in 1985 the United Nations General Assembly designated the first Monday in October as World Habitat Day. This year, the theme is Planning Our Urban Future.

Approximately half of the world's population now lives in urban areas, and that number will rise to two-thirds in a generation. Cities can be engines for economic growth; but they can also become home to extreme poverty, disease, environmental degradation, and conflict. In many parts of the world, government policies do not adequately respond to the challenges of growing urban populations.

Nearly one-third of the world's population of people living in cities around the world now already live in slums, and that number will also rise to double what it is now in 30 years.

I rise today to honor World Habitat Day and the goal of improved urban planning. We can have a sustainable prosperous future, but only if we help the rural cities address the needs that come from explosive growth.

## ''WHITE COATS'' AT THE WHITE HOUSE

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

Mr. GINGREY of Georgia. Mr. Speaker, I come to the floor today with my white physician's coat because apparently if you're a doctor, this white coat is a prerequisite for a meeting at the White House. You can see by this photo that the White House felt so strongly about this that they actually handed out white coats to the doctors that they invited to their photo-op on Monday.

Mr. Speaker, on September 11 I requested a meeting with the President, responding to his statement before Congress that his door is always open to talk about health care reform. Many of my colleagues in the GOP Doctors Caucus have also asked for meetings.

Mr. Speaker, I am here on the floor today to say to the President, I am a doctor, and I, too, have a white coat. I would like a meeting with you to talk about health care reform because I, like so many doctors across this country, we support meaningful reform, just not a government takeover.

And, Mr. Speaker, I am here to say I can even bring my own white coat.

## SWIPE FEE LEGISLATION

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

Mr. WELCH. Mr. Speaker, tomorrow the Financial Services Committee will hear testimony from Kathy Miller from the northern Vermont town of Elmore. Kathy and her husband run the Elmore Store; that is the general store, the post office, and the social hub of the small town of Elmore.

Kathy will be testifying in favor of interchange, or swipe fee, legislation which would finally prevent credit card companies from overcharging small businesses like the Millers and others around the country. With every purchase paid for by credit card, they are charged, the Millers, over 2 percent. And as they have with individuals, the credit card companies have come up with ever more reasons and gimmicks to squeeze money out of the bottom line of these small businesses.

Though the store itself in Elmore is a powerful force in the lives of the citizens, the Millers are absolutely powerless against the credit card companies and big banks. That's why Kathy Miller is coming to Washington to support legislation to end these abuses and to add fairness and transparency to swipe fees.

## ACCOUNTING GIMMICKS IN PROPOSED HEALTH CARE

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

Mr. CASSIDY. Mr. Speaker, instead of passing health care reform that lowers costs, Democrats are positioned to pass a bill that hides costs by passing them on to State taxpayers. A frightening footnote in the Congressional Budget Office report on the Senate Financial Committee bill reveals a $37 billion Medicaid mandate on State governments. Unlike the Federal Government, States can't just print money.

This $37 billion mandate will force States across the Nation to choose between deep cuts to programs or steep tax hikes. In Louisiana alone, it's $612 million over 5 years. That's $612 million less for roads, for higher education, for secondary education, for economic development.

In addition to driving States into bankruptcy, this unfunded mandate deliberately hides the bill's true cost. Whether from Federal taxes or State taxes, the American people will have to absorb this.

If the bill actually lowered costs, its author would not have to hide behind accounting gimmicks to sell the bill.

## BREAST CANCER AWARENESS MONTH

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in recognition of Breast Cancer Awareness Month. It is perhaps appropriate that in this month we are all tasked to reform this Nation's health care system for the millions of women who each year are screened and diagnosed with breast cancer and other breast disease.

And yet there is also a glaring disparity in the diagnosis and treatment of breast disease. According to the Office of Minority Health, African American women are 34 percent more likely to die from breast cancer than white women. African American women are also 10 percent less likely to be diagnosed with breast cancer.

This disparity in screening diagnosis and treatment leads to not only more expensive care in the long run, but far too often death. A report released by the Joint Center for Political and Economic Studies estimates that the combined costs of such health inequalities and premature deaths in the United States total $1.24 trillion.

We must eliminate disparities and discriminatory insurance practices impacting minorities and women not only because it's cost effective but because it's the right thing to do.

It's time to provide quality, affordable, and accessible health care with a public plan that allows choice, care, and competition.

## POST MAJOR LEGISLATION 72 HOURS BEFORE VOTE TAKES PLACE

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

Ms. FOXX. Mr. Speaker, it's fitting that Congress pass a bill that gives Members of Congress and the American public 72 hours to read major legislation before Congress votes. Both the stimulus and the national energy bill passed in the House less than 1 day after coming to the floor.

In town halls all across the country, constituents have demanded that each major bill be made available to Members of Congress and the public for at least 72 hours before a vote takes place. We should not rush to pass a sweeping government takeover of health care and energy or advance any other important issue without taking the time to understand fully its impact on American families and small businesses.

Mr. Speaker, the American people have spoken. Let's give them and their elected leaders 72 hours to read what's in the bills before Congress.

## ICE DETENTION REPORT

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

Mr. POLIS. Mr. Speaker, yesterday Secretary Napolitano and Immigration and Customs Enforcement Assistant Secretary John Morton released a much-anticipated report on ICE's detention policies, which detailed observations and recommendations made by former detention policy and planning director, Dora Schriro.

Despite ICE's previously stated goals of focusing on the detention and deportation of dangerous criminal immigrants, Dr. Schriro's report clearly states that two-thirds of the individuals being detained at taxpayer expense by ICE are noncriminal immigrants, a proportion which has stayed constant over the past 2 years.

I am encouraged by Secretary Napolitano's commitment to reforming our Immigration Detention System and her acknowledgment that ICE must create a system that reflects the needs of a largely noncriminal civilian detainee population versus those of a prison population. We must ensure community members that those ICE has classified as ''special population,'' such as parents with with minor children, the ill and injured, women, nonviolent asylum seekers, are not routinely detained. Those who are eligible and do not present a flight risk or a danger to their community should be able to pay a bond and seek parole.

Luckily, ICE has found successful alternatives to detentions. Secretary Napolitano should continue these alternatives to detention programs.

## PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010.

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 799 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 799

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes. All points of order against the conference report and against its consideration are waived. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

□ 1045

The SPEAKER pro tempore (Mr. BLUMENAUER). The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. MCGOVERN. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 799.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 799 provides for consideration of the conference report to accompany H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010. The rule waives all points of order against the conference report on H.R. 2997 and against its consideration, and the rule provides that the previous question shall be considered as ordered without intervention of any motion except one hour of debate and one motion to recommit, if applicable.

Mr. Speaker, I rise in strong support of the conference report for the fiscal year 2010 Agriculture Appropriations conference report. This is a good bill, one that went through the regular order. It is, in fact, the third appropriations conference report that this body will consider this year. I want to especially commend Subcommittee Chairwoman ROSA DELAURO and Ranking Member JACK KINGSTON, as well as the other subcommittee members, for their efforts in completing this bill.

Mr. Speaker, this bill is one that normally doesn't get a lot of attention but, in reality, is one of the most important bills that we can pass. I wish the allocation, Mr. Speaker, for this bill, quite frankly, was higher than it is because there is a great need for the programs that make up this bill. This conference report funds the following areas at the Department of Agriculture: public health programs, rural communities, agriculture research, animal health and marketing programs, and conservation. Most importantly, this bill funds domestic and international antihunger and nutrition programs, programs that literally put food in the mouths of hundreds of millions of hungry people here at home and around the world.

Mr. Speaker, this bill is $2.7 billion more than last year and $325 million more than the President's request, a 13 percent increase over last year's bill. Following my opening statement, we will hear from my friends on the other side, and I expect that they will talk about how this bill spends too much money and that this increase is simply unnecessary, especially during these difficult economic times.

Well, Mr. Speaker, this increase is needed now more than ever. Just look at where the increases in this bill are targeted: to the areas of nutrition, international food assistance, and food

and drug safety. Simply, these increases go to protect our food supply and to provide food for those who either cannot afford it or do not have access to it. It is unconscionable to me that anyone can complain about helping people in need during these tough economic times.

Today, there are over 36 million low-income individuals who rely on the SNAP program, formerly known as the Food Stamp Program. The sad fact is that this is a record number of people who are currently relying on this safety net program. This bill provides over $58 billion for the SNAP program, an increase of more than $4 billion from 2009.

WIC is funded at $7.2 billion, an increase of almost $400 million. This increase will provide up to 9.6 million women, infants, and children help with a healthy pregnancy and a healthy start in life.

The Commodity Supplemental Food Program, a program that provides nutritious food to low-income women, infants, children, and elderly citizens who all struggle with rising food costs, is funded at $171 million. That is $11 million more than 2009 and $9 million more than the President's request.

Finally, the Child Nutrition Programs, school meals and snacks, receive almost $17 billion, $1.9 billion above the 2009 levels.

Hunger is a real problem in America, and this bill provides funding that keeps the safety net intact. Look at one of the more affluent areas in this country, Fairfax County in Virginia. According to a recent Washington Post article, Fairfax churches and nonprofit organizations report a 39 percent increase in food assistance in the fourth quarter of 2008 when compared with the fourth quarter of 2007. Let me repeat that, a 39 percent increase. ''Almost half of the respondents reported helping families that had never asked for aid before, many of them former middle class residents now unemployment or facing foreclosure.'' I will insert this article into the RECORD at the end of my statement.

Mr. Speaker, this is just one example of how hunger is creeping into areas of the country that are not used to seeing hunger. Food banks, WIC clinics, and SNAP processors are the ones providing food for people who simply cannot make ends meet. Yet some of my colleagues on the other side of the aisle say we cannot afford to properly fund these programs, insinuating that we should turn our backs on these people who are in desperate need.

I, for one, make no apologies for these increases in food and nutrition programs. We have a moral obligation to step up to the plate to help the most vulnerable people during these difficult times.

Internationally, the need is just as great. This bill provides critical funding for the Food for Peace program and McGovern-Dole Food for Education program. Overall, there is $1.89 billion provided for international food aid programs. That is an increase of $564 million over 2009.

The P.L. 480 Food for Peace Title II grants program receives $1.69 billion, which is $464 million above 2009. And a program close to my heart, the McGovern-Dole program, is more than doubled from the previous year. In 2010, this important program will receive $209.5 million, $10 million more than President Obama's request and $109.5 million more than 2009 levels.

Mr. Speaker, for too long this country has underfunded international food and nutrition programs. This bill is changing that course. We are putting more money up front for development, providing assistance before it becomes an emergency that we and the rest of the world have to respond to. This is appropriate and necessary, and I applaud Chairwoman DELAURO for working to right the misguided policies of the previous administration. I would add that investing in food and nutrition programs overseas and investing in smart development is in our national security interests. Taking a global leadership role in combating hunger and fighting global poverty I think is something that wins us the hearts and minds of people all over the world, and I want to again commend Chairwoman DELAURO for her leadership.

I am also pleased that there is more than $33 million for eradication of the Asian longhorn beetle, an increase of more than $13 million over last year. This funding will help USDA in their efforts to help in identifying and eradicating the infestation of this pest. While more funding is needed, and I will be asking the USDA for additional emergency funding for this effort, the funding included in this bill is welcome and I appreciate its inclusion.

Finally, Mr. Speaker, I want to address the tragic bombing of the United Nations World Food Program offices in Islamabad, Pakistan. The World Food Program benefits from the international food aid programs that are funded in this bill. WFP is an excellent partner and is on the front lines of many of the efforts to combat hunger and starvation around the world. Josette Sheeran and everyone at WFP do an excellent job, and I am pleased to be able to work with them as they work to end hunger around the world.

I want to convey my deepest condolences and sympathies to the family and friends and colleagues of the WFP staff who were killed in Pakistan. My thoughts and prayers are also with those who were wounded and injured in the bombing attack, and we hope for their full recovery. The bombing underscores the often dangerous situations in which the World Food Program and so many other humanitarian relief workers find themselves. And I, for one, can only thank them for their important and too often unrecognized service to humanity.

[From the Washington Post, Sept. 29, 2009]

WHOLE FOODS TO FOOD BANKS

(By Annie Gowen)

The Germantown woman was loading boxes of food from the Manna food bank into a shiny sport-utility vehicle one recent afternoon when she was approached by a donor dropping off food.

''What group are you with?'' the donor asked the woman, who promptly burst into tears. With her Toyota Sequoia and quilted Vera Bradley bag, she had been mistaken for a volunteer—rather than a client waiting to take home a bag of potatoes.

''I'm a mother of four just trying to feed my kids,'' the woman sobbed to the donor, who was taken aback, then sympathetic.

Such awkward scenes are playing out frequently at food pantries and other charities across the region as they struggle to help the still upward-spiraling number of formerly middle-class people knocking on their doors.

For the charities, the surge in demand has tested their resourcefulness—and sometimes their patience. Not only must they stock millions of pounds of additional food in bigger warehouses, but they also must adopt fresh tactics to help the newly needy, who can be more bewildered, more emotional and more selective than their traditional clients.

One intake volunteer at Food for Others in Fairfax County, for example, has learned that the formerly affluent won't wait outside in line for food at evening neighborhood giveaways, lest they be spotted.

''We have more people than ever coming here thinking they'd never ever be here,'' said Amy Ginsburg, executive director of Manna Food Center in Montgomery County. Manna, along with most food area pantries, requires people to prove by income that they need assistance.

The group is moving into a 12,000–square-foot warehouse in Gaithersburg on Oct. 5 to meet the growing need. Manna gave away 3.1 million pounds of food to 102,519 Montgomery County residents last fiscal year, up from 2.1 million pounds the year before. They've increased food drives, and cash donations have kept pace.

Manna's workers and volunteers try to make the experience as dignified as possible for everyone, helping clients load their cars and handing out juice boxes and pretzels to families waiting in increasingly longer lines. On a recent morning, residents dressed in pressed khakis waited for boxes of fresh produce, meat and canned goods alongside those in dirty T-shirts.

''Not having enough money for food is a bizarre, foreign experience'' for the new needy, Ginsburg explained. ''They're still getting over the shock.''

Ginsburg and others running local charities expect the number of residents seeking help to continue to rise even as the economy improves. Jobless numbers are increasing, they point out, while severance checks and unemployment benefits are running out.

Fairfax found in a recent survey of 89 churches and nonprofit organizations that 32,044 households received food assistance in the last quarter of 2008, a 39 percent increase from the previous year's fourth quarter. Almost half of the respondents reported helping families that had never asked for aid before—many of them former middle-class residents now unemployed or facing foreclosure.

Wanda Moloney, client relations manager at Loudoun Interfaith Relief, which served 56,000 residents last year, said her group gives food to 100 new families a week. Increasingly, Interfaith volunteers from some of Loudoun's most affluent neighborhoods find themselves packing boxes for their friends and neighbors.

Nobody knows what to say.

''You can see it in the eye contact,'' Moloney said. ''The tears say it all.''

Barbara Curtis, 61, said that the experience of getting groceries from the food pantry was ''startling at first.'' She and her husband, Tripp, lost their sprawling Loudoun home this year after he became ill and was unable to work. With five children at home, their descent from a comfortable middle-class life seemed to happen overnight. ''It really let me see how vulnerable we all are,'' Curtis said.

Terry Wilson, 43, a floral designer, also sought help in Loudoun after he was bumped from full time to part time at work and lost his benefits. But it wasn't easy. The first time he pulled open the door and took in the crowd in the waiting room, he turned around and walked out.

''It was like, 'Whoa . . . I can't do this,' '' he recalled Wednesday as he picked up food for the second time. But then he realized having the groceries could help him shift money to his utility bill and his car payment. ''Everyone else is doing it, and times are tough. Let's suck it up and see what happens.''

Out in the Manna parking lot, the Germantown woman—who was visiting the food bank for the second time and did not want her name used to spare her children embarrassment—was inspecting her food allotment with the zeal of a soccer mom at Whole Foods. She turned to Manna for help after her husband refinanced their home into a costly subprime mortgage and then moved out. She has been able to get the mortgage modified, but her finances remain precarious.

She checked the expiration date on a carton of soy milk, unscrewed the lid of a jar of organic peanut butter to make sure it was sealed and read the label on a tube of ground turkey. The turkey did not pass muster, and she politely returned it to a Manna staffer. ''I don't know what's in it,'' she explained.

''It's a double-edged sword,'' she said. ''You can't go without food, but certain foods at Manna, no way I'm going to feed my kids. It's kind of snotty.'' She rejoiced in a big bag of day-old bagels, sport drinks and doughnuts, treats she could no longer afford to buy her sons.

At times, this changing face of need has sparked moments of confusion and discomfort for those who are trying to help.

Christine Lucas, executive director of the Arlington Food Assistance Center, said she is often asked by volunteers and donors about the number of clients driving fancy cars. (A well-dressed couple who declined to be interviewed was there recently, putting their sacks into a Cadillac.) Lucas responds that it could be an employer's car or a family hanging onto its last asset.

Or it could be the formerly middle-class mom with Calvin Klein sunglasses perched atop her head who said she was going to have to search Epicurious.com for recipes that use black beans because the pantry had given her so many cans.

Appearances can be deceiving, as Debbie Lane and her two children discovered when they drove out to an affluent neighborhood in Chantilly to deliver $200 worth of school supplies to a needy family. Lane, of Fairfax, said her kids had offered to reuse some of their school supplies from last year so that they could contribute to the back-to-school drive, organized by the food pantry Our Daily Bread.

''My son, who is 8, said, 'Mom, if this is the neighborhood we're dropping these things off in, I think we should turn our car around,' '' Lane recalled. ''It was a great segue for me to talk about what poverty does and does not look like.''

But even she was surprised at the size and scope of ''this palatial home with two brand-new expensive cars in the driveway. I was really grappling with this. I was thinking, 'This is crazy.' '' She later learned that what she had tried to explain to her kids was true: The family that needed the supplies was renting rooms in the home's basement and had recently seen its income drop when the mother died of cancer.

The Germantown mother of four said she knew why she'd been mistaken for a volunteer by the donor dropping off food—it was her car.

''Because I have the [Sequoia], she thought I was doing the same thing she was, I guess,'' the woman speculated. She watched the donor drive away with a mix of envy and sadness, remembering what it was like ''to be normal.''

''What a glorious feeling . . . to be able to give to other people,'' she said. ''It is a better feeling to give than to receive. But sometimes you have to receive.''

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I want to thank my colleague from Massachusetts for yielding me time, and I yield myself such time as I may consume.

Mr. Speaker, I come before you today deeply concerned by this conference agreement. This legislation that was originally brought to the House was offered under a closed rule. Throughout this appropriations season, the Democrat majority took unprecedented steps to silence both the minority and their own Democrat colleagues by offering all appropriations bills under closed rule. This has consistently eliminated the ability for Members to speak up for how their constituents believe their money should be spent.

This is not the way the House should be operating, and we want to express again our concern about this and will be doing that throughout our time in discussing the rule this morning.

I will urge my colleagues to vote not only against the rule but against the previous question.

I reserve the balance of my time.

Mr. MCGOVERN. I will reserve my time at this point in time, Mr. Speaker.

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

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

Mr. DREIER. Mr. Speaker, I thank my friend from Grandfather community for yielding me the time.

I rise with a great deal of concern, Mr. Speaker, for what is taking place here. My friend from Worcester has talked about the commitment to nutrition programs. I share his concern about nutrition, child nutrition especially. It is a very high priority. And anyone, anyone who tries to characterize those of us who are opposed to this conference report as being opposed to child nutrition is totally off base.

I was just speaking to my good friend Mr. CONAWAY, who is a member of the Agriculture Authorization Committee, and he points to the fact that while we look at this conference report, every single line item, every single line item has had a plus-up, an increase, and it brings to that total a 14 percent increase.

Now, Mr. CONAWAY has reminded me that we can have that strong commitment, as we do in a bipartisan way, to nutrition. There are other areas where cuts can be made. And so again, once again, the tired old argument that somehow those of us who are Republicans want to throw children out in the street and have them starve is a nonstarter. So, Mr. Speaker, I urge my colleagues not to continue with that kind of argument.

Now, there are other concerns that exist. We have the 14 percent increase with this measure. We have something known as air-dropping, which is a violation of House rules, and this rule waives a measure which provides an addition of items that were never considered by this House or considered by our colleagues in the other body in the Senate. That is described as a scope violation. It means that neither House considered it and yet the conferees came together and without a single hearing, without any kind of deliberation, they just dropped a couple of provisions into the conference report.

Now, Mr. Speaker, this is what is leading us to raise concern that is bipartisan on the fact that this House is not taking the amount of time that it should to look at legislation, and this came to the forefront on June 26 of this year.

On June 26 at 3 in the morning, my Rules colleagues and I were sitting upstairs in the Rules Committee and my friend, Mr. MCGOVERN, offered the motion that would allow us to move ahead with the cap-and-trade bill. As he was reading that motion, Mr. Speaker, as he was reading that motion, I had dropped on my lap at 3 in the morning a 300-page amendment to the cap-and-trade bill. No one on that committee had had an opportunity to look at it. We know that most Members of the House had not read it. What did it lead to? It led to our very, very strong level of degree of outrage, and it led our minority leader to use a great deal of time, taking 1 hour to actually walk through that 300-page amendment. The by-product of that, Mr. Speaker, has been outrage across this country.

I have spent most of my career here focused on process. I believe process is substance. But many of my colleagues on both sides of the aisle, when I talk about process, make it very clear that they and their constituents have their eyes glaze over. But guess what, Mr. Speaker? The American people understand when you don't take the time to deliberate and read and look at legislation.

Now, I will admit that in Republican Congresses, we have waived the 3-day layover requirement. In fact, in the 109th Congress, on 40 occasions we waived the 3-day layover requirement. But, Mr. Speaker, we were told that in

this new Congress there would be a better way and they would change those ways.

In the 110th Congress, this new majority waived the 3-day layover requirement 43 times. And so far in this Congress, and we are 40 percent of the way through this Congress, Mr. Speaker, the 3-day layover requirement has been waived 22 times already, and we are only 40 percent through this Congress.

□ 1100

And so this new majority has said we are not going to allow for the reading of legislation. We're not going to allow for an adequate amount of time. We're going to move quickly, without letting Members look at or the American people look at legislation to the floor.

So what is it that happened? A bipartisan group, led by our colleague from Washington, Mr. BAIRD, our colleague from Texas, Mr. CULBERSON, came together with legislation saying that there should, in fact, be a process that requires that that 3-day layover be maintained. Now, there was no opportunity provided by the majority to allow for consideration of this, and so it led my very good friend from Oregon, Mr. WALDEN, to launch a discharge petition, a discharge petition which, at this moment, has 181 signatories. A bipartisan group saying what we should do is, we should say that Members should look at legislation before it's considered.

And on this conference report, the notion of air-dropping measures in is just a further example of not allowing the membership to look at legislation. My colleague from Grandfather community, Ms. FOXX, is going to move to defeat the previous question, Mr. Speaker. When she does that, she is going to be seeking to make in order the bipartisan Baird-Culberson resolution, which states that we must have 72 hours to look at legislation before it is considered. It's a commonsense proposal that the American people understand and that this membership understands.

And so, Mr. Speaker, I'm going to urge my colleagues to join with Ms. FOXX and Mr. CONAWAY, and the wide range of people who are working on this, led by Mr. WALDEN, who's here on the floor and is going to have some very, very interesting numbers and figures to show to buttress this argument that we're making here. So I urge my colleagues to vote ''no'' on the previous question so that we'll be able to allow this measure to move forward so that the commonsense idea of saying we should look at things before we vote on them is, in fact, able to prevail.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from California is correct when he says that his side was guilty of air-dropping provisions into conference reports. I remember one time being up in the Rules Committee when a Department of Defense bill came before the committee. And after the conferees had finished all their work, all of a sudden this kind of mysterious language appeared providing immunity to drug companies that produced drugs that were not safe. And the reality was, Mr. Speaker, that they did that after the conference had finished up.

In this case here it's very, very different. In this case here, the child nutrition reauthorization, a bill we had hoped to have already done by now, is not completed. And if, in fact, this language was not put in here to extend expiring child nutrition authorization programs—and let me just kind of tell people what that is. It's things like school breakfasts and school lunches and after-school meals for kids who otherwise wouldn't get access to meals or nutrition.

So that language, which was agreed to by the authorizers, was put into this bill. Now, if we want to have an argument about process, fine. But the reality is here: if you did not do this right now, these programs would expire. And I don't know of anybody, maybe on your side they do, but I know for the majority on this side, people do not want those programs to expire because people depend on them.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield the gentleman 30 seconds.

Mr. DREIER. I thank my friend for yielding. And let me just say, I will say to my friend that he must not have listened to my opening remarks. The notion of pointing the finger to the other side of the aisle and somehow saying that we have an interest in seeing child nutrition deteriorate is outrageous, and it should not be said on this House floor.

And I will say this, too. If you look at the number of times that that 3-day layover requirement was waived when we were in the majority, as I said, 40 times in the 109th Congress. And you promised a better way on the majority side of this aisle. And what has happened is you've bested us by doing it 44 times in the 110th Congress and so far 22 times, 40 percent of this. And I thank my friend for yielding.

Mr. MCGOVERN. I thank the gentleman for his comments. And I do think we have bested you in the area of responding to a need that, quite frankly, when your party was in control here, these areas were underfunded. And the deal, this is about school breakfasts and school lunches and after-school snacks for kids who otherwise wouldn't get it. That's what this is about. That's what we are debating here.

Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from New York, a member of the Rules Committee, Mr. ARCURI.

Mr. ARCURI. I thank the gentleman for yielding, and I thank him for his leadership on nutritional issues. Clearly, we can't do enough, I think, for the people who need assistance in this country. And I rise in very strong support of this conference report that focuses, not only on nutritional issues, but focuses on the need for food safety in this country, and certainly, the need for our farmers and our agricultural industry.

And I want to talk specifically about dairy farmers. And what this bill does among other things, many other good things, is it appropriates $350 million for dairy farmers. Now, I can tell you that in my district in upstate New York, dairy farmers have been hit extremely hard. We see the cost of 100 weight of milk about the same price, about $10 or $11, the same that it was 20 or 25 years ago. Yet the cost of feed, the cost of fuel, the cost of everything has gone up dramatically, and we see this real difficult time.

And I talk about this all the time. I did a town hall meeting in a place called Waterville, New York, and it was a dairy farming community. And I thought we were going to talk about health care, but that wasn't the most important issue to these dairy farmers. The most important issue was the cost of milk and the difficulty that they're having staying in business. And to see a grown man, a farmer who's worked his whole life, worked very hard, stand up and cry because he isn't sure he's going to be able to hold on to his farm is the kind of thing that we're up against.

So I think that the fact—and I want to compliment the chairlady, Ms. DELAURO, for the work she's done and the way that we've come forward to put $350 million—again, it's not going to save the entire dairy industry, but it certainly is going to help dairy farmers, and they need it at this time. We need to continue this. We need to continue to move because dairy farming in America is not just an industry. It's not just a business, but it's a way of life, and we need to do everything we can, and I strongly support this conference report. And I urge my colleagues to do the same.

Ms. FOXX. Mr. Speaker, the gentleman from Massachusetts (Mr. MCGOVERN) blames Republicans. I mean we're used to it. We're being blamed for everything. And yet, you all are in the majority. You have the votes to do whatever you want to do. You've been in the majority for the last 3 years. So I don't understand why it's our fault that these programs haven't been authorized at the appropriate levels for the last 3 years.

I would like to yield now 4 minutes to my colleague from Texas, Mr. CONAWAY.

Mr. CONAWAY. Mr. Speaker, I want to thank the gentlelady for giving me some time to speak.

First off, I want to brag on the majority. The gentlelady and the previous speaker and I talked about the 72-hour rule, the concept of a bill being available for not only Members to read but also constituents to read. This one's

been available longer than 72 hours. And as far as I can tell, the sun came up in the east this morning and the world's continuing to turn, so this system can, in fact, work under a rational process that allows 72 hours to expire before something is voted on.

So I want to brag on the majority for conducting themselves in the way that they said they would do throughout the 2006 campaign. And now, at least with this one narrow example, they have shown that the 72-hour rule will, in fact, work.

Mr. Speaker, I am going to ask my colleagues to vote against the rule, to vote against this bill itself. I represent an agricultural district. I have a rural district in Texas. I represent 14 percent of the land mass of Texas. It is rural and it is agricultural. I'm going to vote against this bill because of the reckless increases in spending that are being proposed or being pushed forward. None of us are for hunger. None of us are for children getting up and going to school hungry. That's not what this is about.

This bill, with a 28 percent increase over what we spent in 2008, a 14 percent increase in what we spent over 2009, plus an $8 billion stimulus infusion of cash, is reckless, simply reckless. We can't afford it. This will contribute to a $1.3 trillion deficit for 2010. We will have to borrow all $1.3 trillion.

Now, what that does in effect is it fixes today's problems for just 2010. It doesn't fix anything, but it addresses the problems for 2010. The interest on that debt will be paid for by every generation every year of their lives. They will not pay it back. We will not pay it back. So what we are saying is with respect to the interest on that debt is that future generations will have to tax themselves to pay for that. Those are resources that they will not have available to deal with the hungry and the hungered in their generations because, as Jesus Christ said, the poor you will always have with us. There will be hunger in this world as long as this world exists. And what we are doing today with this bill is contributing to the irresponsible resource reallocation from future generations to today's problems.

Both sides have made an art form over the last four years of taking future resources to fix today's problems. It's been wrong in the past. It's wrong today. And I would urge my colleagues to vote against this rule and against this bill when it comes up later on this afternoon.

Mr. McGOVERN. Mr. Speaker, let me just clarify for the record, because I think maybe there is a difference here between what some of us are saying on this side of the aisle compared to what some of my friends are saying on the other side of the aisle.

I don't believe a hungry child can wait. I don't believe we can put that problem off till next year or 5 years or 10 years down the road. And in fact, I would argue that investing and making sure that that child gets the proper nutrition and the proper food early on in their lifetime will probably save us a whole bunch of money in terms of health care costs and lost learning opportunities and so many other things that come as a result of people being hungry and not getting enough to eat.

So we don't have time to wait. And one of the reasons we are trying to tackle health care, Mr. Speaker, is to try to get this deficit and this debt under control, something, by the way, that when Bill Clinton left office, he left historic surpluses. After a few years of my friends on the other side of the aisle, we have historic deficits, and now we're trying to dig ourselves out of this ditch.

Mr. Speaker, at this time I would like to yield 4 minutes to the distinguished gentlewoman from Connecticut, the Chair of the Appropriations Subcommittee on Agriculture, Ms. DELAURO.

Ms. DELAURO. I thank the gentleman for yielding time, and I am delighted to present the 2010 Agriculture, Food and Drug Administration Appropriations Conference Report.

I wanted to note that this is the earliest that an Agriculture appropriations conference report has come to the floor of this House since 1999. In fact, we have been busy all year. The subcommittee has held seven hearings so far, including two hearings with the Secretary of Agriculture, a hearing with the Acting Commissioner of the Food and Drug Administration, another with the Inspector General of the Department of Health and Human Services. We had a hearing on domestic nutrition programs, a hearing on the equivalency process for imported meat and poultry. We also had a hearing at which Members discussed their priorities.

This report before us is then the culmination of this process. It focuses on several key areas, supporting agricultural research, investing in rural communities. My colleague from Texas was just up on his feet, and he represents a rural part of Texas. Well, in fact, what we did was increase resources for rural America, and I'm sure that that includes his portion in Texas. He ought to think twice about voting against a bill which is going to help his constituents. And that's probably true of agricultural research as well.

We also focused on protecting the public health, bolstering nutrition programs and food aid, and conserving our natural resources. I would just say that the report proposes investments in these priorities and the agencies that can help us to meet them while making specific and sensible budgets cuts where feasible. The appropriations bill on Agriculture and the Food and Drug Administration for 2010 provides for $23 billion in funding. It is a 13 percent increase over the 2009 levels, the reason being, as our colleague from New York said a moment ago, because there was an additional $350 million put in this bill in order to deal with the crisis amongst dairy farmers in this country.

Whether you are from the East Coast, the way I am, the middle of the country, where others are, or the West coast, dairy farmers are in critical difficulty. Now, if we propose not to do that, let's close it down. Let's close the dairy industry down, because, you know what? You can't stop milking cows just because the prices are low. You have to continually do it. And our small dairy farmers are going under. We also made responsible investments across the board and, yes, in fact, we did make cuts in programs. We made a significant investment in agricultural research, $1.2 billion for the Agriculture Research Service, $1.3 billion for the National Institute for Food and Agriculture.

□ 1115

Among the key programs that were funded was the Agriculture and Food Research Initiative.

In addition, the report seeks to create new opportunities for growth in the Nation's small-town economies, rural America. The conference agreement provides $173 million for section 502 Guaranteed Single Family Housing Loans and $40 million for the Renewable Energy Program to focus in on renewable energy projects so that rural communities can take advantage of this effort.

I also might say again to my colleague from Texas who was standing up there, the administration proposed to cut the Farm and Ranchland Program, the Wildlife Habitat Program, and several other very good conservation programs. The Resources Conservation Agency development offices, I would bet he's got those issues in his district.

Well, you know what we did? We restored that funding because those communities need to have these resources in order to succeed.

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

Mr. McGOVERN. I yield the gentlelady an additional 2 minutes.

Ms. DELAURO. We did provide a substantial increase for the Food and Drug Administration, $306 million, to conduct more inspections of domestic and foreign food and medical products. We fully fund the administration's request for the Food Safety and Inspection Service at the U.S. Department of Agriculture. We provided money for them the first time. Why? So that in fact we can make sure that our food supply is safe and that youngsters are not dying from an E. coli infection or hurt by an E. coli infection, like we saw on the front page of The New York Times this past week, or we're getting a tainted product from China which puts people in this country at risk.

The bill provides $392 million for an increase for the WIC program to help those hit hardest by the current economic crisis. And, yes, per the request of the committees in both the House and the Senate and the Democratic and Republican members of those committees, the bill extends the important

and expiring child nutrition programs such as School Lunch, School Breakfast, and other programs.

But, you know, if you had been here several years ago the way I was, a number of years ago, you know where the other side of the aisle comes from, because there was an attempt at that time to say, Let's end the School Lunch program.

Yes, nutrition is critical. This is a bill that deserves to be extended, and that was its purpose in putting it with the agricultural bill. It is self-contained, no additional money, and it was not air-dropped. It was not air-dropped.

These programs continue our longstanding commitment to international aid, to fighting hunger. It works to conserve America's natural resources, sustain our national priorities. It includes $350 million for dairy assistance; $290 million to the Secretary of Agriculture to supplement producers' income; $60 million for purchasing surplus cheese and other dairy products to distribute to food banks. It continues to protect our Nation's families and our farmers from the dangers that are posed by unsafe, processed poultry imports from overseas.

Taken as a whole, I believe we have crafted a responsible agriculture legislation. It alleviates short-term suffering, encourages long-term growth, invests in our future, reflects our priorities.

Support this rule.

Ms. FOXX. I appreciate very much the sympathy and concern from our friends from urban areas for our dairy farmers and our farming interest. I come from a rural district.

I represent a rural district and many dairy farmers. I grew up milking a cow. I understand that cows have to be milked. I know they can't wait. But what we've done to hurt dairy farmers in this country is we're putting them out of business because we've driven up the costs of doing business.

We have an EPA that is totally out of control in this country and that has harassed our farmers, and particularly dairy farmers, to the point where we have almost driven them completely out of business.

Yes, dairy farmers are hurting right now, and we need to do something to help them; but we could do a lot to help them by reducing the cost of their doing business with the ridiculous rules and regulations that we've put on them.

I also would like to say that we need to be setting priorities in this Congress, and that's one of the main problems that we have with the majority in charge right now.

I'd like to now yield 4 minutes to my colleague who also understands rural United States' needs, the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. I want to thank the gentlelady from North Carolina for her leadership consistently in this House for common sense. I'm glad that she understands agriculture like some of us do in the West as well.

I want to talk today about the rule and the rules of this House. As my colleague from California said pretty clearly, for too long we have had a process that's been followed in this House, regardless of who was in control of this House, to make sure that the people and the press and we politicians have a chance to read the bills before they're voted on.

Consistently, when the will of the majority has been exercised, we have waived the House rules of the 72-hour requirement. We need to change that, and we can do it on a bipartisan basis.

My colleagues, Mr. BAIRD and Mr. CULBERSON, have legislation, H. Res. 554, introduced in June, to change the House rules to require 72 hours for bills like this, the so-called ''stimulus,'' to be put on the Internet for the people, the press, the public, people affected, and us, to actually read them.

Now this bill was 1,073 pages. It cost $787 billion. And we were allowed 12 hours to consider it. This legislation is the national energy tax, the cap-and-trade bill. It's 1,420 pages, 16½ hours to review, and it cost $846 billion.

Now, this House recently passed a resolution saying that on the Ag appropriations conference report, the issue before us at the moment, that we should have 72 hours to consider it before it's voted on. That hasn't always been the case on all these rules. As I mentioned, on the national energy tax, on the stimulus, even the health care bill before it came to the Energy and Commerce Committee, 1,026 pages, we had 14 hours and 43 minutes to consider.

You know, it's kind of interesting. If you go back to the beginning of our country, and I just put it in comparison, the Declaration of Independence, same type-face size, nine pages, 4 days; the entire United States Constitution, 82 days, 24 pages; Bill of Rights, 57 days and 3 pages. Yet one-sixth of the economy, we're given, what, 14 hours and 43 minutes for health care in committee; 16½ hours for the national energy tax, 12 hours for the stimulus.

It's time to change how our House operates. It's time for the Rules Committee to bring forward H. Res. 544. And since that doesn't appear to happen, that's why I filed the discharge petition No. 6 to bring forward House Resolution 544 so that we can improve this process and gain some credibility with the folks back home who think we actually should have time to read these bills, that they should have time to read these bills, including bills like the Ag conference report.

Now, 182 members, as of yesterday, have signed this petition. It only takes 218. We have six Democrats who have signed it. Yet there are 35 Democrats who have cosponsored the underlying resolution, but have not signed the petition.

I know the Speaker has been supportive of this similar process of changing the House rules a couple of sessions ago. It is a bipartisan calling. It is difficult when you're in the majority to change the rules that affect how you operate. But isn't that what real reform is all about? It's saying, For once, we will stand up; we will listen to the people; we will change the rules; and we will have a more open and transparent process, which should lead to better policy.

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

Ms. FOXX. I yield the gentleman an additional 30 seconds.

Mr. WALDEN. And it is a wonderful cleanser, if you will, to a process that, frankly, has lost most credibility among the people of America. You see, they think we should read the bills, and they think we ought to understand them. Moreover, they now, in this modern age of Internet communications, believe we should post them on the Internet so that they, the public, the taxpayers, the people writing the checks to pay for this government, can have an understanding of what is in there.

So I would encourage my colleagues to vote against the previous question and to allow us to move forward on reform and transparency in this House.

Mr. MCGOVERN. I yield myself 30 seconds. I find it interesting the gentleman's not talking about the bill before us, which, as he failed to mention, was actually filed last Wednesday. It's been over a week that people have had access to this bill.

He's right about one thing: we are changing the way we do business in this House compared to when the Republicans were in charge. We are changing our priorities. When they were in charge, they were talking about immunity for big drug companies, talking about corporate tax breaks. What we're talking about in this bill is making sure that our kids have breakfasts and lunches and good nutritional programs; making sure that our farmers get the food they deserve.

I'd like to yield 5 minutes to the distinguished chairman of the Rules Committee, the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Thank you, Mr. MCGOVERN, for yielding me the time.

Mr. Speaker, before I start, let me say that although I represent New York State, I want to make sure everybody understands that agriculture is the largest business in New York State, most of that obviously taking place up in eastern-western New York along the border. And we do know our cows.

A lot of debate on this bill is about food safety and the need to ensure that the products we consume are as safe as they can be.

I want to pause a minute here to respond to some of the comments that were made in the Senate just this last week, to which I take very strong exception. As many of you know, or may not—I'd like you to know—I've introduced legislation that would phase out

seven classes of antibiotics that are currently approved for nontherapeutic use in animal agriculture.

We held a hearing on the preservation of antibiotics for medical treatment last spring, which, for the first time, the new administration acknowledged that the issue of overuse of antibiotics in farm animals is serious and they are seeking a solution. The Rules Committee held a hearing on this on July 13 to gather testimony from the administration, the private sector, and the scientific community.

Now why is this bill necessary? Well, an estimated 90,000 Americans die every year from infections that are increasingly resilient against the most powerful antibiotics in the world. Seventy percent of those infections are associated with bacterial pathogens displaying resistance to at least one antimicrobial drug. And as much as 70 percent of all the antibiotics—I can't stress this enough—70 percent of all antibiotics and related drugs used in this country go to healthy food animals, not people, according to the Union of Concerned Scientists.

Our legislation would in no way infringe upon the use of these drugs to treat a sick animal. It simply bans the nontherapeutic use—the constant, daily use by farmers who mix the medicine they buy in 50-pound bags to mix it in the food of the livestock in the hope that doing so will prevent the animals from getting sick.

Think about that for a moment. If anyone suggested that you mixed antibiotics every day in your children's cereal, you would think that's crazy. Not only that, you would understand that it's very dangerous and, more importantly, likely only to lead to a new class of drug-resistant ''super bugs'' that eventually stop feeling the effects of our best antibiotics.

A Senator claimed on the floor this week that Denmark, which has instituted the same restriction that we call for in this bill on the overuse of antibiotics, the result was an increase in animal mortality.

While criticizing a Time magazine article on this issue, he said, ''We only have to turn to our neighbor across the Atlantic to see how a ban on antibiotics has played out. The European Union made a decision to phase out the use of antibiotics as growth promoters over 15 years ago and in 1998 Denmark instituted a full voluntary ban, which in 2000 became mandatory. After the ban was implemented in 1999, pork producers saw an immediate increase in piglet mortality and post-weaning diarrhea.''

□ 1130

In fact, just the opposite is true. In a recent letter to Speaker PELOSI and to me, the National Food Institute of Denmark, concerned about the wrongful debate taking place in the United States, has written us that production has actually increased by 47 percent from 1992 to 2008. He also said that mortality of livestock was largely ''unaffected'' by the ban—but I will assume that they cleaned up, that they didn't stack up the animals who lived in their feces and rarely set foot outside the confined bin—but has improved again more recently. I would like to put a copy of that letter and report into the RECORD today.

In fact, it is my guess that several of my colleagues would agree with me and disagree with our colleague in the Senate.

Finally, I want to touch on one other issue relating to the legislation which we are speaking of, and it's the economy. This is a looming trade issue. Denmark and other European countries already are using strict food safety regulations against American products as we know. We all know exactly what has happened to our industries with each domestic food poisoning or health scare: Other countries respond by telling us they do not want to import our products, and the losers are our farmers and industries.

As this trend continues, I see nothing but downside for American farmers who may soon be told by more and more countries that their pork or beef or poultry or other products are potentially hazardous and cannot be imported.

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

Mr. MCGOVERN. I yield the gentlelady 2 additional minutes.

Ms. SLAUGHTER. Before I close, I want to speak a bit about an article that appeared on the front page of the New York Times this past Sunday. It told about a young woman named Stephanie Smith, 22 years old, who was paralyzed from eating hamburger, frozen hamburger bought at a market. And they traced the genesis of this hamburger, and let me tell you what they found:

Meat companies and grocers have been barred from selling ground beef tainted by a virulent strain of E. coli after an outbreak at Jack in the Box left four children dead. Tens of thousands of people are sickened annually by this pathogen, and Federal health officials estimate that hamburger is the biggest culprit. This summer, contamination led to the recall of beef from nearly 3,000 grocers in 41 States.

Now we talk about the cuts of beef that are used in this hamburger. Most of them are trimmings that they get from God knows where. We found in the hamburger that paralyzed Ms. Smith that some of it came from Uruguay. They are low-grade ingredients cut from areas of the cow likely to have had contact with feces which carries E. coli.

So the filthy cattle is brought in. And one of the most telling things is there are unwritten agreements between some companies standing in the way of ingredient testing. Many big slaughterhouses will only sell to grinders who agree not to test their shipments for E. coli according to officials at two large grinding companies. Slaughterhouses fear that one grinder's discovery of E. coli will set off a recall that they sold to others.

Food scientists have expressed increasing concern about the virulence of this pathogen since only a few stray cells can make you sick and there are no safety issues that we require about washing up, scrubbing everything. None of them are at all sufficient against this bug which has become more virulent. And I avow that that is because they are fed the antibiotic to kill E. coli almost daily.

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

Mr. MCGOVERN. I yield the gentlelady an additional 30 seconds.

Ms. SLAUGHTER. On August 16, 2007, the day Ms. Smith's hamburger was made, the No. 3 grinder at the Cargill plant in Butler, Wisconsin, started up at 6:50 a.m. The largest ingredient was beef trimmings, which they call 50/50—half meat, half whatever—costing 60 cents a pound. Potential for this contamination is present every step of the way, according to both the workers and the Federal inspectors. The cattle arrive with smears of feces all over them. They are poorly kept. I would also like to put this article in the RECORD.

I hope people will read this. I think that we are really heading for a trade disaster as well as, most importantly, not making 90,000 Americans sick every year.

NATIONAL FOOD INSTITUTE,
DANISH TECHNICAL UNIVERSITY,
*Copenhagen, September 19, 2009.*

Re meeting with a Congress delegation on the Danish experience with stop for nontherapeutic use of antimicrobials.

Hon. NANCY PELOSI,
*Speaker, House of Representatives, The Capitol, United States of America.*

DEAR SPEAKER PELOSI: We have just had the pleasure of meeting with a delegation consisting of four members of the House of Representatives, where we presented our data on the effects of the stop for non-therapeutic use of antimicrobials for food animals in Denmark.

We know that various rumours and sometimes ''creative'' interpretations of what has taken place in Denmark have been circulated to members of the U.S. Congress, and we are grateful for having been given this opportunity to correct some of these stories.

We are very pleased that you have approved the visit by this delegation, and would hereby like to send you a complimentary copy of the data we presented to the delegation.

If any further information is required, please do not hesitate to contact me.

Sincerely yours,

FRANK M. AARESTRUP,
*Professor.*

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SUMMARY OF CONCLUSIONS: MEETING WITH NATIONAL FOOD INSTITUTE, TECHNICAL UNIVERSITY OF DENMARK ON DANISH EXPERIENCE WITH THE STOP FOR USE OF NON-THERAPEUTIC ANTIMICROBIALS

SWINE PRODUCTION, DISEASES AND ANTIMICROBIAL CONSUMPTION

The Danish swine production has increased from 18.4 millions in 1992 to 27.1 millions in 2008; a 47% increase.

Productivity increased continuously before and after NTA stop.

Weaner mortality increased before and a few years after NTA stop—the rate seemed unaffected, except the first year after the ban. Mortality has improved considerably in recent years (management).

Weaner average daily gain decreased until and increased after NTA stop (continuously during a decade).

Finisher mortality increased before and after NTA stop, similar rate. (mortality decreased first year).

Finisher average daily gain increased before and after NTA stop.

Total antimicrobial consumption has fluctuated over time, but has in summary decreased from 100.4 to 48.9 mg/Kg pork produced; a 51% reduction.

Major reductions in resistance among animal pathogens, indicator bacteria and zoonotic bacteria.

BROILER PRODUCTIVITY

Kg broilers produced per square meter: not affected.

The feed-conversion ratio: an increase of 0.9% (0.016 kg/kg) was observed after NTA withdrawal.

Percent dead broilers in total (mortality): increased until and decreased after NTA withdrawal. Positively affected.

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[From the New York Times, Oct. 4, 2009]

E. COLI PATH SHOWS FLAWS IN BEEF INSPECTION

(By Michael Moss)

Meat companies and grocers have been barred from selling ground beef tainted by the virulent strain of E. coli known as O157:H7 since 1994, after an outbreak at Jack in the Box restaurants left four children dead. Yet tens of thousands of people are still sickened annually by this pathogen, federal health officials estimate, with hamburger being the biggest culprit. Ground beef has been blamed for 16 outbreaks in the last three years alone, including the one that left Ms. Smith paralyzed from the waist down. This summer, contamination led to the recall of beef from nearly 3,000 grocers in 41 states.

Ms. Smith's reaction to the virulent strain of E. coli was extreme, but tracing the story of her burger, through interviews and government and corporate records obtained by The New York Times, shows why eating ground beef is still a gamble. Neither the system meant to make the meat safe, nor the meat itself, is what consumers have been led to believe.

Ground beef is usually not simply a chunk of meat run through a grinder. Instead, records and interviews show, a single portion of hamburger meat is often an amalgam of various grades of meat from different parts of cows and even from different slaughterhouses. These cuts of meat are particularly vulnerable to E. coli contamination, food experts and officials say. Despite this, there is no federal requirement for grinders to test their ingredients for the pathogen.

The meat industry treats much of its practices and the ingredient in ground beef as trade secrets. While the Department of Agriculture has inspectors posted in plants and has access to production records, it also guards those secrets. Federal records released by the department through the Freedom of Information Act blacked out details of Cargill's grinding operation that could be learned only through copies of the documents obtained from other sources. Those documents illustrate the restrained approach to enforcement by a department whose missions include ensuring meat safety and promoting agriculture markets.

Within weeks of the Cargill outbreak in 2007, U.S.D.A. officials swept across the country, conducting spot checks at 224 meat plants to assess their efforts to combat E. coli. Although inspectors had been monitoring these plants all along, officials found serious problems at 55 that were failing to follow their own safety plans.

''Every time we look, we find out that things are not what we hoped they would be,'' said Loren D. Lange, an executive associate in the Agriculture Department's food safety division.

In the weeks before Ms. Smith's patty was made, federal inspectors had repeatedly found that Cargill was violating its own safety procedures in handling ground beef, but they imposed no fines or sanctions, records show. After the outbreak, the department threatened to withhold the seal of approval that declares ''U.S. Inspected and Passed by the Department of Agriculture.''

In the end, though, the agency accepted Cargill's proposal to increase its scrutiny of suppliers. That agreement came early last year after contentious negotiations, records show. When Cargill defended its safety system and initially resisted making some changes, an agency official wrote back: ''How is food safety not the ultimate issue?''

THE RISK

On Aug. 16, 2007, the day Ms. Smith's hamburger was made, the No. 3 grinder at the Cargill plant in Butler, Wis., started up at 6:50 a.m. The largest ingredient was beef trimmings known as ''50/50''—half fat, half meat—that cost about 60 cents a pound, making them the cheapest component.

Cargill bought these trimmings—fatty edges sliced from better cuts of meat—from Greater Omaha Packing, where some 2,600 cattle are slaughtered daily and processed in a plant the size of four football fields.

As with other slaughterhouses, the potential for contamination is present every step of the way, according to workers and federal inspectors. The cattle often arrive with smears of feedlot feces that harbor the E. coli pathogen, and the hide must be removed carefully to keep it off the meat. This is especially critical for trimmings sliced from the outer surface of the carcass.

Federal inspectors based at the plant are supposed to monitor the hide removal, but much can go wrong. Workers slicing away the hide can inadvertently spread feces to the meat, and large clamps that hold the hide during processing sometimes slip and smear the meat with feces, the workers and inspectors say.

Greater Omaha vacuums and washes carcasses with hot water and lactic acid before sending them to the cutting floor. But these safeguards are not foolproof.

''As the trimmings are going down the processing line into combos or boxes, no one is inspecting every single piece,'' said one federal inspector who monitored Greater Omaha and requested anonymity because he was not authorized to speak publicly.

The E. coli risk is also present at the gutting station, where intestines are removed, the inspector said.

Every five seconds or so, half of a carcass moves into the meat-cutting side of the slaughterhouse, where trimmers said they could keep up with the flow unless they spot any remaining feces.

''We would step in and stop the line, and do whatever you do to take it off,'' said Esley Adams, a former supervisor who said he was fired this summer after 16 years following a dispute over sick leave. ''But that doesn't mean everything was caught.''

Two current employees said the flow of carcasses keeps up its torrid pace even when trimmers get reassigned, which increases pressure on workers. To protest one such episode, the employees said, dozens of workers walked off the job for a few hours earlier this year. Last year, workers sued Greater Omaha, alleging that they were not paid for the time they need to clean contaminants off their knives and other gear before and after their shifts. The company is contesting the lawsuit.

Greater Omaha did not respond to repeated requests to interview company officials. In a statement, a company official said Greater Omaha had a ''reputation for embracing new food safety technology and utilizing science to make the safest product possible.''

Ms. Smith's burger also contained trimmings from a slaughterhouse in Uruguay, where government officials insist that they have never found E. coli O157:H7 in meat. Yet audits of Uruguay's meat operations conducted by the U.S.D.A. have found sanitation problems, including improper testing for the pathogen. Dr. Hector J. Lazaneo, a meat safety official in Uruguay, said the problems were corrected immediately. ''Everything is fine, finally,'' he said. ''That is the reason we are exporting.''

Cargill's final source was a supplier that turns fatty trimmings into what it calls ''fine lean textured beef.'' The company, Beef Products Inc., said it bought meat that averages between 50 percent and 70 percent fat, including ''any small pieces of fat derived from the normal breakdown of the beef carcass.'' It warms the trimmings, removes the fat in a centrifuge and treats the remaining product with ammonia to kill e. coli.

Ms. FOXX. Mr. Speaker, I now yield 3 minutes to our colleague from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentlewoman from North Carolina for the time.

I have to rise today in strong opposition to this rule, and unfortunately and reluctantly in opposition to the conference report itself. The main reason, this rule is simply outrageous. We've had a long debate for years around here about air-dropping items in conference. What happens is that you have a bill that comes out of the House that does not have a provision in it, a bill that comes out of the Senate that does not have the provision in it, and then policies and new laws are dropped in in conference with no debate, no discussion, nothing passed off the floor of either body but just come from afar, air-dropped at conference time.

In this bill, there are at least five new programs that were air-dropped in conference costing $150 million. That's in this bill. And it certainly is way beyond the scope of the Rules Committee to approve this. Maybe there was some debate in the Rules Committee sometime that they agreed to it, but certainly there is no other Member that knows what these provisions are for.

Again, to spend $150 million, five new mandatory programs in this bill that no one has debated in either body is simply outrageous.

Mr. Speaker, I also today have to oppose the conference report reluctantly. There are things in this conference report that I support, such as the research for agriculture, child nutrition, aid to farmers, all of these things. However, this is not, in my opinion, a responsible bill.

Today we are going to vote on an agriculture appropriations package that

exceeds $121 billion. It contains huge increases in spending over last year's levels. Mandatory appropriations in this bill total $97.8 billion. That is $10 billion more than last year. And nearly two-thirds of this increase is for domestic nutrition programs. They may be very, very worthwhile and needed. That's a $6.2 billion increase, 9 percent over last year's level. However, neither the House nor the Senate Appropriations Committee ever held a hearing on these items, where you're spending an additional $6.2 billion, with the proper agency to actually discuss the need whether or not this spending is justified.

Farm commodity programs receive a $2.8 billion increase. That's 25 percent over last year. And again Congress, the committee had no hearings to justify that kind of kind of an increase.

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

Ms. FOXX. I yield the gentleman 2 additional minutes.

Mr. LATHAM. I thank the gentlelady.

Federal crop insurance that I very much support receives about $900 million more than last year. That's a 14 percent increase, and yet never a hearing, no one from the agency that oversees crop insurance came to justify that kind of an increase.

Discretionary appropriations in the bill total $23.3 billion, that's $2.7 billion more than fiscal year 2009, a 13 percent increase. This is $325 million more than the President requested, and $404 million more than was passed in the House bill. The largest discretionary increases are for nutritional assistance, including a $421 million increase for that. That's 6 over percent over last year. But did Congress have a hearing on it? No.

The agreement contains a $590 million increase for foreign food assistance. That is a 39 percent increase. Again, neither the House nor the Senate held any hearings to discuss such an enormous spending increase.

This spending bill was written with virtually no congressional oversight. It also almost seems that the motto of the Appropriations Committee today should be ''Spending Your Tax Dollars With No Questions Asked.''

The American taxpayers deserve a heck of a lot better than this. Accountability matters for both the administration and this Congress. And at the very least, the Congress should be asking the tough questions about these budget requests, these spending increases, and we deserve to get answers about how these huge government programs are administered. To date, we haven't had hearings.

I urge my colleagues to vote ''no'' on this rule because of the air-dropped items and the spending increases and support accountability and responsibility in this Congress. Unfortunately, I ask them to vote against the conference report.

Mr. MCGOVERN. Mr. Speaker, I yield 1¾ minutes to the gentleman from California, the Chair of the Education and Labor Committee, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I rise in strong support of this conference report and the rule that enables it to come to the floor. I want to thank the chairwoman of the committee for bringing this matter to the floor. I also want to thank Chairman OBEY and Chairwoman DELAURO for their work on this conference report.

This legislation makes some important changes in child nutrition. First, this extension recognizes that hunger does not take a vacation during the summer. This extension provides $85 million for pilot summer food service program demonstration projects that will help expand benefits for low-income children during the summer.

Secondly, the extension provides support to States to help increase the number of children who are automatically enrolled in the free school meals and to help reduce administrative errors in that program.

Third, we are responding to the calls of school food directors across the country by including funding for school food service equipment grants in order to improve the quality of school meals. The program was created in the Recovery Act and was immediately successful. The demand in fact outpaces resources 6-to-1.

Fourth, we know that promoting nutrition in school is not enough. Today almost 12 million children under 5 regularly spend time in child care, and that is why this bill invests $8 million in competitive grants to improve the quality of meals and promote health in child care settings.

And finally, this bill supports our ongoing commitment to promote breastfeeding among the WIC population with $5 million to incentivize States to achieve and sustain higher rates of breastfeeding.

These programs are a sound investment in the nutritional health of our children and come at no expense to the taxpayers because of the savings made elsewhere in the bill.

Ms. FOXX. Mr. Speaker, this rule and this conference report are emblematic of the problems of this Democratically controlled Congress. I want to quote from a piece called ''A New Direction For America'' which was on the Web site of then-Minority Leader PELOSI. ''Our goal is to restore accountability, honesty and openness at all levels of government. To do so we will create and enforce rules that demand the highest ethics from every public servant, sever unethical ties between lawmakers and lobbyists and establish clear standards that prevent the trading of official business for gifts.''

Despite this well-known promise, however, Representative CHARLIE RANGEL remains the chairman of the Ways and Means Committee even though he faces serious charges that are now the subject of an Ethics Committee investigation: failure to report $75,000 in rental income on Federal and State tax returns; agreed to preserve tax breaks that would benefit a supporter who on the same day pledged to give $1 million to RANGEL's ''Monument to Me''; used official congressional letterhead to solicit support for his ''Monument to Me''; rented four rent-stabilized apartments; took at least two corporate-funded trips; and failed to disclose millions of dollars in income and assets.

This promise has certainly not been adhered to. Neither have the promises that have been made on other issues such as allowing 72 hours for bills to be read before they are voted upon.

We are facing a serious economic situation in this country right now. In September, according to the Heritage Foundation, every aspect of the labor market was negative. Labor force participation fell to 65 percent. Job losses were widespread. The negative statistics just go on and on and on: 15 million people unemployed and looking for work; 263,000 jobs eliminated in September; almost 2 million people laid off in September, the highest number in 1 month ever; and 3 million jobs lost since the Democrat stimulus was passed in February.

□ 1145

As I said, the numbers go on and on and on. The unemployment rate is at 25.9 percent among job seekers between the ages of 16 and 19, the highest level since the statistic was first measured in 1948.

The people in charge of this Congress, the Democrats, have not lived up to their promises, have not lived up to the expectations of the American people. They talk about a moral obligation. Our moral obligation is that to us personally. We don't have an obligation for wealth redistribution in this country. It is not our job to take from some Americans and give to others. Our moral obligation, again, is on a personal level. We're challenged by Jesus to look after people as individuals, not as a government. So we are not doing what we should have been doing.

As my other colleagues have said, we don't want to starve people. We don't want to starve children. We don't want to deny people the opportunity to succeed in this country.

I heard my colleagues talk about food safety from overseas, and yesterday we heard that less than 1 percent of foods being imported from overseas are being tested for food safety. But what are our colleagues on the other side of the aisle doing? Putting small farmers out of business just as fast as they possibly can, raising taxes by their cap-and-tax bill and by their proposed health care bill.

A large number of small businesses who make over $250,000 a year file their taxes as individuals. There is this hatred, it appears, for success in this country by members of the opposite party. They don't make the connection that many of these small businesses file as individuals, and therefore, they

are going to be taxed, despite the promises that individuals aren't going to be taxed.

They're out of touch. They don't understand rural America. They don't understand small businesses. They've never been there. They don't know what it's like to make a payroll, so they willy-nilly go ahead and raise taxes. They don't want to dole out money from the government to try to make people beholden to the government.

If we would talk to our farmers out there, particularly our dairy farmers, we would find out that they don't want a handout from the government. They simply want rules and regulations lifted so that they can do the jobs that they want to do. They love farming. They want to stay in it, but they want the government to get out of their way and stop giving them a burden.

So what we need to do is we need to take into account the need to establish priorities, fund those things that the Federal Government should be funding, get out of the way of our farmers and our small businesses and not tax them out of existence. That's what we need to be doing in this Congress.

Mr. Speaker, I would like to submit for the RECORD a statement that says what 9.8 percent unemployment means by the numbers, which has in it many more things than I was able to say on the floor today.

WHAT 9.8 PERCENT UNEMPLOYMENT MEANS BY THE NUMBERS, OCTOBER 6, 2009

''I know that ultimately the measure of an economy is, is it producing jobs that help people support families, send their kids to college?''—President Barack Obama, September 20, 2009.

Last week, the Department of Labor reported the highest unemployment rate in 26 years—9.8 percent for the month of September. Sadly, 9.8 percent only tells part of the story of the struggles of average Americans. A deeper look at the numbers reveals the true cost of the Democrats' economic policies, especially for the nation's most vulnerable people.

People unemployed and looking for work—the highest number ever: 15,142,000.

Jobs eliminated in September: 263,000.

People laid off in September—the highest number in one month ever: 1,916,000.

Jobs lost since Democrats' ''stimulus'' was passed in February: 2,884,000.

People who are working only part-time because they cannot find full time employment: 9,179,000.

People who want work, but who are not currently looking because of state of the economy: 2,219,000.

People unemployed and searching for work for more than 27 weeks—the highest level ever: 5,438,000.

Job seekers that are new entrants to the workforce and have yet to find a job: 1,112,000.

Average number weeks job seekers are unemployed after losing their jobs—the highest number since the statistic was first recorded in 1948: 26.2.

Unemployment rate among job seekers between the ages of 16 and 19—the highest level since the statistic was first measured in 1948: 25.9%.

Unemployment rate among African Americans—the highest level since 1985: 15.4%.

Unemployment rate among Hispanics and Latinos: 12.7%.

Rate of underemployment, accounting for the unemployed and those who are unable to find adequate work: 17%.

Unemployment rate among job seekers without a high school degree: 15%.

Rate of the U.S. population in the workforce—the lowest level since 1986: 65.2%.

Rate of the U.S. population who currently have a job—the lowest level since 1985: 58.8%.

I want to urge my colleagues today to defeat the previous question so an amendment can be added to the rule. The amendment to the rule would provide for separate consideration of H. Res. 544, a resolution to require that legislation and conference reports be posted on the Internet for 72 hours prior to consideration by the House. It does not affect the bill made in order by the rule. My colleagues have spoken very eloquently about this.

The amendment to the rule provides that the House will debate the issue of reading the bill within 3 legislative days. It does not disrupt the schedule. The discharge petition has 182 names, including 5 Democrats. This bill has gained the support of an overwhelming majority of Americans and is widely respected by government watchdogs.

I want to urge the citizens of this country to pay attention to the process, as was discussed earlier, because process is important. Whether people sign the discharge petition is really the measure of whether they support it. This is not a partisan measure, Mr. Speaker. As Members of Congress, we ought to agree that regardless of the legislation brought before us, we should always have the opportunity to read and understand the legislation before we vote. We need to have this debate.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Ms. FOXX. I encourage a ''no'' vote on the previous question, and I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I would like to insert into the RECORD an article from the Star-News entitled, ''Hungry Eyes—More N.C. children go without food.''

[From the Wilmington (NC) Star News, Aug. 15, 2009]

HUNGRY EYES—MORE N.C. CHILDREN GO WITHOUT FOOD

(By Amanda Greene)

The three children hadn't eaten a full meal in two days.

In desperation, their grandparents knocked on the door of a downtown Wilmington church.

The children waited in the car as their grandparents asked the minister at the door for help.

He gave them a box of pop-top cans of Vienna sausages and pork and beans.

''They got the food, drove out of the parking lot and stopped beside the road to feed the kids right away,'' said Jennifer Caslin, development manager at the Wilmington branch of the Food Bank of Central and Eastern North Carolina.

Such scenes are increasingly common here and throughout the state as joblessness and the weak economy put ever greater strains on an already thin safety net. You don't have to look hard to see hungry children in North Carolina. Whether it's families skipping breakfast so the food will stretch through dinner, or eating packaged foods, because fruits and vegetables are too expensive, many of the state's children aren't eating balanced, nutritious meals.

In May, Feeding America, the largest food bank network in the country, released the results of its first analysis of food insecurity in early childhood, ''Child Food Insecurity in the United States: 2005–2007.'' North Carolina ranked second worst in the nation with 24.1 percent of its children under 5 judged to be food insecure and lacking regular access to nutritional food. The state was 10th worst in the same Feeding America study of food insecurity in children 0–18 years old, using figures from the U.S. Department of Agriculture. Nationally, the food insecurity average is 17 percent for children under 5.

Demand for food at the nation's food banks has increased 30 percent in the past year, said Ross Fraser, media relations manager for Feeding America. ''So many people have been plunged into poverty,'' he said, ''and it's terrible for children because it stunts their growth in all ways.''

Indicators of food insecurity in North Carolina include high child poverty rates, the 11 percent unemployment rate, broken families, the high price of fresh food and a 21 percent increase in households with food stamps since 2007, said Alexandra Sirota, director of policy and research, Action for Children North Carolina in Raleigh.

North Carolina ranked 37th in child well-being in the recently released 2009 Kids Count Data Book from the Annie E. Casey Foundation using factors such as the percent of low-birth-weight babies, infant mortality rate, child death rate, teen death rate, teen birth rate, percent of teenaged high school dropouts, percent of teens not attending school and not working, percent of children in families without a parent with full-time and year-round employment, percent of children in poverty and percent of children in single-parent families. The state did improve one level from its 38th ranking in 2008.

Often the youngest children fall through the cracks, subject to their parents' ability—or inability— to provide nutritious foods.

''There are a lot of programs that are available once (kids) get into the school system, but those aren't always available for young children until school age,'' Sirota added. ''The fact that families are both losing their jobs and earning such low wages that they're living in extreme poverty is an indicator of that added stress when you're trying to feed the family.''

BRIDGING THE GAP

When parents can't feed their children regularly, often the schools, local social service networks and churches try to fill the need.

And in the summers, when school's out, the need for meals for children increases. The New Hanover County school district hosts a federally-funded Summer Food Service for Children Program at 15 schools and community centers in the county for any child, 18 years old or younger, to eat a lunchtime meal. For six weeks this summer, the program served about 700 kids each day. That number is slightly lower than previous years because funding for the program came in after the end of school this year and didn't get advertised, said Anne Ohlson, schools child nutrition supervisor.

''We do see a lot of hungry children who are waiting for us when we show up with the

food,'' said Imer Smith, director of Child Nutrition for New Hanover County Schools. Historically, most of those children would show up at inner-city sites, but the number of children coming to the program's sites outside the city is increasing.

An 8–year-old girl and her 4–year-old brother were among a crowd of about 10 children who were waiting for the Food Service lunch to start at the doors of the Jervay Communities meeting center one day a few weeks ago. The girl and her brother walked from their Jervay home across the square to the center each day that week for lunch. Lunch was a turkey and cheese sandwich, cucumber slices with ranch dressing, a peach cup and skim chocolate milk.

''I love ranch on my sandwich,'' the little boy said, smiling and slathering his bun.

During the school year, Caroline Hines is seeing more and more parents who can't pay their child's food accounts as food service director at Rachel Freeman Elementary School. Parents who don't qualify for free or reduced meals have sent her notes asking her not to allow their children to eat if they don't bring money with them because the parents can't afford the charge: $1.25 for breakfast or $2 for lunch. Defaulted lunch accounts at all New Hanover schools have risen from $18,223 in 2008 to $29,203 at the end of last school year. New Hanover County Schools saw an increase in children in free and reduced lunch programs from 9,792 in 2007–08 to 10,375 in 2008–09.

''I had a child who came in at breakfast and waited until the end to get the leftover food that no one had opened,'' Hines said, adding that teachers and school social workers sometimes buy students meals. Some parents won't fill out the free lunch forms because ''they think people will know their child needed it.''

FEEDING THE POOR

What she sees during the school year frustrates Hines. The state ''feeds prisoners,'' she added, ''but our school children that have done nothing wrong are going hungry.''

But just feeding children during the week often isn't enough. The local Food Bank's Backpack Program helped 75 children each week during school last year take meals home to help their family over the weekend. The children bring the backpacks back to school each week to be refilled at the Food Bank. One of the parents of the children who participated in the Backpack Program wrote: ''I thank you for the program because so many kids might be in the same place as my girls were. They didn't have food before they went to bed at night.''

In the tri-county area, many times churches are the main sources of food pantry help for the poor.

The South Brunswick Interchurch Council Food Pantry in Shallotte has seen a 33 percent increase in children ages 0–17 served there since August last year, said Mary Pritchard, a council member.

This spring, Life Community Church in Wilmington was distributing about 800 food boxes a month through the national Angel Food Ministries. Most of their box recipients were families. The church hopes its new location in Independence Mall will help people in need find Angel Food easier.

''We've had people make comments that if it wasn't for this program, we wouldn't be eating,'' said Mindy McAdams, church director of Angel Food Ministries.

One inner city pastor who works regularly with hungry families in his church blamed the child hunger he's seeing on the lack of family structure.

''I've seen latch-key situations where the parents aren't home and they tell the kids, there's something in the fridge for you to eat,'' he said, ''But you're talking to an 8–year-old child or younger who doesn't know how to cook.''

May I ask how much time I have left?

The SPEAKER pro tempore. The gentleman from Massachusetts has 30 seconds remaining.

Mr. MCGOVERN. Mr. Speaker, let me be clear to my colleagues, the bill before us was filed over a week ago, so this debate we're having is not about process. This really is about substance. And I am sad that my colleagues on the other side of the aisle have a problem with child nutrition programs. They have no problem when it comes to corporate tax breaks. They have no problems when it comes to immunity for big drug companies. But here they are on the floor today, they have a problem with child nutrition programs.

I should say to my colleague from North Carolina, poor kids don't want a handout. They don't want the government to provide them with a free meal. They wish that they weren't in that position. Unfortunately, the tough times that they find themselves in require us to help out. I urge a ''yes'' vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 799 OFFERED BY MS. FOXX OF NORTH CAROLINA

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

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

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Mr. MCGOVERN. I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to a concurrence resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 45. Concurrent resolution encouraging the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families in the United States as soon as possible.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3326) ''An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appointees Mr. INOUYE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Mr. SPECTER, Mr. COCHRAN, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. BENNETT, and Mr. BROWNBACK to be the conferees on the part of the Senate.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 52 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1216

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 12 o'clock and 16 minutes p.m.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 701

Mr. BOREN. Mr. Speaker, I ask unanimous consent that I remove my name from H. Res. 701.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 799;

Adopting House Resolution 799, if ordered; and

Suspending the rules with regard to:

House Resolution 701 and House Resolution 795.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

## PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 799, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 237, nays 180, not voting 15, as follows:

[Roll No. 756]

YEAS—237

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

NAYS—180

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

NOT VOTING—15

Bachmann
Braley (IA)
Carney
Conyers
Crenshaw
Diaz-Balart, M.
Engel
Frelinghuysen
Johnson, Sam
Larson (CT)
Maloney
Neugebauer
Radanovich
Tsongas
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1245

Ms. FALLIN and Mr. ROGERS of Alabama changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Speaker, on rollcall No. 756, I was unavoidably detained and missed the vote. Had I been present, I would have voted "yea."

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 756, had I been present, I would have voted "yea."

Mr. CONYERS. Mr. Speaker, on October 7, 2009, I regret that I was not present for the following vote:

On the Motion on Ordering the Previous Question for the Rule on the Conference Report on H.R. 2997. Had I been present, I would have voted "yea."

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

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

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 178, not voting 13, as follows:

[Roll No. 757]

AYES—241

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

NOES—178

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

NOT VOTING—13

Bachmann
Carney
Crenshaw
Diaz-Balart, M.
Frelinghuysen
Honda
Johnson, Sam
Larson (CT)
Maloney
Murtha
Neugebauer
Radanovich
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1253

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, in rollcall No. 757, had I been present, I would have voted "aye."

## RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CARTER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from New York, Charles B. Rangel, the fourth most senior Member of the House of Representatives, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives;

Whereas clause one of Rule XXIII of the Rules of the House of Representatives provides, "A Member, Delegate, Resident Commission, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House.";

Whereas The New York Times reported on September 5, 2008, that, "Representative Charles B. Rangel has earned more than $75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the resort";

Whereas in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel's annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa;

Whereas The New York Times reported on September 6, 2008 that, "Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel's lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel.";

Whereas clause 5(a)(2)(A) of House Rule 25 defines a gift as, ". . . a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value" and prohibits the acceptance of such gifts except in limited circumstances;

Whereas Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban;

Whereas Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law;

Whereas Representative Rangel's failure to report the aforementioned gifts and income on federal, state and local tax returns is a violation of the tax laws of those jurisdictions;

Whereas the Committee on Ways and Means, which Representative Rangel chairs, has jurisdiction over the United States Tax Code;

Whereas the House Committee on Standards of Official Conduct first announced on July 31, 2008 that it was reviewing allegations of misconduct by Representative Rangel;

Whereas Roll Call newspaper reported on September 15, 2008 that, ''The inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings.'';

Whereas the House Committee on Standards of Official Conduct announced on September 24, 2008 that it had established an investigative subcommittee in the matter of Representative Rangel;

Whereas after the Ethics Committee probe was underway, The New York Times reported on November 24, 2008 that, ''Congressional records and interviews show that Mr. Rangel was instrumental in preserving a lucrative tax loophole that benefitted Nabors Industries, an oil drilling company last year, while at the same time its chief executive was pledging $1 million to the Charles B. Rangel School of Public Service at C.C.N.Y.'';

Whereas the House Committee on Standards of Official Conduct announced on December 9, 2008 that it had expanded the jurisdiction of the aforementioned investigative subcommittee to examine the allegations related to Representative Rangel's involvement with Nabors Industries;

Whereas since then, further serious allegations of improper and potentially illegal conduct by Representative Rangel have surfaced;

Whereas during the recently completed August district work period, Representative Rangel acknowledged his failure to publicly disclose at least half a million dollars in cash assets, tens of thousands of dollars in investment income, and his ownership of two pieces of property in New Jersey;

Whereas corrected financial disclosure statements filed by Representative Rangel on August 12, 2009 now reveal his net worth to be nearly twice as much as he had previously revealed;

Whereas The New York Times newspaper reported on August 26, 2009 that, ''United States Representative Charles B. Rangel, whose personal finances and fund raising are the subject of two House ethics investigations, failed to report at least $500,000 in assets on his 2007 Congressional disclosure form, according to an amended report he filed this month. Among the dozen newly disclosed holdings revealed in the amended ,forms are a checking account at a federal credit union with a balance between $250,000 and $500,000; three vacant lots in Glassboro, N.J., valued at a total of $1,000 to $15,000; and stock in PepsiCo worth between $15,000 and $50,000.'';

Whereas Roll Call newspaper reported on August 25, 2009 that Representative Rangel's corrected filings also revealed ''at least $250,001 in a fund called ML Allianz Global Investors Consults Diversified Port III.'';

Whereas the aforementioned Roll Call story reported that ''Rangel also originally misreported that his investments in 2007 netted him $6,511–$17,950 in dividends, capital gains and rental income. In his revised filing, that range jumped to between $29,220 and $81,200.'';

Whereas these most recent revelations by Representative Rangel have resulted in heightened national news media coverage of alleged impropriety and potentially criminal conduct by one of the most senior Members of the House;

Whereas an editorial in The Washington Times newspaper on September 1, 2009 noted, ''Charlie Rangel is one lucky guy. The Democratic congressman from Harlem, N.Y., just discovered that his net wealth is twice what he thought. That's a pretty good day at the office for a public servant. Mr. Rangel also realized that he made tens of thousands of dollars more than he reported in many different years over the past decade. This is the most recent string in a series of financial bonanzas for Mr. Rangel, who last year admitted he had forgotten about $75,000 in rental income on his Caribbean resort property.'';

Whereas the same editorial also noted, ''The congressman has failed to pay property taxes on two lots in New Jersey, according to the New York Post. That's not all. In order to avoid taxes and get lower mortgage rates, Mr. Rangel simultaneously claimed three 'primary residences'.'';

Whereas an editorial in the September 17, 2009 edition of the New Haven Register stated, ''The ethics and tax complaints keep piling up against U.S. Rep. Charles B. Rangel, who as chairman of the House Ways and Means Committee controls writing of the nation's tax laws. The New York Democrat may write those laws, but he apparently feels no obligation to obey them. The investigation appears to have a long way to go. The man who is in charge of writing the nation's tax laws doesn't pay his federal income or local property taxes. He has such a poor grasp of his own finances that he neglects to list half his assets on a disclosure form intended to keep members of Congress accountable and honest. We can already hear the defense of the next tax deadbeat called into court. ''If Charlie Rangel doesn't have to pay his taxes, why should I?'';

Whereas an article in The Washington Post on September 15, 2009 stated, ''Rangel is now the chairman of the House Ways and Means Committee and a man of immense importance in Washington. Nonetheless, he has been busy of late revising and amending the record, backing and filling, using buckets of Wite-Out as he discovers or remembers properties he has owned in New York, New Jersey, Florida, the Dominican Republic and God only knows where else. Rangel recently even discovered bank accounts that no one in the world, apparently including him, knew he had. One was with the Congressional Federal Credit Union; another was with Merrill Lynch—each valued between $250,000 and $500,000. He somehow neglected to mention these accounts on his congressional disclosure forms, which means, if you can believe it, that when he signed the forms, he did not notice that maybe $1 million was missing. Someone ought to check the lighting in his office.'';

Whereas the same article in The Washington Post stated, ''There is something wrong with Charlie Rangel. Either he did not notice that he was worth about twice as much as he said he was—which is downright worrisome in a congressional leader—or he thinks he's above the law, which is downright worrisome in a congressional leader.'';

Whereas it has been more than one year since an editorial in The New York Times on September 15, 2008 stated, ''Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated.'';

Whereas at various times during the past twelve months Representative Rangel and Speaker Pelosi have made public statements asserting that the ongoing investigation of Representative Rangel by the Committee on Standards of Official Conduct would soon be concluded;

Whereas the Committee has to date issued no public statements concerning any expected time line for conducting or concluding its investigation of Representative Rangel;

Whereas major daily newspapers, including The New York Times, The Washington Post, and The New York Post have called for Representative Rangel's removal from his powerful position at least until the House Ethics Committee has completed its ongoing probes of allegations against him;

Whereas Representative Rangel's powerful position as chairman permits him to participate in high level decisions about critically important issues such as reform of the nation's health care system;

Whereas an October 1, 2009 story in The New York Times stated, ''Mr. Rangel is one of a small group of House leaders now meeting almost daily behind closed doors with Speaker Nancy Pelosi to distill from the three bills produced in separate committees the one package that will go to the House floor.'';

Whereas an Associated Press story on September 20, 2009 stated, ''The ethics committee's investigation of Rangel is almost a year old. It's as much a problem for House Democratic leaders as for Rangel himself. Later this year, when Rangel's committee considers estate tax legislation that could expand into other matters, the headlines will be a version of this message: 'Tax scofflaw presiding over tax changes.' '';

PARLIAMENTARY INQUIRY

Mr. ACKERMAN. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman will state his inquiry.

Mr. ACKERMAN. Can any Member of this body claim the privilege of the House for an hour based on something they read in a newspaper at any time they want?

The SPEAKER pro tempore. The gentleman is giving notice of a question of the privileges of the House.

The gentlemen from Texas may continue.

Mr. CARTER. The form of the remainder of my resolution is as follows:

Whereas the New York Post newspaper reported on September 2, 2009 that, ''A review of property records for the borough of Glassboro revealed at least six tax liens levied against Rangel's property during the past 16 years. Just last year, two separate liens were levied against both properties owned by Rangel.'';

Whereas on May 24, 2006, then Minority Leader Nancy Pelosi cited ''high ethical standards'' in a letter to former Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson;

Whereas Speaker Pelosi took the aforementioned action while Representative Jefferson was under investigation and the subject of considerable controversy in the news media, but prior to any indictment;

Whereas in April of 2007, Republican Leader John Boehner successfully urged several Republican Members to relinquish their committee assignments after learning that each had become the subject of investigations into possible criminal activity;

Whereas Leader Boehner took the aforementioned actions while the Members in question were under investigation and the subjects of widespread media controversy, but prior to any indictments; and

Whereas in the wake of the most recent allegations against Representative Rangel various editorials and articles in major national newspapers criticizing Speaker Pelosi's continued refusal to remove Representative Rangel as chairman of the Committee on Ways and Means after promising she would preside over ''the most ethical Congress in history'' have held the House up to public ridicule: Now, therefore, be it

*Resolved*, That upon adoption of this resolution and pending completion of the investigation into his affairs by the Committee on Standards of Official Conduct, Representative Rangel is hereby removed as chairman of the Committee on Ways and Means.

The SPEAKER pro tempore. The gentleman from Texas is recognized to offer the resolution just noticed.

Mr. CARTER. I offer the resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 805

Whereas the gentleman from New York, Charles B. Rangel, the fourth most senior Member of the House of Representatives, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives;

Whereas clause one of Rule XXIII of the Rules of the House of Representatives provides, ''A Member, Delegate, Resident Commission, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House.'';

Whereas The New York Times reported on September 5, 2008, that, ''Representative Charles B. Rangel has earned more than $75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the resort'';

Whereas in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel's annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa;

Whereas The New York Times reported on September 6, 2008 that, ''Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel's lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel.'';

Whereas clause 5(a)(2)(A) of House Rule 25 defines a gift as, ''. . . a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value'' and prohibits the acceptance of such gifts except in limited circumstances;

Whereas Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban;

Whereas Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law;

Whereas Representative Rangel's failure to report the aforementioned gifts and income on federal, state and local tax returns is a violation of the tax laws of those jurisdictions;

Whereas the Committee on Ways and Means, which Representative Rangel chairs, has jurisdiction over the United States Tax Code;

Whereas the House Committee on Standards of Official Conduct first announced on July 31, 2008 that it was reviewing allegations of misconduct by Representative Rangel;

Whereas Roll Call newspaper reported on September 15, 2008 that, ''The, inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings.'';

Whereas the House Committee on Standards of Official Conduct announced on September 24, 2008 that it had established an investigative subcommittee in the matter of Representative Rangel;

Whereas after the Ethics Committee probe was underway, The New York Times reported on November 24, 2008 that, ''Congressional records and interviews show that Mr. Rangel was instrumental in preserving a lucrative tax loophole that benefitted Nabors Industries, an oil drilling company last year, while at the same time its chief executive was pledging $1 million to the Charles B. Rangel School of Public Service at C.C.N.Y.'';

Whereas the House Committee on Standards of Official Conduct announced on December 9, 2008 that it had expanded the jurisdiction of the aforementioned investigative subcommittee to examine the allegations related to Representative Rangel's involvement with Nabors Industries;

Whereas since then, further serious allegations of improper and potentially illegal conduct by Representative Rangel have surfaced;

Whereas during the recently completed August district work period, Representative Rangel acknowledged his failure to publicly disclose at least half a million dollars in cash assets, tens of thousands of dollars in investment income, and his ownership of two pieces of property in New Jersey;

Whereas corrected financial disclosure statements filed by Representative Rangel on August 12, 2009 now reveal his net worth to be nearly twice as much as he had previously revealed;

Whereas The New York Times newspaper reported on August 26, 2009 that, ''United States Representative Charles B. Rangel, whose personal finances and fund raising are the subject of two House ethics investigations, failed to report at least $500,000 in assets on his 2007 Congressional disclosure form, according to an amended report he filed this month. Among the dozen newly disclosed holdings revealed in the amended forms are a checking account at a federal credit union with a balance between $250,000 and $500,000; three vacant lots in Glassboro, N.J., valued at a total of $1,000 to $15,000; and stock in PepsiCo worth between $15,000 and $50,000.'';

Whereas Roll Call newspaper reported on August 25, 2009 that Representative Rangel's corrected filings also revealed ''at least $250,001 in a fund called ML Allianz Global Investors Consults Diversified Port III.'';

Whereas the aforementioned Roll Call story reported that ''Rangel also originally misreported that his investments in 2007 netted him $6,511–$17,950 in dividends, capital gains and rental income. In his revised filing, that range jumped to between $29,220 and $81,200.'';

Whereas these most recent revelations by Representative Rangel have resulted in heightened national news media coverage of alleged impropriety and potentially criminal conduct by one of the most senior Members of the House;

Whereas an editorial in The Washington Times newspaper on September 1, 2009 noted, ''Charlie Rangel is one lucky guy. The Democratic congressman from Harlem, N.Y., just discovered that his net wealth is twice what he thought. That's a pretty good day at the office for a public servant. Mr. Rangel also realized that he made tens of thousands of dollars more than he reported in many different years over the past decade. This is the most recent string in a series of financial bonanzas for Mr. Rangel, who last year admitted he had forgotten about $75,000 in rental income on his Caribbean resort property.'';

Whereas the same editorial also noted, ''The congressman has failed to pay property taxes on two lots in New Jersey, according to the New York Post. That's not all. In order to avoid taxes and get lower mortgage rates, Mr. Rangel simultaneously claimed three 'primary residences'.'';

Whereas an editorial in the September 17, 2009 edition of the New Haven Register stated, ''The ethics and tax complaints keep piling up against U.S. Rep. Charles B. Rangel, who as chairman of the House Ways and Means Committee controls writing of the nation's tax laws. The New York Democrat may write those laws, but he apparently feels no obligation to obey them. The investigation appears to have a long way to go. The man who is in charge of writing the nation's tax laws doesn't pay his federal income or local property taxes. He has such a poor grasp of his own finances that he neglects to list half his assets on a disclosure form intended to keep members of Congress accountable and honest. We can already hear the defense of the next tax deadbeat called into court. ''If Charlie Rangel doesn't have to pay his taxes, why should I?'';

Whereas an article in The Washington Post on September 15, 2009 stated, ''Rangel is now the chairman of the House Ways and Means Committee and a man of immense importance in Washington. Nonetheless, he has been busy of late revising and amending the record, backing and filling, using buckets of Wite-Out as he discovers or remembers properties he has owned in New York, New Jersey, Florida, the Dominican Republic and God only knows where else. Rangel recently even discovered bank accounts that no one in the world, apparently including him, knew he had. One was with the Congressional Federal Credit Union; another was with Merrill Lynch—each valued between $250,000 and $500,000. He somehow neglected to mention these accounts on his congressional disclosure forms, which means, if you can believe it, that when he signed the forms, he did not notice that maybe $1 million was missing. Someone ought to check the lighting in his office.'';

Whereas the same article in The Washington Post stated, ''There is something wrong with Charlie Rangel. Either he did not notice that he was worth about twice as much as he said he was—which is downright worrisome in a congressional leader—or he thinks he's above the law, which is downright worrisome in a congressional leader.'';

Whereas it has been more than one year since an editorial in The New York Times on September 15, 2008 stated, ''Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated.'';

Whereas at various times during the past twelve months Representative Rangel and Speaker Pelosi have made public statements asserting that the ongoing investigation of Representative Rangel by the Committee on Standards of Official Conduct would soon be concluded;

Whereas the Committee has to date issued no public statements concerning any expected time line for conducting or concluding its investigation of Representative Rangel;

Whereas major daily newspapers, including The New York Times, The Washington Post, and The New York Post have called for Representative Rangel's removal from his powerful position at least until the House Ethics Committee has completed its ongoing probes of allegations against him;

Whereas Representative Rangel's powerful position as chairman permits him to participate in high level decisions about critically important issues such as reform of the nation's health care system;

Whereas an October 1, 2009 story in The New York Times stated, ''Mr. Rangel is one of a small group of House leaders now meeting almost daily behind closed doors with Speaker Nancy Pelosi to distill from the three bills produced in separate committees the one package that will go to the House floor.'';

Whereas an Associated Press story on September 20, 2009 stated, ''The ethics committee's investigation of Rangel is almost a year old. It's as much a problem for House Democratic leaders as for Rangel himself. Later this year, when Rangel's committee considers estate tax legislation that could expand into other matters, the headlines will be a version of this message: 'Tax scofflaw presiding over tax changes.'''';

Whereas the New York Post newspaper reported on September 2, 2009 that, ''A review of property records for the borough of Glassboro revealed at least six tax liens levied against Rangel's property during the past 16 years. Just last year, two separate liens were levied against both properties owned by Rangel.'';

Whereas on May 24, 2006, then Minority Leader Nancy Pelosi cited ''high ethical standards'' in a letter to former Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson;

Whereas Speaker Pelosi took the aforementioned action while Representative Jefferson was under investigation and the subject of considerable controversy in the news media, but prior to any indictment;

Whereas in April of 2007, Republican Leader John Boehner successfully urged several Republican Members to relinquish their committee assignments after learning that each had become the subject of investigations into possible criminal activity;

Whereas Leader Boehner took the aforementioned actions while the Members in question were under investigation and the subjects of widespread media controversy, but prior to any indictments; and

Whereas in the wake of the most recent allegations against Representative Rangel various editorials and articles in major national newspapers criticizing Speaker Pelosi's continued refusal to remove Representative Rangel as chairman of the Committee on Ways and Means after promising she would preside over ''the most ethical Congress in history'' have held the House up to public ridicule: Now, therefore, be it

*Resolved,* That upon adoption of this resolution and pending completion of the investigation into his affairs by the Committee on Standards of Official Conduct, Representative Rangel is hereby removed as chairman of the Committee on Ways and Means.

Mr. ACKERMAN (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be deemed as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. MILLER of Florida. Objection.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue.

The Clerk continued to read.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO REFER

Mr. CROWLEY. Mr. Speaker, I move that the resolution be referred to the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. CROWLEY. Mr. Speaker, this motion would refer this matter to the appropriate committee.

I yield back the balance of my time, and I move the previous question on the motion.

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

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

RECORDED VOTE

Mr. CARTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on the motion to refer and the motion to suspend on H. Res. 701.

The vote was taken by electronic device, and there were—ayes 243, noes 156, answered ''present'' 19, not voting 14, as follows:

[Roll No. 758]

AYES—243

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

NOES—156

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

ANSWERED ''PRESENT''—19

Bartlett
Bonner
Burton (IN)
Butterfield
Castor (FL)
Chandler
Conaway
Dent
Diaz-Balart, L.
Green, Gene
Harper
Hastings (WA)
Latham
McCaul
Myrick
Poe (TX)
Quigley
Walden
Welch

NOT VOTING—14

Carney
Diaz-Balart, M.
Eshoo
Johnson, Sam
Larson (CT)
Lofgren, Zoe
Mack
Maloney
Neugebauer
Radanovich
Speier
Tsongas
Turner
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1346

Mr. ADERHOLT changed his vote from ''aye'' to ''no.''

Ms. KAPTUR, Ms. MOORE of Wisconsin, Messrs. BAIRD and CHILDERS changed their vote from ''no'' to ''aye.''

Mr. BUTTERFIELD changed his vote from ''aye'' to ''present.''

Messrs. LATHAM and BARTLETT changed their vote from ''no'' to ''present.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 758, had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the motion to refer.

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

RECORDED VOTE

Mr. CARTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 246, noes 153, answered ''present'' 19, not voting 14, as follows:

[Roll No. 759]

AYES—246

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

NOES—153

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Platts
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

ANSWERED ''PRESENT''—19

Bonner
Burton (IN)
Butterfield
Castor (FL)
Chandler
Conaway
Dent
Diaz-Balart, L.
Green, Gene
Harper
Hastings (WA)
Latham
McCaul
Myrick
Poe (TX)
Quigley
Simpson
Walden
Welch

NOT VOTING—14

Carney
Diaz-Balart, M.
Eshoo
Johnson, Sam
Larson (CT)
LaTourette
Lofgren, Zoe
Mack
Maloney
McGovern
Neugebauer
Radanovich
Tsongas
Turner

□ 1353

Mr. WELCH changed his vote from ''aye'' to ''present.''

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 759, had I been present, I would have voted "aye."

## PARLIAMENTARY INQUIRY

Mr. CARTER. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The gentleman may state his inquiry.

Mr. CARTER. Clause 2(a)(2) of rule IX provides that debate on a question of privilege shall be divided equally between the proponent of the resolution and the majority leader or his designee.

Mr. CROWLEY, apparently as the designee of the majority leader, moved the previous question on the resolution after making his motion to refer the measure to the Committee on Standards of Official Conduct.

Madam Speaker, am I correct that Mr. CROWLEY's motion on the previous question had the effect of eliminating any debate on the motion to refer or the underlying resolution?

The SPEAKER pro tempore. The motion was to order the previous question on the motion to refer, not on the resolution.

Mr. CARTER. Further parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. CARTER. Does this thus eliminate all debate not only on the motion but also on the underlying resolution?

The SPEAKER pro tempore. The ordering of the previous question prevents further debate.

Mr. CARTER. Thank you, Madam Speaker. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. CARTER. What is the effect of the motion to refer? Is there any requirement that the committee take any action on the measure referred?

The SPEAKER pro tempore. The measure is referred to the committee for its consideration.

Mr. CARTER. Is there any requirement that further action be taken by the committee?

The SPEAKER pro tempore. It would be up to the committee.

Mr. CARTER. Thank you, Madam Speaker.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

## RECOGNIZING DYKE MARSH WILDLIFE PRESERVE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 701, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 701.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 325, nays 93, not voting 14, as follows:

[Roll No. 760]

YEAS—325

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bono Mack
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Campbell
Cantor
Cao
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castle
Castor (FL)
Chaffetz
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Etheridge
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—93

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boren
Brady (TX)
Broun (GA)
Brown (SC)
Burton (IN)
Buyer
Camp
Capito
Carter
Cassidy
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Dreier
Duncan
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Lucas
Lummis
Marchant
McCarthy (CA)
McHenry
McMorris Rodgers
Miller (FL)
Moran (KS)
Nunes
Olson
Paul
Pence
Pitts
Poe (TX)
Posey
Putnam
Roe (TN)
Rogers (AL)
Rohrabacher
Roskam
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Wamp
Westmoreland
Wilson (OH)

NOT VOTING—14

Bilbray
Carney
Diaz-Balart, M.
Eshoo
Johnson, Sam
Larson (CT)
Lofgren, Zoe
Mack
Maloney
Neugebauer
Radanovich
Royce
Tsongas
Turner

□ 1404

Messrs. CASSIDY and BURTON of Indiana changed their vote from ''yea'' to ''nay.''

Mrs. BIGGERT and Mr. DANIEL E. LUNGREN changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 760, had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Ms. ZOE LOFGREN of California. Mr. Speaker, today I missed three rollcall votes because I was at the White House attending the Presidential presentation of The National Medal of Technology and Innovation to my constituents, John Warnock and Charles Geschke. Had I been present, I would have voted: rollcall 758: "present"; rollcall 759: "present"; rollcall 760: "yea."

## PERSONAL EXPLANATION

Mr. TURNER. Mr. Speaker, on rollcall Nos. 758, 759, and 760, I was detained. Had I been present, I would have voted "no" on 758, "no" on 759 and "yea" on 760.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETERS). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## PROCLAIMING CASIMIR PULASKI TO BE AN HONORARY CITIZEN OF THE UNITED STATES POSTHUMOUSLY

Mr. WEINER. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 26) proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 26

Whereas Casimir Pulaski was a Polish military officer who fought on the side of the American colonists against the British in the American Revolutionary War;

Whereas Benjamin Franklin recommended that General George Washington accept Casimir Pulaski as a volunteer in the American Cavalry and said that Pulaski was ''renowned throughout Europe for the courage and bravery he displayed in defense of his country's freedom'';

Whereas, after arriving in America, Casimir Pulaski wrote to General Washington, ''I came here, where freedom is being defended, to serve it, and to live or die for it.'';

Whereas the first military engagement of Casimir Pulaski with the British was on September 11, 1777, at the Battle of Brandywine, and his courageous charge in this engagement averted a disastrous defeat of the American Cavalry and saved the life of George Washington;

Whereas, on September 15, 1777, George Washington elevated Casimir Pulaski to the rank of Brigadier General of the American Cavalry;

Whereas Casimir Pulaski formed the Pulaski Cavalry Legion, and in February 1779, this legion ejected the British occupiers from Charleston, South Carolina;

Whereas, in October 1779, Casimir Pulaski mounted an assault against British forces in Savannah, Georgia;

Whereas, on the morning of October 9, 1779, Casimir Pulaski was mortally wounded and was taken aboard the American ship USS Wasp, where he died at sea on October 11, 1779;

Whereas, before the end of 1779, the Continental Congress resolved that a monument should be erected in honor of Casimir Pulaski;

Whereas, in 1825, General Lafayette laid the cornerstone for the Casimir Pulaski monument in Savannah, Georgia; and

Whereas, in 1929, Congress passed a resolution recognizing October 11 of each year as Pulaski Day in the United States: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That Casimir Pulaski is proclaimed to be an honorary citizen of the United States posthumously.

The SPEAKER pro tempore (Mr. PETERS). Pursuant to the rule, the gentleman from New York (Mr. WEINER) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. WEINER. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WEINER. I yield myself such time as I may consume.

Mr. Speaker, this resolution proclaims Casimir Pulaski to be an honorary citizen of the United States posthumously and recognizes his contributions in aiding the American colonists in their fight for independence against the British.

Casimir Pulaski came from Poland to fight on the side of the American colonists against the British. At the Battle of Brandywine, he led a courageous charge that averted defeat of the American Cavalry and saved the life of George Washington. Washington soon elevated Pulaski to the rank of brigadier general of the American Cavalry, and we know him now as the Father of the American Cavalry.

Two years later, Pulaski died heroically fighting for American independence. In 1929, the House of Representatives passed a resolution recognizing October 11 of each year as Pulaski Day.

Once in a great while, Congress bestows the honor of posthumous citizenship on a highly deserving person. We've done this previously for six such persons, must recently in 2002 when we honored the Marquis de Lafayette. Lafayette was the famed French general who, like General Pulaski, fought alongside the American colonists during the Revolutionary War.

This resolution is a symbolic honor that has no substantive effect on the immigration status of his surviving family, but the honor is well earned by General Pulaski.

I want to thank Mr. KUCINICH of Ohio for sponsoring this important resolution and for bringing General Pulaski's important contributions to our country to the attention of the United States Congress.

I also want to thank Chairman CONYERS who cosponsored House Joint Resolution 26, Chairwoman LOFGREN, and the ranking member of the committee and subcommittee for swiftly moving the resolution to the floor in advance of the celebration of Pulaski Day.

I urge my colleagues to support this amendment. This is important legislation.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, over 220 years, Congress has awarded honorary citizenship to only five individuals: Winston Churchill, Raoul Wallenberg, William and Hannah Penn, Mother Theresa, and the Marquis de Lafayette. Those are the only members of this exclusive club that have been given honorary citizenship of the United States.

Honorary citizenship is an exceedingly rare honor for individuals who have made extraordinary contributions to America. It is especially fitting that the last person awarded honorary citizenship was another friend of America who valiantly came to our aid during our Revolutionary War. The Marquis de Lafayette and Casimir Pulaski both fought on our side when the outcome of the war was in doubt with the British, and they both made tremendous contributions to our eventual victory and American independence. Casimir Pulaski is well known for the founding of the American Cavalry.

The one difference between the two is that Lafayette lived to see the birth of the United States and Pulaski did not. He died of wounds received in combat while fighting to free Savannah from British occupation. It is one reflection of the regard in which many hold Casimir Pulaski in that he has already been honored by Congress in many States and cities throughout America. In fact, a memorial to him is located in Washington, D.C. at Freedom Plaza.

Casimir Pulaski made tremendous contributions to America's victory in war and the independence that we enjoy today. United States citizenship is the highest award our country can confer upon a citizen of another land. It should be given rarely and selectively. And while I would expect this body to continue to maintain the highest standards that any honoree would have to meet in the future, I certainly believe that Casimir Pulaski meets it.

With that, I reserve the balance of my time.

Mr. WEINER. Mr. Speaker, I yield 3 minutes to the sponsor of this important resolution, the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Thank you, Mr. WEINER, and I want to thank Mr. POE, Mr. KING, and Mr. KINGSTON for their support, as well as Ranking Member SMITH, along with Chairwoman LOFGREN and Chairman CONYERS for their thoughtful consideration and support to ensure floor consideration of this bill.

As a sponsor of H.J. Res. 26, legislation to grant honorary citizenship to Casimir Pulaski posthumously, I rise in strong support and urge my colleagues to vote in favor of this bill. I also wish to extend my deep gratitude to the Polish community leaders in Cleveland, Ohio, who have long championed this cause. In Cleveland this includes John Borkowski, who's the president of the Polish American Congress; Mitchell Bienia, vice president of the Polish American Congress; and Francis Rutkowski, also vice president of the Polish American Congress.

Brigadier General Casimir Pulaski was a hero of the American Revolution.

Casimir Pulaski left his native Poland and fought on the side of the colonists against the British in the American Revolution. Although Pulaski met his untimely death on the battlefield in Savannah, Georgia, in 1779, consideration of this bill in his honor is timely because October 11, 2009, will mark the 230th anniversary of Pulaski's last breath.

Indeed, after bravely fighting at Brandywine and ejecting the British occupiers from Charleston, among other battles, General Pulaski was mortally wounded in Savannah, Georgia, and was taken aboard the American ship, USS *Wasp*, where he died at sea on October 11, 1779.

Casimir Pulaski's courageous charge in this engagement averted a disastrous defeat of the American Cavalry and is credited with saving the life of George Washington. On September 15, 1777, George Washington bestowed the rank of brigadier general on Pulaski, who organized a legion of cavalry known as the Pulaski legion.

Brigadier General Pulaski was a dedicated freedom fighter who's credited with being the Father of the American Cavalry. He famously said: ''I came here, where freedom is being defended, to serve it, and to live or die for it.''

His actions speak to the strong bonds that have historically existed between the people of the United States and the

people of Poland. They are also a reminder of the important contributions of Polish Americans to our Nation and communities.

This legislation is supported by the Polish Legion of American Veterans, the Veterans of Foreign Wars of the U.S., and the Polish American Congress.

It is my sincere hope that Brigadier General Pulaski will not have to wait any longer before he is bestowed with this honorary citizenship he so deserves for his sincere commitment and ultimate sacrifice for freedom for the people of the United States of America. With passage of this legislation, this body will ensure that General Pulaski is one step closer to receiving the honor and appreciation he deserves.

I urge my colleagues to support this important legislation granting honorary citizenship to Casimir Pulaski posthumously.

Mr. POE of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas for yielding time.

I want to thank my friend, DENNIS KUCINICH, for bringing this resolution to confer honorary citizenship on Casimir Pulaski. This is a rare honor and only having that happen a small number of times before in five separate incidents of people of the highest standard in the history of the United States and those that exemplified our values: Winston Churchill, Raoul Wallenberg, William and Hannah Penn—William Penn, of course—and also Mother Theresa and the Marquis de Lafayette.

I think it's very interesting that this proposal comes before this Congress as—I'll put it this way—Casimir Pulaski was endorsed and recruited into the military by the Marquis de Lafayette, and he was endorsed and, of course, promoted by George Washington. Now, when you're endorsed and promoted by people of that caliber—and now here we are more than two generations hence—I think that's a very high standard. And I want to maintain a very high standard for honorary citizenship.

It has been a slow process for me to get to this point of conviction on this because the standards are so high. When I see Mother Theresa, that's a really high standard. And I don't propose that Casimir Pulaski belongs in the league of any one of these individuals, but he belongs in this category of approval today.

So we've heard much of the history: a ''freedom fighter'' is the best way to describe him, and the Father of the United States Cavalry; a person who was killed in battle, died 2 days later aboard a ship, the *Wasp*.

And I would also submit that we are here at least within a short period of time at a low point in U.S.-Polish relations. I won't embellish that in this discussion any further, but I am hopeful that this resolution which I expect to pass today sends the strongest and warmest message to our friends in Poland that we are allies, we are all freedom fighters together, and we'll stand together. And we'll stand together in the spirit of the Marquis de Lafayette, George Washington, whose life was saved by Casimir Pulaski, and in the spirit of Casimir Pulaski himself.

I thank my friend DENNIS KUCINICH for bringing this resolution.

Mr. WEINER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of this excellent resolution. Since its founding, the people of Poland have been great allies to the United States in our own struggle for freedom, and of course then our working with them in their struggle for freedom.

One of the first and finest Americans who was a great friend to our country was Brigadier General Casimir Pulaski. I want to commend Congressman DENNIS KUCINICH of Ohio for helping to make history correct today by granting honorary citizenship to this great Pole, whose life stood for freedom.

He was born on March 6, 1745, in Warsaw, Poland, and at the age of 15 he joined his father and other members of the Polish nobility in opposing the Russian and Prussian interference in Polish affairs. He moved to Paris where he befriended Benjamin Franklin and was fascinated by the idea of the American colonies and the new Nation it wished to become. He volunteered his services to fight for our nascent freedom.

□ 1415

Benjamin Franklin wrote to George Washington describing the young Pole as ''an officer renowned throughout Europe for the courage and bravery he displayed in defense of his country's freedom.''

Pulaski fought on the side of America against the British in the Revolutionary War and became known as the father of the American Cavalry. The brilliant history of the Polish Cavalry is now being restored at a location called Grudziadz, Poland, and Casimir Pulaski, with this honorary citizenship today, should become a part of those growing collections; and with passage of this bill today, we should seek, as a Congress, additional ways for us to link the history of our cavalry and the Polish cavalry in the world's struggle for freedom. These are works not yet fully represented and remain largely unwritten.

After fighting bravely for our country, General Pulaski was mortally wounded at the Battle of Savannah in Georgia, and died there on October 11, 1779. Casimir Pulaski is a hero in his native country of Poland. He is also a hero in our country, one for which he fought so valiantly to create. This is why his being granted honorary citizenship in our country is so important and why he should be recognized permanently by the Nation that he helped to create and to defend in a singularly noble undertaking.

I urge my colleagues to support honorary citizenship for General Casimir Pulaski.

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, as a Savannahian, I am very proud to support this resolution and thank all of the authors of it. I want to say it is somewhat of a shock that we haven't already done this resolution in past Congresses, and so I am very glad we are doing it today. Many of my remarks have already been said, but I think it is well worth reviewing everything.

Casimir Pulaski was a man who fought for freedom on two different continents and is given the title ''Soldier of Liberty.'' He has been honored all over the United States with numerous streets and bridges and roads. In Savannah, we have an 11-foot obelisk that shows where he is buried as his grave and a Civil War fort named after him.

He was born March 4, 1747, in Poland and came from a family of knightly traditions. The Pulaskis took part in the victorious wars by King John III Sobieski against the Turks in the 17th century. By age 21, Casimir Pulaski proved to be a true military talent, fighting in battles across the European continent.

In 1776, Pulaski learned of America's struggle for independence, and as has been said, he met Benjamin Franklin in Paris and learned of the struggle. Inspired by freedom's call, he joined General George Washington in the cause of the American Revolution in 1776 and was soon commissioned as brigadier general. General Pulaski recruited and trained a special corps of American, Polish, Irish, French, and German troops, and became known as the ''Father of the American Cavalry.''

In 1778, he received his commission, and in 1779, he was ordered to South Carolina to support the American General Benjamin Lincoln. Benjamin Lincoln also has a street named after him in Savannah. They reached Charleston in May and helped defend the city against British attack. Later that year, Pulaski joined forces with Lincoln, who was assisted by a French force to defend Savannah.

Pulaski was mortally wounded in that battle on October 9, 1779, but there are actually two stories about how he died. Many believe that he was taken to sea and died 2 days later on board the American ship the Wasp en route to Charleston on October 11. Indeed, there were two people who were wounded and put on the ships because they did not want the British to know which ship was actually carrying Pulaski. So there was a decoy ruse.

The story, though, that we have grown to believe is actually true is

that he died on October 15 and was buried at Greenwich Plantation just outside of Savannah. He was exhumed in 1853 and his remains were placed in the cornerstone of Pulaski Monument.

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

Mr. POE of Texas. I yield the gentleman another 1 minute.

Mr. KINGSTON. In 1996, the remains were exhumed again and DNA tests were run to determine if they were indeed General Pulaski's. Some of the smartest people of our day have determined that those bones from the DNA tests were probably General Pulaski's.

Several years ago, October 11, as we know, was named General Pulaski Memorial Day. I think we can be very proud that we are doing what I consider unfinished business to honor someone who has meant so much to the cause of American liberty and to liberty all around the globe. I am very proud to be part of this, and I want to invite everybody to come to Savannah and see Pulaski Monument and we will give you a little tour of the town and take you out to the Thunderbolt, where the USS Wasp departed from when he was on board.

Mr. WEINER. Mr. Speaker, there is no city with a richer tradition and a larger population of Polish Americans for whom this day represents another day of tribute for another one of their heroes than Chicago, and I would like to yield 2 minutes to the gentleman from the Chicago, Illinois area, Mr. LIPINSKI, to express the sentiments of his constituents.

Mr. LIPINSKI. Mr. Speaker, as a proud Polish American, I rise today to honor the life and service of Casimir Pulaski and ask my colleagues to support the passage of H.J. Res. 26. Pulaski played an instrumental role and gave the ultimate sacrifice in support of the American Revolution and deserves our utmost respect and gratitude.

Casimir Pulaski devoted his life to the cause of liberty around the world. Inspired by the plight of a young nation striving to be free, Pulaski traveled to America to serve under General George Washington.

Quickly distinguishing himself as a brilliant military tactician, Pulaski was entrusted by General Washington with sole command of the fledgling national cavalry. Pulaski was appointed brigadier general 4 days after a heroic performance at Brandywine, where he rescued the cavalry from certain defeat and saved the life of General Washington. General Pulaski also played an instrumental role in conflicts with British forces in the battles of Germantown, Little Egg Harbor, and Minisink before heading south to Charleston and ultimately Savannah. It was in Savannah that General Pulaski was struck with cannon fire while charging into battle. He died a few days later at the age of 34.

In Chicago, we honor Casimir Pulaski with his name on a major road. In Illinois, we honor Pulaski with a State holiday of Pulaski Day. Today, let us do what he is truly deserving of; let us give Casimir Pulaski, this brave, deserving patriot, the rare honor of being named an honorary American citizen.

I urge my colleagues to support this resolution.

Mr. POE of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. WEINER. Mr. Speaker, I recognize the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 2 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in support of proclaiming Casimir Pulaski to be an honorary citizen of the United States and to honor his legacy of heroism and military service. I want to thank Congressman DENNIS KUCINICH for introducing and promoting this resolution, and the gentleman from New York for yielding me this time to speak.

Casimir Pulaski's contributions to both his homeland and his adopted country are immeasurable. Born in 1747, Pulaski valiantly fought Russian control and domination of his native Poland. However, instead of being lauded for his heroism and his distinguished service toward freedom and independence on behalf of his people, he was forced to flee and became an exile.

Even after leaving Poland, Pulaski remained a voice for just causes and the unwavering spirit of freedom. He joined in colonial America's struggle against the British and fought alongside General George Washington during the Revolutionary War, and as the first commander of the American Cavalry, he became known as the ''Father of the American Cavalry.'' He paid the ultimate price and was fatally wounded during the Battle of Savannah.

Mr. Speaker, Casimir Pulaski is a true American hero who fought and died for independence and freedom that we as Americans enjoy today. He is honored in Illinois with a State holiday in his name, and Chicago has the largest Polish population outside of Warsaw. He is a true American hero. He served our Nation with honor and courage, and I am proud today to support legislation that will finally, over 200 years after his death, grant him honorary citizenship to the country for which he died.

I urge my colleagues to join me in supporting this legislation.

Mr. POE of Texas. I continue to reserve my time.

Mr. WEINER. Mr. Speaker, I yield 2 minutes to Mr. TONKO.

Mr. TONKO. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

I rise in support of this resolution. I thank Member KUCINICH for the outstanding work that he has done on this resolution.

General Casimir Pulaski being designated as an honorary citizen of our country is a very valid and important resolution. This son of liberty, this patriot, lent his military expertise to more than just his motherland. It is obvious throughout this world he was concerned about promoting fairness and liberty, and he helped write in very sound terms American history. He helped make this country the great one that she is.

Throughout my congressional district, throughout the State of New York, and indeed throughout our country, there are semblances of recognition of this great general. Streets, roads, bridges and, indeed, monuments bear his name that reflect the greatness of the individual.

Polish Americans of this land throughout its history have made immense contributions, very valuable contributions to the betterment of America. Prime amongst them is this great general, one who helped write this history with his military expertise. Polish Americans have reached across many dynamics to make a sound difference in our great country.

I rise in support of this outstanding resolution, commend the sponsor, and encourage my colleagues to do likewise.

Mr. WEINER. Mr. Speaker, we are prepared to close.

Mr. POE of Texas. Mr. Speaker, I yield myself the balance of my time to close.

I want to thank Mr. KUCINICH for bringing this well-thought-out resolution and well-deserved honor to this general of the American troops. General Pulaski founded the American Cavalry, which has shown great bravery and courage as it later represented the United States.

I think it is timely that this resolution came to the House to grant honorary citizenship to this general. It is a big deal to be an American citizen, and it is a big deal for this Nation to confer that honor on some other individual who is a citizen of another nation. Polish Americans and the people in Poland have long been our allies when we needed them, and America has been the ally of Poland when they needed us.

Earlier this year, I had the chance to meet with numerous Polish individuals in Poland, and one of the things we talked about was the bond, the friendship that our two nations have as allies.

This resolution honoring General Pulaski is a symbol of that relationship that we have of continuing to be allies on our quest and their quest and universal quests for all people for freedom and liberty.

With that, I urge my colleagues to support this resolution.

I yield back the balance of my time.

Mr. WEINER. Mr. Speaker, I thank the gentleman from Texas. I just want to tell the gentleman that when that mistake was made by the Speaker, referring to you as a Member from New York, I think you would need a translator in New York as much as I would need one if I were ever to be the Representative from Texas. And I would like to thank him for his leadership.

□ 1430

I want to thank Representative KUCINICH for bringing this resolution to us. I also, on behalf of those of us in New York who represent large Polish American communities for whom Pulaski is an enduring hero, for communities like Green Point and Williamsburg that Congresswoman VELÁZQUEZ represents, this is a great moment of celebration. Those communities and Bridgewood also, Congresswoman VELÁZQUEZ and I represent that community of South Park Slope, these are communities that every day, proud Americans of Polish descent teach their children about the heroism of the many Polish Americans that came before, and how important that community has been to building this country to what it is.

You know, we forget it sometimes, but we never should on this floor, that all of us come from someplace else. And we do so with this notion that we are deeply American, but we never forget where we came from. And all of us point with great pride to the people, the ethnicities that we represent, that have their moments of celebration. And then Casimir Pulaski is someone not just who brings great pride to people of Polish descent, but who reminds us all what it took to make this country what it was at the very earliest days.

No one came here and says, Hey, I'm an American, so I'm going to fight for this country. We came from other places and fought for the American ideal, and that's something Casimir Pulaski reminds us. And by making him an honorary citizen posthumously, and by taking up Mr. KUCINICH's call, I think we do great honor, not only to the memory of Casimir Pulaski, but also to this House and the traditions of our fine country. And I ask a ''yes'' vote.

Mr. HIGGINS. Mr. Speaker, I rise today to support the passage of H.J. Res. 26, a resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

As a cosponsor of this resolution and a member of the Congressional Poland Caucus, I am honored to recognize this valiant soldier with citizenship to a country for which he literally gave his life.

Pulaski, a revered military officer in his native Poland, came to the United States and fought alongside American colonists in the Revolutionary War. Known as the ''Father of the American Cavalry,'' Pulaski fought with distinction in several crucial battles, including the Battle of Brandywine, where he saved the life of George Washington, and the Battle of Savannah, where he was mortally wounded.

In a letter to Washington, Pulaski wrote: ''I came here, where freedom is being defended, to serve it, and to live or die for it.''

Pulaski is a well-respected figure in the United States, having been honored with numerous statues and monuments. One such statue stands in my Western New York district, where over 106,000 residents are of Polish ancestry. Each year in my district, the Western New York General Pulaski Association celebrates Pulaski's legacy with an annual wreath laying ceremony in the City of Buffalo and parade in the Town of Cheektowaga.

Mr. Speaker, I thank Representative KUCINICH for introducing this resolution and the nearly 40 cosponsors for their support of this long-overdue recognition.

Mr. FATTAH. Mr. Speaker, I rise in support of H.J. Res. 26, which grants honorary American citizenship to a great hero of the American Revolution whose amazing and admirable story is also, in part, a Philadelphia story.

Casimir Pulaski, the son of a Polish count renowned as a military leader in his own right, was forced to flee his native land and traveled to Paris, where in 1776 he met Benjamin Franklin. Franklin gave him a letter of introduction which Pulaski presented to General Washington in Philadelphia in 1777. He showed such bravery and military strategic skill in the battles of Brandywine and Germantown that Washington promoted him to brigadier general and chief of cavalry. Casimir Pulaski fought important battles at Little Egg Harbor, NJ, and along the Delaware River. Later he was sent south to lead troops at Charleston and Savannah, where he was fatally wounded in 1779.

To this day, General Pulaski—along with his compatriot Thaddeus Kosciuszko—is revered by Philadelphia's vibrant and sizeable Polish-American community, and throughout our region. A school is named for Casimir Pulaski in Wilmington, Delaware. His life and accomplishments are honored at Philadelphia's Polish American Cultural Center Museum, 308 Walnut Street. A statue of Pulaski stands in the Garden of Heroes on the west side of the Philadelphia Museum of Art. And this past Sunday, October 4, Philadelphia celebrated with the Pulaski Day Parade, an annual Polish-American heritage parade on the Benjamin Franklin Parkway.

The honorary citizenship we are endorsing today in the resolution put forward by Congressman KUCINICH and Senator DURBIN is long overdue. It is nonetheless welcome and meaningful to Americans of Polish heritage and to all Americans who share Casimir Pulaski's love of liberty and willingness to offer his life for the cause. I urge my colleagues to support H.J. Res. 26.

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the great American and Polish hero Casimir Pulaski and to echo the sentiments of my colleagues in support of honoring him with posthumous citizenship.

Casimir Pulaski fought as a Polish military officer on the side of the American colonists against the British in the American Revolutionary War, writing to General George Washington, ''I came here, where freedom is being defended, to serve it, and to live or die for it.''

Pulaski first fought in 1777 and continued to demonstrate his courage and bravery in battle until his death in 1779. In the Battle of Brandywine, his courageous charge saved the life of our great forefather George Washington.

Additionally, Pulaski is known as the father of the American cavalry. He rose through the ranks to brigadier general, where he used his position to mount assaults, to remove British troops from our lands, and to defend freedom no matter the circumstances or opposition.

So great was Pulaski's dedication to the ideals of liberty and freedom that he made the ultimate sacrifice. He was mortally wounded in 1779 during the Battle of Savannah. In recognition of his service to this great country, in 1929 Congress passed a resolution recognizing October 11 as ''Pulaski Day,'' a day Chicago has long celebrated.

Mr. Speaker, for these reasons, and many more, I encourage my colleagues to grant posthumous citizenship to Casimir Pulaski, a man who understood that freedom and democracy have no boundaries.

Mrs. MILLER of Michigan. Mr. Speaker, it has become the custom of this great country to recognize the contributions made on behalf of freedom for the American people. Each year we celebrate Memorial Day to commemorate lives that have been given in service of our Nation and Veterans Day to recognize our service men and women. But occasionally, it is necessary to commemorate the actions of individuals in furthering the cause of American freedom.

In this Chamber, we feature the portrait of Marquis de Lafayette, a Frenchman who left his family and the comforts of life in Europe to fight for freedom in the colonies. Lafayette sacrificed much to serve as an adviser to General Washington, and was rewarded by witnessing the surrender of the British at the Battle of Yorktown. Among honors conferred on General Lafayette was an honorary U.S. citizenship.

But less known and appreciated for his service is Casimir Pulaski, a Polish Revolutionary War hero who fought and died for our country over 200 years ago. Pulaski was a Polish commander who fought the Russians for Polish independence, and, as a result, he was renowned in Europe for his bravery and cavalry skills. Following the recommendation of Benjamin Franklin, General Washington brought him to America to help our forces fight the British.

Pulaski was promoted to general officer by Washington after showing incredible bravery at the Battle of Brandywine. And when funding from Congress was tight, Pulaski used his own money to purchase necessary equipment for his soldiers. In 1779, after launching an assault against the British in the Battle of Savannah, Pulaski was wounded, and he died 2 days later. In his death, he fulfilled a commitment he had made to General Washington in which he stated ''I came here, where freedom is being defended, to serve it, and to live or die for it.''

I am a proud cosponsor of this joint resolution which would posthumously declare Casimir Pulaski to be an honorary citizen of the United States. This is one of the rarest honors that the Congress can bestow, and we have only done so on six previous occasions.

The concept of freedom drew patriots from across the colonies, and around the world, to our land to join in our struggle for freedom. Casimir Pulaski had the bravery, courage, and love of liberty and independence that the Polish people have been so well known for throughout history. He died for our freedom and he deserves this posthumous recognition.

Mr. CONYERS. Mr. Speaker, I rise today to commemorate the life and service of General Casimir Pulaski, who gave his life on October 11, 1779, to the cause of American independence. General Pulaski, born in Warsaw, Poland, on March 6, 1745, arrived in Philadelphia in 1777, where he met General George Washington and made the heroic decision to support the colonies through the American Revolution. Through subsequent battles, General

Pulaski distinguished himself as a relentless, courageous, and unwavering leader towards the fight for our Nation's independence.

The life and valor of General Pulaski is celebrated with great pride back in my home district of Michigan. A statue of General Pulaski was erected in 1966 at the intersection of Michigan Avenue and Washington Boulevard in Detroit, a mere block and a half from my District office, as a gift from the large Polish-American population in the Metropolitan Detroit area. This community is one of many that together contribute to the richness and diversity of my home district, and that of this great Nation.

Even before America was a Nation, General Pulaski exhibited two traits that Americans still embody today: self-sacrifice and fighting for a cause greater than oneself. It is with great honor that I rise to express my support for House Joint Resolution 26, which will proclaim General Casimir Pulaski to be an honorary citizen of the United States of America.

Mr. DINGELL. Mr. Speaker, I rise today in support of H.J. Res. 26, a resolution granting honorary citizenship to the great Revolutionary War Hero, Casimir Pulaski. As a proud Pole, I am pleased to cosponsor this resolution and thank my friend, colleague, and fellow Pole from Ohio, Representative DENNIS KUCINICH, on its introduction.

Casimir Pulaski left Poland, already a renowned war hero, in search of freedom. Upon arriving in America, Pulaski wrote to George Washington, "I came here, where freedom is being defended, to serve it, and to live or die for it." During the Revolutionary War, Pulaski led a legion of cavalry known as the Polaski legion, for which he later became known as the father of the American cavalry.

Casimir Pulaski played a major role in securing American freedom from the British. On September 11, 1777, Pulaksi participated in his first military engagement at the Battle of Brandywine where he helped avert defeat and saved the life of George Washington. Four days later, Washington elevated Pulaski to rank of Brigadier General of the American Cavalry. In February, 1779, the Pulaski Cavalry Legion ejected the British from Charleston, South Carolina and in October of that year, Pulaski mounted an assault against British Forces in Savannah, Georgia. On October 9, 1779, Pulaski was mortally wounded and transferred aboard the USS *Wasp* where he died at Sea on October 11, 1779.

Pulaski has long been recognized by our government as a vital figure in American history. In 1825, General Lafayette laid the cornerstone for the Casimir Pulaski monument in Savannah, Georgia, and in 1929, Congress passed a resolution recognizing October 11 of each year as Pulaski Day in the United States. I am proud to share a Polish heritage with Casimir Pulaski. The granting of honorary American citizenship is long overdue for this freedom-loving man who represents all that it means to be an American.

Mr. Speaker, I am pleased to support this resolution and urge my colleagues to do the same.

Mr. WEINER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WEINER) that the House suspend the rules and pass the joint resolution, H.J. Res. 26.

The question was taken.

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

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## SERVICE MEMBERS HOME OWNERSHIP TAX ACT OF 2009

Mr. BLUMENAUER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3590

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Service Members Home Ownership Tax Act of 2009''.

**SEC. 2. WAIVER OF RECAPTURE OF FIRST-TIME HOMEBUYER CREDIT FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY.**

(a) IN GENERAL.—Paragraph (4) of section 36(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR MEMBERS OF THE ARMED FORCES, ETC.—

''(i) IN GENERAL.—In the case of the disposition of a principal residence by an individual (or a cessation referred to in paragraph (2)) after December 31, 2008, in connection with Government orders received by such individual, or such individual's spouse, for qualified official extended duty service—

''(I) paragraph (2) and subsection (d)(2) shall not apply to such disposition (or cessation), and

''(II) if such residence was acquired before January 1, 2009, paragraph (1) shall not apply to the taxable year in which such disposition (or cessation) occurs or any subsequent taxable year.

''(ii) QUALIFIED OFFICIAL EXTENDED DUTY SERVICE.—For purposes of this section, the term 'qualified official extended duty service' means service on qualified official extended duty as—

''(I) a member of the uniformed services,

''(II) a member of the Foreign Service of the United States, or

''(III) as an employee of the intelligence community.

''(iii) DEFINITIONS.—Any term used in this subparagraph which is also used in paragraph (9) of section 121(d) shall have the same meaning as when used in such paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions and cessations after December 31, 2008.

**SEC. 3. EXTENSION OF FIRST-TIME HOMEBUYER CREDIT FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY OUTSIDE THE UNITED STATES.**

(a) IN GENERAL.—Subsection (h) of section 36 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''This section'' and inserting the following:

''(1) IN GENERAL.—This section'', and

(2) by adding at the end the following:

''(2) SPECIAL RULES FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY OUTSIDE THE UNITED STATES.—In the case of any individual who serves on qualified official extended duty service outside the United States for at least 90 days in calendar year 2009 and, if married, such individual's spouse—

''(A) paragraph (1) shall be applied by substituting 'December 1, 2010' for 'December 1, 2009',

''(B) subsection (f)(4)(D) shall be applied by substituting 'December 1, 2010' for 'December 1, 2009', and

''(C) in lieu of subsection (g), in the case of a purchase of a principal residence after December 31, 2009, and before July 1, 2010, the taxpayer may elect to treat such purchase as made on December 31, 2009, for purposes of this section (other than subsections (c) and (f)(4)(D)).''.

(b) COORDINATION WITH FIRST-TIME HOMEBUYER CREDIT FOR DISTRICT OF COLUMBIA.—Paragraph (4) of section 1400C(e) of such Code is amended by inserting ''(December 1, 2010, in the case of a purchase subject to section 36(h)(2))'' after ''December 1, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to residences purchased after November 30, 2009.

**SEC. 4. EXCLUSION FROM GROSS INCOME OF QUALIFIED MILITARY BASE REALIGNMENT AND CLOSURE FRINGE.**

(a) IN GENERAL.—Subsection (n) of section 132 of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (1) by striking ''this subsection) to offset the adverse effects on housing values as a result of a military base realignment or closure'' and inserting ''the American Recovery and Reinvestment Tax Act of 2009)'', and

(2) in subparagraph (2) by striking ''clause (1) of''.

(b) EFFECTIVE DATE.—The amendments made by this act shall apply to payments made after February 17, 2009.

**SEC. 5. INCREASE IN PENALTY FOR FAILURE TO FILE A PARTNERSHIP OR S CORPORATION RETURN.**

(a) IN GENERAL.—Sections 6698(b)(1) and 6699(b)(1) of the Internal Revenue Code of 1986 are each amended by striking ''$89'' and inserting ''$110''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to returns for taxable years beginning after December 31, 2009.

**SEC. 6. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.**

The percentage under paragraph (1) of section 202(b) of the Corporate Estimated Tax Shift Act of 2009 in effect on the date of the enactment of this Act is increased by 0.5 percentage points.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. BLUMENAUER) and the gentleman from Michigan (Mr. CAMP) each will control 20 minutes. The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. BLUMENAUER. Mr. Speaker, I ask that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material in the record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. BLUMENAUER. In addition, I, along with Ways and Means Ranking

Member CAMP, have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the bill. The technical explanation expresses the committee's understanding and legislative intent behind this important legislation. It is available on the Joint Committee Web site at www.jct.gov, and is listed under the document number JCX–3909.

Mr. Speaker, I yield myself such time as I may consume. H.R. 3590, the Service Members Home Ownership Tax Act, is about basic fairness for those who serve our country. In June of this year, a constituent contacted me regarding an issue of great concern to his family because they had purchased a home in my district, with the first-time homeowner tax credit. Yet, because of a temporary USAID Foreign Service assignment overseas, they must repay the credit.

This constituent eloquently expressed his frustration and asked my office to help him and the thousands of Foreign Service families like him. The next month I introduced the Call to Service Homebuyer tax credit to protect families in the Foreign Service, intelligence community and military who serve our country away from home. I would note that my friend and colleague, Congressman KIND from Wisconsin, has been working on similar legislation focused on the military, and I deeply appreciate his partnership and coordination in working together to move this expeditiously, and of course that of the Ways and Means leadership, Chairman RANGEL, Ranking Member CAMP and the Ways and Means staff.

Currently, the credit provides up to $8,000 towards the purchase of a home through November 30 of this year, provided that the home is the primary residence for 36 months afterward. The program has been so successful that the National Association of Realtors estimates that almost 2 million families will file for the credit, and that approximately 350,000 wouldn't have been able to purchase a home without it. But for all its popularity, the credit is inaccessible to many Americans, who, like my constituents and Congressman KIND's, are serving in the military, Foreign Service or intelligence sector. These occupations obviously often require time served abroad, rendering a 36-month commitment to a domestic residence difficult and, in some cases, impossible.

Even now there are hundreds of thousands of men and women who are overseas serving our country on bases and embassies and other posts away from family, friends and community, often in very hazardous circumstances. Those serving our government should not have to choose between their job and their home. This bill protects those called to service, now or in the future, by waiving the recapture time for duty away from home. It also gives a second chance for those who served away from home in 2009 by extending the credit for 1 year. I strongly urge my colleagues to support the legislation.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume. Since September 11, American military, diplomatic and intelligence personnel have seen extended and recurring deployments in support of contingency operations in Iraq and Afghanistan. These brave Americans have answered the call and, at the drop of a hat, gone off to defend this great Nation in a most consequential time. This House and the American people are extremely grateful for their courage and sacrifice.

Today, as we rotate personnel home from Iraq and contemplate increasing force levels in Afghanistan, Congress can ease the transition for those in uniform by ensuring existing homeownership tax incentives are flexible for their circumstances. This bill does that. It modifies the existing first-time homebuyer tax credit to make it fairer for military and diplomatic families deploying overseas or returning home who, under the way the current credit is written, may be unable to take advantage. These provisions are based heavily on language included in bills that many, including my colleague from Louisiana, CHARLES BOUSTANY, and from North Carolina, WALTER JONES, have championed for some time.

The bill also helps military families relocating as part of the Base Realignment and Closure, or BRAC, process. As DOD has transformed its base infrastructure, many service families have had difficulty selling homes adjacent to military installations because of declining values and an unprecedented slowdown in the housing market. In the stimulus bill, Congress provided relief in the form of a one-time funding increase for DOD's homeowners assistance program, which provides housing payments to these military families to help with relocation. H.R. 3590 clarifies that military families will not be taxed on these additional benefits.

In closing, Mr. Speaker, this is a good bill, and I'm proud to lend my support to it today. I'm hopeful the Senate will quickly approve the legislation so the President can sign it into law. We owe our men and women in uniform, as well as the families that support them, nothing less.

I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, it is my pleasure to recognize the gentleman from Tennessee (Mr. TANNER), the distinguished Chair of the Social Security Subcommittee of Ways and Means, for 2 minutes.

Mr. TANNER. Mr. Speaker, the bill has been explained. May I just simply say this is a bill that is completely bipartisan and, more importantly, or as importantly, fully paid for. It protects the Foreign Service officers, the military and the intelligence community members who may have been ordered or otherwise sent from their homes under the Homebuyers Act, and it protects their rights thereunder. Important. It should be done. They are risking not only their lives, but often, many times their liberties.

And so I want to thank everyone who's worked on this bill. Mr. CAMP, thank you, and others, for bringing to the floor a bipartisan, paid-for bill that will protect the rights of the Homebuyers Act of our Foreign Service officers, our military, and the intelligence community.

Mr. CAMP. At this time I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in strong support of H.R. 3590, the Service Members Home Ownership Tax Act of 2009.

The first-time homebuyer credit gives qualifying consumers a tax refund of up to $8,000 when buying a primary residence. So far, over 1.4 million Americans have taken advantage of this credit. However, the men and women serving in our Nation's Armed Forces are largely unable to take advantage of this credit. Why? Because the current law requires consumers who utilize the first-time homebuyers' tax credit to repay the credit if they move from the primary residence within 36 months of the closing. This 3-year residency requirement disqualifies many military personnel from taking advantage of the tax credit.

Following the call of the military, armed services members regularly relocate duty stations, thus resulting in an immediate recapture of the credit. That's just not fair to our Armed Forces. Our military personnel, Foreign Service officers, intelligence agents and their families should not be penalized for required moving in service to our Nation. H.R. 3590 eliminates the inequities in the first-time homebuyers tax credit by waiving the 36-month requirement for servicemembers, Foreign Service officers, and intelligence agents who must sell their homes in connection with Federal orders relating to official extended duty.

With over 116,000 veterans living in my district, I'm keenly aware of issues that are of interest to our military servicemembers. While we can never do enough to thank our men and women in uniform for their service, the Service Members Home Ownership Tax Act of 2009 is one way that we can demonstrate America's commitment to our troops while they are serving.

I thank my colleague from New York, Mr. RANGEL, for introducing this bill. And I'm proud to cosponsor it, and I urge its support. Hopefully the Senate will act in an expeditious manner so that we can truly make sure that this tax benefit extends to our servicemembers.

Mr. BLUMENAUER. Mr. Speaker, it is my pleasure to recognize the gentleman from Wisconsin (Mr. KIND), a tireless champion of veterans with whom I've been pleased to work with on this legislation, for 3 minutes.

Mr. KIND. Mr. Speaker, I rise in strong support of H.R. 3590, and thank my colleague and friend from Oregon, Mr. BLUMENAUER, not only for yielding me the time but for the work that he has put into this important piece of legislation. I also want to thank Chairman RANGEL and Ranking Member CAMP and the other members of the Ways and Means Committee, and the bipartisan support that this legislation has in Congress today. It is the right thing to do for our men and women in uniform.

As my colleague from Tennessee also indicated, Mr. TANNER, it is completely paid for. So it will not add a nickel to our national deficit. And it incorporates a number of very important proposals, including legislation that I had introduced earlier this year with a number of my colleagues to ensure that the men and women who are serving our country abroad are eligible for all the benefits and the opportunities that would be available to them as if they were stationed here in the United States instead of being deployed abroad in a conflict situation where they can't take advantage of these programs because of their deployment.

□ (1445)

This sort of equity is the bare minimum that we should extend to these patriotic servicemembers, many of whom are serving us very bravely in very dangerous missions.

Earlier this year, Congress took an important step to rejuvenating the housing market and helping middle class families buy their first home by modifying and extending the First-Time Homebuyer Credit. This important provision provides first-time homebuyers with an $8,000 tax credit for homes purchased before November 31, 2009. Unfortunately, again, with our servicemembers serving overseas, they haven't been able to take advantage of that credit.

Earlier this year, I was joined by my colleague and friend from Wisconsin (Mr. KAGEN) along with Representatives SAM JOHNSON and CHARLES BOUSTANY, to introduce H.R. 2562, the Service Members Home Ownership Act. All that did was extend the opportunity for our servicemen and -women who are serving us abroad by 1 year the opportunity to take advantage of the first-time homebuyer $8,000 tax credit.

And with the work that Mr. BLUMENAUER did and his focus on extending that to Foreign Servicemembers deployed overseas and members of our intelligence community, these provisions are reflected in this legislation today.

I do want to thank Chairman RANGEL and others on the committee for understanding the basic equity that's enshrined in this legislation and also for clarifying the tax treatment of the Homeowner's Assistance Program, a program that is administered by the Department of Defense that was expanded in the American Recovery Act that makes it easier for certain members of the military to sell their homes as a result of their service to their country. The passage of this bill today will make sure that this assistance is not taxed as income.

I think these are very simple steps, steps that are necessary and fair to our servicemen and -women, including the largest call-up of National Guard members since World War II in the State of Wisconsin, who are serving us so very well overseas right now under trying and difficult circumstances. But the men and women who put their lives on the line for us every day deserve this kind of treatment from their government.

So I support the legislation, and I strongly encourage the rest of my colleagues to do so.

Mr. CAMP. At this time I yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Speaker, I want to thank you and both sides for bringing this legislation to the floor today, the Service Members Home Ownership Tax Act. I got a call last January from a wife of a marine. The marine had been to Iraq twice. And she called me and said, Congressman, we cannot participate in this fine program that's been presented by the Congress of the United States. She said, My husband is getting ready to go back for his third tour. Is there something you can do to help our family?

I went ahead and wrote a letter to Mr. RANGEL and asked him to please, as this session started, to please consider making this necessary change so that our military and their families could take part in this wonderful program of first-time buyers where they get a benefit of $8,000.

I want to say to the lady, thank you for the service that you and your husband are giving to this country. And to all those in uniform, thank you for your service. And for those that might benefit from this wonderful bill that's on the floor today, and the families that will benefit, I say to both sides, the Democrats and the Republicans, Mr. RANGEL, Mr. CAMP, and all the members of Ways and Means, thank you for bringing this bill to the floor of the House.

Mr. BLUMENAUER. It is my privilege to yield 2 minutes to a tireless member of the Ways and Means Committee, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Thank you, my friend, Mr. BLUMENAUER. I stand before you to discuss H.R. 3590, the Service Members Home Ownership Tax Act of 2009. I want to congratulate Mr. RANGEL, Mr. CAMP, Mr. BLUMENAUER. This body stands tallest when we work together for our servicemembers. It really reflects the dignity of this body.

And I say this emphatically, that Mr. RANGEL and Mr. CAMP are always there, not only because they have a deep affection for their country, but because they have a deep connection with our service folks who defend us every day. This is the least we can do.

This legislation would extend the first-time homebuyer credit, the time limit by 1 year, for our military members serving outside the United States in 2009. The extension would allow servicemembers currently serving overseas to take advantage of an important tax credit offered to all citizens by the Recovery Act.

Our legislation would protect servicemembers from having to repay the credit if they are called up for service overseas and forced to sell their home within 3 years of purchasing.

Think of this, Mr. Speaker: this bill comes at a time when our servicemembers are challenged with the dual strain of war and economic strife. Taking care of the responsibilities in Iraq and Afghanistan and trying to take care of familial needs—just imagine, just imagine that stress.

The first-time homebuyer credit has already provided tax benefits to a million and a half families. Congress should do everything we can to ensure our servicemembers are also able to take full advantage of the programs we enact to benefit all Americans. And they need to know about it. We have an obligation to communicate to our service folks and our veterans what is available out there, because I think in the past 8 years we have surpassed in attempting to reach out to them so that they know what their benefits are.

I hope this bill sees swift passage in the House and the Senate. It's the right thing to do, Mr. Speaker.

Mr. CAMP. We have no further speakers at this time. I reserve the balance of my time.

Mr. BLUMENAUER. It is my pleasure to recognize for 2 minutes a gentleman who often shares his insights about military families, the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. I thank Mr. BLUMENAUER for yielding. Let me thank Mr. RANGEL and the ranking member for their work on the committee, and all the members who have worked on it. I'm a proud cosponsor of H.R. 3590.

My congressional district includes Fort Bragg and Pope Air Force Base and is home to thousands of our brave military men and women, many of whom have been subject to multiple deployments, as well as the 30th Heavy Brigade National Guard Units, who are currently serving their second tour in Iraq.

This bill makes sure that servicemembers are able to take full advantages of the benefits available to all Americans, and I commend all of my colleagues who have worked on this and made a difference.

Under H.R. 3590, personnel overseas would have an extra year to take advantage of the first-time homebuyer tax credit. As an Army veteran myself, I understand that military members are subject to orders that may require them to uproot their homes and their

families, move to another base, or even be shipped overseas with just a short notice. This bill would allow folks to keep the tax credit even if they have to sell their homes due to military relocations within 3 years of their home's purchase.

The first-time homebuyers tax credit has helped more, as you have already heard today, more than a million and a half homeowners. While the sluggish housing industry has been in a very difficult time, it's helped stimulate it. So let's help extend this successful provision to those Americans who are sacrificing so much for all of us.

Mr. Speaker, we've already heard today that this bill is paid for. It is bipartisan. It deserves not only our total support, but our trust that the Senate will move quickly and send it to the President of the United States for his signature.

Mr. CAMP. I continue to reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I'm pleased to recognize for 2 minutes a gentleman who's been long active on this issue, the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Speaker, I rise in strong support of H.R. 3590. I wish to compliment Mr. CAMP, Mr. BLUMENAUER, and everyone who's had a contribution to making this a very good bill. It's about teamwork. It's about making certain that our soldiers, our service men and women, have the support they need before, during, and after they've been deployed. And certainly everyone here would agree that our service men and women shouldn't be punished for going overseas to serve our Nation anyplace, let alone Iraq or Afghanistan.

In April of this year I received a telephone call from the Kavanaugh family. Jerry in Kaukauna called up to say he was concerned his son might not be able to take advantage of the first-time homebuyer tax credit of nearly $8,000. He wouldn't be able to take advantage of this because he was being deployed once more overseas.

Well, I think it's time to work together. We came up with a bill with RON KIND to address this issue, and it has been improved upon by the Ways and Means Committee.

Over 1.4 million people have already taken advantage of the First-Time HomeBuyer Act, and now it's a great opportunity for all service men and women to consider coming home and taking advantage of this opportunity to solidify not just their own home but the housing market here across the country.

I wish to honor all service men and women who have served overseas. I wish to thank as well Chairman RANGEL; Representatives BOUSTANY and JOHNSON, who also worked with me on preparing legislation that has been morphed into this act.

Again, I thank you for the hard work and teamwork to mend our Nation and make certain our service men and women are made whole when they return.

Mr. CAMP. I reserve the balance of my time.

Mr. BLUMENAUER. At this time I'm pleased to yield 2 minutes to a tireless champion of Las Vegas, the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for the recognition. I rise in support of this important piece of legislation. This bill would ensure that members of the U.S. military, the Foreign Service, or the intelligence community who are deployed overseas are not penalized by the requirement to repay the first-time homebuyer tax credit.

For those who have been stationed abroad for at least 90 days this year, it would also provide an additional year to qualify for the first-time homebuyer tax credit. This would include the 1st Squadron, 221st Cavalry out of Las Vegas, Nevada, and the 1st Battalion of the 168th Medevac Unit of the Nevada National Guard. Both are deployed overseas in Afghanistan on behalf of their Nation.

The brave men and women who selflessly serve this country should not be penalized because of their commitment to our Nation. This legislation ensures that they do not miss out on the important housing tax benefit.

I encourage my colleagues to support the passage of this bill.

Mr. CAMP. Mr. Speaker, I would just yield back the balance of my time and urge support for H.R. 3560, the Service Members Home Ownership Tax Act of 2009.

Mr. BLUMENAUER. I would express my appreciation to Mr. CAMP and his team for helping move this legislation through in a bipartisan and expeditious fashion.

I would conclude, Mr. Speaker, by saying you have heard today strong testimony from people on both sides of the aisle why this legislation is important. Over the course of the last 6 months I've had an opportunity to make it personal in terms of Oregonians: people in the Peace Corps, in the Foreign Service in Swaziland, in China, in Mozambique, who are posted overseas but for whom their roots are still here. We want to make sure that it makes a difference for them.

Likewise, in Oregon we have significant deployment of our 41st Brigade of the Oregon National Guard who will be serving in Iraq and scheduled to not return until the spring of 2010. It's personal for all of these people.

□ 1500

It's a pleasure to see the rapid response to respond to the needs of these Americans serving abroad.

I note that this legislation is endorsed by The American Legion, the Military Officers Association of America, the National Association of Home Builders, the National Association of Realtors, the National Military Family Association and Veterans of Foreign Wars of the United States.

I strongly urge my colleagues to add their support to this bill and give the men and women who serve our country the same opportunity as other Americans to own a home.

Mr. CALVERT. Mr. Speaker, the Service Members Home Ownership Tax Act is a good bill that extends the availability of the homebuyer tax credit to our servicemembers serving our country overseas. The homebuyer tax credit has proven to be an effective measure in stimulating our housing market, and I'm hopeful more of our servicemembers will be able to use it now that it is being extended.

In fact, I know that many members, including myself, support extending the homebuyer tax credit for everyone. I have a bill, the Homebuyer Tax Credit Act, H.R. 1245, that would extend and expand the tax credit. My bill has almost fifty cosponsors and I aware of other bills that have been introduced to extend the homebuyer tax credit.

am hopeful that in addition to passing this bill today, the House leadership and the Ways and Means Committee will act on a broader extension of the homebuyer tax credit in the near future.

Mr. SKELTON. Mr. Speaker, first let me thank my good friend and a valued member of the House Armed Services Committee, WALTER B. JONES of North Carolina, for introducing the first bill in the House to fix the first time homebuyer tax issue for our servicemembers. Mr. JONES is a good friend of the military, and I was proud to join him in this effort.

Let me also thank Ways and Means Committee Chairman CHARLIE RANGEL, a Korean war veteran and supporter of our troops, for recognizing that we needed to improve the Federal Tax Code for military personnel and their families and for wrapping together several related tax bills into the legislation we are considering today, the Service Members Home Ownership Tax Act.

The first time homebuyer tax credit, which was enacted as part of the American Recovery and Reinvestment Act, has been popular with the American people and has had a positive impact on the economy.

Since the tax credit took effect, home sales have increased and there have been glimpses of price stability in the housing market. While much work remains before a full recovery can be achieved in the real estate sector, this tax credit has produced results.

To qualify for the tax credit, a first time homebuyer must meet certain criteria, including a stipulation that he or she live in the house as a primary residence for 3 years or be forced to repay the credit to the Federal Government.

For those military personnel, Foreign Service officers, and intelligence officers who wish to purchase their first home but who might be required by government orders to move duty stations within a 3-year window, this stipulation has proven problematic.

To fix it, I recently co-authored the Service Members Home Ownership Tax Act, which would waive the repayment clause if the servicemember, State Department official, or intelligence officer receives official orders and is forced to sell his or her house within that 3-year window.

The measure would also allow qualifying Defense and State Department personnel and intelligence personnel who have served outside the United States for at least 90 days in

2009 to have an additional year to participate in the first time homebuyer tax credit, which is currently scheduled to expire on November 30, 2009.

In addition to these particular changes, the legislation would ensure that certain payments under the Department of Defense Homeowner's Assistance Program are exempt from taxation.

The Service Members Home Ownership Tax Act is important for our troops and their families and would foster economic activity in areas near military bases. I urge its quick passage in the House of Representatives.

Mr. BACA. Mr. Speaker, I ask for unanimous consent to address the House for one minute.

I stand in support of H.R. 3590 and commend Representative RANGEL for his leadership in protecting the livelihoods of our service men and women.

H.R. 3590 extends the first-time homebuyer tax credit for one year for qualifying service members and waives the recapture requirement for service members if they are forced to sell their home within three years because of a change in duty station.

The first-time homebuyer program works. We have already seen positive results.

According to the National Association of Home Builders, approximately 200,000 additional home sales are attributable to the present-law tax credit and that it has resulted in a net increase of 187,000 jobs.

H.R. 3590 will allow more families to buy a home and help our economy.

I am hopeful that we will extend the credit for all Americans, but I am most grateful that today we will do the right thing and provide this incentive to our service men and women.

It is in the top five for highest number of foreclosures.

Mr. MITCHELL. Mr. Speaker, I rise today on behalf of America's service members who devote their lives to defending and serving this great country.

The Service Members Home Ownership Tax Act of 2009, H.R. 3590, will help strengthen our Nation's housing industry while ensuring that our honorable service men and women can take full advantage of the benefits they have earned through their service and sacrifice.

Earlier this year, we enacted a temporary $8000 tax credit for first time-time homebuyers.

So far, the tax credit has worked. According to Moody's chief economist Mark Zandi, almost 400,000 new and existing home sales are attributable to the tax break.

In the Phoenix metropolitan area—we have seen a growth in first-time home sales, especially of homes below $150,000. According to at least one recent survey, home sales reached 9,614 in June, up 11 percent from May.

Current law, however, requires first-time homebuyers who use the $8,000 tax credit to repay the credit if they move from their principal residence within three years of closing.

This is a problem for service members, who are often required to redeploy overseas within a three year period. We need to ensure that service members are not adversely impacted by simply carrying out their duties.

The Service Members Home Ownership Tax Act of 2009, would exempt service members from the repayment requirement if they are deployed overseas within three years of using the home buyer tax credit.

I encourage my colleagues to honor the men and women who serve this country and pass this important legislation.

Mr. BLUMENAUER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. BLUMENAUER) that the House suspend the rules and pass the bill, H.R. 3590.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 1016, VETERANS HEALTH CARE BUDGET REFORM AND TRANSPARENCY ACT OF 2009

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 804) providing for the concurrence by the House in the Senate amendment to H.R. 1016, with amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 804

*Resolved*, That upon the adoption of this resolution the bill (H.R. 1016) entitled ''An Act to amend title 38, United States Code, to provide advance appropriations authority for certain medical care accounts of the Department of Veterans Affairs, and for other purposes'', with the Senate amendment thereto, shall be considered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendment:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Veterans Health Care Budget Reform and Transparency Act of 2009''.

**SEC. 2. PRESIDENT'S BUDGET SUBMISSION.**

Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

''(36) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for the following medical care accounts of the Veterans Health Administration, Department of Veterans Affairs account:

''(A) Medical Services.

''(B) Medical Support and Compliance.

''(C) Medical Facilities.''.

**SEC. 3. ADVANCE APPROPRIATIONS FOR CERTAIN MEDICAL CARE ACCOUNTS OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 116 the following new section:

**''§ 117. Advance appropriations for certain medical care accounts**

''(a) IN GENERAL.—For each fiscal year, beginning with fiscal year 2011, discretionary new budget authority provided in an appropriations Act for the medical care accounts of the Department shall—

''(1) be made available for that fiscal year; and

''(2) include, for each such account, advance discretionary new budget authority that first becomes available for the first fiscal year after the budget year.

''(b) ESTIMATES REQUIRED.—The Secretary shall include in documents submitted to Congress in support of the President's budget submitted pursuant to section 1105 of title 31, United States Code, detailed estimates of the funds necessary for the medical care accounts of the Department for the fiscal year following the fiscal year for which the budget is submitted.

''(c) MEDICAL CARE ACCOUNTS.—For purposes of this section, the term 'medical care accounts of the Department' means the following medical care accounts of the Veterans Health Administration, Department of Veterans Affairs account:

''(1) Medical Services.

''(2) Medical Support and Compliance.

''(3) Medical Facilities.

''(d) ANNUAL REPORT.—Not later than July 31 of each year, the Secretary shall submit to Congress an annual report on the sufficiency of the Department's resources for the next fiscal year beginning after the date of the submittal of the report for the provision of medical care. Such report shall also include estimates of the workload and demand data for that fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 113 the following new line:

''117. Advance appropriations for certain medical care accounts.''.

**SEC. 4. COMPTROLLER GENERAL REVIEW OF THE ACCURACY OF VA MEDICAL CARE BUDGET SUBMISSION IN RELATION TO BASELINE HEALTH CARE MODEL PROJECTION.**

(a) REVIEW OF ACCURACY OF MEDICAL CARE BUDGET SUBMISSION.—The Comptroller General shall conduct a review of each budget of the President for a fiscal year that is submitted to Congress pursuant to section 1105(a) of title 31 in order to assess whether or not the relevant components of the amounts requested in such budget for such fiscal year for the medical care accounts of the Department of Veterans Affairs specified in section 117(c) of title 38, United States Code, as added by section 3, are consistent with estimates of the resources required by the Department for the provision of medical care and services in such fiscal year, as forecast using the Enrollee Health Care Projection Model, or other methodologies used by the Department.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 120 days after the date of each year in 2011, 2012, and 2013, on which the President submits the budget request for the next fiscal year under section 1105 of title 31, United States Code, the Comptroller General shall submit to the Committees on Veterans' Affairs, Appropriations, and the Budget of the Senate and the Committees on Veterans' Affairs, Appropriations, and the Budget of the House of Representatives and to the Secretary a report on the review conducted under subsection (a).

(2) ELEMENTS.—Each report under this paragraph shall include, for the fiscal year beginning in the year in which such report is submitted, the following:

(A) An assessment of the review conducted under subsection (a).

(B) The basis for such assessment.

(C) Such additional information as the Comptroller General determines appropriate.

(3) AVAILABILITY TO THE PUBLIC.—Each report submitted under this subsection shall also be made available to the public.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I rise in support of the Veterans Health Care Budget Reform and Transparency Act of 2009.

Mr. Speaker, this is a very important bill. It's a whole new approach to the funding of Veterans Administration health care programs, one that will allow our Nation's veterans to receive timely, high quality and well-funded care regardless of political considerations that go into the budget process every year. I'm glad I was able to work with my colleagues in the Committee on Veterans' Affairs in both the House and the Senate to get this bill to the House floor today.

This is a bipartisan response to years of chronic underfunding of VA medical care and happens to be the highest legislative priority of veterans' groups in this Nation.

In an unprecedented step, Mr. Speaker, nine veterans' groups formed the Partnership for Veterans Health Care Budget Reform. These groups, including The American Legion, AMVETS, Blinded Veterans Association, Disabled American Veterans, Jewish War Veterans, Military Order of the Purple Heart, Paralyzed Veterans of America, Veterans of Foreign Wars, and the Vietnam Veterans of America all formed together to advocate for a VA health care budget that is sufficient, timely and predictable.

In fact, the leadership of one of the prime organizations that took the leadership in this fight, the Disabled American Veterans, are watching this debate from the gallery. Their national commander, Bobby Barrera; their executive director, Dave Gorman; and their legislative director, Joe Violante, are watching this, and we thank them for their leadership in this fight.

These groups put together the idea that resources for VA health care should be provided through advance appropriations, so that when the fiscal year starts on October 1, the VA will already have its budget figure regardless of what occurred in the year's budget that was funding other agencies. The result of their advocacy is H.R. 1016, which will pass as we pass the resolution before us on the floor.

The VA budget, in fact, has been in place at the start of the fiscal year only four times in the last two decades. We all felt that this delay in providing vital funding, for whatever reasons that were going on in the House and the Senate, put the provision of health care to veterans at risk and hampered the VA's ability to plan its health care expenditures and hire needed health care professionals. This was a concern that was shared by current and former VA officials.

Again this year the VA was forced to rely on funding from a continuing resolution, even though the House acted in a timely fashion and passed the FY 2010 VA spending bill in July.

The House passed its version of the forward funding bill by a vote of 409–1 this June. Our other colleagues in the Senate acted in August, and the version of the legislation before us represents a compromise agreement between us and our colleagues on the Senate Committee on Veterans' Affairs.

The bill will ensure that VA can best plan and utilize taxpayer dollars to provide veterans with the health care they have earned and deserve. It provides a framework with which we can realize advance appropriations for VA medical care accounts.

As part of the annual budget submission, the President will be required to submit a request for certain VA accounts for the ''fiscal year following the fiscal year for which the budget is submitted.'' For example, as part of the administration's fiscal year 2011 budget, the President will include budget estimates for VA medical care accounts for fiscal year 2012. The VA will be required to detail estimates in the budget documents it submits annually to Congress.

Each July, the VA will be required to report to Congress if it has the resources it needs in the upcoming fiscal year in order for Congress to address any funding imbalances. This will help to safeguard against the VA facing budget shortfalls such as it faced several years ago.

Finally, the Government Accountability Office will report, within 120 days of the annual budget submission, whether VA's advance appropriations requests are in line with workload and cost estimates and the VA's budget model. It sounds a little complicated. It was worked out by, as I said, this really hardworking coalition of veterans' organizations and, in fact, bottom line and simple, it will make sure that a year in advance, the VA will be funded appropriately.

I want to thank both the Appropriations and the Budget Committees for their assistance in moving this measure forward. The Budget Committee, for example, in the fiscal year 2010 budget resolution provided explicit language exempting the three medical care accounts of the VA, the accounts covered by the compromise agreement on H.R. 1016, from many points of order against advance appropriations. The Appropriations Committee, under the leadership of Chairman OBEY and Chairman EDWARDS, provided for advance appropriations for the three medical care accounts representing an 8 percent increase above the historic levels provided for fiscal year 2010.

Mr. Speaker, I would like to insert a copy of the letter from the veterans' groups comprising the Partnership for Veterans Health Care Budget Reform expressing their full support of this measure and an explanatory statement on the bill in the CONGRESSIONAL RECORD.

By working together, Congress and the administration have provided veterans with their top legislative priority. They spoke, we listened, and today we are acting. I ask the rest of the House to join once again in unanimous support of this bipartisan bill and ask for swift action by the Senate before the end of this session.

THE PARTNERSHIP FOR VETERANS HEALTH CARE BUDGET REFORM,
*Washington, DC, September 29, 2009.*

Hon. BOB FILNER,
*Chairman, House Committee on Veterans' Affairs, Cannon House Office Building, Washington, DC.*

DEAR CHAIRMAN FILNER: On behalf of the Partnership for Veterans Health Care Budget Reform, we write to fully endorse the substitute amendment that you intend to offer to H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act. We understand that this amendment has been developed in cooperation with Senate Veterans' Affairs Committee Chairman Akaka and Ranking Member Burr, who join you in support of this new language. We agree with all of you that adoption and enactment of H.R. 1016, as amended by this substitute amendment, will lead to VA health care funding that is sufficient, timely and predictable.

The Partnership, comprised of nine leading veterans service organizations, has long sought a solution to the recurring budget problems that have plagued the VA health care system for most of the past two decades. Last year we began advocating that Congress provide advance appropriations for VA medical care and we were grateful that you introduced legislation to authorize this funding reform. We supported your reintroduction of this legislation (H.R. 1016) in February and fully supported the substitute amendment you offered during the Committee's markup in June, that was subsequently approved by the full House with a vote of 409 to 1 on June 23rd. That amendment would add important new budget reporting provisions for VA medical care and would increase transparency of the advance appropriation process, strengthening the legislation.

The compromise substitute amendment you plan to offer on the House floor retains these provisions and makes two other modifications. First, your new amendment provides the Government Accountability Office, GAO, with 120 days from the time the President submits his budget to Congress to review and report on whether the level of funding requested for VA's medical care accounts is consistent with the estimates generated by VA's Enrollee Health Care Projection Model. With this change, GAO would have ample time to complete the review and still report in a timeframe that allows Congress to consider this information before finalizing future appropriations levels for VA health care.

Second, this compromise amendment limits VA's advance appropriations to the three medical care accounts, Medical Services, Medical Facilities, and Medical Support and Compliance, contained in our original proposal, removing the two additional ones, Medical and Prosthetic Research, and Information Technology, added during the Committee's markup. We understand the reasons

for this modification and support your compromise position. However, we expect that the Committee will closely monitor implementation of this legislation and carefully consider whether VA health care would be enhanced if additional budget accounts, such as IT and research, were similarly appropriated in advance.

Mr. Chairman, the Partnership has worked for over two decades to enact legislation that would assure sufficient, timely and predictable funding for VA health care. With your leadership, and that of Chairman Akaka, Ranking Member Burr and others, as well as the crucial support of President Obama, we are closer than ever to achieving an historic legislative victory on behalf of all veterans. We thank you for all that you have done to support these efforts, and look forward to working with you on future matters of importance to the men and women who have served, are serving, and will serve in our nation's armed forces.

Respectfully,

Steve Robertson, Legislative Director, The American Legion; Thomas Zampieri, Director of Government Relations, Blinded Veterans Association; Herb Rosenbleeth, National Executive Director, Jewish War Veterans of the USA; Carl Blake, Legislative Director, Paralyzed Veterans of America; Rick Weidman, Director of Government Relations, Vietnam Veterans of America, Inc.; Raymond C. Kelley, National Legislative Director, AMVETS (American Veterans); Joseph A. Violante, National Legislative Director, Disabled American Veterans; Hershel Gober, National Legislative Director, Military Order of the Purple Heart of the USA; Dennis Cullinan, Legislative Director, Veterans of Foreign Wars of the United States.

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EXPLANATORY STATEMENT SUBMITTED BY MR. FILNER, CHAIRMAN OF THE HOUSE COMMITTEE ON VETERANS' AFFAIRS, REGARDING THE AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO THE SENATE AMENDMENT TO H.R. 1016

VETERANS HEALTH CARE BUDGET REFORM AND TRANSPARENCY ACT OF 2009

H.R. 1016, as amended, the ''Veterans Health Care Budget Reform and Transparency Act of 2009,'' reflects a Compromise Agreement reached by the Senate and House Committees on Veterans' Affairs (the Committees) on the following bills reported during the 111th Congress: H.R. 1016, as amended (House bill); S. 423 (Senate bill). H.R. 1016, as amended, passed by the House of Representatives on June 23, 2009. The text of S. 423 passed the Senate as a substitute amendment to the House bill on August 6, 2009.

The Committees have prepared the following explanation of H.R. 1016, as further amended to reflect a compromise agreement between the Committees (Compromise Agreement). Differences between the provisions contained in the Compromise Agreement and the related provisions of the Senate Bill and the House Bill are noted in this document, except for clerical corrections, conforming changes made necessary by the Compromise Agreement, and minor drafting, technical, and clarifying changes.

*Section 1. Short title*

Both the House bill (section 1) and the Senate bill (section 1) would provide the short title as the ''Veterans Health Care Budget Reform and Transparency Act of 2009.''

The Compromise Agreement contains this provision.

*Section 2. President's budget submission*

The House bill (section 3) would amend section 1105 of title 31, United States Code, to require the President to submit information on the estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for the Medical Services, Medical Support and Compliance, Medical Facilities, Information Technology Systems, and Medical and Prosthetic Research accounts of the Department of Veterans Affairs.

The Senate bill contains no similar provision.

The Compromise Agreement contains the House provision but modifies it to require information on the estimates for three accounts: the Medical Services, Medical Support and Compliance, and Medical Facilities accounts.

*Section 3. Advance appropriations for certain medical care accounts of the Department of Veterans Affairs*

The House bill (section 4) would amend title 38, United States Code, to add a new section providing authority, beginning with fiscal year 2011, for the provision of advance appropriations for the Medical Services, Medical Support and Compliance, Medical Facilities, Information Technology Systems, and Medical and Prosthetic Research accounts of the Department of Veterans Affairs. The new section would require the Department of Veterans Affairs to provide additional detailed budget estimates in support of advance appropriations for these accounts in the annual information it provides to Congress in support of the Department's budget request. The House bill would also require a report to be submitted annually to Congress, no later than July 31 of each year, on the sufficiency of the Department's resources for the fiscal year beginning after the date of the submission of the report for the provision of medical care and include estimates of the workload and demand data for that fiscal year.

The Senate bill (section 3) would amend title 38, United States Code, to add a new section providing that, beginning with fiscal year 2011, new discretionary budget authority for the provision of advance appropriations for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Department of Veterans Affairs, shall be made available for the fiscal year involved, and shall include new discretionary budget authority for such accounts that become available for the first fiscal year after such fiscal year.

The Compromise Agreement contains the House provision modified to include only the three accounts specified in the Senate bill.

*Section 4. Comptroller General review of the accuracy of VA medical care budget submissions in relation to baseline health care model projection*

Both the House bill (section 5) and the Senate bill (section 4) would provide for enhanced oversight of the Department of Veterans Affairs budget process by requiring the Comptroller General to conduct a study of the adequacy and accuracy of baseline model projections for health care expenditures. Both the House bill and Senate bill would require the Comptroller General to submit reports on the dates in 2011, 2012, and 2013 that the President submits a budget request for the next fiscal year, to appropriate Committees of Congress and to the Secretary of Veterans Affairs, containing statements of whether the amounts requested in the budget by the President are consistent with anticipated expenditures for health care in such fiscal year as determined utilizing the Enrollee Health Care Projection Model, its equivalent, or other methodologies.

The Compromise Agreement contains this provision modified to require the annual reports to be submitted not later than 120 days after the submission of the President's budget and to include an assessment of the review conducted by the Comptroller General as to whether or not the relevant components of the budget request are consistent with the estimates of the Department of Veterans Affairs for the provision of medical care and services. The Committees have selected a 120-day deadline to give the Comptroller General sufficient time to review the President's budget following its submission and to, at the very least, inform the deliberations of the House and Senate Appropriations Committees prior to their consideration of VA appropriations bills. However, it is the Committees' desire that, notwithstanding the 120-day deadline, the reports under this section be submitted as quickly as possible after submission of the President's budget request so as to be useful by the Committees in meeting their responsibilities under the Congressional Budget Act of 1974 to provide views and estimates on matters within their jurisdiction to the House and Senate Budget Committees, as well as during deliberation on annual Congressional budget resolutions.

PROVISIONS NOT ADOPTED

Section 2 of the House bill would express the Sense of the Congress that the provision of health care services to veterans could be more effectively and efficiently planned and managed if funding was provided for the management and provision of such services in the form of advance appropriations.

Section 2 of the Senate amendment expresses Congressional findings which support the need for enactment of advance appropriations for VA medical care.

Mr. Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of House Resolution 804, a resolution providing for the concurrence by the House in the Senate amendment to H.R. 1016, with amendments.

I want to thank my committee chair, Mr. FILNER. With this important legislation, he responded to the needs of our veterans who depend on the Veterans Health Administration.

This resolution represents an agreement between the Chambers and provides for advance appropriations authority for certain medical care accounts for the Department of Veterans Affairs. An advance appropriations means that Congress would approve funding for VA health care accounts 1 year in advance of the actual fiscal year in which the funding would become available.

The impetus for this legislation is clearly evident as last week we began a new fiscal year with a continuing resolution, because once again Congress failed to pass the annual funding for veterans health care on time. In fact, VA has received a timely budget on only four occasions during the last 21 years.

It is a disservice to our veterans and wounded warriors when legislative budgetary impasses delay funding and prevent VA from effectively planning for the day-to-day operations of its health care system.

It is disappointing, however, that the compromise agreement would provide

for advance appropriations for just three VA accounts, Medical Services, Medical Support and Compliance, and Medical Facilities. It should also include advance appropriations for the information technology account and medical and prosthetic research accounts.

The former Chair and current ranking member of the VA Committee, STEVE BUYER, made a strong argument that the IT and research accounts should be included in any advance appropriations because they are closely related to the previously mentioned accounts, and having separate funding mechanisms could lead to unintended consequences.

The members of the VA Committee, including the chairman, recognized the importance of keeping the accounts together and included them in the House-passed bill.

Adding the IT accounts was also a recommendation of the Secretary of Veterans Affairs, Eric Shinseki. Likewise the Congressional Research Service analysis of advance appropriations gave support to including both accounts. It is unfortunate that the House position did not prevail in the compromise agreement. Inclusion of these accounts would have greatly improved the bill by providing a more comprehensive funding method for veterans' medical care needs.

Nonetheless, the legislation is a very positive development for the VA budgeting process. It will provide a procedure that could allow more predictable funding. It would not guarantee the VA or Congress that we will get the amount of the veterans health care budget exactly right.

We must continue to work hard for the benefit of our veterans to get the VA budget as close as possible to the intended results. Implementation of this legislation will require strong congressional oversight to ensure we meet our objectives.

Mr. Speaker, this resolution is a new approach in trying to remove the uncertainty from veterans' health care and its funding, and is strongly supported, as the chairman said, by the Partnership for Veterans Health Care Budget Reform, a coalition of nine veterans service organizations.

I want to congratulate the chairman, and I strongly urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. FILNER. As I yield 2 minutes to the gentleman from Maine (Mr. MICHAUD), I would just remind the gentleman from Florida that when the Senate saw that the prime mover of the amendment that put those two extra accounts in the bill was the only one in the House that voted against the bill that was sent to the Senate, they didn't take that too seriously. I just would remind the gentleman.

Mr. MICHAUD. Thank you very much, Mr. Chairman.

I rise in strong support of the Veterans Health Care Budget Reform and Transparency Act of 2009.

I am here today as original cosponsor of this legislation. I would like to express my appreciation for all of the work that the chairman has done on this legislation bringing it to the floor.

This bill accomplishes a simple but crucial goal that we all share, to provide family funding for veterans health care.

I represent the State of Maine with 1.3 million people. Out of that number, 155,000 are veterans. Maine is a State that works hard to honor our veterans. The talented and dedicated professional workers at Togus VA Medical Center do a terrific job. So do our community-based outpatient clinics and all VA partners. But all too often the VA's ability to provide the best possible care has been hamstrung by the appropriations process. In some cases VA has not been funded until after the beginning of the fiscal year. As a result, maintenance of facilities, cost-saving investments in technology, and ultimately care for our veterans was delayed or put in jeopardy. This cannot be allowed to occur when we are dealing with our veterans' health care benefits.

This is a bill that is timely. The bill will provide timely, sufficient and predictable funding streams for VA, and that is exactly what this legislation is designed to do.

Passage of this legislation today is a huge step that will help make sure our veterans get access to the best possible care. I want to urge my colleagues to support it. I want to thank all the members of the Veterans' Affairs Committee for their willingness to move this legislation forward because it will make a difference in veterans' lives.

Finally, I want to thank the veterans service organizations for all their tenacity and hard work in getting this legislation through the committee and through Congress.

Mr. BILIRAKIS. I will continue to reserve.

Mr. FILNER. Mr. Speaker, I would yield 2 minutes to the gentlewoman from Illinois (Mrs. HALVORSON) who as a new Member has been an incredibly active and committed member of our committee.

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Mrs. HALVORSON. Thank you, Mr. Chairman.

I rise in support of passage of H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act of 2009, which was introduced under the leadership of Chairman FILNER. I want to thank Mr. FILNER and the Subcommittee on Health chairman, Mr. MICHAUD, for their great leadership on this issue. This is an urgent issue for our country's veterans.

Almost 5.5 million people received care in VA health care facilities in 2008, and the VA's outpatient clinics registered over 60 million visits. This is one of the largest health care providers in the country. However, in fiscal 2009, for only one of the third or fourth times in the past 20 years, the VA received its budget prior to the start of the new fiscal year. So it isn't reasonable to expect that one of the largest and fastest-growing health care providers in the country can operate in the most efficient and effective manner if they don't even know what their budget is going to be. So this situation harms the VA's ability to plan services and deliver quality health care.

As we saw again this year, the VA will be forced to defer planning until Congress can complete its budget and appropriations work for the year. Medical staff cannot be hired, equipment cannot be procured, waiting times increase, and the quality of care suffers. So H.R. 1016 will solve many of these problems by funding the VA 1 year in advance. This bill will help the VA spend taxpayer money more efficiently while at the same time providing better and more comprehensive care for our veterans. H.R. 1016 will make sure that the VA has the resources that it needs to provide quality care in a timely manner without having to question what funds will be available next month.

So I'm here today in an attempt to serve our veterans' best interests and to fight to make sure that they receive the best care possible. I urge my colleagues to join me in accomplishing these goals by voting ''yes'' on H.R. 1016, as amended.

Mr. BILIRAKIS. I continue to reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I yield 3 minutes to another new Member who has been a great addition to our committee, the gentleman from New Mexico (Mr. TEAGUE).

Mr. TEAGUE. Mr. Speaker, I rise today to speak in support of H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act of 2009. I would like to thank the distinguished gentleman from California, BOB FILNER, for introducing this bill. I'm happy to be a cosponsor of the legislation, but it is through his leadership as chairman of the Committee on Veterans Affairs that we will finally be able to make advance appropriations of the VA's health budget a reality.

It's not right that we lapse in our care for our veterans when they never lapsed in the defense of our country, and it's not right that out of the last 22 budgets that were passed for the VA, 19 have been late. Our veterans served their country and provided us the security we often take for granted, and we owe them quality health care.

Without a predictable and on-time funding source, it is difficult, or impossible, for the VA to provide our veterans with the high level of health care and services they deserve. That is why I led 50 Members of Congress to demand a provision allowing for advance appropriations in the fiscal year 2010 budget, and we were fortunate enough to convince the Budget Conference Committee to support it.

As a result of allowing for advance appropriations in the budget, the Appropriations Committee decided that

the Military Construction and VA spending bill should contain $48.2 billion in advance appropriations for the VA for fiscal year 2011. This represents a 15 percent increase over fiscal year 2009 levels and a step in the right direction for veterans' health care.

Many people have compared advance appropriations to a family budget. A family needs to know how much their income is before they know what they can spend. I think that about sums up why we need this bill. I think that it's about common sense and being responsible.

As a businessman, I never tried to make a purchase without knowing what my budget was going to be. I had to plan ahead and have a roadmap for all of the company's finances. Because the VA is a direct provider of services, they need to have the same ability to plan ahead. It's about delivering a quality service for our veterans.

I urge my colleagues to take this giant step in improving the VA's ability to deliver quality health care services to our Nation's veterans.

Mr. BILIRAKIS. Mr. Speaker, I would ask if the gentleman from California has additional speakers.

Mr. FILNER. I do have more speakers, yes.

Mr. BILIRAKIS. I will continue to reserve the balance of my time.

Mr. FILNER. How much time do I have left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from California has 7 minutes remaining.

Mr. FILNER. I yield 2 minutes to another new member of our committee who has, again, given us a great commitment and energy to the cause of veterans, the gentleman from Virginia (Mr. NYE).

Mr. NYE. Mr. Speaker, I would like to thank Chairman FILNER for his leadership on this issue and also Chairman MICHAUD. I am proud to rise in support of this legislation that will bring a commonsense solution to a long-standing problem.

For far too long, the VA health care system has been plagued with budgets that were too little, too late. Insufficient funding for veterans' health care leads to waiting lists, delayed care and veterans being turned away from VA hospitals and clinics. Underfunding threatens the very quality of care that the VA has worked so hard to achieve.

But just as important as how much funding the VA receives is when the VA receives that funding. With just three exceptions, the budget has been late for 20 of the past 23 years, this year included. When funding is late, the budget levels are uncertain, and it makes it harder to plan ahead for the needs of our veterans.

H.R. 1016 will solve this problem by authorizing VA's medical care budget in advance. Moreover, to help ensure that we have sufficient funding, H.R. 1016 adds transparency to the budget process by requiring the Government Accountability Office to audit the VA's internal budget. This way, we can see if the budget request accurately reflects the projected needs of our veterans.

Mr. Speaker, the commitment of our men and women in uniform does not stop at the end of the fiscal year nor do the needs of our veterans. Our soldiers, sailors, airmen and marines stand ready to defend our Nation whenever they are called upon. We can plan for the future security of the United States because we know that our troops will be there. We owe them that same commitment in return.

The passage of this legislation is critical to ensure that our veterans receive their benefits on time, and it will allow the VA to plan ahead to meet the needs of the new veterans returning home each day from Iraq and Afghanistan. No longer can we allow the care of our Nation's veterans to be affected by the unstable budgetary process.

I am proud to support this legislation. I urge my colleagues to do the same.

Mr. BILIRAKIS. I will continue to reserve the balance of my time, Mr. Speaker.

Mr. FILNER. I yield myself 30 seconds just to say something I forgot when I introduced the gentleman from Maine (Mr. MICHAUD).

In this process, there was a time when the executive branch seemed to waiver in its commitment to this effort, and Mr. MICHAUD's tenacity and his steadfast support of this makes sure that we continue down this path. I want to thank him for doing that.

I yield as much time as he may consume to Mr. HARE from Illinois, a former member of the committee, who I wish was still on our committee.

Mr. HARE. Mr. Speaker, I rise in strong support of H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act of 2009. I would like to thank Chairman FILNER for introducing this very important bill.

In the 110th Congress, we gave the VA its largest funding increase in 77 years, and we gave it to them on time; but sadly, punctual VA funding has not always been the case. The VA received its annual funding for health care programs late in 19 of the last 22 years. This record of tardiness is deplorable. With the ongoing wars in Iraq and Afghanistan, the time to fix the broken system is now.

Late funding is more than a missed deadline. It is a veteran with posttraumatic stress disorder who cannot access the treatment that he or she needs. It's an injured hero who must wait for a prosthetic. It is the VA in disarray at a time when our wounded warriors are counting on the Department's services. That is why, in the last Congress, I introduced the Assured Funding for Veterans Health Care Act.

Like the bill I introduced, advance appropriations is a means to an end. That end is ensuring veterans receive the best care possible from a VA that has access to timely, sufficient, and predictable resources. The legislation we are considering today will do just that. It will allow the VA to effectively budget and manage its health care programs and services, meaning it can hire the appropriate number of doctors, nurses, clinicians, and support staff to meet the demand for high-quality medical care for our Nation's veterans. Anything less is unacceptable.

I would also like to acknowledge and commend Chairmen OBEY and EDWARDS for their strong proactive leadership in putting in an advance appropriation for VA health care in the fiscal year 2010 Military Construction and Veterans Affairs Appropriations bill. The bill that we're voting on today has been slightly amended from a version which the House passed earlier this Congress by a margin of 409–1. I enthusiastically support H.R. 1016.

I want to once again thank Chairman BOB FILNER for drafting a bill that will ensure that the VA has sufficient, timely, and predictable funding.

Mr. Speaker, I urge all my colleagues to support this legislation.

Mr. BILIRAKIS. Mr. Speaker, this compromise agreement will finally provide advance appropriations beginning for the fiscal year 2011 for three VA medical accounts. Although I prefer the House version of the bill, I think this is a great advancement, and I will congratulate the chairman and members of the VA Committee for a great job.

I urge my colleagues to vote for H.R. 1016, as amended.

I yield back the balance of my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I thank the gentleman from Florida for those words of support, and I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 804.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FILNER. Mr. Speaker, this is a unique solution for a unique population, our veterans. Again, I want to thank the Disabled American Veterans and all of the members of the coalition who are watching this on television or in the gallery today for working so hard to come up with this unique approach. It is an incredibly good solution to what we saw as a real problem. It took creativity, it took commitment, and it took sticktuitiveness to get this done. I tell you, we would not have been here without the coalition's work. So I urge all my colleagues to adopt this legislation.

Mrs. KIRKPATRICK of Arizona. Madam Speaker, as a member of the House Committee on Veterans' Affairs, I am proud to have been an early co-sponsor of the Veterans Health Care Budget Reform and Transparency Act—a landmark piece of legislation which would require Congress to approve the Department of Veterans Affairs health care budget one year in advance.

Imagine being the sole breadwinner in your house and not knowing your annual salary until well after that year started. As you are forced each year to guess, you might alternate between underspending and overspending, between scrimping and splurging.

Now imagine that rather than the head of a small family, you were the VA.

The VA—despite its size and its undeniably important mission to fulfill our Nation's most sacred promise—has received its appropriation after the start of the fiscal year in 18 out of the last 21 years, including, now, this fiscal year.

The VA employs well over 250,000 staff nationwide, with more than 222,000 of those employees directly supporting the VA's health care system serving 5.6 million unique patients. Last year, the Veterans Health Administration spent approximately $43.5 billion on medical care and research. These numbers make the VA the second largest agency in the federal government after the Department of Defense, and make the VHA both the Nation's largest health care delivery system as well as its largest provider of health care education and training.

The late appropriations and insufficient budgets have meant restricted access for many Veterans. When funding is short, late, or unpredictable, it is our Veterans who pay the price.

Veterans in Greater Arizona are keenly aware that we need more medical facilities and the claims backlog is keeping many Veterans from the benefits they have earned. But once inside the VHA, there is no denying that the quality of service is very good. Numerous third party sources, including both the New England Journal of Medicine and Annals of Medicine, have concluded that the quality of care in the VA health care system is among the best available publicly or privately in the Nation.

However, its sheer size has amplified the problems stemming from late appropriations, which lead to rationed care, waiting lists and Veterans being turned away from service.

As Iraq and Afghanistan Veterans return and Veterans from prior conflicts continue to age, the number of those who need care will only increase, and the situation will become more critical.

It is heartening, then, that those who support the Veterans Health Care Budget Reform and Transparency Act are also increasing in number. General Eric Shinseki, voiced his support for advance appropriations shortly after becoming the Secretary of Veterans Affairs. The American Federation of Government Employees, which represents many of the federal employees who work for the VA, also supports the bill, as does the Partnership for Veterans Health Care Budget Reform—a coalition of eleven Veterans service organizations representing millions of Veterans, servicemembers, spouses and survivors.

In my short time on the House Committee on Veterans' Affairs, we have made great strides toward a budget that lives up to the sacrifices of our Veterans. We voted to increase the budget for the VA by $5.6 billion—an increase of 11.7% for Veterans health care and other programs. We ensured that Veterans are given their fair share of the American Recovery and Reinvestment Act, providing $1.4 billion for maintenance at VA medical facilities, construction of Veterans' extended care facilities, and Veteran cemetery repairs, as well as providing one-time payments of $250 to disabled veterans.

However, we still struggle to provide sufficient, timely, and predictable funding for our Veterans. When the Veterans Health Care Budget Reform and Transparency Act arrives at the floor of the House, I would urge all Members of the Arizona delegation and from all across the Nation to support it to ensure Veterans can get the care they have earned.

Mr. FILNER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 804.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES FOR DEPARTMENT OF VETERANS AFFAIRS FOR FISCAL YEAR 2010

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1717) to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1717

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

**SECTION 1. AUTHORIZATION OF FISCAL YEAR 2010 MAJOR MEDICAL FACILITY LEASES.**

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following fiscal year 2010 major medical facility leases at the locations specified, in an amount not to exceed the amount shown for that location:

(1) Anderson, South Carolina, Outpatient Clinic, in an amount not to exceed $4,774,000.

(2) Atlanta, Georgia, Specialty Care Clinic, in an amount not to exceed $5,172,000.

(3) Bakersfield, California, Community Based Outpatient Clinic, in an amount not to exceed $3,464,000.

(4) Birmingham, Alabama, Annex Clinic and Parking Garage, in an amount not to exceed $6,279,000.

(5) Butler, Pennsylvania, Health Care Center, in an amount not to exceed $16,482,000.

(6) Charlotte, North Carolina, Health Care Center, in an amount not to exceed $30,457,000.

(7) Fayetteville, North Carolina, Health Care Center, in an amount not to exceed $23,487,000.

(8) Huntsville, Alabama, Outpatient Clinic Expansion, in an amount not to exceed $4,374,000.

(9) Kansas City, Kansas, Community Based Outpatient Clinic, in an amount not to exceed $4,418,000.

(10) Loma Linda, California, Health Care Center, in an amount not to exceed $31,154,000

(11) McAllen, Texas, Outpatient Clinic, in an amount not to exceed $4,444,000.

(12) Monterey, California, Health Care Center, in an amount not to exceed $11,628,000.

(13) Montgomery, Alabama, Health Care Center, in an amount not to exceed $9,943,000.

(14) Tallahassee, Florida, Outpatient Clinic, in an amount not to exceed $13,165,000.

(15) Winston-Salem, North Carolina, Health Care Center, in an amount not to exceed $26,986,000.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2010 or the year in which funds are appropriated for the Medical Facilities account $196,227,000 for the leases authorized in subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of S. 1717, a bill to authorize 15 major medical facility leases for the Department of Veterans Affairs' fiscal year 2010 budget. The bill would also authorize $196 million to allow the VA to carry out these leases in a timely manner.

Mr. Speaker, the VA operates the largest direct health care delivery system in America. Providing timely access to high-quality health care to veterans is the work of the VA. It provides these services through their sizable inventory of buildings and properties that include 153 medical centers, 755 outpatient clinics, and 230 vet centers. This bill provides the VA the ability to move forward without delay on the execution of important leases. Veterans who have been anticipating new clinics opening up in their communities will not be disappointed if we act on time.

Mr. Speaker, I would like to take a moment to thank the Senate Veterans Affairs Committee for taking the lead and moving this bill so quickly. I urge support of the legislation.

I reserve the balance of my time.

□ 1530

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1717, a bill to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010 and other purposes.

S. 1717 would allow for new and expanded veterans' medical facilities throughout the United States. New VA outpatient facilities would be opened in Atlanta, Georgia; Butler, Pennsylvania; Birmingham, Alabama; Fayetteville, North Carolina; Huntsville, Alabama; Kansas City, Kansas; Loma Linda, California; and Montgomery, Alabama. These new facilities will provide the ability to handle larger veteran populations and deliver expanded

services in modern state-of-the-art facilities.

This bill would also authorize the replacement of VA outpatient facilities in Anderson, South Carolina; Bakersfield, California; Charlotte, North Carolina; McAllen, Texas; Monterey, California; and Winston-Salem, North Carolina. It would also allow for the expansion of the outpatient facility in Tallahassee, Florida, my State. This would ensure that these locations can continue to provide veterans with effective, quality care. S. 1717 would ensure that VA medical facilities can deliver the highest quality of service, the key, to veterans by providing the authorization for these projects.

Mr. Speaker, I strongly support S. 1717 and the benefits it would provide to veterans with medical facility leases across the country. I encourage all of my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 5 minutes to Dr. DEAL from Georgia.

Mr. DEAL of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of Senate 1717.

As a veteran, I recognize the sacrifice our men and women in uniform are making on behalf of our country to defend our Nation and protect our liberties. But, unfortunately, notable deficiencies in capacity are limiting access to health care which many of our veterans desperately need.

This bill includes authorization of approximately $5.1 million to establish an outpatient clinic for veterans throughout the metropolitan Atlanta area and across Georgia to improve access to care, particularly as the strain exists on existing VA facilities, and it will continue to increase that strain as servicemembers return home. This new facility will work in support of the Atlanta VA Medical Center, which is located in Decatur, Georgia.

Currently, over 630,000 veterans live within the Atlanta VA catchment area, and that number will continue to grow. Estimates further indicate that the number of outpatient visits in the area will grow by 120 percent by 2025, with a dramatic 170 percent surge in mental health visits.

The Atlanta Specialty Care Clinic lease, which this bill provides for, will provide an opportunity to serve our veterans in a contemporary facility, ensuring that maximum safety and security are going to be addressed. This facility will enhance the VA's ability to provide some of the highest-in-demand services in ophthalmology, podiatry, and dermatology, while allowing the existing areas at the Decatur VA facility to be expanded to address mental health services and traumatic brain injury.

I have introduced a similar piece of legislation in the House, H.R. 3704, which also authorizes the establishment of this much-needed facility. Over 17,000 unique patients representing 88,000 outpatient visits per year will benefit by this much-needed addition to our already strained system.

Mr. Speaker, our veterans deserve no less than our best, and I remain committed to ensuring that our servicemembers receive the health care that they deserve.

I thank the gentlemen for their support of this legislation.

Mr. FILNER. Mr. Speaker, I have no speakers running for Governor or Senator, so I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN), a member of the VA Committee.

Mr. MORAN of Kansas. I thank the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from California (Mr. FILNER) for bringing this legislation to the House floor today. I'm here in support of it.

In particular, I am pleased with a provision that's included in this bill that authorizes a new community-based outpatient clinic, or CBOC, to be located in Johnson County, Kansas.

As a member of the House Veterans' Affairs Committee and former chairman of the Subcommittee on Health, I have been an advocate for establishing a CBOC in our State. These VA clinics bring health care services closer to veterans who have served our country. During my time in Congress, I have helped open five other outpatient clinics in our State: Hays, Dodge City, Salina, Junction City, and Hutchinson. Especially in my own congressional district where there is no VA hospital, these health facilities have proven to be invaluable. These clinics are a successful part of a larger success story of our country's efforts to raise the standards of care for veterans.

Veterans in Johnson County, Kansas, deserve timely access to medical care, and I've been working to make sure that the VA recognizes this. Johnson County is our State's most populated county, so it's unusual in a sense for me to be here talking about them, but located in the suburbs of Kansas City, this area is home to hundreds of thousands of veterans. The VA patient workload in future years for this region is expected to increase significantly. And unless the capacity is created to care for these veterans, timely access will be threatened.

With the passage of this legislation, I'm pleased the VA can move forward on this clinic to provide quality medical care for northeast Kansans who've sacrificed in service to our country. The new outpatient clinic will mean closer medical services and less wait times for a large number of Kansas veterans who currently travel across the State line to Missouri for health care. With over 44,000 square feet authorized, this sizable clinic will provide comprehensive outpatient services, including mental health as well as radiology, laboratory services, and a pharmacy.

I want to thank the VISN in Kansas City and KC VA Medical Center for their foresight on this project and for their efforts to see that it's completed by the year 2012. I thank the gentleman from Kansas (Mr. MOORE) for his efforts, and I encourage my colleagues in this House to support this legislation.

Mr. FILNER. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FARR), who has been an incredible advocate for, I think, a unique approach to serving the veterans in his area in Monterey, California.

Mr. FARR. I thank the chairman for yielding.

Mr. Speaker, I rise today in strong support of S. 1717.

This bill authorizes funds to lease 15 major medical facilities across the country. These are facilities that the VA desperately needs to meet the growing demand for outpatient health care, for veteran health care. In my district alone, hundreds of veterans are forced to drive up to 2 hours to a VA hospital in Palo Alto for outpatient care. I know that many of these districts share the same situation. The bottom line is the VA is unable to meet our current needs through its traditional construction system. We must take action to ensure our veterans are receiving the health care they deserve.

The leasing program in this bill allows funds known as the Health Care Center Facilities program to use private-sector money. This innovative approach to funding construction and maintenance of VA hospitals is just the type of idea we need to plug these holes in service. In some ways the lease program builds off a similar program that the armed services use for residential community housing, essentially housing for men and women in uniform. The lesson from these programs is clear: we need to leverage private-sector investment for government benefits.

The health care needs of our returning and aging veterans will only continue to increase, and it is essential for the VA to meet this demand with modern, efficient, and accessible veterans' health facilities. In my district I have been working with the VA and with DOD, Department of Defense, officials to build a joint outpatient clinic for veterans and active and retired military servicemembers. This bill contains the lease authority for that joint VA/DOD clinic at the former Fort Ord. This clinic will serve more than 80,000 veterans and active and retired military servicemembers on the Monterey Peninsula.

There is a glaring need to provide care for our veterans. This bill will accomplish that. I urge my colleagues to support this legislation, to thank those that have been involved at the committee level to bring it to the floor, and to expand health care options for all our veterans.

Mr. BILIRAKIS. Mr. Speaker, I yield 2 minutes to the ranking member of

the Appropriations Committee, Mr. LEWIS.

Mr. LEWIS of California. I very much appreciate my colleague's yielding.

Mr. Speaker, I rise today in support of this legislation because it will greatly benefit the thousands of veterans in my district and the greater Inland Empire.

With the passage of this bill, the Jerry Pettis Veterans Medical Center will begin the process of establishing a new health care center. This new 271,000-square-foot facility will directly benefit veterans of Riverside and San Bernardino Counties by increasing access to care, expanding services, and reducing wait times.

I would like to thank the staff of the Jerry Pettis VA Hospital for their very hard work and the fine service they're providing to veterans in our region.

Mr. FILNER. Mr. Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, this bill contains needed authorizations requested by the VA, and it is important that we move this legislation forward quickly.

I urge my colleagues to support S. 1717.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 1717.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FILNER. Mr. Speaker, I think the importance of this bill and its quick passage has been proven by all the speakers.

Mrs. MYRICK. Mr. Speaker, I rise today in support of S. 1717. Within this request is funding for the Veterans Health Care Center in Charlotte, NC.

We currently have a Community-Based Outpatient Clinic that cannot meet the demands of our growing veteran population. Based on VA numbers, our veteran population is slated to increase 31 percent between 2007 and 2025.

This new Health Care Center will help the VA expand its service offerings in our area, and offer new ones which means that our veterans will not have to travel out of our area for the services they need.

We cannot thank our men and women in uniform—and their families for the sacrifices they make in defending our country. However, with this new Health Care Center in Charlotte, we can ensure that they are taken care of in a matter which fits their dedication and service.

Mr. FILNER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, S. 1717.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## REX E. LEE POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3547) to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the ''Rex E. Lee Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3547

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

**SECTION 1. REX E. LEE POST OFFICE BUILDING.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, shall be known and designated as the ''Rex E. Lee Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Rex E. Lee Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the subcommittee with jurisdiction over the United States Postal Service, I am proud to present H.R. 3547 for consideration. This legislation designates the facility of the United States Postal Service located at 936 South 250 East Street in Provo, Utah, as the ''Rex E. Lee Post Office Building.''

The measure before us was introduced on September 10 by my friend and colleague, Ranking Member JASON CHAFFETZ of Utah, and it was favorably reported out of the Oversight Committee on September 24, 2009, by unanimous consent. In addition, this measure enjoys the full support of the Utah House delegation.

Since it is the legislation sponsored by my friend, I will allow him to fill in the details.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the H.R. 3547, a bill to designate the facility of the United States Postal Service located at 936 South 250 East Street in Provo, Utah, as the ''Rex E. Lee Post Office Building''.

□ 1545

I happen to know Mr. Lee, as he served as the president of Brigham Young University. He was a great and amazing human being. All too often in our society we hope that our kids will emulate somebody of significance, and Rex Lee was certainly that kind of person.

He was a joy. He was full of life at every step and one of the smartest people you could ever meet. In fact, he had many dealings with the Supreme Court. In fact, Justice Sandra Day O'Connor said this about the passing of Rex Lee: ''He inspired all of us with his courage in the face of a terminal illness. Knowing him was one of the greatest privileges of my life. Remembering him will be one of the easiest.''

Amazing words from an amazing person.

In 1960, Rex Lee graduated with a BA from Brigham Young University. He served as the student body president. In 1963, Rex graduated first in his class from the University of Chicago Law School, and from law school he went on to serve as a law clerk for Byron White, Associate Justice of the United States Supreme Court.

From Washington, D.C., he returned to his home in the State of Arizona as a partner in the Phoenix law firm of Jennings, Strouss & Salmon. While there, Rex argued his first case in the United States Supreme Court just 4 years after graduating from law school.

In 1972, Rex returned to Brigham Young University to become the founding dean of the J. Reuben Clark Law School. From 1975 to 1976, he served as an assistant Attorney General in charge of the civil division in the United States Department of Justice; and from 1981 to 1985, Mr. Lee served as Solicitor General of the United States of America.

In 1986, Mr. Lee retired as Solicitor General and returned to Brigham Young University. He was diagnosed with cancer shortly thereafter. Mr. Lee practiced law with Sidley & Austin law firm and returned to teaching constitutional law at the George Sutherland Chair of Law at the J. Reuben Clark Law School.

Mr. Lee was then named the 10th president of Brigham Young University on May 12, 1989, and served in this capacity until December of 1995, just 2½ months before he passed away.

All told, he argued 59 cases before the Supreme Court and won 23 of the 30 cases he argued as the Solicitor General. In fact, he was preparing for his 60th case just months before he passed away.

He's known throughout the community in Utah for his great humility, for his great contribution to the United States of America. In fact, five Supreme Court Justices attended a memorial service for Rex Lee: Byron White, Justices John Paul Stevens,

David H. Souter, Sandra Day O'Connor, and Clarence Thomas.

This is a great man. He's worthy of recognition of the United States Congress, and it's my honor to stand here and encourage the passage of this bill.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I commend my colleague's support of this bill and authorship and thank him for his energy on behalf of this measure.

The object of H.R. 3547, as my friend has indicated, will dedicate the United States Postal Service facility in Provo, Utah, to the life and legacy of Mr. Rex Lee.

Mr. Lee dedicated his entire life to serving others, as my friend has noted. In 1972 he left a very promising legal career as a partner at the prestigious Arizona law firm of Jennings, Strouss & Salmon to become the founding dean of the J. Reuben Clark Law School at Brigham Young University.

It's no exaggeration to say that Mr. Lee's hard work as the law school's first dean really and truly put it on a track to become one of today's top American law schools.

After a successful tenure at the J. Reuben Clark Law School, Mr. Lee entered the field of public service, began his career as an assistant Attorney General in charge of the civil division of the United States Department of Justice from 1975 to 1976, and then went on to serve as Solicitor General for the United States from 1981 to 1985.

As Solicitor General, Mr. Lee was able to focus his attention on his favorite legal practice area: litigation. And he argued several cases before the United States Supreme Court.

During his time as America's Solicitor General, Mr. Lee developed a distinct and enduring reputation as a man of principle. In fact, he was so passionate that up until the time of his death Mr. Lee was still in the midst of preparation for arguing another case before the Supreme Court.

After resigning from his position as Solicitor General, Mr. Lee returned to Brigham Young University in 1986; and shortly thereafter, he was regrettably diagnosed with cancer. Following a year of medical treatment and therapy, Mr. Lee recovered for a time and was named president of BYU. He served the Brigham Young University community with distinction from July 1, 1989, through December 31, 1995, leaving the position 2½ months before he passed away on March 11, 1996.

Although Mr. Lee is no longer with us, his memory lives on through his wife, Janet, his seven children, 10 grandchildren, and all of those who were fortunate enough to know him.

As my friend, Mr. CHAFFETZ from Utah, has noted, Mr. Lee earned the great respect of quite a few people at the United States Supreme Court, and those quotes have been included.

In closing, I wholeheartedly support this measure, and I urge all of my colleagues to join with Mr. CHAFFETZ, the gentleman from Utah, and myself in favor of voting for H.R. 3547.

I reserve the balance of my time.

Mr. CHAFFETZ. I would simply thank Mr. LYNCH for his kind words, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in closing I encourage all of my friends on both sides of the aisle to join with Mr. CHAFFETZ, the gentleman from Utah, and myself in honoring the life of Rex Lee by voting in favor of H.R. 3547.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3547.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## CLYDE HICHBORN POST OFFICE

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2174) to designate the facility of the United States Postal Service located at 18 Main Street in Howland, Maine, as the ''Clyde Hichborn Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2174

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

**SECTION 1. CLYDE HICHBORN POST OFFICE.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 18 Main Street in Howland, Maine, shall be known and designated as the ''Clyde Hichborn Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Clyde Hichborn Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. I yield myself such time as I may consume.

Mr. Speaker, I am pleased to present H.R. 2174 for consideration.

This measure will designate the United States Postal Service facility located at 18 Main Street in Howland, Maine, as the ''Clyde Hichborn Post Office''.

Introduced by my friend and colleague, Representative MICHAEL MICHAUD of Maine, on April 29, 2009, and reported out of the Oversight and Government Reform Committee on May 6, 2009, by unanimous consent, H.R. 2174 enjoys the support of the entire Maine House delegation.

Born on August 29, 1920, Clyde Hichborn dedicated over 60 years of his life to public service. A distinguished veteran of the United States Army, Mr. Hichborn served during World War II, including a 2-year tour in the European theater as captain in the Adjutant General Corps.

Additionally, after receiving his bachelor's degree in education and a master's degree in school administration, Mr. Hichborn served his local community in the town of Howland as a long-time superintendent of schools. Notably, the Hichborn Middle School in Howland was named in his honor for his admirable service in the field of education.

Mr. Hichborn's dedication to his local community also included service as a town selectman, a town manager, and subsequently, a State legislator. Specifically, Mr. Hichborn's tenure in the Maine State Legislature included eight terms in the Maine House of Representatives, one term in the Maine State Senate, and service on the joint standing committees on education, transportation, appropriations, economic development, and State and local government.

Mr. Hichborn's legislative efforts in the Maine State House reflected his prior experience as an educator and town official. Mr. Hichborn focused his attention on school funding and improvements as well as enhancing the local business environment.

In addition to his distinguished career in public service, Mr. Hichborn is also fondly remembered for his love of adventure and his willingness to confront any challenge. In 1980, Mr. Hichborn embarked on a 7-hour climb to the top of Mt. Katahdin, the highest peak in the State of Maine, on his 80th birthday.

Regrettably, Mr. Hichborn passed away on March 31, 2005, at the age of 94.

Mr. Speaker, let us honor this outstanding public servant through the passage of this bill, which designates the Howland Post Office in honor of Clyde Hichborn. I urge all of my colleagues to join me in supporting H.R. 2174.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself as much time as I may consume.

I just simply want to rise in support of H.R. 2174, a bill to designate the facility of the United States Postal Service located at 18 Main Street in Howland, Maine, as the ''Clyde Hichborn Post Office''. He's a great American and a great public servant.

I rise in support of H.R. 2174, a bill to designate the facility of the United States Postal Service located at 18 Main Street in Howland, Maine, as the 'Clyde Hichborn Post Office'.

A life long resident of Medford, Maine, Clyde Hichborn served his state and country

throughout his life. Mr. Hichborn received a bachelor's degree in education from the University of Maine Farmington in 1933 and a master's degree in school administration.

In 1942, he joined the army as a private and served in World War II. He rose to the rank of Captain in the Adjutant General's Corps when he left the Army in 1946.

After returning from war, he taught for many years, was principal and ultimately went on to serve as Superintendent of Schools. In recognition of their service to the community, the Howland Middle School was named for Clyde and his wife, Winona Hichborn in 1971.

In addition to serving more than 60 years as an educator, Mr. Hichborn continued to serve his community in a number of ways including as a town selectman, town manager and state legislator. He served a total of 18 years in the Maine state legislature, serving in both the House and Senate. When he retired at the age of 86, he was the oldest member of the house and one of its longest-serving veterans. Mr. Hichborn was also an avid hiker, climbing Mount Katahdin, the highest mountain in Maine, several times.

Most notable though was the seven-hour trek up the 5,267 foot mountain on his 80th birthday. "I just wanted something to do," he said. "I didn't want to sit in a rocking chair all summer." Mr. Hichborn's accomplishment even won him accolades from the director of Baxter State Park, where Mount Katahdin, is located, noting that "there is no easy trail up Katahdin."

Sadly, Mr. Hichborn's life ended on March 31, 2005 at the age of 94. He was best described after his death by the Governor of Maine, John Baldacci, "Clyde was an extraordinarily caring and gentle man. He was a tireless advocate for the people and the region he served for so many years."

In recognition of Mr. Hichborn's contributions to the country and the state of Maine, let us recognize his many years of public service by naming the post office in Howland, Maine as the "Clyde Hichborn Post Office."

Mr. CHAFFETZ. I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, at this point, I would like to yield 5 minutes to the lead sponsor of this bill, Mr. MIKE MICHAUD of Maine who is also, as we have seen earlier today, a very powerful and able member of our Committee on Veterans' Affairs.

Mr. MICHAUD. I want to thank my distinguished colleague from Massachusetts (Mr. LYNCH) for allowing me to say a few words today.

I rise in strong support of H.R. 2174 to designate the facility of the United States Postal Service located at 18 Main Street in Howland as the "Clyde Hichborn Post Office."

As a veteran, an educator, a public servant, Clyde Hichborn lived a life fiercely dedicated to his community, his State, and his country. He worked in the field of education for 35 years interrupted only by his service in World War II. The Hichborn Middle School in Howland was named after him and his wife.

Clyde served 8 years in the Maine State House and one term in the State senate. His legacy for those years can be summed up for the kind of elected official he saw himself as. I would like to quote one of his statements: "I am not a politician," he said. "I am constituent-oriented and issue-oriented. My constituents don't care what party I am from."

I believe such a statement is the standard that we all should aspire to.

Clyde was a very dedicated individual. He cared about his constituents; he cared about his country. No matter where you go throughout the State of Maine, whether Republican, Democrat, Independent, Green Party, when people talk about Clyde Hichborn, they have nothing but kind things to say about him. And in the Howland region no matter where you went, what restaurant, what store, you always would run into someone who had Clyde as a teacher in high school. They have nothing but kindness to say. He was a very dedicated individual.

I am very glad to see that the House is taking appropriate steps to honor such an extraordinary man. I urge my colleagues to support this resolution.

Mr. CHAFFETZ. Mr. Speaker, Clyde Hichborn was a great American and great public servant. I urge support of this bill, and I yield back the balance of our time.

Mr. LYNCH. Mr. Speaker, in closing, I again urge my colleagues to join with me, Mr. CHAFFETZ, and the lead sponsor of this resolution, Mr. MICHAUD of Maine, in honoring Clyde Hichborn through the passage of H.R. 2174.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2174.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## KINGMAN AND HERITAGE ISLANDS ACT OF 2009

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2092) to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2092

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Kingman and Heritage Islands Act of 2009".

**SEC. 2. AMENDMENTS TO NATIONAL CHILDREN'S ISLAND ACT OF 1995.**

(a) EXPANSION OF ALLOWABLE USES FOR KINGMAN AND HERITAGE ISLAND.—The National Children's Island Act of 1995 (sec. 10–1401 et seq., D.C. Official Code) is amended by adding at the end the following:

**"SEC. 7. COMPREHENSIVE AND ANACOSTIA WATERFRONT FRAMEWORK PLANS.**

"(a) COMPLIANCE WITH PLANS.—Notwithstanding any other provision of this Act, it is not a violation of the terms and conditions of this Act for the District of Columbia to use the lands conveyed and the easements granted under this Act in accordance with the Anacostia Waterfront Framework Plan and the Comprehensive Plan.

"(b) DEFINITIONS.—For purposes of this section, the following definitions apply:

"(1) ANACOSTIA WATERFRONT FRAMEWORK PLAN.—The term 'Anacostia Waterfront Framework Plan' means the November 2003 Anacostia Waterfront Framework Plan to redevelop and revitalize the Anacostia waterfront in the District of Columbia, as may be amended from time to time, developed pursuant to a memorandum of understanding dated March 22, 2000, between the General Services Administration, Government of the District of Columbia, Office of Management and Budget, Naval District Washington, Military District Washington, Marine Barracks Washington, Department of Labor, Department of Transportation, National Park Service, Army Corps of Engineers, Environmental Protection Agency, Washington Metropolitan Area Transit Authority, National Capital Planning Commission, National Arboretum, and Small Business Administration.

"(2) COMPREHENSIVE PLAN.—The term 'Comprehensive Plan' means the Comprehensive Plan of the District of Columbia approved by the Council of the District of Columbia on December 28, 2006, as such plan may be amended or superseded from time to time.".

(b) MODIFICATION OF REVERSIONARY INTEREST.—Paragraph (1) of section 3(d) of the National Children's Island Act of 1995 (sec. 10—1402(d)(1), D.C. Official Code) is amended by striking "The transfer under subsection (a)" and all that follows and inserting the following: "Title in the property transferred under subsection (a) and the easements granted under subsection (b) shall revert to the United States upon the expiration of the 60-day period which begins on the date on which the Secretary provides written notice to the District that the Secretary has determined that the District is not using the property for recreational, environmental, or educational purposes in accordance with National Children's Island, the Anacostia Waterfront Framework Plan, or for another recreational, environmental, or educational purpose, except that the reversionary interest of the United States under this paragraph shall expire upon the expiration of the 30-year period which begins on the date of the enactment of the Kingman and Heritage Islands Act of 2009. Such notice shall be made in accordance with chapter 5 of title 5, United States Code (relating to administrative procedures).".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

□ 1600

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the Committee on Oversight and Government

Reform, I present the amended version of H.R. 2092, the Kingman and Heritage Islands Act of 2009, for consideration. This legislation would permit the District of Columbia to use Kingman and Heritage Islands for educational, environmental, and recreational purposes, thereby benefiting District residents and visitors.

I would like to thank the gentlewoman from the District of Columbia (Ms. NORTON) for introducing this bill and for her hard work and advocacy in support of this legislation. I would also like to thank our committee chairman, ED TOWNS of Brooklyn, New York, for his leadership and support on this particular measure.

Kingman and Heritage Islands were created in the Anacostia River from sediment gathered by the Army Corps of Engineers back in 1916. The islands were managed by the National Park Service of the Department of the Interior from 1916 to 1996. In 1996, Congress passed the National Children's Island Act which required the Federal Government, specifically the Secretary of the Interior, to transfer title of these islands to the District of Columbia for use as a children's recreational park. The law included a reversionary provision allowing the Department of the Interior to reclaim the islands if the theme park was not built, which is the reason H.R. 2092 is now needed.

In the years following passage of the Children's Island Act, a variety of problems, including lengthy litigation, prevented full implementation of the original goal. The National Park Service did not take any steps towards reclaiming the land for another use. As times have changed, the District no longer believes that a theme park is the best use of the space.

In 2003, the District of Columbia developed the Anacostia Waterfront Framework Plan to redevelop and revitalize the Anacostia waterfront pursuant to a memorandum of understanding between the District and several Federal agencies, including the National Park Service. The waterfront plan envisions the use of the islands for nature-focused exhibitions and educational uses. The plan calls for a nature reserve park to restore the ecosystem and provide usable open space for visitors. The renovated islands will also include a memorial tree grove dedicated to District of Columbia schoolchildren who were victims of the September 11, 2001, terrorist attacks.

The District has taken steps towards implementing the plan by using the islands for environmental education programs. Currently, a renovated pedestrian bridge provides access to these islands for environmental programs and viewing by the general public.

H.R. 2092 would clarify that these activities are permissible under the law. The bill would amend the Children's Island Act to expand the allowable uses for the islands to include recreational, environmental, and educational uses consistent with the Anacostia Waterfront Plan.

The bill would retain a reversionary interest for the Federal Government for 30 years from the date of enactment of H.R. 2092. The Federal Government would be able to reclaim the islands in that period if the Secretary of the Interior determines that they are not being used for recreational, environmental, or educational purposes.

The provision retains a role for the Federal Government in ensuring that the islands are used for the purposes stated in the Children's Island Act, as amended by H.R. 2092. At the same time, the provision encourages the District of Columbia to use the islands for productive purposes.

As Chair of the subcommittee with jurisdiction and oversight over the District of Columbia, I am pleased to see that the District of Columbia government is moving forward with its plans to develop and provide appropriate environmental and educational experiences, particularly for its children and young people. I wholeheartedly support the city's efforts in this regard and urge my colleagues to do the same by voting in favor of H.R. 2092, the Kingman and Heritage Islands Act of 2009.

Lastly, Mr. Speaker, I would like to enter into the RECORD an exchange of letters between our committee, the Committee on Oversight and Government Reform, and the House's Natural Resources Committee, which expresses Chairman RAHALL's and the Natural Resources Committee's support of H.R. 2092 and waives their jurisdictional interest in this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, October 7, 2009.*

Hon. EDOLPHUS TOWNS,
*Chairman, Committee on Oversight and Government Reform, Rayburn H.O.B., Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for the opportunity to work with you on H.R. 2092, the Kingman and Heritage Islands Act of 2009, which contains matters within the jurisdiction of the Committee on Natural Resources.

Knowing of your interest in expediting this legislation, I will not seek a sequential referral of H.R. 2092. Of course, this waiver is not intended to prejudice any future jurisdictional claims over the provisions of this legislation or similar language. I also reserve the right to seek to have conferees named from the Committee on Natural Resources on these provisions, and request your support if such a request is made.

Please place this letter into the Congressional Record during consideration of H.R. 2092 on the House floor.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II,
*Chairman, Committee on Natural Resources.*

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HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
*Washington, DC, October 7, 2009.*

Hon. NICK RAHALL,
*Chairman, Committee on Natural Resources, Longworth House Office Building, Washington, DC.*

DEAR CHAIRMAN RAHALL: Thank you for your recent letter regarding your Committee's jurisdictional interest in H.R. 2092, the Kingman and Heritage Islands Act of 2009.

I appreciate your willingness to work cooperatively on this legislation and I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Natural Resources. I understand and agree that your decision not to seek a sequential referral on H.R. 2092 is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor. Thank you for your cooperation as we work toward enactment of this legislation.

Sincerely,

EDOLPHUS TOWNS,
*Chairman.*

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I simply want to say I am happy to support H.R. 2092 and the economic development efforts of the District of Columbia. I rise in support of this bill. I will insert the remainder of my comments into the RECORD.

The Kingman and Heritage Islands Act of 2009, passed out of Committee earlier in September, which amends the National Children's Island Act of 1995 to allow the District of Columbia to move forward with its economic development plans.

The bill will make Kingman and Heritage Islands a center for environmental education and recreation, and will provide for restoration of the Anacostia River ecosystem. The renovated islands will include a particularly appropriate memorial tree grove dedicated to the three District of Columbia school children who were victims of the September 11 terrorist attacks.

Kingman and Heritage Islands were created by the Army Corps of Engineers in the 1920s as part of the Anacostia Tidal Flats Reclamation project and were managed by the U.S. Department of the Interior and National Park Service through 1996.

At the request of District officials, Congress originally dedicated the two islands to be developed as a child-oriented theme park. The Act transferred title of certain Park Service property in Anacostia Park, including Heritage Island and a portion of Kingman Island, to the District of Columbia. However, the law included a reversionary provision if a theme park was not built, necessitating this bill.

The District has developed the "Anacostia Waterfront Framework Plan" to redevelop and revitalize the Anacostia waterfront, and this legislation will help them accomplish this goal.

I am happy to support this bill and the economic development efforts of the District of Columbia, and I urge my colleagues to support passage of H.R. 2092.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), who is the sponsor, the lead sponsor and the driving force behind H.R. 2092.

Ms. NORTON. Mr. Speaker, I thank the chairman of the subcommittee, Mr. LYNCH, not only for yielding to me, but especially for his hard work on this bill, and I thank our ranking member for his important work on this bill as well.

I want to associate myself with your remarks, Mr. Chairman, simply to indicate that this land is already in the possession of the District of Columbia, and yet the subcommittee had to be in pains to make sure that the reversionary clause was in keeping with the last bill, which I also sponsored, and with the changes we have asked for.

The District took what was an abandoned man-made island, but in our most valuable Anacostia River, and tried to make something of it when it looked like there were some people who wanted to make a children's theme park. That did not occur, yet we were left with a bill that said this shall be a children's theme park or it reverts. It was up to me to come and change the reversionary clause when the District abandoned the idea.

If I may say so, I am pleased the District has abandoned the idea and wants to use Kingman and Heritage Island to revitalize the Anacostia River and to essentially return this plot of land to use as an environmental natural reserve park which will help to restore the ecosystem and provide usable space, in addition, when people want to enjoy the river and nature in a place that is really in the middle of the District of Columbia, a big urban center.

The District also wants to build an environmental education center. You can see how well the uses fit the land than even a children's theme park. I am particularly enamored with the remembrance grove. We have not forgotten the three children who were on the plane that went down on 9/11 who had won a contest by the National Geographic Association and who were looking forward to that trip.

I am particularly pleased that the city's new plan complements my own work on the Anacostia Watershed Initiative bill which this Congress passed last session. I thank the chairman and the ranking member, and may I thank Mr. RAHALL and his ranking member as well for waiving jurisdiction and allowing us to get on with the work of taking Kingman and Heritage Islands back to where they belong.

Mr. CHAFFETZ. Mr. Speaker, this is a good bill with a lot of good work behind it. I appreciate the work my colleagues have done on this bill.

I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I simply ask all Members on both sides of the aisle to support this measure sponsored by Ms. NORTON, the delegate from the District of Columbia, and also supported by Mr. RAHALL, the chairman of Natural Resources.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2092, as amended.

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

A motion to reconsider was laid on the table.

## CONFERENCE REPORT ON H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Mr. ABERCROMBIE submitted the following conference report and statement on the bill (H.R. 2647) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes:

CONFERENCE REPORT (H. REPT. 111–288)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2647), to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2010''.*

***SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.***

*(a) DIVISIONS.—This Act is organized into five divisions as follows:*

*(1) Division A—Department of Defense Authorizations.*

*(2) Division B—Military Construction Authorizations.*

*(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.*

*(4) Division D—Funding tables.*

*(5) Division E—Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*


*Sec. 1. Short title.*
*Sec. 2. Organization of Act into divisions; table of contents.*
*Sec. 3. Congressional defense committees.*

*DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS*

*TITLE I—PROCUREMENT*

*Subtitle A—Authorization of Appropriations*

*Sec. 101. Army.*
*Sec. 102. Navy and Marine Corps.*
*Sec. 103. Air Force.*
*Sec. 104. Defense-wide activities.*
*Sec. 105. National Guard and Reserve equipment.*
*Sec. 106. Mine Resistant Ambush Protected Vehicle Fund.*
*Sec. 107. Relation to funding table.*

*Subtitle B—Army Programs*

*Sec. 111. Procurement of Future Combat Systems spin out early-infantry brigade combat team equipment.*

*Subtitle C—Navy Programs*

*Sec. 121. Littoral Combat Ship program.*
*Sec. 122. Treatment of Littoral Combat Ship program as a major defense acquisition program.*
*Sec. 123. Report on strategic plan for homeporting the Littoral Combat Ship.*
*Sec. 124. Advance procurement funding.*
*Sec. 125. Procurement programs for future naval surface combatants.*
*Sec. 126. Ford-class aircraft carrier report.*
*Sec. 127. Report on a service life extension program for Oliver Hazard Perry class frigates.*
*Sec. 128. Conditional multiyear procurement authority for F/A–18E, F/A–18F, or EA–18G aircraft.*

*Subtitle D—Air Force Programs*

*Sec. 131. Report on the procurement of 4.5 generation fighter aircraft.*
*Sec. 132. Revised availability of certain funds available for the F–22A fighter aircraft.*
*Sec. 133. Preservation and storage of unique tooling for F–22 fighter aircraft.*
*Sec. 134. AC–130 gunships.*
*Sec. 135. Report on E–8C Joint Surveillance and Target Attack Radar System reengining.*
*Sec. 136. Repeal of requirement to maintain certain retired C–130E aircraft.*
*Sec. 137. Limitation on retirement of C–5 aircraft.*
*Sec. 138. Reports on strategic airlift aircraft.*
*Sec. 139. Strategic airlift force structure.*

*Subtitle E—Joint and Multiservice Matters*

*Sec. 141. Body armor procurement.*
*Sec. 142. Unmanned cargo-carrying-capable aerial vehicles.*
*Sec. 143. Modification of nature of data link for use by tactical unmanned aerial vehicles.*

*TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

*Subtitle A—Authorization of Appropriations*

*Sec. 201. Authorization of appropriations.*
*Sec. 202. Relation to funding table.*

*Subtitle B—Program Requirements, Restrictions, and Limitations*

*Sec. 211. Extension and enhancement of Global Research Watch Program.*
*Sec. 212. Permanent authority for the Joint Defense Manufacturing Technology Panel.*
*Sec. 213. Elimination of report requirements regarding Defense Science and Technology Program.*
*Sec. 214. Authorization for the Secretary of the Navy to purchase infrastructure and Government purpose rights license associated with the Navy-Marine Corps intranet.*
*Sec. 215. Limitation on expenditure of funds for Joint Multi-Mission Submersible program.*
*Sec. 216. Separate program elements required for research and development of individual body armor and associated components.*
*Sec. 217. Separate procurement and research, development, test, and evaluation line items and program elements for the F-35B and F-35C joint strike fighter aircraft.*
*Sec. 218. Restriction on obligation of funds for Army tactical ground network program pending receipt of report.*
*Sec. 219. Programs for ground combat vehicle and self-propelled howitzer capabilities for the Army.*
*Sec. 220. Guidance on budget justification materials describing funding requested for operation, sustainment, modernization, and personnel of major ranges and test facilities.*
*Sec. 221. Assessment of technological maturity and integration risk of Army modernization programs.*

*Sec. 222. Assessment of activities for technology modernization of the combat vehicle and armored tactical wheeled vehicle fleets.*

*Subtitle C—Missile Defense Programs*

*Sec. 231. Sense of Congress on ballistic missile defense.*
*Sec. 232. Assessment and plan for the Ground-based Midcourse Defense element of the Ballistic Missile Defense System.*
*Sec. 233. Continued production of Ground-based Interceptor missile and operation of Missile Field 1 at Fort Greely, Alaska.*
*Sec. 234. Limitation on availability of funds for acquisition or deployment of missile defenses in Europe.*
*Sec. 235. Authorization of funds for development and deployment of alternative missile defense systems in Europe.*
*Sec. 236. Comprehensive plan for test and evaluation of the ballistic missile defense system.*
*Sec. 237. Study on discrimination capabilities of ballistic missile defense system.*
*Sec. 238. Ascent phase missile defense strategy and plan.*
*Sec. 239. Extension of deadline for study on boost-phase missile defense.*

*Subtitle D—Reports*

*Sec. 241. Repeal of requirement for biennial joint warfighting science and technology plan.*
*Sec. 242. Modification of reporting requirement for defense nanotechnology research and development program.*
*Sec. 243. Comptroller General assessment of coordination of energy storage device requirements, purchases, and investments.*
*Sec. 244. Annual Comptroller General report on the F–35 Lightning II aircraft acquisition program.*
*Sec. 245. Report on integration of Department of Defense intelligence, surveillance, and reconnaissance capabilities.*
*Sec. 246. Report on future research and development of man-portable and vehicle-mounted guided missile systems.*
*Sec. 247. Report on the development of command and control systems.*
*Sec. 248. Evaluation of Extended Range Modular Sniper Rifle Systems.*

*Subtitle E—Other Matters*

*Sec. 251. Enhancement of duties of Director of Department of Defense Test Resource Management Center with respect to the Major Range and Test Facility Base.*
*Sec. 252. Establishment of program to enhance participation of historically black colleges and universities and minority-serving institutions in defense research programs.*
*Sec. 253. Extension of authority to award prizes for advanced technology achievements.*
*Sec. 254. Authority for National Aeronautics and Space Administration federally funded research and development centers to participate in merit-based technology research and development programs.*
*Sec. 255. Next generation bomber aircraft.*

*TITLE III—OPERATION AND MAINTENANCE*

*Subtitle A—Authorization of Appropriations*

*Sec. 301. Operation and maintenance funding.*
*Sec. 302. Relation to funding table.*

*Subtitle B—Environmental Provisions*

*Sec. 311. Clarification of requirement for use of available funds for Department of Defense participation in conservation banking programs.*
*Sec. 312. Reauthorization of title I of Sikes Act.*
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**SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

*For purposes of this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.*

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### Subtitle A—Authorization of Appropriations

**SEC. 101. ARMY.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Army as follows:*

*(1) For aircraft, $5,110,352,000.*

*(2) For missiles, $1,368,109,000.*

*(3) For weapons and tracked combat vehicles, $2,439,052,000.*

*(4) For ammunition, $2,058,895,000.*

*(5) For other procurement, $9,450,863,000.*

**SEC. 102. NAVY AND MARINE CORPS.**

*(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Navy as follows:*

*(1) For aircraft, $18,842,112,000.*

*(2) For weapons, including missiles and torpedoes, $3,446,019,000.*

*(3) For shipbuilding and conversion, $13,776,867,000.*

*(4) For other procurement, $5,610,581,000.*

*(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Marine Corps in the amount of $1,603,738,000.*

*(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement of ammunition for the Navy and the Marine Corps in the amount of $814,015,000.*

**SEC. 103. AIR FORCE.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement for the Air Force as follows:*

*(1) For aircraft, $11,224,371,000.*

*(2) For ammunition, $822,462,000.*

*(3) For missiles, $6,037,459,000.*

*(4) For other procurement, $17,133,668,000.*

**SEC. 104. DEFENSE-WIDE ACTIVITIES.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for Defense-wide procurement in the amount of $4,090,816,000.*

**SEC. 105. NATIONAL GUARD AND RESERVE EQUIPMENT.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the procurement of aircraft, missiles, wheeled and tracked combat vehicles, tactical wheeled vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces in the amount of $600,000,000.*

**SEC. 106. MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the Mine Resistant Ambush Protected Vehicle Fund in the amount of $600,000,000.*

**SEC. 107. RELATION TO FUNDING TABLE.**

*The amounts authorized to be appropriated by sections 101, 102, 103, 104, 105, and 106 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4101.*

### Subtitle B—Army Programs

**SEC. 111. PROCUREMENT OF FUTURE COMBAT SYSTEMS SPIN OUT EARLY-INFANTRY BRIGADE COMBAT TEAM EQUIPMENT.**

*(a) LIMITATION ON LOW-RATE INITIAL PRODUCTION QUANTITIES.—Notwithstanding section 2400 of title 10, United States Code, and except as provided in subsection (b), the Secretary of Defense may not procure more than one Future Combat Systems spin out early-infantry brigade combat team equipment set (in this section referred to as a ''brigade set'') for low-rate initial production.*

*(b) WAIVER.—The Under Secretary of Defense for Acquisition, Technology, and Logistics may waive the limitation in subsection (a) if—*

*(1) the Under Secretary submits to Congress written certification that—*

*(A) the Future Combat Systems spin out early-infantry brigade combat team program (in this section referred to as the ''program'') requires low-rate initial production in excess of 10 percent of the total number of articles to be produced;*

*(B) the Director of Defense Research and Engineering has completed a technology readiness assessment of the program;*

*(C) the Director of Cost Assessment and Program Evaluation has completed an independent cost estimate of the program;*

*(D) the Under Secretary has approved an acquisition strategy and acquisition program baseline for the program; and*

*(E) all of the systems constituting the brigade set have been tested in their intended production configuration; and*

*(2) a period of 30 days has elapsed after the date on which the certification under paragraph (1) is received.*

*(c) EXCEPTION FOR MEETING OPERATIONAL NEED STATEMENT REQUIREMENTS.—The limitation on low-rate initial production in subsection (a) does not apply to the procurement of individual components of a brigade set if the procurement of such components is specifically intended to address an operational need statement requirement (as described in Army Regulation 71–9 or a successor regulation).*

### Subtitle C—Navy Programs

**SEC. 121. LITTORAL COMBAT SHIP PROGRAM.**

*(a) CONTRACT AUTHORITY.—*

*(1) IN GENERAL.—The Secretary of the Navy may procure up to ten Littoral Combat Ships and 15 Littoral Combat Ship ship control and weapon systems by entering into a contract using competitive procedures. Such procurement may also include—*

*(A) materiel and equipment in economic order quantities when cost savings are achievable; and*

*(B) cost reduction initiatives.*

*(2) LIABILITY.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.*

*(b) TECHNICAL DATA PACKAGE.—*

*(1) REQUIREMENT.—As part of the solicitation for proposals for a procurement authorized by*

*subsection (a), the Secretary shall require that an offeror submit a proposal that provides for conveying a complete technical data package as part of a proposal for a Littoral Combat Ship.*

*(2) RIGHTS OF THE UNITED STATES.—The Secretary shall ensure that the Government's rights in technical data for a Littoral Combat Ship are sufficient to permit the Government to—*

*(A) conduct a competition for a second shipyard, as soon as practicable; and*

*(B) transition the Littoral Combat Ship combat systems to Government-furnished equipment to achieve open architecture and foster competition to modernize future systems.*

*(c) LIMITATION OF COSTS.—*

*(1) LIMITATION.—Except as provided in subsection (d), and excluding amounts described in paragraph (2), beginning in fiscal year 2011, the total amount obligated or expended for the procurement of a Littoral Combat Ship awarded to a contractor selected as part of a procurement authorized by subsection (a) may not exceed $480,000,000 per vessel.*

*(2) EXCLUSION.—The amounts described in this paragraph are amounts associated with the following:*

*(A) Elements designated by the Secretary of the Navy as a mission package.*

*(B) Plans.*

*(C) Technical data packages.*

*(D) Class design services.*

*(E) Post-delivery, outfitting, and program support costs.*

*(d) WAIVER AND ADJUSTMENT OF LIMITATION AMOUNT.—*

*(1) WAIVER.—The Secretary of the Navy may waive the limitation in subsection (c)(1) with respect to a vessel if—*

*(A) the Secretary provides supporting data and certifies in writing to the congressional defense committees that—*

*(i) the total amount obligated or expended for procurement of the vessel–*

*(I) is in the best interest of the United States; and*

*(II) is affordable, within the context of the annual naval vessel construction plan required by section 231 of title 10, United States Code; and*

*(ii) the total amount obligated or expended for procurement of at least one other vessel authorized by subsection (a) has been or is expected to be less than $480,000,000; and*

*(B) a period of not less than 30 days has expired following the date on which such certification and data are submitted to the congressional defense committees.*

*(2) ADJUSTMENT.—The Secretary of the Navy may adjust the amount set forth in subsection (c)(1) for Littoral Combat Ship vessels referred to in that subsection by the following:*

*(A) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2009.*

*(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2009.*

*(C) The amounts of increases or decreases in costs of the vessel that are attributable to insertion of new technology into that vessel, as compared to the technology built into the first or second vessels of the Littoral Combat Ship class of vessels, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology—*

*(i) is expected to decrease the life-cycle cost of the vessel; or*

*(ii) is required to meet an emerging threat that poses grave harm to national security.*

*(D) The amounts of increases or decreases in costs required to correct deficiencies that may affect the safety of the vessel and personnel or otherwise preclude the vessel from safe operations and crew certifications.*

*(e) ANNUAL REPORTS.—At the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for each fiscal year, the Secretary of the Navy shall submit to the congressional defense committees a report on Littoral Combat Ship vessels. Each such report shall include the following:*

*(1) The current (as of the date of the report) and projected total basic construction costs, Government-furnished equipment costs, and other program costs associated with each of the Littoral Combat Ships under construction.*

*(2) Written notice of any adjustment in the amount set forth in subsection (c)(1) made during the preceding fiscal year that the Secretary adjusted under the authority provided in subsection (d)(2).*

*(3) A summary of investment made by the Government for cost-reduction initiatives and the projected savings or cost avoidance based on those investments.*

*(4) A summary of investment made by the construction yard to improve efficiency and optimization of construction along with the projected savings or cost avoidance based on those investments.*

*(5) Information, current as of the date of the report, regarding—*

*(A) the content of any element of the Littoral Combat Ship class of vessels that is designated as a mission package;*

*(B) the estimated cost of any such element; and*

*(C) the total number of such elements anticipated.*

*(f) DEFINITIONS.—In this section:*

*(1) The term ''mission package'' means the interchangeable systems that deploy with a Littoral Combat Ship vessel.*

*(2) The term ''technical data package'' means a compilation of detailed engineering plans and specifications for construction of the vessels.*

*(3) The term ''total amount obligated or expended for procurement'', with respect to a Littoral Combat Ship, means the sum of the costs of basic construction and Government-furnished equipment for the ship.*

*(g) CONFORMING REPEAL.—Section 124 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3157), as amended by section 125 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 29) and section 122 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4376), is repealed.*

***SEC. 122. TREATMENT OF LITTORAL COMBAT SHIP PROGRAM AS A MAJOR DEFENSE ACQUISITION PROGRAM.***

*Effective as of the date of the enactment of this Act, the program for the Littoral Combat Ship shall be treated as a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.*

***SEC. 123. REPORT ON STRATEGIC PLAN FOR HOMEPORTING THE LITTORAL COMBAT SHIP.***

*(a) REPORT REQUIRED.—At the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for fiscal year 2011, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the strategic plan of the Navy for homeporting the Littoral Combat Ship on the east coast and west coast of the United States.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) An analysis of how the homeporting plan would support the requirements of the commanders of the combatant commands, by geographic area of responsibility, for the capabilities delivered by Littoral Combat Ships, including the notional transit times to the various geographic areas of responsibility.*

*(2) An assessment of the effect that each type of Littoral Combat Ship would have on each port in which such ship could be homeported, including an identification of the infrastructure required to support each such ship with respect to—*

*(A) the availability of pier space with supporting ship services infrastructure, taking into account the largest fleet size envisioned by the long–term plan for the construction of naval vessels submitted for fiscal year 2011;*

*(B) the logistical and maintenance support services required in any port chosen for the Littoral Combat Ships; and*

*(C) any investment in naval station infrastructure required for homeporting Littoral Combat Ships (including a plan for such investment).*

*(3) With respect to the projected force structure size of the Navy in fiscal year 2020, a graphical depiction of the total planned ships berthing in the pier areas of any naval facility chosen to homeport Littoral Combat Ships, including the identification of the ships berthing plan for the maximum number of ships expected in-port at any one time.*

***SEC. 124. ADVANCE PROCUREMENT FUNDING.***

*(a) ADVANCE PROCUREMENT.—With respect to a naval vessel for which amounts are authorized to be appropriated or otherwise made available for fiscal year 2010 or any fiscal year thereafter for advance procurement in shipbuilding and conversion, Navy, the Secretary of the Navy may enter into a contract, in advance of a contract for construction of any vessel, for any of the following:*

*(1) Components, parts, or materiel.*

*(2) Production planning and other related support services that reduce the overall procurement lead time of such vessel.*

*(b) AIRCRAFT CARRIER DESIGNATED CVN–79.—With respect to components of the aircraft carrier designated CVN–79 for which amounts are authorized to be appropriated or otherwise made available for fiscal year 2010 or any fiscal year thereafter for advance procurement in shipbuilding and conversion, Navy, the Secretary of the Navy may enter into a contract for the advance construction of such components if the Secretary determines that cost savings, construction efficiencies, or workforce stability may be achieved for such aircraft carrier through the use of such contract.*

*(c) CONDITION OF OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2010 is subject to the availability of appropriations for that purpose for such fiscal year.*

***SEC. 125. PROCUREMENT PROGRAMS FOR FUTURE NAVAL SURFACE COMBATANTS.***

*(a) LIMITATION ON AVAILABILITY OF FUNDS PENDING REPORTS ABOUT SURFACE COMBATANT SHIPBUILDING PROGRAMS.—The Secretary of the Navy may not obligate or expend funds for the construction of, or advanced procurement of materials for, a surface combatant to be constructed after fiscal year 2011 until the Secretary has submitted to Congress each of the following:*

*(1) An acquisition strategy for such surface combatants that has been approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics.*

*(2) Certification that the Joint Requirements Oversight Council—*

*(A) has been briefed on the acquisition strategy to procure such surface combatants; and*

*(B) has concurred that such strategy is the best preferred approach to deliver required capabilities to address future threats, as reflected in the latest assessment by the defense intelligence community.*

*(3) A verification by, and conclusions of, an independent review panel that, in evaluating the program or programs concerned, the Secretary of the Navy considered each of the following:*

*(A) Modeling and simulation, including war gaming conclusions regarding combat effectiveness for the selected ship platforms as compared to other reasonable alternative approaches.*

*(B) Assessments of platform operational availability.*

*(C) Life cycle costs, including vessel manning levels, to accomplish missions.*

*(D) The differences in cost and schedule arising from the need to accommodate new sensors and weapons in surface combatants to be constructed after fiscal year 2011 to counter the future threats referred to in paragraph (2), when compared with the cost and schedule arising from the need to accommodate sensors and weapons on surface combatants as contemplated by the 2009 shipbuilding plan for the vessels concerned.*

*(4) The conclusions of a joint review by the Secretary of the Navy and the Director of the Missile Defense Agency setting forth additional requirements for investment in Aegis ballistic missile defense beyond the number of DDG–51 and CG–47 vessels planned to be equipped for this mission area in the budget of the President for fiscal year 2010 (as submitted to Congress pursuant to section 1105 of title 31, United States Code).*

*(b) FUTURE SURFACE COMBATANT ACQUISITION STRATEGY.—Not later than the date upon which the President submits to Congress the budget for fiscal year 2012 (as so submitted), the Secretary of the Navy shall submit to the congressional defense committees an update to the open architecture report to Congress that reflects the Navy's combat systems acquisition plans for the surface combatants to be procured in fiscal year 2012 and fiscal years thereafter.*

*(c) NAVAL SURFACE FIRE SUPPORT.—Not later than 120 days after the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees an update to the March 2006 Report to Congress on Naval Surface Fire Support. The update shall identify how the Department of Defense intends to address any shortfalls between required naval surface fire support capability and the plan of the Navy to provide that capability. The update shall include addenda by the Chief of Naval Operations and Commandant of the Marine Corps, as was the case in the 2006 report.*

*(d) TECHNOLOGY ROADMAP FOR FUTURE SURFACE COMBATANTS AND FLEET MODERNIZATION.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall develop a plan to incorporate into surface combatants constructed after 2011, and into fleet modernization programs, the technologies developed for the DDG–1000 destroyer and the DDG–51 and CG–47 Aegis ships, including technologies and systems designed to achieve significant manpower savings.*

*(2) SCOPE OF PLAN.—The plan required by paragraph (1) shall include sufficient detail for systems and subsystems to ensure that the plan—*

*(A) avoids redundant development for common functions;*

*(B) reflects implementation of Navy plans for achieving an open architecture for all naval surface combat systems; and*

*(C) fosters competition.*

*(e) DEFINITIONS.—In this section:*

*(1) The term ''2009 shipbuilding plan'' means the 30-year shipbuilding plan submitted to Congress pursuant to section 231, title 10, United States Code, together with the budget of the President for fiscal year 2009 (as submitted to Congress pursuant to section 1105 of title 31, United States Code).*

*(2) The term ''surface combatant'' means a cruiser, a destroyer, or any naval vessel, excluding Littoral Combat Ships, under a program currently designated as a future surface combatant program.*

***SEC. 126. FORD-CLASS AIRCRAFT CARRIER REPORT.***

*Not later than February 1, 2010, the Secretary of the Navy shall submit to the congressional defense committees a report on the effects of using a five-year interval for the construction of Ford-class aircraft carriers. The report shall include, at a minimum, an assessment of the effects of such five-year interval on the following:*

*(1) With respect to the supplier base—*

*(A) the viability of the base, including suppliers exiting the market or other potential reductions in competition; and*

*(B) cost increases to the Ford-class aircraft carrier program.*

*(2) Training of individuals in trades related to ship construction.*

*(3) Loss of expertise associated with ship construction.*

*(4) The costs of—*

*(A) any additional technical support or production planning associated with the start of construction;*

*(B) material and labor;*

*(C) overhead; and*

*(D) other ship construction programs, including the costs of existing and future contracts.*

***SEC. 127. REPORT ON A SERVICE LIFE EXTENSION PROGRAM FOR OLIVER HAZARD PERRY CLASS FRIGATES.***

*Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the following:*

*(1) A detailed analysis of a service life extension program for the Oliver Hazard Perry class frigates, including—*

*(A) the cost of the program;*

*(B) a notional schedule for the program; and*

*(C) the shipyards available to carry out the work under the program.*

*(2) The strategic plan of the Navy for—*

*(A) the manner in which the Littoral Combat Ship will fulfill the roles and missions currently performed by the Oliver Hazard Perry class frigates as such frigates are decommissioned; and*

*(B) the year-by-year planned commissioning of Littoral Combat Ships and planned decommissioning of Oliver Hazard Perry class frigates through the projected service life of the Oliver Hazard Perry class frigates.*

*(3) An analysis of the necessary procurement rates of Littoral Combat Ships if the extension of the service life of the Oliver Hazard Perry class frigates alleviates capability gaps caused by a delay in the procurement rates of Littoral Combat Ships.*

*(4) A description of the manner in which the Navy has met the requirements of the United States Southern Command over time, including the assets and vessels the Navy has deployed for military-to-military engagements, UNITAS exercises, and counterdrug operations in support of the Commander of the United States Southern Command during the five-year period ending on the date of the report.*

***SEC. 128. CONDITIONAL MULTIYEAR PROCUREMENT AUTHORITY FOR F/A–18E, F/A–18F, OR EA–18G AIRCRAFT.***

*(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*

*(1) IN GENERAL.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract for the procurement of F/A–18E, F/A–18F, or EA–18G aircraft.*

*(2) SUBMISSION OF WRITTEN CERTIFICATION BY SECRETARY OF DEFENSE.—For purposes of paragraph (1), the term ''March 1 of the year in which the Secretary requests legislative authority to enter into such contract'' in section 2306b(i)(1) of such title shall be deemed to be a reference to March 1, 2010.*

*(b) CONTRACT REQUIREMENT.—A multiyear contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose.*

*(c) REPORT OF FINDINGS.—In addition to any reports or certifications required by section 2306b of title 10, United States Code, not later than March 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on how the findings and conclusions of the quadrennial defense review under section 118 of such title and the 30-year aviation plan under section 231a of such title have informed the acquisition strategy of the Secretary with regard to the F/A–18E, F/A–18F, and EA–18G aircraft programs of record.*

*(d) SUNSET.—*

*(1) TERMINATION DATE.—Except as provided in paragraph (2), the authority to enter into a multiyear contract under subsection (a) shall terminate on May 1, 2010.*

*(2) EXTENSION.—The Secretary of the Navy may enter into a multiyear contract under subsection (a) until September 30, 2010, if the Secretary notifies the congressional defense committees in writing—*

*(A) that the administrative processes or other contracting activities necessary for executing this authority cannot be completed before May 1, 2010; and*

*(B) of the date, on or before September 30, 2010, on which the Secretary plans to enter into such multiyear contract.*

***Subtitle D—Air Force Programs***

***SEC. 131. REPORT ON THE PROCUREMENT OF 4.5 GENERATION FIGHTER AIRCRAFT.***

*(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the procurement of 4.5 generation fighter aircraft. The report shall include the following:*

*(1) The number of 4.5 generation fighter aircraft needed to be procured during fiscal years 2011 through 2025 to fulfill the requirement of the Air Force to maintain not less than 2,200 tactical fighter aircraft.*

*(2) The estimated procurement costs for those aircraft if procured through annual procurement contracts.*

*(3) The estimated procurement costs for those aircraft if procured through multiyear procurement contracts.*

*(4) The estimated savings that could be derived from the procurement of those aircraft through a multiyear procurement contract, and whether the Secretary determines the amount of those savings to be substantial.*

*(5) A discussion comparing the costs and benefits of obtaining those aircraft through annual procurement contracts with the costs and benefits of obtaining those aircraft through a multiyear procurement contract.*

*(6) A discussion regarding the availability and feasibility of procuring F–35 aircraft to proportionally and concurrently recapitalize the Air National Guard during fiscal years 2015 through fiscal year 2025.*

*(b) 4.5 GENERATION FIGHTER AIRCRAFT DEFINED.—In this section, the term ''4.5 generation fighter aircraft'' means current fighter aircraft, including the F–15, F–16, and F–18, that—*

*(1) have advanced capabilities, including—*

*(A) AESA radar;*

*(B) high capacity data-link; and*

*(C) enhanced avionics; and*

*(2) have the ability to deploy current and reasonably foreseeable advanced armaments.*

***SEC. 132. REVISED AVAILABILITY OF CERTAIN FUNDS AVAILABLE FOR THE F–22A FIGHTER AIRCRAFT.***

*(a) REPEAL OF AUTHORITY ON AVAILABILITY OF FISCAL YEAR 2009 FUNDS.—Section 134 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4378) is repealed.*

*(b) AVAILABILITY OF ADVANCE PROCUREMENT FUNDS FOR OTHER F–22A AIRCRAFT MODERNIZATION PRIORITIES.—Subject to the provisions of appropriations Acts and applicable requirements relating to the transfer of funds, the Secretary of the Air Force may transfer amounts authorized to be appropriated for fiscal year 2009 by section 103(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4373) for aircraft procurement for the Air Force and available for advance procurement for the F–22A fighter aircraft within that subaccount or to other subaccounts for aircraft procurement for the Air*

*Force for purposes of providing funds for other modernization priorities with respect to the F–22A fighter aircraft.*

***SEC. 133. PRESERVATION AND STORAGE OF UNIQUE TOOLING FOR F–22 FIGHTER AIRCRAFT.***

*(a) PLAN.—The Secretary of the Air Force shall develop a plan for the preservation and storage of unique tooling related to the production of hardware and end items for F–22 fighter aircraft. The plan shall—*

*(1) ensure that the Secretary preserves and stores required tooling in a manner that—*

*(A) allows the production of such hardware and end items to be restarted after a period of idleness; and*

*(B) provides for the long-term sustainment and repair of such hardware and end items;*

*(2) with respect to the supplier base of such hardware and end items, identify the costs of restarting production; and*

*(3) identify any contract modifications, additional facilities, or funding that the Secretary determines necessary to carry out the plan.*

*(b) RESTRICTION ON THE USE OF FUNDS.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2010 for aircraft procurement, Air Force, for F–22 fighter aircraft may be obligated or expended for activities related to disposing of F–22 production tooling until a period of 45 days has elapsed after the date on which the Secretary submits to Congress a report describing the plan required by subsection (a).*

***SEC. 134. AC–130 GUNSHIPS.***

*(a) REPORT ON REDUCTION IN SERVICE LIFE IN CONNECTION WITH ACCELERATED DEPLOYMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the Commander of the United States Special Operations Command, shall submit to the congressional defense committees an assessment of the reduction in the service life of AC–130 gunships of the Air Force as a result of the accelerated deployments of such gunships that are anticipated during the seven- to ten-year period beginning with the date of the enactment of this Act, assuming that operating tempo continues at a rate per year that is similar to the average rate per year of the five years preceding the date of the report.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) An estimate by series of the maintenance costs for the AC–130 gunships during the period described in subsection (a), including any major airframe and engine overhauls of such aircraft anticipated during that period.*

*(2) A description by series of the age, serviceability, and capabilities of the armament systems of the AC–130 gunships.*

*(3) An estimate by series of the costs of modernizing the armament systems of the AC–130 gunships to achieve any necessary capability improvements.*

*(4) A description by series of the age and capabilities of the electronic warfare systems of the AC–130 gunships, and an estimate of the cost of upgrading such systems during that period to achieve any necessary capability improvements.*

*(5) A description by series of the age of the avionics systems of the AC–130 gunships and an estimate of the cost of upgrading such systems during that period to achieve any necessary capability improvements.*

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

*(d) ANALYSIS OF ALTERNATIVES.—The Secretary of the Air Force, in consultation with the Commander of the United States Special Operations Command, shall conduct an analysis of alternatives for any gunship modernization requirements identified by the 2009 quadrennial defense review under section 118 of title 10, United States Code. The results of the analysis of alternatives shall be provided to the congressional defense committees not later than 18 months after the completion of the 2009 quadrennial defense review.*

***SEC. 135. REPORT ON E–8C JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM RE-ENGINING.***

*(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on replacing the engines of E–8C Joint Surveillance and Target Attack Radar System aircraft (in this section referred to as ''Joint STARS aircraft''). The report shall include the following:*

*(1) An assessment of funding alternatives and options for accelerating funding for the fielding of Joint STARS aircraft with replaced engines.*

*(2) An analysis of the tradeoffs involved in the decision to replace the engines of Joint STARS aircraft or not to replace those engines, including the potential cost savings from replacing those engines and the operational impacts of not replacing those engines.*

*(3) An identification of the optimum path forward for replacing the engines of Joint STARS aircraft and modernizing the Joint STARS fleet.*

*(b) LIMITATION ON CERTAIN ACTIONS.—The Secretary of the Air Force may not take any action that would adversely impact the pace of the execution of the program to replace the engines of Joint STARS aircraft before submitting the report required by subsection (a).*

***SEC. 136. REPEAL OF REQUIREMENT TO MAINTAIN CERTAIN RETIRED C–130E AIRCRAFT.***

*Section 134 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 31) is amended—*

*(1) by striking subsection (c);*

*(2) by redesignating subsection (d) as subsection (c); and*

*(3) in subsection (b), by striking ''subsection (d)'' and inserting ''subsection (c)''.*

***SEC. 137. LIMITATION ON RETIREMENT OF C–5 AIRCRAFT.***

*(a) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire C–5A aircraft from the active inventory of the Air Force in any number that would reduce the total number of such aircraft in the active inventory below 111 until—*

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

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

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

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

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

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

*(d) ADDITIONAL LIMITATIONS ON RETIREMENT OF AIRCRAFT.—The Secretary of the Air Force may not retire C–5 aircraft from the active inventory as of the date of the enactment of this Act until the later of the following:*

*(1) The date that is 90 days after the date on which the Director of Operational Test and Evaluation submits the report referred to in subsection (a)(2)(B).*

*(2) The date that is 90 days after the date on which the Secretary submits the report required under subsection (e).*

*(3) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that—*

*(A) the retirement of such aircraft will not increase the operational risk of meeting the National Defense Strategy; and*

*(B) the retirement of such aircraft will not reduce the total strategic airlift force structure below 316 strategic airlift aircraft.*

*(e) REPORT ON RETIREMENT OF AIRCRAFT.—The Secretary of the Air Force shall submit to the congressional defense committees a report setting forth the following:*

*(1) The rationale for the retirement of existing C–5 aircraft and a cost-benefit analysis of alternative strategic airlift force structures, including the force structure that would result from the retirement of such aircraft.*

*(2) An updated assessment to the assessment of the Under Secretary for Acquisition, Technology, and Logistics certified on February 14, 2008, concerning the costs and benefits of applying the Reliability Enhancement and Reengining Program (RERP) modification to the entire the C–5A aircraft fleet.*

*(3) An assessment of the implications for the Air Force, the Air National Guard, and the Air Force Reserve of operating a mix of C–5A aircraft and C–5M aircraft.*

*(4) An assessment of the costs and benefits of increasing the number of C–5 aircraft in Backup Aircraft Inventory (BAI) status as a hedge against future requirements of such aircraft.*

*(5) An assessment of the costs, benefits, and implications of transferring C–5 aircraft to United States flag carriers operating in the Civil Reserve Air Fleet (CRAF) program or to coalition partners in lieu of the retirement of such aircraft.*

*(6) Such other matters relating to the retirement of C–5 aircraft as the Secretary considers appropriate.*

***SEC. 138. REPORTS ON STRATEGIC AIRLIFT AIRCRAFT.***

*At least 90 days before the date on which a C–5 aircraft is retired, the Secretary of the Air Force, in consultation with the Director of the Air National Guard, shall submit to the congressional defense committees a report on the proposed force structure and basing of strategic airlift aircraft (as defined in section 8062(g)(2) of title 10, United States Code). Each report shall include the following:*

*(1) A list of each aircraft in the inventory of strategic airlift aircraft, including for each such aircraft—*

*(A) the type;*

*(B) the variant; and*

*(C) the military installation where such aircraft is based.*

*(2) A list of each strategic airlift aircraft proposed for retirement, including for each such aircraft—*

*(A) the type;*

*(B) the variant; and*

*(C) the military installation where such aircraft is based.*

*(3) A list of each unit affected by a proposed retirement listed under paragraph (2) and how such unit is affected.*

*(4) For each military installation listed under paragraph (2)(C), changes, if any, to the mission of the installation as a result of a proposed retirement.*

*(5) Any anticipated reductions in manpower as a result of a proposed retirement listed under paragraph (2).*

***SEC. 139. STRATEGIC AIRLIFT FORCE STRUCTURE.***

*Subsection (g)(1) of section 8062 of title 10, United States Code, is amended—*

*(1) by striking ''2008'' and inserting ''2009''; and*

*(2) by striking ''299'' and inserting ''316''.*

**Subtitle E—Joint and Multiservice Matters**

**SEC. 141. BODY ARMOR PROCUREMENT.**

*(a) PROCUREMENT.—The Secretary of Defense shall ensure that body armor is procured using funds authorized to be appropriated by this title.*

*(b) PROCUREMENT LINE ITEM.—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2011, and each subsequent fiscal year, the Secretary shall ensure that within each military department procurement account, a separate, dedicated procurement line item is designated for body armor.*

**SEC. 142. UNMANNED CARGO-CARRYING-CAPABLE AERIAL VEHICLES.**

*None of the amounts authorized to be appropriated for procurement may be obligated or expended for an unmanned cargo-carrying-capable aerial vehicle until a period of 15 days has elapsed after the date on which the Vice Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Acquisition, Technology, and Logistics certify to the congressional defense committees that the Joint Requirements Oversight Council has approved a joint and common requirement for an unmanned cargo-carrying-capable aerial vehicle type.*

**SEC. 143. MODIFICATION OF NATURE OF DATA LINK FOR USE BY TACTICAL UNMANNED AERIAL VEHICLES.**

*Section 141(a)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3164) is amended by striking '', until such time as the Tactical Common Data Link standard is replaced by an updated standard for use by those vehicles'' and inserting ''or a data link that uses waveform capable of transmitting and receiving Internet Protocol communications''.*

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

*Subtitle A—Authorization of Appropriations*

*Sec. 201. Authorization of appropriations.*

*Sec. 202. Relation to funding table.*

*Subtitle B—Program Requirements, Restrictions, and Limitations*

*Sec. 211. Extension and enhancement of Global Research Watch Program.*

*Sec. 212. Permanent authority for the Joint Defense Manufacturing Technology Panel.*

*Sec. 213. Elimination of report requirements regarding Defense Science and Technology Program.*

*Sec. 214. Authorization for the Secretary of the Navy to purchase infrastructure and Government purpose rights license associated with the Navy-Marine Corps intranet.*

*Sec. 215. Limitation on expenditure of funds for Joint Multi-Mission Submersible program.*

*Sec. 216. Separate program elements required for research and development of individual body armor and associated components.*

*Sec. 217. Separate procurement and research, development, test, and evaluation line items and program elements for the F–35B and F–35C joint strike fighter aircraft.*

*Sec. 218. Restriction on obligation of funds for Army tactical ground network program pending receipt of report.*

*Sec. 219. Programs for ground combat vehicle and self-propelled howitzer capabilities for the Army.*

*Sec. 220. Guidance on budget justification materials describing funding requested for operation, sustainment, modernization, and personnel of major ranges and test facilities.*

*Sec. 221. Assessment of technological maturity and integration risk of Army modernization programs.*

*Sec. 222. Assessment of activities for technology modernization of the combat vehicle and armored tactical wheeled vehicle fleets.*

*Subtitle C—Missile Defense Programs*

*Sec. 231. Sense of Congress on ballistic missile defense.*

*Sec. 232. Assessment and plan for the Ground-based Midcourse Defense element of the Ballistic Missile Defense System.*

*Sec. 233. Continued production of Ground-based Interceptor missile and operation of Missile Field 1 at Fort Greely, Alaska.*

*Sec. 234. Limitation on availability of funds for acquisition or deployment of missile defenses in Europe.*

*Sec. 235. Authorization of funds for development and deployment of alternative missile defense systems in Europe.*

*Sec. 236. Comprehensive plan for test and evaluation of the ballistic missile defense system.*

*Sec. 237. Study on discrimination capabilities of ballistic missile defense system.*

*Sec. 238. Ascent phase missile defense strategy and plan.*

*Sec. 239. Extension of deadline for study on boost-phase missile defense.*

*Subtitle D—Reports*

*Sec. 241. Repeal of requirement for biennial joint warfighting science and technology plan.*

*Sec. 242. Modification of reporting requirement for defense nanotechnology research and development program.*

*Sec. 243. Comptroller General assessment of coordination of energy storage device requirements, purchases, and investments.*

*Sec. 244. Annual Comptroller General report on the F–35 Lightning II aircraft acquisition program.*

*Sec. 245. Report on integration of Department of Defense intelligence, surveillance, and reconnaissance capabilities.*

*Sec. 246. Report on future research and development of man-portable and vehicle-mounted guided missile systems.*

*Sec. 247. Report on the development of command and control systems.*

*Sec. 248. Evaluation of Extended Range Modular Sniper Rifle Systems.*

*Subtitle E—Other Matters*

*Sec. 251. Enhancement of duties of Director of Department of Defense Test Resource Management Center with respect to the Major Range and Test Facility Base.*

*Sec. 252. Establishment of program to enhance participation of historically black colleges and universities and minority-serving institutions in defense research programs.*

*Sec. 253. Extension of authority to award prizes for advanced technology achievements.*

*Sec. 254. Authority for National Aeronautics and Space Administration federally funded research and development centers to participate in merit-based technology research and development programs.*

*Sec. 255. Next generation bomber aircraft.*

**Subtitle A—Authorization of Appropriations**

**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Department of Defense for research, development, test, and evaluation as follows:*

*(1) For the Army, $10,638,534,000.*

*(2) For the Navy, $19,607,161,000.*

*(3) For the Air Force, $28,401,642,000.*

*(4) For Defense-wide activities, $20,604,271,000, of which $190,770,000 is authorized for the Director of Operational Test and Evaluation.*

**SEC. 202. RELATION TO FUNDING TABLE.**

*The amounts authorized to be appropriated by section 201 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4201.*

**Subtitle B—Program Requirements, Restrictions, and Limitations**

**SEC. 211. EXTENSION AND ENHANCEMENT OF GLOBAL RESEARCH WATCH PROGRAM.**

*(a) LIMITATION ON AVAILABILITY OF CERTAIN FUNDS FOR MILITARY DEPARTMENTS PENDING PROVISION OF ASSISTANCE UNDER PROGRAM.—Subsection (d) of section 2365 of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3)(A) Funds available to a military department for a fiscal year for monitoring or analyzing the research activities and capabilities of foreign nations may not be obligated or expended until the Director certifies to the Under Secretary of Defense for Acquisition, Technology, and Logistics that the Secretary of such military department has provided the assistance required under paragraph (2).*

*''(B) The limitation in subparagraph (A) shall not be construed to alter or effect the availability to a military department of funds for intelligence activities.''.*

*(b) FOUR-YEAR EXTENSION OF PROGRAM.—Subsection (f) of such section is amended by striking ''September 30, 2011'' and inserting ''September 30, 2015''.*

**SEC. 212. PERMANENT AUTHORITY FOR THE JOINT DEFENSE MANUFACTURING TECHNOLOGY PANEL.**

*Section 2521 of title 10, United States Code, is amended—*

*(1) by redesignating subsection (e) as subsection (f); and*

*(2) by inserting after subsection (d) the following new subsection (e):*

*''(e) JOINT DEFENSE MANUFACTURING TECHNOLOGY PANEL.—(1) There is in the Department of Defense the Joint Defense Manufacturing Technology Panel.*

*''(2)(A) The Chair of the Joint Defense Manufacturing Technology Panel shall be the head of the Panel. The Chair shall be appointed, on a rotating basis, from among the appropriate personnel of the military departments and Defense Agencies with manufacturing technology programs.*

*''(B) The Panel shall be composed of at least one individual from among appropriate personnel of each military department and Defense Agency with manufacturing technology programs. The Panel may include as ex-officio members such individuals from other government organizations, academia, and industry as the Chair considers appropriate.*

*''(3) The purposes of the Panel shall be as follows:*

*''(A) To identify and integrate requirements for the program.*

*''(B) To conduct joint planning for the program.*

*''(C) To develop joint strategies for the program.*

*''(4) In carrying out the purposes specified in paragraph (3), the Panel shall perform the functions as follows:*

*''(A) Conduct comprehensive reviews and assessments of defense-related manufacturing*

*issues being addressed by the manufacturing technology programs and related activities of the Department of Defense.*

*''(B) Execute strategic planning to identify joint planning opportunities for increased cooperation in the development and implementation of technological products and the leveraging of funding for such purposes with the private sector and other government agencies.*

*''(C) Ensure the integration and coordination of requirements and programs under the program with the Office of the Secretary of Defense and other national-level initiatives, including the establishment of information exchange processes with other government agencies, private industry, academia, and professional associations.*

*''(D) Conduct such other functions as the Under Secretary of Defense for Acquisition, Technology, and Logistics shall specify.*

*''(5) The Panel shall report to and receive direction from the Director of Defense Research and Engineering on manufacturing technology issues of multi-service concern and application.*

*''(6) The administrative expenses of the Panel shall be borne by each military department and Defense Agency with manufacturing technology programs in such manner as the Panel shall provide.''.*

***SEC. 213. ELIMINATION OF REPORT REQUIREMENTS REGARDING DEFENSE SCIENCE AND TECHNOLOGY PROGRAM.***

*Section 212 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 2501 note) is repealed.*

***SEC. 214. AUTHORIZATION FOR THE SECRETARY OF THE NAVY TO PURCHASE INFRASTRUCTURE AND GOVERNMENT PURPOSE RIGHTS LICENSE ASSOCIATED WITH THE NAVY-MARINE CORPS INTRANET.***

*(a) PURCHASES AUTHORIZED.—The Secretary of the Navy may enter into one or more contracts for the purchase of infrastructure and Government purpose rights for any or all technical data, computer software, and computer software documentation used or created under the Navy-Marine Corps Intranet multiyear contract, as in effect on the date of the enactment of this Act, if the Secretary determines that such a purchase would be in the best interest of the Department of the Navy.*

*(b) CONTRACT REQUIREMENTS.—Under a contract entered into under this section, the Secretary may purchase any discrete component or item of technical data, computer software, or computer software documentation of the Navy-Marine Corps Intranet and may obligate the Government only to amounts provided in advance in appropriations Acts specifically for the purpose of the contract. This section shall not apply to any purchases using funds available to the Department of the Navy for any fiscal year that begins before October 1, 2010.*

*(c) LIMITATION.—A contract entered into under this section may not, in any way, commit the Secretary or the Government to purchase any additional components or other items of technical data, computer software, or computer software documentation in subsequent years.*

*(d) LIMITATION ON LIABILITY.—A contract entered into under this section shall limit the amount of Government liability under the contract to the amount of appropriations available for such purpose at the time the Secretary enters into the contract or on the date an option is exercised.*

*(e) PURCHASE BEFORE END OF CONTRACT PERIOD.—Nothing in this section and nothing in any contract entered into under this section shall preclude the Secretary from purchasing the infrastructure and Government purpose rights for all technical data, computer software, and computer software documentation used or created under the Navy-Marine Corps Intranet multiyear contract, as in effect on the date of the enactment of this Act, prior to the end of the contract period, for whatever reason the Secretary determine is appropriate.*

***SEC. 215. LIMITATION ON EXPENDITURE OF FUNDS FOR JOINT MULTI-MISSION SUBMERSIBLE PROGRAM.***

*None of the funds authorized to be appropriated by this or any other Act for fiscal year 2010 may be obligated or expended for the Joint Multi-Mission Submersible program to proceed beyond Milestone B approval (as that term is defined in section 2366(e)(7) of title 10, United States Code) until the Secretary of Defense, in consultation with the Director of National Intelligence—*

*(1) completes an assessment on the feasibility of a cost-sharing agreement between the Department of Defense and the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))), for the Joint Multi-Mission Submersible program;*

*(2) submits to the congressional defense committees and the intelligence committees (as that term is defined in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7)) the assessment referred to in paragraph (1); and*

*(3) certifies to the congressional defense committees and the intelligence committees that any agreement developed pursuant to the assessment referred to in paragraph (1) represents the most effective and affordable means of delivery for meeting a validated program requirement.*

***SEC. 216. SEPARATE PROGRAM ELEMENTS REQUIRED FOR RESEARCH AND DEVELOPMENT OF INDIVIDUAL BODY ARMOR AND ASSOCIATED COMPONENTS.***

*In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2011, and each subsequent fiscal year, the Secretary shall ensure that within each research, development, test, and evaluation account of each military department a separate, dedicated program element is assigned to the research and development of individual body armor and associated components.*

***SEC. 217. SEPARATE PROCUREMENT AND RESEARCH, DEVELOPMENT, TEST, AND EVALUATION LINE ITEMS AND PROGRAM ELEMENTS FOR THE F–35B AND F–35C JOINT STRIKE FIGHTER AIRCRAFT.***

*In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2011, and each subsequent fiscal year, the Secretary shall ensure that within the Navy research, development, test, and evaluation account and the Navy aircraft procurement account, a separate, dedicated line item and program element is assigned to each of the F–35B aircraft and the F–35C aircraft, to the extent that such accounts include funding for each such aircraft.*

***SEC. 218. RESTRICTION ON OBLIGATION OF FUNDS FOR ARMY TACTICAL GROUND NETWORK PROGRAM PENDING RECEIPT OF REPORT.***

*(a) LIMITATION ON OBLIGATION OF RESEARCH AND DEVELOPMENT FUNDING.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2010 for research and development for the Army, for the program elements specified in subsection (c), not more than 50 percent may be obligated or expended until 30 days after the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to Congress a report on the acquisition strategy, requirements, and cost estimates for the Army tactical ground network program.*

*(b) ARMY TACTICAL GROUND NETWORK PROGRAM DEFINED.—For the purposes of subsection (a), the term ''Army tactical ground network program'' means the new tactical ground network major defense acquisition program derived from the Future Combat Systems Brigade Combat Team program network, and directed to be initiated by the memorandum entitled ''Future Combat Systems Brigade Combat Team Acquisition Decision Memorandum'', which was signed by the Under Secretary of Defense for Acquisition, Technology, and Logistics on June 23, 2009.*

*(c) ARMY TACTICAL GROUND NETWORK PROGRAM ELEMENTS SPECIFIED.—The program elements specified in this subsection are the following:*

*(1) Future Combat Systems of Systems Engineering and Program Management.*

*(2) Future Combat Systems Sustainment and Training Research and Development.*

*(3) Any other program element specified by the Secretary of Defense to fund the Army tactical ground network program.*

***SEC. 219. PROGRAMS FOR GROUND COMBAT VEHICLE AND SELF-PROPELLED HOWITZER CAPABILITIES FOR THE ARMY.***

*(a) PROGRAMS REQUIRED.—*

*(1) IN GENERAL.—The Secretary of Defense shall carry out a separate program to achieve each of the following:*

*(A) The development, test, and fielding of an operationally effective, suitable, survivable, and affordable next generation ground combat vehicle for the Army.*

*(B) The development, test, and fielding of an operationally effective, suitable, survivable, and affordable next generation self-propelled howitzer capability for the Army.*

*(2) COMPLIANCE WITH CERTAIN ACQUISITION REQUIREMENTS.—Each program under paragraph (1) shall comply with the requirements of the Weapons Systems Acquisition Reform Act of 2009, and the amendments made by that Act.*

*(b) STRATEGY AND PLAN FOR ACQUISITION.—*

*(1) IN GENERAL.—Not later than March 31, 2010, the Secretary shall submit to the congressional defense committees a report setting forth a strategy and plan for the acquisition of weapon systems under the programs required by subsection (a). Each strategy and plan shall include measurable goals and objectives for the acquisition of such weapon systems, and shall identify all proposed major development, testing, procurement, and fielding events toward the achievement of such goals and objectives.*

*(2) ELEMENTS.—In developing each strategy and plan under paragraph (1), the Secretary shall consider the following:*

*(A) A single vehicle or family of vehicles utilizing a common chassis and automotive components.*

*(B) The incorporation of weapon, vehicle, communications, network, and system of systems common operating environment technologies developed under the Future Combat Systems program.*

*(c) ANNUAL REPORTS.—*

*(1) REPORTS REQUIRED.—The Secretary shall submit to the congressional defense committees, at the same time the President submits to Congress the budget for each of fiscal years 2011 through 2015 (as submitted pursuant to section 1105(a) of title 31, United States Code), a report on the investments proposed to be made under such budget with respect to each program required by subsection (a).*

*(2) ELEMENTS.—Each report under paragraph (1) shall set forth, for the fiscal year covered by the budget with which such report is submitted—*

*(A) the manner in which amounts requested in such budget would be available for each program required by subsection (a); and*

*(B) an assessment of the extent to which utilizing such amount in such manner would improve ground combat capabilities for the Army.*

**SEC. 220. GUIDANCE ON BUDGET JUSTIFICATION MATERIALS DESCRIBING FUNDING REQUESTED FOR OPERATION, SUSTAINMENT, MODERNIZATION, AND PERSONNEL OF MAJOR RANGES AND TEST FACILITIES.**

*(a) GUIDANCE ON BUDGET JUSTIFICATION MATERIALS.—The Secretary of Defense, acting through the Under Secretary of Defense (Comptroller) and the Director of the Department of Defense Test Resource Management Center, shall issue guidance clarifying and standardizing the information required in budget justification materials describing amounts to be requested in the budget of the President for a fiscal year (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) for funding for each facility and resource of the Major Range and Test Facility Base in connection with each of the following:*

*(1) Operation.*

*(2) Sustainment.*

*(3) Investment and modernization.*

*(4) Government personnel.*

*(5) Contractor personnel.*

*(b) APPLICABILITY.—The guidance issued under subsection (a) shall apply with respect to budgets of the President for fiscal years after fiscal year 2010.*

*(c) MAJOR RANGE AND TEST FACILITY BASE DEFINED.—In this section, the term ''Major Range and Test Facility Base'' has the meaning given that term in section 196(h) of title 10, United States Code.*

**SEC. 221. ASSESSMENT OF TECHNOLOGICAL MATURITY AND INTEGRATION RISK OF ARMY MODERNIZATION PROGRAMS.**

*(a) ASSESSMENT REQUIRED.—The Director of Defense Research and Engineering shall, in consultation with the Director of Developmental Test and Evaluation, review and assess the technological maturity and integration risk of critical technologies (as jointly identified by the Director and the Secretary of the Army for purposes of this section) of Army modernization programs and appropriate associated systems and programs, including the programs as follows:*

*(1) Ground Combat Vehicle.*

*(2) Future Combat Systems network hardware and software.*

*(3) Warfighter Information Network–Tactical, Increment 3.*

*(4) Appropriate portions of the Joint Tactical Radio System, including Ground Mobile Radios, Handheld, Manpack, Small Form Fit Radios, and Network Enterprise Domain.*

*(5) Non-Line of Sight Launch System.*

*(6) Small Unmanned Ground Vehicle.*

*(7) Class I Unmanned Aerial Vehicle.*

*(8) Class IV Unmanned Aerial Vehicle.*

*(9) Multifunction Utility/Logistics Equipment Vehicle.*

*(10) Tactical Unattended Ground Sensors.*

*(11) Urban Unattended Ground Sensors.*

*(12) Any other programs jointly identified by the Director and the Secretary for purposes of this section.*

*(b) REPORT.—Not later than nine months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the technological maturity and integration risk of critical technologies of Army modernization programs and associated systems and programs covered by the review and assessment required under subsection (a), as determined pursuant to that assessment.*

**SEC. 222. ASSESSMENT OF ACTIVITIES FOR TECHNOLOGY MODERNIZATION OF THE COMBAT VEHICLE AND ARMORED TACTICAL WHEELED VEHICLE FLEETS.**

*(a) INDEPENDENT ASSESSMENT OF STRATEGY REQUIRED.—*

*(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an appropriate entity independent of the United States Government to conduct an independent assessment of current, anticipated, and potential research, development, test, and evaluation activities for or applicable to the modernization of the combat vehicle fleet and armored tactical wheeled vehicle fleet of the Department of Defense.*

*(2) ACCESS TO INFORMATION AND RESOURCES.—The Secretary shall provide the entity with which the Secretary enters into a contract under paragraph (1) with access to such information and resources as are appropriate for the entity to conduct the assessment required by that paragraph.*

*(b) REPORTS.—*

*(1) IN GENERAL.—The contract required by subsection (a) shall provide that the entity with which the Secretary enters into a contract under that subsection shall submit to the Secretary and the congressional defense committees—*

*(A) an interim report on the assessment required by that subsection by not later than July 31, 2010; and*

*(B) a final report on such assessment by not later than December 31, 2010.*

*(2) ELEMENTS.—Each of the reports required by paragraph (1) shall include the following:*

*(A) A detailed discussion of the requirements and capability needs identified or proposed for current and prospective combat vehicles and armored tactical wheeled vehicles.*

*(B) An identification of capability gaps for combat vehicles and armored tactical wheeled vehicles based on lessons learned from recent conflicts and an assessment of emerging threats.*

*(C) An identification of the critical technology elements or integration risks associated with particular categories of combat vehicles and armored tactical wheeled vehicles, and with particular missions of such vehicles.*

*(D) Recommendations with respect to actions that could be taken to develop and deploy, during the ten-year period beginning on the date of the submittal of the report, critical technology capabilities to address the capability gaps identified pursuant to subparagraph (B), including an identification of high priority science and technology, research and engineering, and prototyping opportunities.*

*(E) Such other matters as the Secretary considers appropriate.*

***Subtitle C—Missile Defense Programs***

**SEC. 231. SENSE OF CONGRESS ON BALLISTIC MISSILE DEFENSE.**

*It is the sense of Congress that—*

*(1) the United States should develop, test, field, and maintain operationally-effective and cost-effective ballistic missile defense systems that are capable of defending the United States, its forward-deployed forces, allies, and other friendly nations from the threat of ballistic missile attacks from nations such as North Korea and Iran;*

*(2) the missile defense force structure and inventory levels of such missile defense systems should be determined based on an assessment of ballistic missile threats and a determination by senior military leaders, combatant commanders, and defense officials of the requirements and capabilities needed to address those threats; and*

*(3) the test and evaluation program for such missile defense systems should be operationally realistic and provide a high level of confidence in the capability of such systems (including their continuing effectiveness over the course of their service lives), and adequate resources should be available for that test and evaluation program (including interceptor missiles and targets for flight tests).*

**SEC. 232. ASSESSMENT AND PLAN FOR THE GROUND-BASED MIDCOURSE DEFENSE ELEMENT OF THE BALLISTIC MISSILE DEFENSE SYSTEM.**

*(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should ensure the reliability, availability, maintainability, and supportability of the Ground-based Midcourse Defense element of the Ballistic Missile Defense system throughout the service life of such element.*

*(b) ASSESSMENT REQUIRED.—*

*(1) IN GENERAL.—As part of the quadrennial defense review, the Nuclear Posture Review, and the Ballistic Missile Defense Review, the Secretary of Defense shall conduct an assessment of the following:*

*(A) Ground-based Midcourse Defense element of the Ballistic Missile Defense system.*

*(B) Future options for the Ground-based Midcourse Defense element.*

*(2) ELEMENTS.—The assessment required by paragraph (1) shall include an assessment of the following:*

*(A) The ballistic missile threat against which the Ground-based Midcourse Defense element is intended to defend.*

*(B) The military requirements for Ground-based Midcourse Defense capabilities against such missile threat.*

*(C) The capabilities of the Ground-based Midcourse Defense element as of the date of the assessment.*

*(D) The planned capabilities of the Ground-based Midcourse Defense element, if different from the capabilities under subparagraph (C).*

*(E) The force structure and inventory levels necessary for the Ground-based Midcourse Defense element to achieve the planned capabilities of that element, including an analysis of the costs and the potential advantages and disadvantages of deploying 44 operational Ground-based Interceptor missiles.*

*(F) The infrastructure necessary to achieve such capabilities, including the number and location of operational silos.*

*(G) The number of Ground-based Interceptor missiles necessary for operational assets, test assets (including developmental and operational test assets and aging and surveillance test assets), and spare missiles.*

*(3) REPORT.—At or about the same time the budget of the President for fiscal year 2011 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the congressional defense committees a report setting forth the results of the assessment required by paragraph (1). The report shall be in unclassified form, but may include a classified annex.*

*(c) PLAN REQUIRED.—*

*(1) IN GENERAL.—In addition to the assessment required by subsection (b), the Secretary shall establish a plan for the Ground-based Midcourse Defense element of the Ballistic Missile Defense system. The plan shall cover the period of the future-years defense program that is submitted to Congress under section 221 of title 10, United States Code, at or about the same time as the submittal to Congress of the budget of the President for fiscal year 2011.*

*(2) ELEMENTS.—The plan required by paragraph (1) shall include the following elements:*

*(A) The schedule for achieving the planned capability of the Ground-based Midcourse Defense element, including the completion of operational silos, the delivery of operational Ground-Based Interceptors, and the deployment of such interceptors in those silos.*

*(B) The plan for funding the development, production, deployment, testing, improvement, and sustainment of the Ground-based Midcourse Defense element.*

*(C) The plan to maintain the operational effectiveness of the Ground-based Midcourse Defense element over the course of its service life, including any modernization or capability enhancement efforts, and any sustainment efforts.*

*(D) The plan for flight testing the Ground-based Midcourse Defense element, including aging and surveillance tests to demonstrate the continuing effectiveness of the system over the course of its service life.*

*(E) The plan for production of Ground-Based Interceptor missiles necessary for operational*

*assets, developmental and operational test assets, aging and surveillance test assets, and spare missiles.*

*(3) REPORT.—At or about the same time the budget of the President for fiscal year 2011 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the congressional defense committees a report setting forth the plan required by paragraph (1). The report shall be in unclassified form, but may include a classified annex.*

*(d) CONSTRUCTION.—Nothing in this section shall be construed as altering or revising the continued production of all Ground-Based Interceptor missiles on contract as of June 23, 2009.*

*(e) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall—*

*(1) review the assessment required by subsection (b) and the plan required by subsection (c); and*

*(2) not later than 120 days after receiving the assessment and the plan, provide to the congressional defense committees the results of the review.*

***SEC. 233. CONTINUED PRODUCTION OF GROUND-BASED INTERCEPTOR MISSILE AND OPERATION OF MISSILE FIELD 1 AT FORT GREELY, ALASKA.***

*(a) LIMITATION ON BREAK IN PRODUCTION.—The Secretary of Defense shall ensure that the Director of the Missile Defense Agency does not allow a break in production of the Ground-based Interceptor missile until the Secretary has—*

*(1) completed the Ballistic Missile Defense Review;*

*(2) made a determination with respect to the number of Ground-based Interceptor missiles that will be necessary to support the service life of the Ground-based Midcourse Defense element of the Ballistic Missile Defense System; and*

*(3) submitted to the congressional defense committees a report containing such determination.*

*(b) LIMITATION ON CERTAIN ACTIONS WITH RESPECT TO MISSILE FIELD 1 AND MISSILE FIELD 2 AT FORT GREELY, ALASKA.—*

*(1) LIMITATION ON DECOMMISSIONING OF MISSILE FIELD 1.—The Secretary of Defense shall ensure that Missile Field 1 at Fort Greely, Alaska, is not completely decommissioned until six silos are operationally available in Missile Field 2 at Fort Greely.*

*(2) LIMITATION WITH RESPECT TO DISPOSITION OF SILOS AT MISSILE FIELD 2.—The Secretary of Defense shall ensure that no irreversible decision is made with respect to the number of silos at Missile Field 2 at Fort Greely, Alaska, until the date that is 60 days after the date on which the reports required by subsections (b)(3) and (c)(3) of section 232 are submitted to the congressional defense committees.*

***SEC. 234. LIMITATION ON AVAILABILITY OF FUNDS FOR ACQUISITION OR DEPLOYMENT OF MISSILE DEFENSES IN EUROPE.***

*No funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2010 or any fiscal year thereafter may be obligated or expended for the acquisition (other than initial long-lead procurement) or deployment of operational missiles of a long-range missile defense system in Europe until the Secretary of Defense, after receiving the views of the Director of Operational Test and Evaluation, submits to the congressional defense committees a report certifying that the proposed interceptor to be deployed as part of such missile defense system has demonstrated, through successful, operationally realistic flight testing, a high probability of working in an operationally effective manner and that such missile defense system has the ability to accomplish the mission.*

***SEC. 235. AUTHORIZATION OF FUNDS FOR DEVELOPMENT AND DEPLOYMENT OF ALTERNATIVE MISSILE DEFENSE SYSTEMS IN EUROPE.***

*(a) AUTHORIZATION OF FUNDS FOR ALTERNATIVE EUROPEAN MISSILE DEFENSE SYSTEMS.—Of the funds authorized to be appropriated or otherwise made available for fiscal years 2009 and 2010 for the Missile Defense Agency for the purpose of developing missile defenses in Europe, $309,000,000 shall be available for research, development, test, and evaluation, procurement, or deployment of alternative missile defense systems or their subsystems designed to protect Europe, and the United States in the case of long-range missile threats, from the threats posed by current and future Iranian ballistic missiles of all ranges, if the Secretary of Defense submits to the congressional defense committees a report certifying that such systems are expected to be—*

*(1) consistent with the direction from the North Atlantic Council to address ballistic missile threats to Europe and the United States in a prioritized manner that includes consideration of the imminence of the threat and the level of acceptable risk;*

*(2) operationally-effective and cost-effective in providing protection for Europe, and the United States in the case of long-range missile threats, against current and future Iranian ballistic missile threats; and*

*(3) interoperable, to the extent practical, with other components of missile defense and complementary to the missile defense strategy of the North Atlantic Treaty Organization.*

*(b) CONSTRUCTION.—Except as provided in subsection (a), nothing in this section shall be construed as limiting or preventing the Secretary of Defense from pursuing the development or deployment of operationally-effective and cost-effective ballistic missile defense systems in Europe.*

*(c) INDEPENDENT ASSESSMENT.—*

*(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct an independent assessment evaluating the operational-effectiveness and cost-effectiveness of the alternative missile defense architecture announced by the President on September 17, 2009.*

*(2) REPORT.—Not later than June 1, 2010, the Secretary shall submit to the congressional defense committees a report on the independent assessment conducted under paragraph (1).*

***SEC. 236. COMPREHENSIVE PLAN FOR TEST AND EVALUATION OF THE BALLISTIC MISSILE DEFENSE SYSTEM.***

*(a) PLAN REQUIRED.—*

*(1) IN GENERAL.—The Secretary of Defense shall establish a comprehensive plan for the developmental and operational testing and evaluation of the ballistic missile defense system and its various elements.*

*(2) PERIOD OF PLAN.—The plan shall cover the period covered by the future-years defense program that is submitted to Congress under section 221 of title 10, United States Code, at or about the same time as the submittal to Congress of the budget of the President for fiscal year 2011.*

*(3) INPUT.—In establishing the plan, the Secretary shall receive input on matters covered by the plan from the following:*

*(A) The Director of the Missile Defense Agency.*

*(B) The Director of Operational Test and Evaluation.*

*(C) The operational test components of the military departments.*

*(b) ELEMENTS.—The plan required by subsection (a) shall include, with respect to developmental and operational testing of the ballistic missile defense system, the following:*

*(1) Test and evaluation objectives.*

*(2) Test and evaluation criteria and metrics.*

*(3) Test and evaluation procedures and methodology.*

*(4) Data requirements.*

*(5) System and element configuration under test.*

*(6) Approaches to verification, validation, and accreditation of models and simulations.*

*(7) The relative role of models and simulations, ground tests, and flight tests in achieving the objectives of the plan.*

*(8) Test infrastructure and resources, including test range limitations and potential range enhancements.*

*(9) Test readiness review approaches and methodology.*

*(10) Testing for system and element integration and interoperability.*

*(11) Means for achieving operational realism and means of demonstrating operational effectiveness, suitability, and survivability.*

*(12) Detailed descriptions of planned tests.*

*(13) A description of the resources required to implement the plan.*

*(c) REPORT.—*

*(1) IN GENERAL.—Not later than March 1, 2010, the Secretary shall submit to the congressional defense committees a report setting forth and describing the plan required by subsection (a) and each of the elements required in the plan under subsection (b).*

*(2) ADDITIONAL INFORMATION ON GROUND-BASED MIDCOURSE DEFENSE.—The report required by this subsection shall, in addition to the matters specified in paragraph (1), include a detailed description of the test and evaluation activities pertaining to the Ground-based Midcourse Defense element of the ballistic missile defense system as follows:*

*(A) Plans for salvo testing.*

*(B) Plans for multiple simultaneous engagement testing.*

*(C) Plans for intercept testing using the Cobra Dane radar as the engagement sensor.*

*(D) Plans to test and demonstrate the ability of the system to accomplish its mission over the planned term of its operational service life (also known as ''sustainment testing'').*

*(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex.*

***SEC. 237. STUDY ON DISCRIMINATION CAPABILITIES OF BALLISTIC MISSILE DEFENSE SYSTEM.***

*(a) STUDY.—The Secretary of Defense shall enter into an arrangement with the JASON Defense Advisory Panel under which JASON shall carry out a study on the discrimination capabilities and limitations of the ballistic missile defense system of the United States, including such discrimination capabilities that exist or are planned as of the date of the study.*

*(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report containing the study.*

*(c) FORM.—The report under subsection (b) may be submitted in classified form, but shall contain an unclassified summary.*

***SEC. 238. ASCENT PHASE MISSILE DEFENSE STRATEGY AND PLAN.***

*(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a strategy and plan for ascent phase missile defense.*

*(b) MATTERS INCLUDED.—The report required by subsection (a) shall include each of the following:*

*(1) A description of the programs and activities, as of the date of the submission of the report, contained in the program of record of the Missile Defense Agency that provide or are planned to provide a capability to intercept ballistic missiles in their ascent phase.*

*(2) A description of the capabilities that are needed to accomplish the intercept of ballistic missiles in their ascent phase, including—*

*(A) the key technologies and associated technology readiness levels, plans for maturing such technologies, and any technology demonstrations for such capabilities;*

*(B) concepts of operation for how ascent phase capabilities would be employed, including the dependence of such capabilities on, and integration with, other functions, capabilities, and information, including those provided by other elements of the ballistic missile defense system;*

*(C) the criteria to be used to assess the technical progress, suitability, and effectiveness of such capabilities;*

*(D) a comprehensive plan for development of and investment in such capabilities, including an identification of specific program and technology investments to be made in such capabilities;*

*(E) a description of how, and to what extent, ascent phase missile defense can leverage the capabilities and investments made in boost phase, midcourse, and any other layer or elements of the ballistic missile defense system;*

*(F) a description of the benefits and limitations associated with ascent phase missile defense; and*

*(G) any other information the Secretary determines necessary.*

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

***SEC. 239. EXTENSION OF DEADLINE FOR STUDY ON BOOST-PHASE MISSILE DEFENSE.***

*Section 232(c)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4392) is amended by striking ''October 31, 2010'' and inserting ''March 1, 2011''.*

***Subtitle D—Reports***

***SEC. 241. REPEAL OF REQUIREMENT FOR BIENNIAL JOINT WARFIGHTING SCIENCE AND TECHNOLOGY PLAN.***

*Section 270 of the National Defense Authorization Act for Fiscal Year 1997 (10 U.S.C. 2501 note) is repealed.*

***SEC. 242. MODIFICATION OF REPORTING REQUIREMENT FOR DEFENSE NANOTECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.***

*Section 246 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2358 note) is amended by striking subsection (e) and inserting the following new subsection (e):*

*''(e) REPORTS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the National Science and Technology Council information on the program that covers the information described in paragraphs (1) through (5) of section 2(d) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(d)) to be included in the annual report submitted by the Council under that section.''.*

***SEC. 243. COMPTROLLER GENERAL ASSESSMENT OF COORDINATION OF ENERGY STORAGE DEVICE REQUIREMENTS, PURCHASES, AND INVESTMENTS.***

*(a) ASSESSMENT REQUIRED.—The Comptroller General shall conduct an assessment of the degree to which requirements, technology goals, and research and procurement investments in energy storage technologies are coordinated within and among the military departments, appropriate Defense Agencies, and other elements of the Department of Defense. In carrying out such assessment, the Comptroller General shall—*

*(1) assess the expenses incurred by the Department of Defense in the research, development, testing, evaluation, and procurement of energy storage devices;*

*(2) compare quantities of types of devices in use or under development that rely on commercial energy storage technologies and that use military-unique, proprietary, or specialty devices;*

*(3) assess the process by which a determination is made by an acquisition official of the Department of Defense to pursue a commercially available or custom-made energy storage device;*

*(4) assess the process used to develop requirements for the development and procurement of energy storage devices;*

*(5) assess the coordination of the activities of the Department of Defense and the Department of Energy with respect to the research, development, procurement, and use of energy storage devices;*

*(6) assess the coordination of Department of Defense-wide activities in energy storage device research, development, procurement, and use;*

*(7) assess the process used to standardize the form, fit, and function of energy storage devices, and make recommendations with respect to how the Department should improve that process; and*

*(8) assess whether there are commercial advances in portable power technology, including hybrid systems, fuel cells, and electrochemical capacitors, or other relevant technologies, that could be better leveraged by the Department.*

*(b) REPORT.—Not later than December 31, 2010, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the findings and recommendations of the Comptroller General with respect to the assessment conducted under subsection (a).*

*(c) COORDINATION.—In carrying out subsection (a), the Comptroller General shall coordinate with the Secretary of Energy and the heads of other appropriate Federal agencies.*

***SEC. 244. ANNUAL COMPTROLLER GENERAL REPORT ON THE F–35 LIGHTNING II AIRCRAFT ACQUISITION PROGRAM.***

*(a) ANNUAL GAO REVIEW.—The Comptroller General shall conduct an annual review of the F–35 Lightning II aircraft acquisition program and shall, not later than March 15 of each of 2010 through 2015, submit to the congressional defense committees a report on the results of the most recent review.*

*(b) MATTERS TO BE INCLUDED.—Each report on the F–35 program under subsection (a) shall include each of the following:*

*(1) The extent to which the acquisition program is meeting development and procurement cost, schedule, and performance goals.*

*(2) The progress and results of developmental and operational testing and plans for correcting deficiencies in aircraft performance, operational effectiveness, and suitability.*

*(3) Aircraft procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance.*

***SEC. 245. REPORT ON INTEGRATION OF DEPARTMENT OF DEFENSE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES.***

*Of the amounts authorized to be appropriated in this Act for program element 11815F for advanced strategic programs, not more than 50 percent of such amounts may be obligated or expended until the date that is 30 days after the date on which the Under Secretary of Defense for Intelligence submits the report required under section 923(d)(1) of the National Defense Authorization Act for 2004 (Public Law 108–136; 117 Stat. 1576), including the elements of the report described in subparagraphs (D), (E), and (F) of such section 923(d)(1).*

***SEC. 246. REPORT ON FUTURE RESEARCH AND DEVELOPMENT OF MAN-PORTABLE AND VEHICLE-MOUNTED GUIDED MISSILE SYSTEMS.***

*(a) REPORT.—Not later than February 15, 2010, the Secretary of the Army shall submit to Congress a report on future research and development of man-portable and vehicle-mounted guided missile systems to replace the current Javelin and TOW systems. Such report shall include—*

*(1) an examination of current requirements for anti-armor missile systems;*

*(2) an analysis of battlefield uses other than anti-armor;*

*(3) an analysis of changes required to the current Javelin and TOW systems to maximize effectiveness and lethality in situations other than anti-armor;*

*(4) an analysis of the current family of Javelin and TOW warheads and a specific description of how they address threats other than armor;*

*(5) an examination of the need for changes to current or development of additional warheads or a family of warheads to address threats other than armor;*

*(6) a description of any missile system design changes required to integrate current missile systems with current manned ground systems;*

*(7) a detailed and current analysis of the costs associated with the development of next-generation Javelin and TOW systems and additional warheads or family of warheads to address threats other than armor, integration costs for current vehicles, integration costs for future vehicles and possible efficiencies of developing and procuring these systems at low rate and full rate based on current system production; and*

*(8) an analysis of the ability of the industrial base to support development and production of current and future Javelin and TOW systems.*

*(b) RESTRICTION ON USE OF FUNDS.—Of the amounts authorized to be appropriated under this Act for research, test, development, and evaluation for the Army, for missile and rocket advanced technology (program element 0603313A), not more than 70 percent may be obligated or expended until the Secretary of the Army submits the report required by subsection (a).*

***SEC. 247. REPORT ON THE DEVELOPMENT OF COMMAND AND CONTROL SYSTEMS.***

*(a) REPORT REQUIRED.—Not later than July 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report detailing the plans for the consolidation of the Net-Enabled Command Capability system (hereinafter in this section referred to as the ''NECC system'') with the Global Command and Control System family of systems (hereinafter in this section referred to as the ''GCCS family of systems'').*

*(b) ELEMENTS.—The report required by subsection (a) shall include each of the following:*

*(1) A description of the level of investment needed to develop, sustain, and modernize the GCCS family of systems in order to meet military requirements.*

*(2) A description of the actions needed to convert the GCCS family of systems to a services-oriented architecture, including a timeline and milestones.*

*(3) An identification of the components, including modules and other technologies, developed under the NECC systems that can be implemented in the GCCS family of systems.*

*(4) An identification of gaps in required capabilities not resident in the GCCS family of systems or provided by the NECC system.*

*(5) An identification of any science and technology efforts or developing commercial capabilities that might address capability gaps identified pursuant to paragraph (4).*

*(6) A description of the developmental and operational test plans for the GCCS family of systems, and resources programmed to support such plans.*

*(7) A description of the GCCS family of systems management and governance plan structure, including—*

*(A) organizations involved in program planning and execution;*

*(B) the delegation of authorities for programmatic and technical issues in the development of the GCCS family of systems, including architecture design and control, and funding; and*

*(C) the role of the command and control capabilities portfolio manager and the Office of Secretary of Defense oversight agencies.*

*(8) Such other elements as the Secretary of Defense considers appropriate.*

*(c) COORDINATION.—The report required by subsection (a) shall be developed jointly by the Vice-Chairman of the Joint Chiefs of Staff, the Secretaries of the military departments, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Assistant Secretary of Defense for Networks and Information Integration, the commander of the United States*

*Joint Forces Command, the Director of Operational Test and Evaluation, and the Director of the Defense Information Systems Agency.*

*(d) INTERIM REPORT.—Not later than March 1, 2010, the Secretary of Defense shall submit to the congressional defense committees an interim report on the activities carried out to prepare the report required by subsection (a) and the preliminary findings and recommendations of the Secretary with respect to the plans for the consolidation of the NECC system with the GCCS family of systems based on such activities.*

*(e) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.*

***SEC. 248. EVALUATION OF EXTENDED RANGE MODULAR SNIPER RIFLE SYSTEMS.***

*(a) IN GENERAL.—Not later than March 31, 2010, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology shall conduct a comparative evaluation of extended range modular sniper rifle systems, including .300 Winchester Magnum, .338 Lapua Magnum, and other calibers. The evaluation shall identify and demonstrate an integrated suite of technologies with capabilities that include—*

*(1) extending the effective range of snipers;*

*(2) meeting service or unit requirements or operational need statements; or*

*(3) closing documented capability gaps.*

*(b) REPORT.—Not later than April 30, 2010, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of the evaluation required by subsection (a), including—*

*(1) detailed ballistics and system performance data; and*

*(2) an assessment of the operational capabilities of extended range modular sniper rifle systems to meet service or unit requirements or operational need statements or close documented capabilities gaps.*

***Subtitle E—Other Matters***

***SEC. 251. ENHANCEMENT OF DUTIES OF DIRECTOR OF DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER WITH RESPECT TO THE MAJOR RANGE AND TEST FACILITY BASE.***

*(a) AUTHORITY TO REVIEW PROPOSALS FOR SIGNIFICANT CHANGES.—Section 196(c) of title 10, United States Code, is amended—*

*(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;*

*(2) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;*

*(3) by inserting ''(1)'' before ''The Director'';*

*(4) by redesignating subparagraphs (B), (C), and (D), as so redesignated, as subparagraphs (C), (D), and (E), respectively; and*

*(5) by inserting after subparagraph (A), as so redesignated, the following new subparagraph (B):*

*''(B) To review proposed significant changes to the test and evaluation facilities and resources of the Major Range and Test Facility Base before they are implemented by the Secretaries of the military departments or the heads of the Defense Agencies with test and evaluation responsibilities and advise the Secretary of Defense and the Under Secretary of Acquisition, Technology, and Logistics of the impact of such changes on the adequacy of such test and evaluation facilities and resources to meet the test and evaluation requirements of the Department.''.*

*(b) ACCESS TO RECORDS AND DATA.—Such section is further amended by adding at the end the following new paragraph:*

*''(2) The Director shall have access to such records and data of the Department of Defense (including the appropriate records and data of each military department and Defense Agency) that are necessary in order to carry out the duties of the Director under this section.''.*

***SEC. 252. ESTABLISHMENT OF PROGRAM TO ENHANCE PARTICIPATION OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS IN DEFENSE RESEARCH PROGRAMS.***

*(a) PROGRAM ESTABLISHED.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2361 the following new section:*

***''§ 2362. Research and educational programs and activities: historically black colleges and universities and minority-serving institutions of higher education***

*''(a) PROGRAM ESTABLISHED.—The Secretary of Defense, acting through the Director of Defense Research and Engineering and the Secretary of each military department, shall carry out a program to provide assistance to covered educational institutions to assist the Department in defense-related research, development, testing, and evaluation activities.*

*''(b) PROGRAM OBJECTIVE.—The objective of the program established under subsection (a) is to enhance defense-related research and education at covered educational institutions. Such objective shall be accomplished through initiatives designed to—*

*''(1) enhance the research and educational capabilities of such institutions in areas of importance to national defense, as determined by the Secretary;*

*''(2) encourage the participation of such institutions in the research, development, testing, and evaluation programs and activities of the Department of Defense;*

*''(3) increase the number of graduates from such institutions engaged in disciplines important to the national security functions of the Department of Defense, as determined by the Secretary; and*

*''(4) encourage research and educational collaborations between such institutions and other institutions of higher education, Government defense organizations, and the defense industry.*

*''(c) ASSISTANCE PROVIDED.—Under the program established by subsection (a), the Secretary of Defense may provide covered educational institutions with funding or technical assistance, including any of the following:*

*''(1) Support for research, development, testing, evaluation, or educational enhancements in areas important to national defense through the competitive awarding of grants, cooperative agreements, contracts, scholarships, fellowships, or the acquisition of research equipment or instrumentation.*

*''(2) Support to assist in the attraction and retention of faculty in scientific disciplines important to the national security functions of the Department of Defense.*

*''(3) Establishing partnerships between such institutions and defense laboratories, Government defense organizations, the defense industry, and other institutions of higher education in research, development, testing, and evaluation in areas important to the national security functions of the Department of Defense.*

*''(4) Other such non-monetary assistance as the Secretary finds appropriate to enhance defense-related research, development, testing, and evaluation activities at such institutions.*

*''(d) PRIORITY FOR FUNDING.—The Secretary of Defense may establish procedures under which the Secretary may give priority in providing funding under this section to institutions that have not otherwise received a significant amount of funding from the Department of Defense for research, development, testing, and evaluation programs supporting the national security functions of the Department.*

*''(e) DEFINITION OF COVERED EDUCATIONAL INSTITUTION.—In this section the term 'covered educational institution' means—*

*''(1) an institution of higher education eligible for assistance under title III or IV of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.); or*

*''(2) an accredited postsecondary minority institution.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2361 the following new item:*

*''2362. Research and educational programs and activities: historically black colleges and universities and minority-serving institutions of higher education.''.*

***SEC. 253. EXTENSION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.***

*Subsection (f) of section 2374a of title 10, United States Code, is amended by striking ''September 30, 2010'' and inserting ''September 30, 2013''.*

***SEC. 254. AUTHORITY FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS TO PARTICIPATE IN MERIT-BASED TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAMS.***

*Section 217(f)(1) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat 2695), as amended by section 3136 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), is amended—*

*(1) in subparagraph (A) by inserting '', of the National Aeronautics and Space Administration,'' after ''the Department of Defense''; and*

*(2) by adding at the end the following new subparagraph (C):*

*''(C) A federally funded research and development center of the National Aeronautics and Space Administration that functions primarily as a research laboratory may respond to broad agency announcements under programs authorized by the Federal Government for the purpose of promoting the research, development, demonstration, or transfer of technology in a manner consistent with the terms and conditions of such program.''.*

***SEC. 255. NEXT GENERATION BOMBER AIRCRAFT.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) Long-range strike is a critical mission in which the United States needs to retain a credible and dominant capability.*

*(2) Long range, penetrating strike systems provide—*

*(A) a hedge against being unable to obtain access to forward bases for political reasons;*

*(B) a capacity to respond quickly to contingencies;*

*(C) the ability to base outside the reach of emerging adversary anti-access and area-denial capabilities; and*

*(D) the ability to impose disproportionate defensive costs on prospective adversaries of the United States.*

*(3) The 2006 quadrennial defense review found that there was a requirement for a next generation bomber aircraft and directed the United States Air Force to ''develop a new land-based, penetrating long range strike capability to be fielded by 2018''.*

*(4) On April 6, 2009, Secretary of Defense Robert Gates announced that the United States ''will not pursue a development program for a follow-on Air Force bomber until we have a better understanding of the need, the requirement and the technology''.*

*(5) On May 7, 2009, President Barack Obama announced the termination of the next generation bomber aircraft program in the document of the Office of Management and Budget entitled ''Terminations, Reductions, and Savings'', stating that ''there is no urgent need to begin an expensive development program for a new bomber'' and that ''the future bomber fleet may not be affordable over the next six years''.*

*(6) The United States will need a new long-range strike capability because the conflicts of*

*the future will likely feature heavily defended airspace, due in large part to the proliferation of relatively inexpensive, but sophisticated and deadly, air defense systems.*

*(7) General Michael Maples, the Director of the Defense Intelligence Agency, noted during a March 10, 2009, hearing of the Committee on Armed Services of the Senate on worldwide threats that ''Russia, quite frankly, is the developer of most of those [advanced air defense] systems and is exporting those systems both to China and to other countries in the world''.*

*(8) The Final Report of the Congressional Commission on the Strategic Posture of the United States, submitted to Congress on May 6, 2009, states that ''[t]he bomber force is valuable particularly for extending deterrence in time of crisis, as their deployment is visible and signals U.S. commitment. Bombers also impose a significant cost burden on potential adversaries in terms of the need to invest in advanced air defenses''.*

*(9) The commanders of the United States Pacific Command, the United States Strategic Command, and the United States Joint Forces Command have each testified before the Committee on Armed Services of the Senate in support of the capability that the next generation bomber aircraft would provide.*

*(10) On June 17, 2009, General James Cartwright, Vice-Chairman of the Joint Chiefs of Staff and chair of the Joint Requirements Oversight Council, stated during a hearing before the Committee on Armed Services of the Senate that ''the nation needs a new bomber''.*

*(11) Nearly half of the United States bomber aircraft inventory (47 percent) pre-dates the Cuban Missile Crisis.*

*(12) The only air-breathing strike platforms the United States possesses today with reach and survivability to have a chance of successfully executing missions more than 1,000 nautical miles into enemy territory from the last air-to-air refueling are 16 combat ready B-2 bomber aircraft.*

*(13) The B-2 bomber aircraft was designed in the 1980s and achieved initial operational capability over a decade ago.*

*(14) The crash of an operational B-2 bomber aircraft during takeoff at Guam in early 2008 indicates that attrition can and does occur even in peacetime.*

*(15) The primary mission requirement of the next generation bomber aircraft is the ability to strike targets anywhere on the globe with whatever weapons the contingency requires.*

*(16) The requisite aerodynamic, structural, and low-observable technologies to develop the next generation bomber aircraft already exist in fifth-generation fighter aircraft.*

*(b) POLICY ON CONTINUED DEVELOPMENT OF NEXT GENERATION BOMBER AIRCRAFT IN FISCAL YEAR 2010.—It is the policy of the United States to support a development program for next generation bomber aircraft technologies.*

## TITLE III—OPERATION AND MAINTENANCE


*Subtitle A—Authorization of Appropriations*

*Sec. 301. Operation and maintenance funding.*
*Sec. 302. Relation to funding table.*

*Subtitle B—Environmental Provisions*

*Sec. 311. Clarification of requirement for use of available funds for Department of Defense participation in conservation banking programs.*
*Sec. 312. Reauthorization of title I of Sikes Act.*
*Sec. 313. Authority of Secretary of a military department to enter into interagency agreements for land management on Department of Defense installations.*
*Sec. 314. Reauthorization of pilot program for invasive species management for military installations in Guam.*
*Sec. 315. Reimbursement of Environmental Protection Agency for certain costs in connection with the Former Nansemond Ordnance Depot Site, Suffolk, Virginia.*
*Sec. 316. Procurement and use of munitions.*
*Sec. 317. Prohibition on disposing of waste in open-air burn pits.*
*Sec. 318. Military munitions response sites.*

*Subtitle C—Workplace and Depot Issues*

*Sec. 321. Public-private competition required before conversion of any Department of Defense function performed by civilian employees to contractor performance.*
*Sec. 322. Time limitation on duration of public-private competitions.*
*Sec. 323. Policy regarding installation of major modifications and upgrades.*
*Sec. 324. Modification of authority for Army industrial facilities to engage in cooperative activities with non-Army entities.*
*Sec. 325. Temporary suspension of public-private competitions for conversion of Department of Defense functions to performance by a contractor.*
*Sec. 326. Requirement for debriefings related to conversion of functions from performance by Federal employees to performance by a contractor.*
*Sec. 327. Amendments to bid protest procedures by Federal employees and agency officials in conversions of functions from performance by Federal employees to performance by a contractor.*
*Sec. 328. Improvement of inventory management practices.*
*Sec. 329. Modification of date for submittal to Congress of annual report on funding for public and private performance of depot-level maintenance and repair workloads.*

*Subtitle D—Energy Security*

*Sec. 331. Authorization of appropriations for Director of Operational Energy.*
*Sec. 332. Extension and expansion of reporting requirements regarding Department of Defense energy efficiency programs.*
*Sec. 333. Report on implementation of Comptroller General recommendations on fuel demand management at forward-deployed locations.*
*Sec. 334. Report on use of renewable fuels to meet energy requirements of Department of Defense.*
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*Subtitle E—Reports*

*Sec. 341. Annual report on procurement of military working dogs.*
*Sec. 342. Plan for managing vegetative encroachment at training ranges.*
*Sec. 343. Comptroller General report on the sustainment strategy for the AV-8B Harrier aircraft.*
*Sec. 344. Study on Army modularity.*

*Subtitle F—Other Matters*

*Sec. 351. Authority for airlift transportation at Department of Defense rates for non-Department of Defense Federal cargoes.*
*Sec. 352. Policy on ground combat and camouflage utility uniforms.*
*Sec. 353. Condition-based maintenance demonstration programs.*
*Sec. 354. Extension of arsenal support program initiative.*


### Subtitle A—Authorization of Appropriations

**SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:*

*(1) For the Army, $31,263,332,000.*
*(2) For the Navy, $35,041,274,000.*
*(3) For the Marine Corps, $5,543,223,000.*
*(4) For the Air Force, $34,527,149,000.*
*(5) For Defense-wide activities, $28,327,396,000.*
*(6) For the Army Reserve, $2,620,196,000.*
*(7) For the Naval Reserve, $1,278,501,000.*
*(8) For the Marine Corps Reserve, $228,925,000.*
*(9) For the Air Force Reserve, $3,079,228,000.*
*(10) For the Army National Guard, $6,262,184,000.*
*(11) For the Air National Guard, $5,885,761,000.*
*(12) For the United States Court of Appeals for the Armed Forces, $13,932,000.*
*(13) For the Acquisition Development Workforce Fund, $100,000,000.*
*(14) For Environmental Restoration, Army, $415,864,000.*
*(15) For Environmental Restoration, Navy, $285,869,000.*
*(16) For Environmental Restoration, Air Force, $494,276,000.*
*(17) For Environmental Restoration, Defense-wide, $11,000,000.*
*(18) For Environmental Restoration, Formerly Used Defense Sites, $267,700,000.*
*(19) For Overseas Humanitarian, Disaster, and Civic Aid programs, $109,869,000.*
*(20) For Cooperative Threat Reduction programs, $424,093,000.*

**SEC. 302. RELATION TO FUNDING TABLE.**

*The amounts authorized to be appropriated by section 301 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4301.*

### Subtitle B—Environmental Provisions

**SEC. 311. CLARIFICATION OF REQUIREMENT FOR USE OF AVAILABLE FUNDS FOR DEPARTMENT OF DEFENSE PARTICIPATION IN CONSERVATION BANKING PROGRAMS.**

*Section 2694c of title 10, United States Code, is amended—*

*(1) in subsection (a), by striking ''to carry out this section'';*

*(2) by redesignating subsection (d) as subsection (e); and*

*(3) by inserting after subsection (c) the following new subsection (d):*

*''(d) SOURCE OF FUNDS.—Amounts available from any of the following shall be available for activities under this section:*

*''(1) Operation and maintenance.*

*''(2) Military construction.*

*''(3) Research, development, test, and evaluation.*

*''(4) The Support for United States Relocation to Guam Account established under section 2824 of the Military Construction Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4730; 10 U.S.C. 2687 note).''.*

**SEC. 312. REAUTHORIZATION OF TITLE I OF SIKES ACT.**

*(a) REAUTHORIZATION.—Section 108 of the Sikes Act (16 U.S.C. 670f) is amended by striking ''fiscal years 2004 through 2008'' each place it appears and inserting ''fiscal years 2009 through 2014''.*

*(b) CLARIFICATION OF AUTHORIZATIONS.—Such section is further amended—*

*(1) in subsection (b), by striking ''There are authorized'' and inserting ''Of the amounts authorized to be appropriated to the Department of Defense, there are authorized''; and*

*(2) in subsection (c), by striking ''There are authorized'' and inserting ''Of the amounts authorized to be appropriated to the Department of the Interior, there are authorized''.*

**SEC. 313. AUTHORITY OF SECRETARY OF A MILITARY DEPARTMENT TO ENTER INTO INTERAGENCY AGREEMENTS FOR LAND MANAGEMENT ON DEPARTMENT OF DEFENSE INSTALLATIONS.**

*(a) AUTHORITY.—Section 103a of the Sikes Act (16 U.S.C. 670c–1) is amended—*

*(1) in subsection (a)—*

*(A) by inserting after ''and individuals'' the following: '', and into interagency agreements with the heads of other Federal departments and agencies,''; and*

*(B) in paragraph (2), by inserting ''or interagency agreement'' after ''cooperative agreement'';*

*(2) in subsection (b), by inserting ''or interagency agreement'' after ''cooperative agreement''; and*

*(3) in subsection (c), by inserting ''and interagency agreements'' after ''Cooperative agreements''.*

*(b) CLERICAL AMENDMENTS.—The heading for such section is amended by inserting ''**AND INTERAGENCY**'' after ''**COOPERATIVE**''.*

**SEC. 314. REAUTHORIZATION OF PILOT PROGRAM FOR INVASIVE SPECIES MANAGEMENT FOR MILITARY INSTALLATIONS IN GUAM.**

*Section 101(g)(1) of the Sikes Act (16 U.S.C. 670a(g)(1)) is amended by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2014''.*

**SEC. 315. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH THE FORMER NANSEMOND ORDNANCE DEPOT SITE, SUFFOLK, VIRGINIA.**

*(a) AUTHORITY TO REIMBURSE.—*

*(1) TRANSFER AMOUNT.—Using funds described in subsection (b) and notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than $68,623 during fiscal year 2010 to the Former Nansemond Ordnance Depot Site Special Account, within the Hazardous Substance Superfund.*

*(2) PURPOSE OF REIMBURSEMENT.—The payment under paragraph (1) is final payment to reimburse the Environmental Protection Agency for all costs incurred in overseeing a time critical removal action performed by the Department of Defense under the Defense Environmental Restoration Program for ordnance and explosive safety hazards at the Former Nansemond Ordnance Depot Site, Suffolk, Virginia.*

*(3) INTERAGENCY AGREEMENT.—The reimbursement described in paragraph (2) is provided for in an interagency agreement entered into by the Department of the Army and the Environmental Protection Agency for the Former Nansemond Ordnance Depot Site in December 1999.*

*(b) SOURCE OF FUNDS.—Any payment under subsection (a) shall be made using funds authorized to be appropriated by section 301(18) of this Act for operation and maintenance for Environmental Restoration, Formerly Used Defense Sites.*

*(c) USE OF FUNDS.—The Environmental Protection Agency shall use the amount transferred under subsection (a) to pay costs incurred by the agency at the Former Nansemond Ordnance Depot Site.*

**SEC. 316. PROCUREMENT AND USE OF MUNITIONS.**

*The Secretary of Defense shall—*

*(1) in making decisions with respect to the procurement of munitions, develop methods to account for the full life-cycle costs of munitions, including the effects of failure rates on the cost of disposal;*

*(2) undertake a review of live-fire practices for the purpose of reducing unexploded ordnance and munitions-constituent contamination without impeding military readiness; and*

*(3) not later than 180 days after the date of the enactment of this Act, submit to Congress a report on the methods developed pursuant to this section and the progress of the live-fire review and recommendations for reducing the life-cycle costs of munitions, unexploded ordnance, and munitions-constituent contamination.*

**SEC. 317. PROHIBITION ON DISPOSING OF WASTE IN OPEN-AIR BURN PITS.**

*(a) REGULATIONS.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations prohibiting the disposal of covered waste in open-air burn pits during contingency operations except in circumstances in which the Secretary determines that no alternative disposal method is feasible. Such regulations shall apply to contingency operations that are ongoing as of the date of the enactment of this Act, including Operation Iraqi Freedom and Operation Enduring Freedom, and to contingency operations that begin after the date of the enactment of this Act.*

*(2) NOTIFICATION.—In determining that no alternative disposal method is feasible for an open-air burn pit pursuant to regulations prescribed under paragraph (1), the Secretary shall—*

*(A) not later than 30 days after such determination is made, submit to the Committees on Armed Services of the Senate and House of Representatives notice of such determination, including the circumstances, reasoning, and methodology that led to such determination; and*

*(B) after notice is given under subparagraph (A), for each subsequent 180-day-period during which covered waste is disposed of in the open-air burn pit covered by such notice, submit to the Committees on Armed Services of the Senate and House of Representatives the justifications of the Secretary for continuing to operate such open-air burn pit.*

*(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of open-air burn pits by the United States Armed Forces. Such report shall include—*

*(1) an explanation of the situations and circumstances under which open-air burn pits are used to dispose of waste during military exercises and operations worldwide;*

*(2) a detailed description of the types of waste authorized to be burned in open-air burn pits;*

*(3) a plan through which the Secretary intends to develop and implement alternatives to the use of open-air burn pits;*

*(4) a copy of the regulations required to be prescribed by subsection (a);*

*(5) the health and environmental compliance standards the Secretary has established for military and contractor operations in Iraq and Afghanistan with regard to solid waste disposal, including an assessment of whether those standards are being met;*

*(6) a description of the environmental, health, and operational impacts of open-pit burning of plastics and the feasibility of including plastics in the regulations prescribed pursuant to subsection (a); and*

*(7) an assessment of the ability of existing medical surveillance programs to identify and track exposures to toxic substances that result from open-air burn pits, including recommendations for such changes to such programs as would be required to more accurately identify and track such exposures.*

*(c) DEFINITIONS.—In this section:*

*(1) The term ''contingency operation'' has the meaning given that term by section 101(a)(13) of title 10, United States Code.*

*(2) The term ''covered waste'' includes—*

*(A) hazardous waste, as defined by section 1004(5) of the Solid Waste Disposal Act (42 U.S.C. 6903(5));*

*(B) medical waste; and*

*(C) other waste as designated by the Secretary.*

**SEC. 318. MILITARY MUNITIONS RESPONSE SITES.**

*(a) INFORMATION SHARING.—Section 2710(a)(2)(B) of title 10, United States Code, is amended by inserting '', including the county, where applicable,'' after ''political subdivisions of the State''.*

*(b) MILITARY MUNITIONS RESPONSE PROGRAM AND INSTALLATION RESTORATION PROGRAM.—As part of the annual budget submission of the Secretary of Defense to Congress, the Secretary shall include the funding levels requested for the Military Munitions Response Program and the Installation Restoration Program.*

***Subtitle C—Workplace and Depot Issues***

**SEC. 321. PUBLIC-PRIVATE COMPETITION REQUIRED BEFORE CONVERSION OF ANY DEPARTMENT OF DEFENSE FUNCTION PERFORMED BY CIVILIAN EMPLOYEES TO CONTRACTOR PERFORMANCE.**

*(a) REQUIREMENT.—Paragraph (1) of section 2461(a) of title 10, United States Code, is amended—*

*(1) by striking ''A function'' and inserting ''No function'';*

*(2) by striking ''10 or more''; and*

*(3) by striking ''may not be converted'' and inserting ''may be converted''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a function for which a public-private competition is commenced on or after the date of the enactment of this Act.*

**SEC. 322. TIME LIMITATION ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.**

*(a) TIME LIMITATION.—Section 2461(a) of title 10, United States Code, as amended by section 321, is further amended by adding at the end the following new paragraph:*

*''(5)(A) Except as provided in subparagraph (B), the duration of a public-private competition conducted pursuant to Office of Management and Budget Circular A-76 or any other provision of law for any function of the Department of Defense performed by Department of Defense civilian employees may not exceed a period of 24 months, commencing on the date on which the preliminary planning for the public-private competition begins and ending on the date on which a performance decision is rendered with respect to the function.*

*''(B)(i) The Secretary of Defense may specify an alternative period of time for a public-private competition, which may not exceed 33 months, if the Secretary—*

*''(I) determines that the competition is of such complexity that it cannot be completed within 24 months; and*

*''(II) submits to Congress, as part of the formal congressional notification of a public-private competition pursuant to subsection (c), written notification that explains the basis of such determination.*

*''(ii) The notification under clause (i)(II) shall also address each of the following:*

*''(I) Any efforts of the Secretary to break up the study geographically or functionally.*

*''(II) The Secretary's justification for undertaking a public-private competition instead of using internal reengineering alternatives.*

*''(III) The cost savings that the Secretary expects to achieve as a result of the public-private competition.*

*''(iii) If the Secretary specifies an alternative time period under this subparagraph, the alternative time period shall be binding on the Department in the same manner and to the same extent as the limitation provided in subparagraph (A).*

*''(C) The time period specified in subparagraph (A) for a public-private competition does not include any day during which the public-private competition is delayed by reason of the filing of a protest before the Government Accountability Office or a complaint in the United States Court of Federal Claims up until the day the decision or recommendation of either authority becomes final. In the case of a protest*

*before the Government Accountability Office, the recommendation becomes final after the period of time for filing a request for reconsideration, or if a request for reconsideration is filed, on the day the Government Accountability Office issues a decision on the reconsideration.*

*''(D) If a protest with respect to a public-private competition before the Government Accountability Office or the United States Court of Federal Claims is sustained, and the recommendation is final as described in subparagraph (C), and if such protest and recommendation result in an unforeseen delay in implementing a final performance decision, the Secretary of Defense may terminate the public-private competition or extend the period of time specified for the public-private competition under subparagraph (A) or subparagraph (B). If the Secretary decides not to terminate a competition, the Secretary shall submit to Congress written notice of such decision. Any such notification shall include a justification for the Secretary's decision and a new time limitation for the competition, which shall not exceed 12 months from the final decision and shall be binding on the Department.*

*''(E) For the purposes of this paragraph, preliminary planning with respect to a public-private competition, begins on the date on which the Department of Defense obligates funds for the acquisition of contract support, or formally assigns Department of Defense personnel, to carry out any of the following activities:*

*''(i) Determining the scope of the competition.*

*''(ii) Conducting research to determine the appropriate grouping of functions for the competition.*

*''(iii) Assessing the availability of workload data, quantifiable outputs of functions, and agency or industry performance standards applicable to the competition.*

*''(iv) Determining the baseline cost of any function for which the competition is conducted.*

*''(F) To effectively establish the date that is the first day of preliminary planning for a public-private competition, the head of a military department shall submit to Congress written notice of such date and shall provide public notice by announcing such date on an appropriate Internet website. Such date is the first day of preliminary planning for a public-private competition for the purpose of computing the duration of the public private competition for purposes of this section.*

*''(G) The Secretary of Defense shall submit to the congressional defense committees an annual report on the use, during the year covered by the report, of alternative time periods for public-private competitions under this section, and the explanations of the Secretary for such alternative time periods.''*

*(b) EFFECTIVE DATE.—Paragraph (5) of section 2461(a) of title 10, United States Code, as added by subsection (a), shall apply with respect to a public-private competition covered by such section that is initiated on or after the date of the enactment of this Act.*

*(c) COMPTROLLER GENERAL REVIEWS.—Not later than two years after the date of the enactment of this Act, and three years thereafter, the Comptroller General shall submit to the congressional defense committees a report on the use by the Secretary of Defense of the alternative time period authority under section 2461(a)(5)(B) of title 10, United States Code, and the appropriateness and thoroughness of the explanations of the Secretary for such use.*

***SEC. 323. POLICY REGARDING INSTALLATION OF MAJOR MODIFICATIONS AND UPGRADES.***

*It is the Sense of Congress that no changes should be made to—*

*(1) the policy of the Department of Defense that in the annual allocation of depot-level maintenance and repair required under section 2466 of title 10, United States Code, the installation of major modifications and upgrades are considered to be part of the definition of depot-level maintenance; and*

*(2) the interpretation and application of that policy as of the date of the enactment of this Act.*

***SEC. 324. MODIFICATION OF AUTHORITY FOR ARMY INDUSTRIAL FACILITIES TO ENGAGE IN COOPERATIVE ACTIVITIES WITH NON-ARMY ENTITIES.***

*(a) CLARIFICATION OF AUTHORITY TO ENTER INTO COOPERATIVE AGREEMENTS.—The second sentence of section 4544(a) of title 10, United States Code, as added by section 328(a)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 66), is amended by inserting after ''not more than eight contracts or cooperative agreements'' the following: ''in addition to the contracts and cooperative agreements in place as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181)''.*

*(b) ADDITIONAL ELEMENTS REQUIRED FOR ANALYSIS OF USE OF AUTHORITY.—Section 328(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 67) is amended—*

*(1) by striking ''a report assessing the advisability'' and inserting the following: ''a report—*

*''(A) assessing the advisability''; and*

*(2) by striking ''pursuant to such authority.'' and inserting the following: ''pursuant to such authority;*

*''(B) assessing the benefit to the Federal Government of using such authority;*

*''(C) assessing the impact of the use of such authority on the availability of facilities needed by the Army and on the private sector; and*

*''(D) describing the steps taken to comply with the requirements under section 4544(g) of title 10, United States Code.''.*

***SEC. 325. TEMPORARY SUSPENSION OF PUBLIC-PRIVATE COMPETITIONS FOR CONVERSION OF DEPARTMENT OF DEFENSE FUNCTIONS TO PERFORMANCE BY A CONTRACTOR.***

*(a) TEMPORARY SUSPENSION.—During the period beginning on the date of the enactment of this Act and ending on the date that is 30 days after the date on which the Secretary of Defense submits to the congressional defense committees the certification required under subsection (d), no study or competition regarding a public-private competition for the conversion to performance by a contractor for any function performed by Department of Defense civilian employees may be begun or announced pursuant to 2461 of title 10, United States Code, or otherwise pursuant to Office of Management and Budget Circular A–76.*

*(b) REVIEW AND REPORT TO CONGRESS.—During fiscal year 2010, the Secretary of Defense, acting through the Under Secretary of Defense for Personnel Readiness, in consultation with the Under Secretary for Acquisition, Technology, and Logistics and the Comptroller of the Department of Defense, shall undertake a comprehensive review of the policies of the Department of Defense with respect to the conduct of public-private competitions. The Secretary shall submit to the congressional defense committees a report on such review not earlier than June 15, 2010. The review, at a minimum, shall address—*

*(1) the status of the compliance of the Department with the requirement of 2461(a)(1) of title 10, United States Code, as amended by section 321 of this Act;*

*(2) actions taken by the Secretary to address issues raised in the report of the Department of Defense Inspector General numbered D–2009–034 and dated December 15, 2008;*

*(3) the reliability of systems in effect as of the date of the enactment of this Act to provide comprehensive and reliable data to track and assess the cost and quality of the performance of functions that have been subjected to a public-private competition;*

*(4) the appropriateness of the cost differential in effect as of the date of the enactment of this Act for determining the quantifiable costs and the current overhead rates applied with respect to such functions; and*

*(5) the adequacy of the policies of the Department of Defense in implementing the requirements of section 2461(a)(4) of title 10, United States Code.*

*(c) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the report required under subsection (b) is submitted to the congressional defense committees, the Comptroller General shall conduct an assessment of the review required under paragraph (b) and shall submit to the congressional defense committees a report on the findings of such assessment and any conclusions or recommendations of the Comptroller General based on such assessment.*

*(d) CERTIFICATION REQUIRED.—The Secretary of Defense shall publish in the Federal Register and submit to the congressional defense committees certification that—*

*(1) the review required by subsection (b) has been completed, and that the 90-day period during which the assessment of the Comptroller General is to be completed under subsection (c) has expired;*

*(2) the Secretary of Defense has completed and submitted to the congressional defense committees a complete inventory of contracts for services for or on behalf of the Department in compliance with the requirements of subsection (c) of section 2330a of title 10, United States Code;*

*(3) the Secretary of each military department and the head of each Defense Agency responsible for activities in the inventory has initiated the review and planning activities of subsection (e) of such section; and*

*(4) the Secretary of Defense has submitted budget information on contract services in compliance with the requirements of section 236 of title 10, United States Code.*

***SEC. 326. REQUIREMENT FOR DEBRIEFINGS RELATED TO CONVERSION OF FUNCTIONS FROM PERFORMANCE BY FEDERAL EMPLOYEES TO PERFORMANCE BY A CONTRACTOR.***

*The Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation to allow for debriefings of Federal employee representatives designated pursuant to 3551(2)(B) of title 31, United States Code, to the same extent and under the same circumstances as any offeror, in the case of a conversion of any function from performance by Federal employees to performance by a contractor. Such debriefings will conform to the requirements of section 2305(b)(6)(A) of title 10, United States Code, section 303B(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(f)), and subparts 15.505 and 15.506 (as in effect on the date of the enactment of this Act ) of the Federal Acquisition Regulation.*

***SEC. 327. AMENDMENTS TO BID PROTEST PROCEDURES BY FEDERAL EMPLOYEES AND AGENCY OFFICIALS IN CONVERSIONS OF FUNCTIONS FROM PERFORMANCE BY FEDERAL EMPLOYEES TO PERFORMANCE BY A CONTRACTOR.***

*(a) PROTEST JURISDICTION OF THE COMPTROLLER GENERAL.—Section 3551(1) of title 31, United States Code, is amended by adding at the end the following new subparagraph:*

*''(E) Conversion of a function that is being performed by Federal employees to private sector performance.''.*

*(b) ELIGIBILITY TO PROTEST PUBLIC-PRIVATE COMPETITIONS.—Clause (i) of paragraph (2)(B) of section 3551 of title 31, United States Code, is amended to read as follows:*

*''(i) any official who is responsible for submitting the agency tender in such competition; and''.*

*(c) DECISIONS ON PROTESTS.—Section 3554(b) of title 31, United States Code, is amended—*

*(1) by redesignating subparagraphs (C) through (G) as subparagraphs (D) through (H), respectively;*

*(2) by inserting after subparagraph (B) the following new subparagraph (C):*

*''(C) cancel the solicitation issued pursuant to the public-private competition conducted under Office of Management and Budget Circular A–76 or any successor circular;''; and*

*(3) in subparagraph (G), as redesignated by paragraph (1), by striking '', and (E)'' and inserting '', (E), and (F)''.*

*(d) APPLICABILITY.—The amendments made by this section shall apply—*

*(1) to any protest or civil action that relates to a public-private competition conducted after the date of the enactment of this Act under Office of Management and Budget Circular A–76, or any successor circular; and*

*(2) to a decision made after the date of the enactment of this Act to convert a function performed by Federal employees to private sector performance without a competition under Office of Management and Budget Circular A–76.*

***SEC. 328. IMPROVEMENT OF INVENTORY MANAGEMENT PRACTICES.***

*(a) INVENTORY MANAGEMENT PRACTICES IMPROVEMENT PLAN REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan for improving the inventory management systems of the military departments and the Defense Logistics Agency with the objective of reducing the acquisition and storage of secondary inventory that is excess to requirements.*

*(b) ELEMENTS.—The plan under subsection (a) shall include the following:*

*(1) A plan for a comprehensive review of demand-forecasting procedures to identify and correct any systematic weaknesses in such procedures, including the development of metrics to identify bias toward over-forecasting and adjust forecasting methods accordingly.*

*(2) A plan to accelerate the efforts of the Department of Defense to achieve total asset visibility, including efforts to link wholesale and retail inventory levels through multi-echelon modeling.*

*(3) A plan to reduce the average level of on-order secondary inventory that is excess to requirements, including a requirement for the systemic review of such inventory for possible contract termination.*

*(4) A plan for the review and validation of methods used by the military departments and the Defense Logistics Agency to establish economic retention requirements.*

*(5) A plan for an independent review of methods used by the military departments and the Defense Logistics Agency to establish contingency retention requirements.*

*(6) A plan to identify items stored in secondary inventory that require substantial amounts of storage space and shift such items, where practicable, to direct vendor delivery.*

*(7) A plan for a comprehensive assessment of inventory items on hand that have no recurring demands, including the development of—*

*(A) metrics to track years of no demand for items in stock; and*

*(B) procedures for ensuring the systemic review of such items for potential reutilization or disposal.*

*(8) A plan to more aggressively pursue disposal reviews and actions on stocks identified for potential reutilization or disposal.*

*(c) GAO REPORTS.—*

*(1) ASSESSMENT OF PLAN.—Not later than 60 days after the date on which the plan required by subsection (a) is submitted as specified in that subsection, the Comptroller General shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the plan meets the requirements of this section.*

*(2) ASSESSMENT OF IMPLEMENTATION.—Not later than 18 months after the date on which the plan required by subsection (a) is submitted, the Comptroller General shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the plan has been effectively implemented by each military department and by the Defense Logistics Agency.*

*(d) INVENTORY THAT IS EXCESS TO REQUIREMENTS DEFINED.—In this section, the term ''inventory that is excess to requirements'' means inventory that—*

*(1) is excess to the approved acquisition objective concerned; and*

*(2) is not needed for the purposes of economic retention or contingency retention.*

***SEC. 329. MODIFICATION OF DATE FOR SUBMITTAL TO CONGRESS OF ANNUAL REPORT ON FUNDING FOR PUBLIC AND PRIVATE PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR WORKLOADS.***

*Section 2466(d)(1) of title 10, United States Code, is amended by striking ''April 1 of each year'' and inserting ''90 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31''.*

***Subtitle D—Energy Security***

***SEC. 331. AUTHORIZATION OF APPROPRIATIONS FOR DIRECTOR OF OPERATIONAL ENERGY.***

*Of the amounts authorized to be appropriated for Operation and Maintenance, Defense-wide, $5,000,000 is for the Director of Operational Energy Plans and Programs to carry out the duties prescribed for the Director under section 139b of title 10, United States Code, to be made available upon the confirmation of an individual to serve as the Director of Operational Energy Plans and Programs.*

***SEC. 332. EXTENSION AND EXPANSION OF REPORTING REQUIREMENTS REGARDING DEPARTMENT OF DEFENSE ENERGY EFFICIENCY PROGRAMS.***

*(a) NEW REPORTING REQUIREMENTS.—Section 2925(a) of title 10, United States Code, is amended—*

*(1) in paragraph (1), by inserting after ''(Public Law 109–58),'' the following: ''section 2911(e) of this title, section 533 of the National Energy Conservation Policy Act (42 U.S.C. 8259b),'';*

*(2) by redesignating paragraphs (2) through (6) as paragraphs (4) through (8), respectively;*

*(3) by inserting after paragraph (1) the following new paragraphs (2) and (3):*

*''(2) A table detailing funding, by account, for all energy projects funded through appropriations.*

*''(3) A table listing all energy projects financed through third party financing mechanisms (including energy savings performance contracts, enhanced use leases, utility energy service contracts, utility privatization agreements, and other contractual mechanisms), the duration of each such mechanism, an estimate of the financial obligation incurred through the duration of each such mechanism, and the estimated payback period for each such mechanism.''; and*

*(4) by adding at the end the following new paragraphs:*

*''(9) A description of steps taken to determine best practices for measuring energy consumption in Department of Defense facilities and installations, in order to use the data for better energy management.*

*''(10) A description of any other issues and strategies the Secretary determines relevant to a comprehensive and renewable energy policy.''.*

*(b) ADDITIONAL MATERIAL REQUIRED FOR FIRST EXPANDED REPORT.—The first report submitted by the Secretary of Defense under section 2925(a) of title 10, United States Code, as amended by subsection (a), after the date of the enactment of this Act shall include, in addition to the matters required under such section, as so amended, the following:*

*(1) A determination of whether the tools that exist as of the date of the enactment of this Act, including the Energy Conservation Investment Program and the Energy Savings Performance Contracts Program, are sufficient to support renewable energy projects to achieve the Department's installation energy goals, or if new funding mechanisms would be beneficial.*

*(2) A determination of the cost and feasibility of a policy that would require new power generation projects established on installations to be able to switch to provide power for military operations in the event of a commercial grid outage.*

*(3) An assessment of the extent to which State and regional laws and regulations and market structures provide opportunities or obstacles to establish renewable energy projects on military installations.*

*(4) A determination of the cost and feasibility of developing or acquiring equipment or systems that would result in maximized use of renewable energy sources at contingency locations.*

*(5) An assessment of the feasibility of meeting the Department's renewable energy goals with on-base renewable energy production rather than with renewable energy credits.*

*(6) An analysis of the percentage of new construction projects subject to the Department's current building construction sustainable design standards (Leadership in Energy and Environmental Design standards) that include a renewable energy component, and a determination as to whether the criteria of the Department's design standards, as in effect on the date of the enactment of this Act, are consistent with the overall goals, including renewable energy goals, of the Secretary.*

*(7) The feasibility and cost of developing net-zero energy installations and a detailed assessment, by installation, of power production (including renewable energy) measured against energy consumption.*

*(8) A determination of whether a dedicated funding mechanism for renewable energy projects for stand-alone facilities, including National Guard and Reserve centers, would encourage greater use of renewable energy sources both at existing facilities and in new construction.*

*(c) COMPTROLLER GENERAL REVIEW.—Not later than 180 days after the date on which the Secretary of Defense submits the supplemental report required under subsection (b), the Comptroller General shall review the supplemental report and submit to Congress a report on such review. The Comptroller General may conduct such independent analysis of any issues covered by such supplemental report, as necessary in furtherance of the requirements of this section.*

***SEC. 333. REPORT ON IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS ON FUEL DEMAND MANAGEMENT AT FORWARD-DEPLOYED LOCATIONS.***

*Not later than February 1, 2010, the Director of Operational Energy Plans and Programs of the Department of Defense (or, in the event that no individual has been confirmed as the Director, the Secretary of Defense) shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on any specific actions that have been taken to implement the following three recommendations made by the Comptroller General:*

*(1) The recommendation that each of the combatant commanders establish requirements for managing fuel demand at forward-deployed locations within their respective areas of responsibility.*

*(2) The recommendation that the head of each military department develop guidance to implement such requirements.*

*(3) The recommendation that the Chairman of the Joint Chiefs of Staff require that fuel demand considerations be incorporated into the Joint Staff's initiative to develop joint standards of life support at forward-deployed locations.*

***SEC. 334. REPORT ON USE OF RENEWABLE FUELS TO MEET ENERGY REQUIREMENTS OF DEPARTMENT OF DEFENSE.***

*Not later than February 1, 2010, the Secretary of Defense shall submit to the Committees on*

*Armed Services of the Senate and House of Representatives a report on the use and potential use of renewable fuels in meeting the energy requirements of the Department of Defense. Such report shall include each of the following:*

*(1) An assessment of the use of renewable fuels, including domestically produced algae-based, biodiesel, and biomass-derived fuels, as alternative fuels in aviation, maritime, and ground transportation fleets (including tactical vehicles and applications). Such assessment shall include technical, logistical, and policy considerations.*

*(2) An assessment of whether it would be beneficial to establish a renewable fuel commodity class that is distinct from petroleum-based products.*

**SEC. 335. ENERGY SECURITY ON DEPARTMENT OF DEFENSE INSTALLATIONS.**

*(a) PLAN FOR ENERGY SECURITY REQUIRED.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan for identifying and addressing areas in which the electricity needed to carry out critical military missions on Department of Defense installations is vulnerable to disruption.*

*(2) ELEMENTS.—The plan developed under paragraph (1) shall include, at a minimum, the following:*

*(A) An identification of the areas of vulnerability as described in paragraph (1), and an identification of priorities in addressing such areas of vulnerability.*

*(B) A schedule for the actions to be taken by the Department to address such areas of vulnerability.*

*(C) A strategy for working with other public or private sector entities to address such areas of vulnerability that are beyond the control of the Department.*

*(D) An estimate of and consideration for the costs to the Department associated with implementation of the strategy.*

*(b) WORK WITH NON-DEPARTMENT OF DEFENSE ENTITIES.—The Secretary of Defense shall work with other Federal entities, and with State and local government entities, to develop any regulations or other mechanisms needed to require or encourage actions to address areas of vulnerability identified pursuant to the plan developed under subsection (a) that are beyond the control of the Department of Defense.*

**Subtitle E—Reports**

**SEC. 341. ANNUAL REPORT ON PROCUREMENT OF MILITARY WORKING DOGS.**

*Section 358 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4427; 10 U.S.C. 2302 note) is amended—*

*(1) by redesignating subsection (c) as subsection (d); and*

*(2) by inserting after subsection (b) the following new subsection (c):*

*''(c) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010, and annually thereafter for each of the following five years, the Secretary, acting through the Executive Agent, shall submit to the congressional defense committees a report on the procurement of military working dogs for the fiscal year preceding the fiscal year during which the report is submitted. Such a report may be combined with the report required under section 2583(f) of title 10, United States Code, for the same fiscal year as the fiscal year covered by the report under this subsection. Each report under this subsection shall include the following for the fiscal year covered by the report:*

*''(1) The number of military working dogs procured, by source, by each military department or Defense Agency.*

*''(2) The cost of procuring military working dogs incurred by each military department or Defense Agency.*

*''(3) An explanation for any significant difference in the cost of procuring military working dogs from different sources.''.*

**SEC. 342. PLAN FOR MANAGING VEGETATIVE ENCROACHMENT AT TRAINING RANGES.**

*Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes the following:*

*(1) An assessment of the extent to which vegetation and overgrowth limits the use of military lands available for training of the Armed Forces in the United States and overseas.*

*(2) An identification of the particular installations and training areas at which vegetation and overgrowth negatively impact the use of training space.*

*(3) A plan to address training constraints caused by vegetation and overgrowth.*

**SEC. 343. COMPTROLLER GENERAL REPORT ON THE SUSTAINMENT STRATEGY FOR THE AV-8B HARRIER AIRCRAFT.**

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the sustainment strategy for the AV-8B Harrier aircraft.*

*(b) MATTERS COVERED.—The report under subsection (a) shall include, at a minimum, each of the following:*

*(1) An assessment of the AV-8B Integrated Maintenance Concept, including the acquisition strategy developed to conduct planned maintenance interval events.*

*(2) An evaluation of the process and criteria established to determine the assignment of non-core workload.*

*(3) An examination of the role of the single process owner in distribution of non-core workload, standardization of workload processes, facilitation of public-private partnering, implementation of lessons learned, and execution of contracting authority.*

*(4) An evaluation of the execution of responsibilities by the single process owner to reduce planned maintenance interval turn-around time, to reduce cost, to improve material availability, and to ensure necessary logistics and engineering functions are in place to meet objective goals.*

**SEC. 344. STUDY ON ARMY MODULARITY.**

*(a) STUDY.—*

*(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a Federally Funded Research and Development Center for the conduct of a study on the current and planned modularity structures of the Army to determine each of the following:*

*(A) The operational capability of the Army to execute the core mission of the Army to contribute land power to joint operations.*

*(B) The ability to manage the flexibility and versatility of Army forces across the range of military operations.*

*(C) The tactical, operational, and strategic risk associated with the heavy, medium, and light modular combat brigades and functional support and sustainment brigades.*

*(D) The required and planned end strength for the Army.*

*(2) FACTORS TO CONSIDER.—The study required under subsection (a) shall take into consideration the following factors:*

*(A) The historical experience of the Army with separate brigade structures.*

*(B) The original Army analysis or other relevant analyses, including explicit or implicit assumptions, upon which the modular brigade combat team, functional support and sustainment brigades, and higher headquarters' designs were based.*

*(C) Subsequent analysis that confirmed or modified the original designs.*

*(D) Lessons learned from Operation Iraqi Freedom and Operation Enduring Freedom, including an identification and analysis of how modular brigades or formations were task organized and employed that may have differed from the original modular concept and how that confirmed or modified the original designs.*

*(E) Improvements the Army has made or is implementing in brigade and headquarters designs.*

*(F) The deployability, employability, and sustainability of modular formations compared to the corresponding pre-modular designs of such formations.*

*(3) ACCESS TO INFORMATION.—The Secretary of Defense and the Secretary of the Army shall ensure that the Federally Funded Research and Development Center conducting the study required under subsection (a) has access to all necessary data, records, analysis, personnel, and other resources necessary to complete the study.*

*(b) REPORT.—*

*(1) IN GENERAL.—Not later than December 31, 2010, the Secretary of Defense shall submit to the congressional defense committees a report containing—*

*(A) the results of the study conducted under subsection (a), together with the comments of the Secretary of Defense on the findings contained in the study; and*

*(B) the separate and independent comments of the Secretary of the Army on the findings contained in the study.*

*(2) CLASSIFIED ANNEX.—The report shall be in unclassified form, but may contain a classified annex.*

**Subtitle F—Other Matters**

**SEC. 351. AUTHORITY FOR AIRLIFT TRANSPORTATION AT DEPARTMENT OF DEFENSE RATES FOR NON-DEPARTMENT OF DEFENSE FEDERAL CARGOES.**

*(a) IN GENERAL.—Section 2642(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3) During the five-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010, for military airlift services provided to any element of the Federal Government outside the Department of Defense in circumstances other than those specified in paragraphs (1) and (2), but only if the Secretary of Defense determines that the provision of such services will promote the improved use of airlift capacity without any negative effect on the national security objectives or the national security interests contained within the United States commercial air industry.''.*

*(b) ANNUAL REPORT.—Not later than March 1 of each year for which the paragraph (3) of section 2642(a) of title 10, United States Code, as added by subsection (a), is in effect, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report describing, in detail, the Secretary's use of the authority under that paragraph, including—*

*(1) how the authority was used;*

*(2) the frequency with which the authority was used;*

*(3) the Secretary's rationale for the use of the authority; and*

*(4) for which agencies the authority was used.*

**SEC. 352. POLICY ON GROUND COMBAT AND CAMOUFLAGE UTILITY UNIFORMS.**

*(a) ESTABLISHMENT OF POLICY.—It is the policy of the United States that the design and fielding of all future ground combat and camouflage utility uniforms of the Armed Forces may uniquely reflect the identity of the individual military services, as long as such ground combat and camouflage utility uniforms, to the maximum extent practicable—*

*(1) provide members of every military service an equivalent level of performance, functionality, and protection commensurate with their respective assigned combat missions;*

*(2) minimize risk to the individual soldier, sailor, airman, or marine operating in the joint battlespace; and*

*(3) provide interoperability with other components of individual war fighter systems, including body armor and other individual protective systems.*

*(b) COMPTROLLER GENERAL ASSESSMENT.—The Comptroller General shall conduct an assessment of the ground combat uniforms and camouflage utility uniforms currently in use in the Department of Defense. The assessment shall examine, at a minimum, each of the following:*

*(1) The overall performance of each uniform in various anticipated combat environments and theaters of operations.*

*(2) Whether the uniform design of each uniform conforms adequately and is interoperable with currently issued personal protective gear and body armor.*

*(3) Costs associated with the design, development, production, procurement, and fielding of existing service-specific ground combat and camouflage utility uniforms.*

*(4) Challenges and risks associated with fielding members of the Armed Forces into combat theaters in unique or service-specific ground combat or camouflage utility uniforms, including the tactical risk to the individuals serving in individual augmentee, in-lieu of force, or joint duty assignments of use of different ground combat uniforms in a combat environment.*

*(5) Implications of the use of patents and other proprietary measures that may preclude sharing of technology, advanced uniform design, camouflage techniques, and fire retardence.*

*(6) Logistical requirements to field and support forces in varying combat or utility uniforms.*

*(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees the results of the assessment conducted under subsection (b).*

*(d) REQUIREMENT FOR JOINT CRITERIA.—In support of the policy established in subsection (a), the Secretaries of the military departments, consistent with the authority set out in subtitles B, C, and D of title 10, United States Code, shall establish joint criteria for future ground combat uniforms by not later than 270 days after the Comptroller General submits the report required under subsection (c). The joint criteria shall take into account the findings and recommendations of such report and ensure that new technologies, advanced materials, and other advances in ground combat uniform design may be shared between the military services and are not precluded from being adapted for use by any military service due to military service-unique proprietary arrangements.*

***SEC. 353. CONDITION-BASED MAINTENANCE DEMONSTRATION PROGRAMS.***

*(a) TACTICAL WHEELED VEHICLES PROGRAM.—The Secretary of the Army may conduct a 12-month condition-based maintenance demonstration program on selected vehicle systems that include on-board diagnostic systems suitable to such a demonstration program.*

*(b) SURFACE COMBATANT SHIP PROGRAM.—The Secretary of the Navy may conduct a 12-month demonstration program on selected systems or components of surface combatant ships that include integral diagnostic systems suitable to such a demonstration program.*

*(c) ISSUES TO BE ADDRESSED.—The demonstration programs described in subsections (a) and (b) shall address, with respect to each vehicle, system, or component for which the program is conducted—*

*(1) the top 10 maintenance issues;*

*(2) non-evidence of failures; and*

*(3) the projected return on investment analysis for a 10-year period.*

*(d) OPEN ARCHITECTURE.—The design, system integration, and operations of the demonstration programs described in subsections (a) and (b) shall be conducted with an open architecture designed to—*

*(1) facilitate interface with industry standard computer languages, common software systems, diagnostics tools, reference models, diagnostics reasoners, electronic libraries, and user interfaces for multiple ship and vehicle types; and*

*(2) promote competition and ensure the best overall value to the Department of Defense.*

*(e) REPORT.—Not later than October 1, 2010, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees a report containing the assessments of each of the Secretaries with respect to whether the respective military department could reduce maintenance costs and improve operational readiness by implementing condition-based maintenance for the current and future tactical wheeled vehicle fleets and Navy surface combatants.*

***SEC. 354. EXTENSION OF ARSENAL SUPPORT PROGRAM INITIATIVE.***

*Section 343 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (10 U.S.C. 4551 note), as amended by section 341 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 69), is further amended—*

*(1) in subsection (a), by striking ''2010'' and inserting ''2011''; and*

*(2) in subsection (g)(1), by striking ''2010'' and inserting ''2011''.*

## *TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS*

*Subtitle A—Active Forces*

*Sec. 401. End strengths for active forces.*
*Sec. 402. Revision in permanent active duty end strength minimum levels.*
*Sec. 403. Additional authority for increases of Army active-duty end strengths for fiscal years 2011 and 2012.*

*Subtitle B—Reserve Forces*

*Sec. 411. End strengths for Selected Reserve.*
*Sec. 412. End strengths for Reserves on active duty in support of the Reserves.*
*Sec. 413. End strengths for military technicians (dual status).*
*Sec. 414. Fiscal year 2010 limitation on number of non-dual status technicians.*
*Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.*
*Sec. 416. Submittal of options for creation of Trainees, Transients, Holdees, and Students account for the Army National Guard.*
*Sec. 417. Report on requirements of the National Guard for non-dual status technicians.*
*Sec. 418. Expansion of authority of Secretaries of the military departments to increase certain end strengths to include Selected Reserve end strengths.*

*Subtitle C—Authorization of Appropriations*

*Sec. 421. Military personnel.*
*Sec. 422. Repeal of delayed one-time shift of military retirement payments.*

### *Subtitle A—Active Forces*

***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***

*The Armed Forces are authorized strengths for active duty personnel as of September 30, 2010, as follows:*

*(1) The Army, 562,400.*

*(2) The Navy, 328,800.*

*(3) The Marine Corps, 202,100.*

*(4) The Air Force, 331,700.*

***SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.***

*Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:*

*''(1) For the Army, 547,400.*

*''(2) For the Navy, 328,800.*

*''(3) For the Marine Corps, 202,100.*

*''(4) For the Air Force, 331,700.''.*

***SEC. 403. ADDITIONAL AUTHORITY FOR INCREASES OF ARMY ACTIVE-DUTY END STRENGTHS FOR FISCAL YEARS 2011 AND 2012.***

*(a) AUTHORITY TO INCREASE ARMY ACTIVE-DUTY END STRENGTHS.—*

*(1) AUTHORITY.—For each of fiscal years 2011 and 2012, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (2), establish the active-duty end strength for the Army at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2010 baseline plus 30,000.*

*(2) PURPOSE OF INCREASES.—The purposes for which increases may be made in Army active-duty end strengths under paragraph (1) are—*

*(A) to support operational missions; and*

*(B) to achieve reorganizational objectives, including increased unit manning, force stabilization and shaping, and supporting wounded warriors.*

*(3) FISCAL-YEAR 2010 BASELINE.—In this subsection, the term ''fiscal-year 2010 baseline'', means the active-duty end strength authorized for the Army in section 401(1).*

*(4) ACTIVE-DUTY END STRENGTH.—In this subsection, the term ''active-duty end strength'' means the strength for active-duty personnel of one the Armed Forces as of the last day of a fiscal year.*

*(b) RELATIONSHIP TO PRESIDENTIAL WAIVER AUTHORITY.—Nothing in this section shall be construed to limit the President's authority under section 123a of title 10, United States Code, to waive any statutory end strength in a time of war or national emergency.*

*(c) RELATIONSHIP TO OTHER VARIANCE AUTHORITY.—The authority under subsection (a) is in addition to the authority to vary authorized end strengths that is provided in subsections (e) and (f) of section 115 of title 10, United States Code.*

*(d) BUDGET TREATMENT.—If the Secretary of Defense determines under subsection (a) that an increase in the Army active-duty end strength for a fiscal year is necessary, then the budget for the Department of Defense for that fiscal year as submitted to the President shall include the amounts necessary for funding that active-duty end strength in excess of the fiscal year 2010 active-duty end strength authorized for the Army under section 401(1).*

### *Subtitle B—Reserve Forces*

***SEC. 411. END STRENGTHS FOR SELECTED RESERVE.***

*(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2010, as follows:*

*(1) The Army National Guard of the United States, 358,200.*

*(2) The Army Reserve, 205,000.*

*(3) The Navy Reserve, 65,500.*

*(4) The Marine Corps Reserve, 39,600.*

*(5) The Air National Guard of the United States, 106,700.*

*(6) The Air Force Reserve, 69,500.*

*(7) The Coast Guard Reserve, 10,000.*

*(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—*

*(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and*

*(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.*

*(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.*

**SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.**

*Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2010, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:*

*(1) The Army National Guard of the United States, 32,060.*

*(2) The Army Reserve, 16,261.*

*(3) The Navy Reserve, 10,818.*

*(4) The Marine Corps Reserve, 2,261.*

*(5) The Air National Guard of the United States, 14,555.*

*(6) The Air Force Reserve, 2,896.*

**SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).**

*The minimum number of military technicians (dual status) as of the last day of fiscal year 2010 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:*

*(1) For the Army Reserve, 8,395.*

*(2) For the Army National Guard of the United States, 27,210.*

*(3) For the Air Force Reserve, 10,417.*

*(4) For the Air National Guard of the United States, 22,313.*

**SEC. 414. FISCAL YEAR 2010 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.**

*(a) LIMITATIONS.—*

*(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2010, may not exceed the following:*

*(A) For the Army National Guard of the United States, 1,600.*

*(B) For the Air National Guard of the United States, 350.*

*(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2010, may not exceed 595.*

*(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2010, may not exceed 90.*

*(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.*

**SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

*During fiscal year 2010, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:*

*(1) The Army National Guard of the United States, 17,000.*

*(2) The Army Reserve, 13,000.*

*(3) The Navy Reserve, 6,200.*

*(4) The Marine Corps Reserve, 3,000.*

*(5) The Air National Guard of the United States, 16,000.*

*(6) The Air Force Reserve, 14,000.*

**SEC. 416. SUBMITTAL OF OPTIONS FOR CREATION OF TRAINEES, TRANSIENTS, HOLDEES, AND STUDENTS ACCOUNT FOR THE ARMY NATIONAL GUARD.**

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report evaluating options, and including a recommendation, for the creation of a Trainees, Transients, Holdees, and Students Account within the Army National Guard.*

*(b) ELEMENTS.—The report required by subsection (a) shall address, at a minimum, the following:*

*(1) The timelines, cost, force structure changes, and end strength changes associated with each option specified in the report.*

*(2) The force structure and end strength changes and growth of the Army National Guard needed to support the account referred to in subsection (a).*

*(3) An assessment of how the creation of such an account may affect plans under the Grow the Force initiative.*

*(4) An assessment of the impact of such an account on readiness and training ratings for Army National Guard forces.*

**SEC. 417. REPORT ON REQUIREMENTS OF THE NATIONAL GUARD FOR NON-DUAL STATUS TECHNICIANS.**

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth the following:*

*(1) A description of the types of duties performed for the National Guard by non-dual status technicians.*

*(2) A description of the current requirements of the National Guard for non-dual status technicians.*

*(3) A description of various means of addressing any shortfalls in meeting such requirements, including both temporary shortfalls and permanent shortfalls.*

*(4) A description of the demands of the National Guard for non-dual status technicians under the current operational tempo, and a description of the current and anticipated demands of the National Guard for non-dual status technicians as a result of the National Guard moving from a reserve force to an operational force.*

*(5) An assessment whether an increase in the limit on the number of non-dual status technicians for the National Guard is advisable.*

*(6) Such specific recommendations, including recommendations for legislative action, as the Secretary of Defense considers appropriate regarding future requirements and numbers of non-dual status technicians that are required to manage and support the National Guard.*

*(b) CONSIDERATIONS.—The report required by subsection (a) shall take into consideration the effects of the mobilization of large numbers of National Guard military technicians (dual status) on the readiness of National Guard units in critically important areas and on the capacity of the National Guard to continue performing home-based missions and responsibilities for the States.*

**SEC. 418. EXPANSION OF AUTHORITY OF SECRETARIES OF THE MILITARY DEPARTMENTS TO INCREASE CERTAIN END STRENGTHS TO INCLUDE SELECTED RESERVE END STRENGTHS.**

*Subsection (g) of section 115 of title 10, United States Code, is amended to read as follows:*

*''(g) AUTHORITY FOR SERVICE SECRETARY VARIANCES FOR ACTIVE-DUTY AND SELECTED RESERVE END STRENGTHS.—(1) Upon determination by the Secretary of a military department that such action would enhance manning and readiness in essential units or in critical specialties or ratings, the Secretary may—*

*''(A) increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for the armed force under the jurisdiction of that Secretary or, in the case of the Secretary of the Navy, for any of the armed forces under the jurisdiction of that Secretary, by a number equal to not more than 2 percent of such authorized end strength; and*

*''(B) increase the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force under the jurisdiction of that Secretary or, in the case of the Secretary of the Navy, for the Selected Reserve of the reserve component of any of the armed forces under the jurisdiction of that Secretary, by a number equal to not more than 2 percent of such authorized end strength.*

*''(2) Any increase under paragraph (1)(A) of the end strength for an armed force for a fiscal year shall be counted as part of the increase for that armed force for that fiscal year authorized under subsection (f)(1). Any increase under paragraph (1)(B) of the end strength for the Selected Reserve of a reserve component of an armed force for a fiscal year shall be counted as part of the increase for that Selected Reserve for that fiscal year authorized under subsection (f)(3).''.*

***Subtitle C—Authorization of Appropriations***

**SEC. 421. MILITARY PERSONNEL.**

*(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2010 a total of $136,016,281,000.*

*(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2010.*

**SEC. 422. REPEAL OF DELAYED ONE-TIME SHIFT OF MILITARY RETIREMENT PAYMENTS.**

*(a) REPEAL.—Section 1002 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4581) is repealed.*

*(b) EFFECT ON EARLIER TRANSFER.—The repeal of section 1002 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 by subsection (a) shall not affect the validity of the transfer of funds made pursuant to subsection (e) of such section before the date of the enactment of this Act.*

***TITLE V—MILITARY PERSONNEL POLICY***

*Subtitle A—Officer Personnel Policy*

*Sec. 501. Grade of Legal Counsel to the Chairman of the Joint Chiefs of Staff.*
*Sec. 502. Modification of limitations on general and flag officers on active duty.*
*Sec. 503. Revisions to annual reporting requirement on joint officer management.*
*Sec. 504. Extension of temporary increase in maximum number of days leave members may accumulate and carryover.*
*Sec. 505. Computation of retirement eligibility for enlisted members of the Navy who complete the Seaman to Admiral (STA–21) officer candidate program.*
*Sec. 506. Independent review of judge advocate requirements of the Department of the Navy.*

*Subtitle B—General Service Authorities*

*Sec. 511. Continuation on active duty of reserve component members during physical disability evaluation following mobilization and deployment.*
*Sec. 512. Medical examination required before administrative separation of members diagnosed with or reasonably asserting post-traumatic stress disorder or traumatic brain injury.*
*Sec. 513. Legal assistance for additional reserve component members.*
*Sec. 514. Limitation on scheduling of mobilization or pre-mobilization training for Reserve units when certain suspension of training is likely.*
*Sec. 515. Evaluation of test of utility of test preparation guides and education programs in improving qualifications of recruits for the Armed Forces.*

*Sec. 516. Report on presence in the Armed Forces of members associated or affiliated with groups engaged in prohibited activities.*

*Subtitle C—Education and Training*

*Sec. 521. Detail of commissioned officers as students at schools of psychology.*

*Sec. 522. Appointment of persons enrolled in Advanced Course of the Army Reserve Officers' Training Corps at military junior colleges as cadets in Army Reserve or Army National Guard of the United States.*

*Sec. 523. Expansion of criteria for appointment as member of the Board of Regents of the Uniformed Services University of the Health Sciences.*

*Sec. 524. Use of Armed Forces Health Professions Scholarship and Financial Assistance program to increase number of health professionals with skills to assist in providing mental health care.*

*Sec. 525. Department of Defense undergraduate nurse training program.*

*Sec. 526. Increase in number of private sector civilians authorized for admission to National Defense University.*

*Sec. 527. Appointments to military service academies from nominations made by Delegate from the Commonwealth of the Northern Mariana Islands.*

*Sec. 528. Athletic association for the Air Force Academy.*

*Sec. 529. Language training centers for members of the Armed Forces and civilian employees of the Department of Defense.*

*Subtitle D—Defense Dependents' Education*

*Sec. 531. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*

*Sec. 532. Impact aid for children with severe disabilities.*

*Sec. 533. Two-year extension of authority for assistance to local educational agencies with enrollment changes due to base closures, force structure changes, or force relocations.*

*Sec. 534. Authority to extend eligibility for enrollment in Department of Defense elementary and secondary schools to certain additional categories of dependents.*

*Sec. 535. Permanent authority for enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe.*

*Sec. 536. Determination of number of weighted student units for local educational agencies for receipt of basic support payments under impact aid.*

*Sec. 537. Study on options for educational opportunities for dependent children of members of the Armed Forces when public schools attended by such children are determined to need improvement.*

*Sec. 538. Comptroller General audit of assistance to local educational agencies for dependent children of members of the Armed Forces.*

*Sec. 539. Sense of Congress on the Interstate Compact on Educational Opportunity for Military Children.*

*Subtitle E—Missing or Deceased Persons*

*Sec. 541. Additional requirements for accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing in conflicts occurring before enactment of new system for accounting for missing persons.*

*Sec. 542. Policy and procedures on media access and attendance by family members at ceremonies for the dignified transfer of remains of members of the Armed Forces who die overseas.*

*Sec. 543. Report on expansion of authority of a member to designate persons to direct disposition of the remains of a deceased member.*

*Sec. 544. Sense of Congress on the recovery of the remains of members of the Armed Forces who were killed during World War II in the battle of Tarawa Atoll.*

*Subtitle F—Decorations and Awards*

*Sec. 551. Authorization and request for award of Medal of Honor to Anthony T. Kaho'ohanohano for acts of valor during the Korean War.*

*Sec. 552. Authorization and request for award of Distinguished-Service Cross to Jack T. Stewart for acts of valor during the Vietnam War.*

*Sec. 553. Authorization and request for award of Distinguished-Service Cross to William T. Miles, Jr., for acts of valor during the Korean War.*

*Subtitle G—Military Family Readiness Matters*

*Sec. 561. Establishment of online resources to provide information about benefits and services available to members of the Armed Forces and their families.*

*Sec. 562. Additional members on Department of Defense Military Family Readiness Council.*

*Sec. 563. Support for military families with special needs.*

*Sec. 564. Pilot program to secure internships for military spouses with Federal agencies.*

*Sec. 565. Family and medical leave for family of servicemembers.*

*Sec. 566. Deadline for report on sexual assault in the Armed Forces by Defense Task Force on Sexual Assault in the Military Services.*

*Sec. 567. Improved prevention and response to allegations of sexual assault involving members of the Armed Forces.*

*Sec. 568. Comptroller General report on progress made in implementing recommendations to reduce domestic violence in military families.*

*Sec. 569. Report on impact of domestic violence on military families.*

*Sec. 570. Report on international intrafamilial abduction of children of members of the Armed Forces.*

*Sec. 571. Assessment of impact of deployment of members of the Armed Forces on their dependent children.*

*Sec. 572. Report on child custody litigation involving service of members of the Armed Forces.*

*Sec. 573. Comptroller General report on child care assistance for members of the Armed Forces.*

*Subtitle H—Military Voting*

*Sec. 575. Short title.*

*Sec. 576. Clarification regarding delegation of State responsibilities to local jurisdictions.*

*Sec. 577. Establishment of procedures for absent uniformed services voters and overseas voters to request and for States to send voter registration applications and absentee ballot applications by mail and electronically.*

*Sec. 578. Establishment of procedures for States to transmit blank absentee ballots by mail and electronically to absent uniformed services voters and overseas voters.*

*Sec. 579. Ensuring absent uniformed services voters and overseas voters have time to vote.*

*Sec. 580. Procedures for collection and delivery of marked absentee ballots of absent overseas uniformed services voters.*

*Sec. 581. Federal write-in absentee ballot.*

*Sec. 582. Prohibiting refusal to accept voter registration and absentee ballot applications, marked absentee ballots, and Federal write-in absentee ballots for failure to meet certain requirements.*

*Sec. 583. Federal Voting Assistance Program Improvements.*

*Sec. 584. Development of standards for reporting and storing certain data.*

*Sec. 585. Repeal of provisions relating to use of single application for all subsequent elections.*

*Sec. 586. Reporting requirements.*

*Sec. 587. Annual report on enforcement.*

*Sec. 588. Requirements payments.*

*Sec. 589. Technology pilot program.*

*Subtitle I—Other Matters*

*Sec. 591. Clarification of performance policies for military musical units and musicians.*

*Sec. 592. Navy grants for purposes of Naval Sea Cadet Corps.*

*Sec. 593. Modification of matching fund requirements under National Guard Youth Challenge Program.*

*Sec. 594. Expansion of Military Leadership Diversity Commission to include reserve component representatives.*

*Sec. 595. Expansion of suicide prevention and community healing and response training under the Yellow Ribbon Reintegration Program.*

*Sec. 596. Comprehensive plan on prevention, diagnosis, and treatment of substance use disorders and disposition of substance abuse offenders in the Armed Forces.*

*Sec. 597. Reports on Yellow Ribbon Reintegration Program and other reintegration programs.*

*Sec. 598. Reports on progress in completion of certain incident information management tools.*

***Subtitle A—Officer Personnel Policy***

***SEC. 501. GRADE OF LEGAL COUNSEL TO THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.***

*(a) IN GENERAL.—Section 156(c) of title 10, United States Code, is amended by striking '', while so serving, hold the'' and inserting ''be appointed in the regular''.*

*(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to individuals appointed as Legal Counsel to the Chairman of the Joint Chiefs of Staff on or after that date.*

***SEC. 502. MODIFICATION OF LIMITATIONS ON GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.***

*(a) REPORT ON STATUTES EXCLUDING CERTAIN OFFICERS ON ACTIVE DUTY IN GENERAL AND FLAG OFFICER GRADES FROM LIMITATIONS ON AUTHORIZED STRENGTHS OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.—Not later than April 1, 2010, the Secretary of Defense shall submit to the Committees on Armed Forces of the*

*Senate and the House of Representatives a report setting forth the following:*

*(1) An assessment of the provisions of title 10, United States Code, that exclude commissioned officers of the Armed Forces on active duty in general officer and flag officer grades from the limitations on the authorized strengths of general and flag officers, including—*

*(A) a list of each such provision; and*

*(B) for each such provision—*

*(i) a statement whether such provision is redundant or necessary in light of recent legislation on such provision or related provisions; and*

*(ii) an assessment of the impact of the repeal of such provision on the Department of Defense.*

*(2) A specific, comprehensive description of the legislative actions, including technical and conforming changes, necessary to conform sections 525, 526, and 528 of title 10, United States Code (and any other applicable provisions of such title), with the assessment required by paragraph (1) with a view towards increasing the transparency and comprehensiveness on the number of general and flag officers serving on active duty.*

*(3) An assessment of the following:*

*(A) Whether the authorized numbers of general and flag officers in an active status under section 12004(a) of title 10, United States Code, are adequate to provide the reserve components with a sufficient number of general and flag officers in an active status in order to meet increased authorizations for active duty service.*

*(B) Whether such numbers of general and flag officers provide the general and flag officers of the reserve components with appropriate opportunities for joint responsibility and joint officer development while simultaneously meeting reserve active-status requirements*

*(C) Whether legislative action with respect to section 12004(a) of title 10, United States Code, is necessary to achieve the purposes specified in subparagraphs (A) and (B) and, if so, a specific, comprehensive description of such legislative actions.*

*(4) An assessment of the following:*

*(A) Whether the requirements for general and flag officer positions resulting from recommendations for statutory authority to specify the grade of the Chief of the Navy Dental Corps, the Chief and Deputy Chief of Chaplains in the Air Force, the Chief of the Army Medical Specialist Corps, and to establish the position of Vice Chief of the National Guard Bureau, are necessary in light of recent legislative modifications of applicable provisions of law.*

*(B) The impact on the Department of each provision.*

*(C) If supported, the necessary technical and conforming changes that may be necessary to conform sections 535, 526, 528, and 12004 of title 10, United States Code, to increase the transparency and comprehensiveness of the number of general and flag officers on active duty or in an active status.*

*(b) CLARIFICATION OF DISTRIBUTION LIMITS.—Section 525 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:*

*''(a) For purposes of the applicable limitation in section 526(a) of this title on general and flag officers on active duty, no appointment of an officer on the active duty list may be made as follows:*

*''(1) in the Army, if that appointment would result in more than—*

*''(A) 7 officers in the grade of general;*

*''(B) 45 officers in a grade above the grade of major general; or*

*''(C) 90 officers in the grade of major general;*

*''(2) in the Air Force, if that appointment would result in more than—*

*''(A) 9 officers in the grade of general;*

*''(B) 43 officers in a grade above the grade of major general; or*

*''(C) 73 officers in the grade of major general;*

*''(3) in the Navy, if that appointment would result in more than—*

*''(A) 6 officers in the grade of admiral;*

*''(B) 32 officers in a grade above the grade of rear admiral; or*

*''(C) 50 officers in the grade of rear admiral;*

*''(4) in the Marine Corps, if that appointment would result in more than—*

*''(A) 2 officers in the grade of general;*

*''(B) 15 officers in a grade above the grade of major general; or*

*''(C) 22 officers in the grade of major general.*

*''(b)(1) The limitations of subsection (a) do not include the following:*

*''(A) An officer released from a joint duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty assignment, except that the Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional 120 days, but no more than 3 officers from each armed forces may be on active duty who are excluded under this subparagraph.*

*''(B) An officer while serving in the position of Staff Judge Advocate to the Commandant of the Marine Corps under section 5046 of this title.*

*''(C) The number of officers required to serve in joint duty assignments as authorized by the Secretary of Defense under section 526(b) for each military service.*

*''(D) An officer while serving as Chief of the National Guard Bureau.*

*''(2) An officer of the Army while serving as Superintendent of the United States Military Academy, if serving in the grade of lieutenant general, is in addition to the number that would otherwise be permitted for the Army for officers serving on active duty in grades above major general under subsection (a). An officer of the Navy or Marine Corps while serving as Superintendent of the United States Naval Academy, if serving in the grade of vice admiral or lieutenant general, is in addition to the number that would otherwise be permitted for the Navy or Marine Corps, respectively, for officers serving on active duty in grades above major general or rear admiral under subsection (a). An officer while serving as Superintendent of the United States Air Force Academy, if serving in the grade of lieutenant general, is in addition to the number that would otherwise be permitted for the Air Force for officers serving on active duty in grades above major general under subsection (a).''.*

*(c) CLARIFICATION ON OFFSETTING REDUCTIONS.—Subsection (c) of such section is amended—*

*(1) in paragraph (1)—*

*(A) by amending subparagraph (A) to read as follows:*

*''(A) may make appointments in the Army, Air Force, and Marine Corps in the grades of lieutenant general and general in excess of the applicable numbers determined under this section if each such appointment is made in conjunction with an offsetting reduction under paragraph (2); and''; and*

*(B) in subparagraph (B), by striking ''subsection (b)(2)'' and inserting ''this section'';*

*(2) in paragraph (3)(A), by striking ''the number equal to 10 percent of the total number of officers that may be serving on active duty in those grades in the Army, Navy, Air Force, and Marine Corps under subsection (b)'' and inserting ''15''; and*

*(3) in paragraph (3)(B), by striking ''the number equal to 15 percent of the total number of officers that may be serving on active duty in those grades in the Army, Navy, Air Force, and Marine Corps'' and inserting ''5''.*

*(d) OTHER DISTRIBUTION CLARIFICATIONS.—Such section is further amended—*

*(1) in subsection (e), by striking ''In determining the total number of general officers or flag officers of an armed force on active duty for purposes of this section, the following officers shall not be counted:'' in the matter preceding paragraph (1) and inserting ''The following officers shall not be counted for purposes of this section:''; and*

*(2) by adding at the end the following new subsection:*

*''(g)(1) The limitations of this section do not apply to a reserve component general or flag officer who is on active duty for a period in excess of 365 days, but not to exceed three years, except that the number of officers from each reserve component who are covered by this subsection and is not serving in a position that is a joint duty assignment for purposes of chapter 38 of this title may not exceed 5 per component, unless authorized by the Secretary of Defense*

*''(2) The exception in paragraph (1) does apply to the position of Chief of the National Guard Bureau.*

*''(3) Not later than 30 days after authorizing a number of reserve component general or flag officers in excess of the number specified in paragraph (1), the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives of such authorization, and shall include with such notice a statement of the reason for such authorization.''.*

*(e) CHANGE TO AUTHORIZED STRENGTHS.—Subsection (a) of section 526 of such title is amended—*

*(1) in paragraph (1), by striking ''307'' and inserting ''230'';*

*(2) in paragraph (2), by striking ''216'' and inserting ''160'';*

*(3) in paragraph (3), by striking ''279'' and inserting ''208''; and*

*(4) in paragraph (4), by striking ''81'' and inserting ''60''.*

*(f) CHANGES TO LIMITED EXCLUSION FOR JOINT DUTY REQUIREMENTS.—Subsection (b) of such section is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''Chairman of the Joint Chiefs of Staff'' and inserting ''Secretary of Defense'';*

*(B) by striking ''65'' and inserting ''324''; and*

*(C) by striking the second sentence and inserting the following new sentence: ''The Secretary of Defense shall allocate those exclusions to the armed forces based on the number of general or flag officers required from each armed force for assignment to these designated positions.'';*

*(2) by redesignating paragraph (2) as paragraph (5); and*

*(3) by inserting after paragraph (1) the following new paragraphs:*

*''(2) Unless the Secretary of Defense determines that a lower number is in the best interest of the Department, the minimum number of officers serving in positions designated under paragraph (1) for each armed force shall be as follows:*

*''(A) For the Army, 85.*

*''(B) For the Navy, 61.*

*''(C) For the Air Force, 76.*

*''(D) For the Marine Corps, 21.*

*''(3) The number excluded under paragraph (1) and serving in positions designated under that paragraph—*

*''(A) in the grade of general or admiral may not exceed 20;*

*''(B) in a grade above the grade of major general or rear admiral may not exceed 68; and*

*''(C) in the grade of major general or rear admiral may not exceed 144.*

*''(4) Not later than 30 days after determining to raise or lower a number specified in paragraph (2), the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives of such determination.''.*

*(g) OTHER AUTHORIZATION CLARIFICATIONS.—Such section is further amended—*

*(1) in subsection (d), by adding at the end the following new paragraph:*

*''(3) The limitations of this section do not apply to a reserve component general or flag officer who is on active duty for a period in excess of 365 days but not to exceed three years, except that the number of such officers from each reserve component who are covered by this paragraph and not serving in a position that is a*

*joint duty assignment for purposes of chapter 38 of this title may not exceed 5 per component, unless authorized by the Secretary of Defense.''; and*

*(2) by adding at the end the following new subsections:*

*''(g) TEMPORARY EXCLUSION FOR ASSIGNMENT TO CERTAIN TEMPORARY BILLETS.—(1) The limitations in subsection (a) and in section 525(a) of this title do not apply to a general or flag officer assigned to a temporary joint duty assignment designated by the Secretary of Defense.*

*''(2) A general or flag officer assigned to a temporary joint duty assignment as described in paragraph (1) may not be excluded under this subsection from the limitations in subsection (a) for a period of longer than one year.*

*''(h) EXCLUSION OF OFFICERS DEPARTING FROM JOINT DUTY ASSIGNMENTS.—The limitations in subsection (a) do not apply to an officer released from a joint duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty assignment. The Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional 120 days, except that not more than three officers on active duty from each armed force may be covered by an extension under this sentence at the same time.''.*

*(h) EXCLUSION OF RESERVE OFFICERS DEPARTING FROM JOINT OR OTHER ACTIVE DUTY ASSIGNMENTS.—Section 12004 of such title is amended by adding at the end the following new subsection:*

*''(f) The limitations in subsection (a) do not apply to an officer released from a joint duty assignment or other non-joint active duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty or other active duty assignment. The Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional 120 days, except that not more than three officers in an active status from each reserve component may be covered by an extension under this sentence at the same time.''.*

*(i) REPEAL OF LIMITATIONS ON GENERAL AND FLAG OFFICER ACTIVITIES OUTSIDE THE OFFICER'S OWN SERVICE.—*

*(1) REPEAL.—Section 721 of such title is repealed.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 41 of such title is amended by striking the item relating to section 721.*

*(j) REPEAL OF SUPERSEDED AUTHORITY.—Section 506 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4434; 10 U.S.C. 525 note) is repealed.*

***SEC. 503. REVISIONS TO ANNUAL REPORTING REQUIREMENT ON JOINT OFFICER MANAGEMENT.***

*Section 667 of title 10, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (A), by striking ''and their education and experience''; and*

*(B) by adding at the end the following new subparagraph:*

*''(C) A comparison of the number of officers who were designated as a joint qualified officer who had served in a Joint Duty Assignment List billet and completed Joint Professional Military Education Phase II, with the number designated as a joint qualified officer based on their aggregated joint experiences and completion of Joint Professional Military Education Phase II.'';*

*(2) by striking paragraphs (3), (4), (6), and (12);*

*(3) by redesignating paragraph (5) as paragraph (3);*

*(4) by redesignating paragraphs (7) through (11) as paragraphs (4) through (8), respectively;*

*(5) by inserting after paragraph (8), as so redesignated, the following new paragraph:*

*''(9) With regard to the principal courses of instruction for Joint Professional Military Education Level II, the number of officers graduating from each of the following:*

*''(A) The Joint Forces Staff College.*

*''(B) The National Defense University.*

*''(C) Senior Service Schools.''; and*

*(6) by redesignating paragraph (13) as paragraph (10).*

***SEC. 504. EXTENSION OF TEMPORARY INCREASE IN MAXIMUM NUMBER OF DAYS LEAVE MEMBERS MAY ACCUMULATE AND CARRYOVER.***

*Section 701(d) of title 10, United States Code, is amended by striking ''December 31, 2010'' and inserting ''September 30, 2013''.*

***SEC. 505. COMPUTATION OF RETIREMENT ELIGIBILITY FOR ENLISTED MEMBERS OF THE NAVY WHO COMPLETE THE SEAMAN TO ADMIRAL (STA–21) OFFICER CANDIDATE PROGRAM.***

*Section 6328 of title 10, United States Code, is amended by adding the following new subsection:*

*''(c) TIME SPENT IN SEAMAN TO ADMIRAL PROGRAM.—The months of active service in pursuit of a baccalaureate-level degree under the Seaman to Admiral (STA–21) program of the Navy of officer candidates selected for the program on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010 shall be excluded in computing the years of service of an officer who was appointed to the grade of ensign in the Navy upon completion of the program to determine the eligibility of the officer for retirement, unless the officer becomes subject to involuntary separation or retirement due to physical disability. Such active service shall be counted in computing the years of active service of the officer for all other purposes.''.*

***SEC. 506. INDEPENDENT REVIEW OF JUDGE ADVOCATE REQUIREMENTS OF THE DEPARTMENT OF THE NAVY.***

*(a) INDEPENDENT PANEL FOR REVIEW.—*

*(1) ESTABLISHMENT.—There is hereby established an independent panel to review the judge advocate requirements of the Department of the Navy.*

*(2) COMPOSITION.—The panel shall be composed of five members, appointed by the Secretary of Defense from among private United States citizens who have expertise in law, military manpower policies, the missions of the Armed Forces, or the current responsibilities of judge advocates in ensuring competent legal representation and advice to commanders.*

*(3) CHAIR.—The chair of the panel shall be appointed by the Secretary from among the members of the panel appointed under paragraph (2).*

*(4) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.*

*(5) DEADLINE FOR APPOINTMENTS.—All original appointments to the panel shall be made not later than 180 days after the date of the enactment of this Act.*

*(6) MEETINGS.—The panel shall meet at the call of the chair.*

*(7) FIRST MEETING.—The chair shall call the first meeting of the panel not later than 60 days after the date of the appointment of all the members of the panel.*

*(b) DUTIES.—*

*(1) IN GENERAL.—The panel established under subsection (a) shall carry out a study of the policies and management and organizational practices of the Navy and Marine Corps with respect to the responsibilities, assignment, and career development of judge advocates for purposes of determining the number of judge advocates required to fulfill the legal mission of the Department of the Navy.*

*(2) REVIEW.—In carrying out the study required by paragraph (1), the panel shall—*

*(A) review the emergent operational law requirements of the Navy and Marine Corps, including requirements for judge advocates on joint task forces, in support of rule of law objectives in Iraq and Afghanistan, and in operational units;*

*(B) review new requirements to support the Office of Military Commissions and to support the disability evaluation system for members of the Armed Forces;*

*(C) review the judge advocate requirements of the Department of the Navy for the military justice mission, including assignment policies, training and education, increasing complexity of court-martial litigation, and the performance of the Navy and Marine Corps in providing legally sufficient post-trial processing of cases in general courts-martial and special courts-martial;*

*(D) review the role of the Judge Advocate General of the Navy, as the senior uniformed legal officer of the Department of the Navy, to determine whether additional authority for the Judge Advocate General over manpower policies and assignments of judge advocates in the Navy and Marine Corps is warranted;*

*(E) review directives issued by the Navy and the Marine Corps pertaining to jointly-shared missions requiring legal support;*

*(F) review career patterns for Marine Corps judge advocates in order to identify and validate assignments to nonlegal billets required for professional development and promotion; and*

*(G) review, evaluate, and assess such other matters and materials as the panel considers appropriate for purposes of the study.*

*(3) UTILIZATION OF OTHER STUDIES.—In carrying out the study required by paragraph (1), the panel may review, and incorporate as appropriate, the findings of applicable ongoing and completed studies in future manpower requirements, including the two-part study by CNA Analysis and Solutions entitled ''An Analysis of Navy JAG Corps Future Manpower Requirements''.*

*(4) REPORT.—Not later than 120 days after its first meeting under subsection (a)(7), the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on the study. The report shall include—*

*(A) the findings and conclusions of the panel as a result of the study; and*

*(B) any recommendations for legislative or administrative action that the panel considers appropriate in light of the study.*

*(c) POWERS OF PANEL.—*

*(1) HEARINGS.—The panel may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the panel considers appropriate to carry out its duties under this section.*

*(2) INFORMATION FROM FEDERAL AGENCIES.—Upon request by the chair of the panel, any department or agency of the Federal Government may provide information that the panel considers necessary to carry out it duties under this section.*

*(d) PERSONNEL MATTERS.—*

*(1) PAY OF MEMBERS.—(A) Members of the panel established under subsection (a) shall serve without pay by reason of their work on the panel.*

*(B) Section 1342 of title 31, United States Code, shall not apply to the acceptance of services of a member of the panel under this section.*

*(2) TRAVEL EXPENSES.—The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance or services for the panel.*

**Subtitle B—General Service Authorities**

**SEC. 511. CONTINUATION ON ACTIVE DUTY OF RESERVE COMPONENT MEMBERS DURING PHYSICAL DISABILITY EVALUATION FOLLOWING MOBILIZATION AND DEPLOYMENT.**

*Section 1218 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(d)(1) The Secretary of a military department shall ensure that each member of a reserve component under the jurisdiction of the Secretary who is determined, after a mobilization and deployment to an area in which imminent danger pay is authorized under section 310 of title 37, to require evaluation for a physical or mental disability which could result in separation or retirement for disability under this chapter or placement on the temporary disability retired list or inactive status list under this chapter is retained on active duty during the disability evaluation process until such time as such member is—*

*''(A) cleared by appropriate authorities for continuation on active duty; or*

*''(B) separated, retired, or placed on the temporary disability retired list or inactive status list.*

*''(2)(A) A member described in paragraph (1) may request termination of active duty under such paragraph at any time during the demobilization or disability evaluation process of such member.*

*''(B) Upon a request under subparagraph (A), a member described in paragraph (1) shall only be released from active duty after the member receives counseling about the consequences of termination of active duty.*

*''(C) Each release from active duty under subparagraph (B) shall be thoroughly documented.*

*''(3) The requirements in paragraph (1) shall expire on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010.''.*

**SEC. 512. MEDICAL EXAMINATION REQUIRED BEFORE ADMINISTRATIVE SEPARATION OF MEMBERS DIAGNOSED WITH OR REASONABLY ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.**

*(a) MEDICAL EXAMINATION REQUIRED.—*

*(1) IN GENERAL.—Chapter 59 of title 10, United States Code, is amended by inserting after section 1176 the following new section:*

***''§ 1177. Members diagnosed with or reasonably asserting post-traumatic stress disorder or traumatic brain injury: medical examination required before administrative separation***

*''(a) MEDICAL EXAMINATION REQUIRED.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary of a military department shall ensure that a member of the armed forces under the jurisdiction of the Secretary who has been deployed overseas in support of a contingency operation during the previous 24 months, and who is diagnosed by a physician, clinical psychologist, or psychiatrist as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise reasonably alleges, based on the service of the member while deployed, the influence of such a condition, receives a medical examination to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.*

*''(2) A member covered by paragraph (1) shall not be administratively separated under conditions other than honorable until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluating, reviewing, and approving the separation case, as determined by the Secretary concerned.*

*''(3) In a case involving post-traumatic stress disorder, the medical examination shall be performed by a clinical psychologist or psychiatrist. In cases involving traumatic brain injury, the medical examination may be performed by a physician, clinical psychologist, psychiatrist, or other health care professional, as appropriate.*

*''(b) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall assess whether the effects of post-traumatic stress disorder or traumatic brain injury constitute matters in extenuation that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of service of the member as other than honorable.*

*''(c) INAPPLICABILITY TO PROCEEDINGS UNDER UNIFORM CODE OF MILITARY JUSTICE.—The medical examination and procedures required by this section do not apply to courts-martial or other proceedings conducted pursuant to the Uniform Code of Military Justice.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1176 the following new item:*

*''1177. Members diagnosed with or reasonably asserting post-traumatic stress disorder or traumatic brain injury: medical examination required before administrative separation.''.*

*(b) REVIEW OF PREVIOUS DISCHARGES AND DISMISSALS.—Section 1553 of such title is amended by adding at the end the following new subsection:*

*''(d)(1) In the case of a former member of the armed forces who, while serving on active duty as a member of the armed forces, was deployed in support of a contingency operation and who, at any time after such deployment, was diagnosed by a physician, clinical psychologist, or psychiatrist as experiencing post-traumatic stress disorder or traumatic brain injury as a consequence of that deployment, a board established under this section to review the former member's discharge or dismissal shall include a member who is a physician, clinical psychologist, or psychiatrist.*

*''(2) In the case of a former member described in paragraph (1) or a former member whose application for relief is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale or as justification for priority consideration, the Secretary concerned shall expedite a final decision and shall accord such cases sufficient priority to achieve an expedited resolution. In determining the priority of cases, the Secretary concerned shall weigh the medical and humanitarian circumstances of all cases and accord higher priority to cases not involving post-traumatic stress disorder or traumatic brain injury only when the individual cases are considered more compelling.''.*

*(c) REPORT REQUIRED.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the detailed procedures and policies used by the Secretaries of the military department to implement the amendments made by this section, including—*

*(1) the list of officials identified by the Secretaries as required to review physical examinations to determine the possible influence of post-traumatic stress disorder or traumatic brain injury on the behavior of members before their separation under other than honorable conditions;*

*(2) the procedures adopted by the Secretaries to ensure that appropriate physical examinations required by the amendments are conducted;*

*(3) the procedures adopted by the Secretaries to ensure that the medical reviews required by the amendments are conducted; and*

*(4) the procedures adopted by the Secretaries to ensure that requests for review of discharges based on matters related to post-traumatic stress disorder or traumatic brain injury are considered in a timely manner by boards that include appropriate medical personnel, as required by the amendments.*

**SEC. 513. LEGAL ASSISTANCE FOR ADDITIONAL RESERVE COMPONENT MEMBERS.**

*Section 1044(a)(4) of title 10, United States Code, is amended by striking ''the Secretary of Defense), for a period of time, prescribed by the Secretary of Defense,'' and inserting ''the Secretary), for a period of time (prescribed by the Secretary)''.*

**SEC. 514. LIMITATION ON SCHEDULING OF MOBILIZATION OR PRE-MOBILIZATION TRAINING FOR RESERVE UNITS WHEN CERTAIN SUSPENSION OF TRAINING IS LIKELY.**

*(a) LIMITATION.—*

*(1) IN GENERAL.—Subject to paragraph (2), the Secretary of a military department shall avoid scheduling mobilization training or pre-mobilization training for a unit of a reserve component of the Armed Forces at a temporary duty location that is outside the normal commuting distance of the unit (as determined pursuant to the regulations prescribed by the Secretary of Defense under subsection (c)) if a suspension of training at such temporary duty location of at least five days is anticipated to occur during any portion of such mobilization or pre-mobilization training.*

*(2) WAIVER.—The Secretary of a military department may waive the applicability of the limitation in paragraph (1) to a unit of a reserve component if the Secretary determines that the waiver is in the national security interests of the United States.*

*(3) NOTICE TO CONGRESS.—Until December 31, 2014, the Secretary of the military department concerned shall submit written notice of each waiver issued under paragraph (2) to the congressional defense committees. Notice of such waiver shall be so submitted at the time of the issuance of such waiver.*

*(b) NOTICE OF OTHER SUSPENSIONS OF TRAINING.—Until December 31, 2014, in the event of a suspension of training (other than an anticipated suspension of training described in subsection (a)(1)) of at least five days at a temporary duty location at which one or more units of the reserve components on active duty are engaged in mobilization training or pre-mobilization training, the Secretary of the military department having jurisdiction over such unit or units shall submit written notice of the suspension to the congressional defense committees. Notice of such suspension of training shall be so submitted at the time of such suspension of training.*

*(c) REGULATIONS.—The Secretaries of the military departments shall administer this section in accordance with regulations prescribed by the Secretary of Defense. Such regulations shall apply uniformly among the military departments.*

**SEC. 515. EVALUATION OF TEST OF UTILITY OF TEST PREPARATION GUIDES AND EDUCATION PROGRAMS IN IMPROVING QUALIFICATIONS OF RECRUITS FOR THE ARMED FORCES.**

*Section 546(d) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2215) is amended—*

*(1) in the second sentence, by striking ''in training and unit settings'' and inserting ''during training and unit assignments''; and*

*(2) by adding at the end the following new sentence: ''Data to make the comparison between the two groups shall be derived from existing sources, which may include performance ratings, separations, promotions, awards and decorations, and reenlistment statistics.''.*

**SEC. 516. REPORT ON PRESENCE IN THE ARMED FORCES OF MEMBERS ASSOCIATED OR AFFILIATED WITH GROUPS ENGAGED IN PROHIBITED ACTIVITIES.**

*Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Attorney General, submit to the Committees on Armed Service of the Senate and the House of Representatives a report on the following:*

*(1) Any active participation by members of the Armed Forces in prohibited activities (as defined by subsection 3.5.8 of Department of Defense Directive 1325.6).*

*(2) The policies of the Department of Defense to prevent individuals who are active participants in such activities from enlisting in the Armed Forces.*

***Subtitle C—Education and Training***

***SEC. 521. DETAIL OF COMMISSIONED OFFICERS AS STUDENTS AT SCHOOLS OF PSYCHOLOGY.***

*(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2004a the following new section:*

***''§2004b. Detail of commissioned officers as students at schools of psychology***

*''(a) DETAIL AUTHORIZED.—The Secretary of each military department may detail commissioned officers of the armed forces as students at accredited schools of psychology located in the United States for a period of training leading to the degree of Doctor of Philosophy in clinical psychology. No more than 25 officers from each military department may commence such training in any single fiscal year.*

*''(b) ELIGIBILITY FOR DETAIL.—To be eligible for detail under subsection (a), an officer must be a citizen of the United States and must—*

*''(1) have served on active duty for a period of not less than two years nor more than six years and be in the pay grade 0–3 or below as of the time the training is to begin; and*

*''(2) sign an agreement that unless sooner separated the officer will—*

*''(A) complete the educational course of psychological training;*

*''(B) accept transfer or detail as a commissioned officer within the military department concerned when the officer's training is completed; and*

*''(C) agree to serve, following completion of the officer's training, on active duty (or on active duty and in the Selected Reserve) for a period as specified pursuant to subsection (c).*

*''(c) SERVICE OBLIGATION.—(1) Except as provided in paragraph (2), the agreement of an officer under subsection (b) shall provide that the officer shall serve on active duty for two years for each year or part thereof of the officer's training under subsection (a).*

*''(2) The agreement of an officer may authorize the officer to serve a portion of the officer's service obligation on active duty and to complete the service obligation that remains upon separation from active duty in the Selected Reserve. Under any such agreement, an officer shall serve three years in the Selected Reserve for each year or part thereof of the officer's training under subsection (a) for any service obligation that was not completed before separation from active duty.*

*''(d) SELECTION OF OFFICERS FOR DETAIL.—Officers detailed for training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned.*

*''(e) RELATION OF SERVICE OBLIGATIONS TO OTHER SERVICE OBLIGATIONS.—Any service obligation incurred by an officer under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by the officer under any other provision of law or agreement.*

*''(f) EXPENSES.—Expenses incident to the detail of officers under this section shall be paid from any funds appropriated for the military department concerned.*

*''(g) FAILURE TO COMPLETE PROGRAM.—(1) An officer who is dropped from a program of psychological training to which detailed under subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate military capacity in accordance with the active duty obligation imposed on the officer under regulations issued by the Secretary of Defense for purposes of this section.*

*''(2) In no case shall an officer be required to serve on active duty under paragraph (1) for any period in excess of one year for each year or part thereof the officer participated in the program.*

*''(h) LIMITATION ON DETAILS.—No agreement detailing an officer of the armed forces to an accredited school of psychology may be entered into during any period in which the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2004a the following new item:*

*''2004b. Detail of commissioned officers as students at schools of psychology.''.*

***SEC. 522. APPOINTMENT OF PERSONS ENROLLED IN ADVANCED COURSE OF THE ARMY RESERVE OFFICERS' TRAINING CORPS AT MILITARY JUNIOR COLLEGES AS CADETS IN ARMY RESERVE OR ARMY NATIONAL GUARD OF THE UNITED STATES.***

*Section 2107a(h) of title 10, United States Code, is amended—*

*(1) by striking ''17 cadets'' and inserting ''22 cadets'';*

*(2) by striking ''17 members'' and inserting ''22 members''; and*

*(3) by striking ''17 such members'' and inserting ''22 such members''.*

***SEC. 523. EXPANSION OF CRITERIA FOR APPOINTMENT AS MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.***

*Section 2113a(b)(1) of title 10, United States Code, is amended by striking ''health and health education'' and inserting ''health care, higher education administration, or public policy''.*

***SEC. 524. USE OF ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM TO INCREASE NUMBER OF HEALTH PROFESSIONALS WITH SKILLS TO ASSIST IN PROVIDING MENTAL HEALTH CARE.***

*(a) ADDITIONAL ELEMENT WITHIN SCHOLARSHIP PROGRAM.—Section 2121(a) of title 10, United States Code, is amended—*

*(1) by inserting ''(1)'' after ''(a)'';*

*(2) by striking ''in the various health professions'' and inserting ''(A) in the various health professions or (B) as a health professional with specific skills to assist in providing mental health care to members of the armed forces''; and*

*(3) by adding at the end the following new paragraph:*

*''(2) Under the program of a military department, the Secretary of that military department shall allocate a portion of the total number of scholarships to members of the program described in paragraph (1)(B) for the purpose of assisting such members to pursue a degree at the masters and doctoral level in any of the following disciplines:*

*''(A) Social work.*

*''(B) Clinical psychology.*

*''(C) Psychiatry.*

*''(D) Other disciplines that contribute to mental health care programs in that military department.''.*

*(b) AUTHORIZED NUMBER OF MEMBERS OF THE PROGRAM.—Section 2124 of such title is amended—*

*(1) by striking ''The number'' and inserting ''(a) AUTHORIZED NUMBER OF MEMBERS OF THE PROGRAM.—The number'';*

*(2) by striking ''6,000'' and inserting ''6,300''; and*

*(3) by adding at the end the following new subsection:*

*''(b) MENTAL HEALTH PROFESSIONALS.—Of the number of persons designated as members of the program at any time, 300 may be members of the program described in section 2121(a)(1)(B) of this title.''.*

***SEC. 525. DEPARTMENT OF DEFENSE UNDERGRADUATE NURSE TRAINING PROGRAM.***

*(a) REVISION OF CURRENT SCHOOL OF NURSING AUTHORIZATIONS.—*

*(1) REPEAL OF ESTABLISHMENT WITHIN UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—Section 2117 of title 10, United States Code, is repealed.*

*(2) ESTABLISHMENT AS DEPARTMENT OF DEFENSE SCHOOL.—Chapter 108 of such title is amended by adding at the end the following new section:*

***''§2169. School of Nursing: establishment***

*''(a) ESTABLISHMENT AUTHORIZED.—The Secretary of Defense may establish a School of Nursing.*

*''(b) DEGREE GRANTING AUTHORITY.—The School of Nursing may include a program that awards a bachelor of science in nursing.*

*''(c) PHASED DEVELOPMENT.—The Secretary of Defense may develop the School of Nursing in phases as determined appropriate by the Secretary.''.*

*(3) CLERICAL AMENDMENTS.—*

*(A) CHAPTER 104.—The table of sections at the beginning of chapter 104 of such title is amended by striking the item relating to section 2117.*

*(B) CHAPTER 108.—The table of sections at the beginning of chapter 108 of such title is amended by adding at the end the following new item:*

*''2169. School of Nursing: establishment.''.*

*(b) AUTHORITY TO ESTABLISH UNDERGRADUATE NURSE TRAINING PROGRAM.—*

*(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§2016. Undergraduate nurse training program: establishment through agreement with academic institution***

*''(a) ESTABLISHMENT AUTHORIZED.—(1) To increase the number of nurses in the armed forces, the Secretary of Defense may enter into an agreement with one or more academic institutions to establish and operate an undergraduate program (in this section referred to as a 'undergraduate nurse training program') under which participants will earn a nursing degree and serve as a member of the armed forces.*

*''(2) The Secretary of Defense may authorize the participation of members of the other uniformed services in the undergraduate nurse training program if the Secretary of Defense and the Secretary of Health and Human Services jointly determine the participation of such members in the program will facilitate an increase in the number of nurses in the other uniformed services.*

*''(b) GRADUATION RATES.—An undergraduate nurse training program shall have the capacity to graduate 25 students with a bachelor of science degree in the first class of the program, 50 in the second class, and 100 annually thereafter.*

*''(c) ELEMENTS.—An undergraduate nurse training program shall have the following elements:*

*''(1) It shall involve an academic partnership with one or more academic institutions with existing accredited schools of nursing.*

*''(2) It shall recruit as participants qualified individuals with at least two years of appropriate academic preparation, as determined by the Secretary of Defense.*

*''(d) LOCATION OF PROGRAMS.—An academic institution selected to operate an undergraduate nurse training program shall establish the program at or near a military installation. A military installation at or near which an undergraduate nurse training program is established must—*

''(1) be one of the ten largest military installations in the United States, in terms of the number of active duty personnel assigned to the installation and family members residing on or in the vicinity of the installations; and

''(2) have a military treatment facility with inpatient capability designated as a medical center located on the installation or within 10 miles of the installation.

''(e) LIMITATION ON FACULTY.—An agreement entered into under subsection (a) shall not require members of the armed forces who are nurses to serve as faculty members for an undergraduate nurse training program.

''(f) MILITARY SERVICE COMMITMENT.—The Secretary of Defense shall encourage members of the armed forces to apply to participate in an undergraduate nurse training program. Graduates of the program shall incur a military service obligation in a regular or reserve component, as determined by the Secretary.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2016. Undergraduate nurse training program: establishment through agreement with academic institution.''.

(c) UNDERGRADUATE NURSE TRAINING PROGRAM PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a plan to establish an undergraduate nurse training program in the Department of Defense in accordance with the authority provided by section 2169 of title 10, United States Code, as added by subsection (a), section 2016 of such title, as added by subsection (b), or any other authority available to the Secretary.

(d) PILOT PROGRAM.—

(1) PILOT PROGRAM REQUIRED.—The plan required by subsection (c) shall provide for the establishment of a pilot program to increase the number of nurses serving in the Armed Forces.

(2) IMPLEMENTATION AND DURATION.—The pilot program shall begin not later than July 1, 2011, and be of not less than five years in duration.

(3) GRADUATION RATES.—The pilot program shall achieve graduation rates at least equal to the rates required for the undergraduate nurse training program authorized by section 2016 of title 10, United States Code, as added by subsection (b).

(4) IMPLEMENTATION REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the pilot program, including a description of the program selected to be undertaken, the program's goals, and any additional legal authorities that may be needed to undertake the program.

(5) PROGRESS REPORTS.—Not later than 90 days after the end of each academic year of the pilot program, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report specifying the number of nurses accessed into the Armed Forces through the program and the number of students accepted for the upcoming academic year.

(6) FINAL REPORT.—Not later than one year before the end of the pilot program, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report specifying the number of nurses accessed through the program, evaluating the overall effectiveness of the program, and containing the Secretary's recommendations regarding whether the program should be extended.

(e) EFFECT ON OTHER NURSING PROGRAMS.—Notwithstanding the development of undergraduate nurse training programs under the amendments made by this section and subsection (d), the Secretary of Defense shall ensure that graduate degree programs in nursing, including advanced practice nursing, continue.

(f) EFFECT ON OTHER RECRUITMENT EFFORTS.—Nothing in this section shall be construed as limiting or terminating any current or future program of the Department of Defense related to the recruitment, accession, training, or retention of nurses.

**SEC. 526. INCREASE IN NUMBER OF PRIVATE SECTOR CIVILIANS AUTHORIZED FOR ADMISSION TO NATIONAL DEFENSE UNIVERSITY.**

Section 2167(a) of title 10, United States Code, is amended by striking ''10 full-time student positions'' and inserting ''20 full-time student positions''.

**SEC. 527. APPOINTMENTS TO MILITARY SERVICE ACADEMIES FROM NOMINATIONS MADE BY DELEGATE FROM THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.**

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(a)(10) of title 10, United States Code, is amended by striking ''One cadet'' and inserting ''Two cadets''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(a)(10) of such title is amended by striking ''One'' and inserting ''Two''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(a)(10) of such title is amended by striking ''One cadet'' and inserting ''Two cadets''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to appointments to the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy beginning with the first class of candidates nominated for appointment to these military service academies after the date of the enactment of this Act.

**SEC. 528. ATHLETIC ASSOCIATION FOR THE AIR FORCE ACADEMY.**

(a) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 9362. Support of athletic programs**

''(a) CORPORATION FOR SUPPORT AUTHORIZED.—(1) The Secretary of the Air Force may, in accordance with the laws of the State of incorporation, establish a corporation (in this section referred to as the 'corporation') to support the athletic programs of the Academy. All stock of the corporation shall be owned by the United States and held in the name of and voted by the Secretary of the Air Force.

''(2) The corporation shall operate exclusively for charitable, educational, and civic purposes to support the athletic programs of the Academy.

''(b) CORPORATE ORGANIZATION.—The corporation shall be organized and operated—

''(1) as a nonprofit corporation under section 501 (c)(3) of the Internal Revenue Code of 1986;

''(2) in accordance with this section; and

''(3) pursuant to the laws of the State of incorporation, its articles of incorporation, and its bylaws.

''(c) CORPORATE BOARD OF DIRECTORS.—(1) The members of the board of directors of the corporation shall serve without compensation as members of the board, except for reasonable travel and other related expenses for attendance at meetings of the board.

''(2) The Secretary of the Air Force may authorize military and civilian personnel of the Air Force under section 1033 of this title to serve, in their official capacities, as members of the board of directors of the corporation, but such personnel shall not hold more than one-third of the directorships.

''(d) TRANSFERS FROM NONAPPROPRIATED FUND OPERATION.—The Secretary of the Air Force may, subject to the acceptance of the corporation, transfer to the corporation all title to and ownership of the assets and liabilities of the Air Force nonappropriated fund instrumentality whose functions include providing support for the athletic programs of the Academy, including bank accounts and financial reserves in its accounts, equipment, supplies, and other personal property, but excluding any interest in real property.

''(e) ACCEPTANCE OF GIFTS.—The Secretary of the Air Force may accept from the corporation funds, supplies, and services for the support of cadets and Academy personnel during their participation in Academy or corporate events related to the athletic programs of the Academy.

''(f) LEASES.—The Secretary of the Air Force may, in accordance with section 2667 of this title, lease real and personal property to the corporation for purposes related to the athletic programs of the Academy. Funds received from any such lease may be retained and spent by the Secretary to support athletic programs of the Academy.

''(g) COOPERATIVE AGREEMENTS.—The Secretary of the Air Force may enter into cooperative agreements (as described in section 6305 of title 31) with the corporation for purposes related to the athletic programs of the Academy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 903 of such title is amended by adding at the end the following new item:

''9362. Support of athletic programs.''.

**SEC. 529. LANGUAGE TRAINING CENTERS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.**

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to establish language training centers at accredited universities, senior military colleges, or other similar institutions of higher education for purposes of accelerating the development of foundational expertise in critical and strategic languages and regional area studies (as defined by the Secretary of Defense for purposes of this section) for members of the Armed Forces, including members of the reserve components and candidates of the Reserve Officers' Training Corps programs, and civilian employees of the Department of Defense.

(b) ELEMENTS.—Each language training center established under the program authorized by subsection (a) shall include the following:

(1) Programs to provide that members of the Armed Forces or civilian employees of the Department of Defense who graduate from the institution of higher education concerned include members or employees, as the case may be, who are skilled in the languages and area studies covered by the program from beginning through advanced skill levels.

(2) Programs of language proficiency training for such members and civilian employees at the institution of higher education concerned in critical and strategic languages tailored to meet operational readiness requirements.

(3) Alternative language training delivery systems and modalities to meet language and regional area study requirements for such members and employees whether prior to deployment, during deployment, or post-deployment.

(4) Programs on critical and strategic languages under the program that can be incorporated into Reserve Officers' Training Corps programs to facilitate the development of language skills in such languages among future officers of the Armed Forces.

(5) Training and education programs to expand the pool of qualified instructors and educators on critical and strategic languages and regional area studies under the program for the Armed Forces.

(6) Programs to facilitate and encourage the recruitment of native and heritage speakers of critical and strategic languages under the program into the Armed Forces and the civilian workforce of the Department of Defense and to support the Civilian Linguist Reserve Corps.

(c) PARTNERSHIPS WITH OTHER SCHOOLS.—Any language training center established under

*the program authorized by subsection (a) may enter into a partnership with one or more local educational agencies to facilitate the development of skills in critical and strategic languages under the program among students attending the elementary and secondary schools of such agencies who may pursue a military career.*

*(d) COORDINATION.—The Secretary of Defense shall ensure that the language training centers established under the program authorized by subsection (a) are aligned with those of the National Security Education Program, the Defense Language Institute, and other appropriate Department of Defense programs to facilitate and encourage the recruitment of native and heritage speakers of critical and strategic languages under the program into the Armed Forces and the civilian workforce of the Department of Defense and to support the Civilian Linguist Reserve Corps.*

*(e) REPORT.—Not later than one year after the date of the establishment of the program authorized by subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the program. The report shall include the following:*

*(1) A description of each language training center established under the program.*

*(2) An assessment of the cost-effectiveness of the program in providing foundational expertise in critical and strategic languages and regional area studies in support of the Defense Language Transformation Roadmap.*

*(3) An assessment of the progress made by each language training center in providing capabilities in critical and strategic languages under the program to members of the Armed Forces and Department of Defense employees.*

*(4) A recommendation whether the program should be continued and, if so, recommendations as to any modifications of the program that the Secretary considers appropriate.*

***Subtitle D—Defense Dependents' Education***

***SEC. 531. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.***

*(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2010 pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3271; 20 U.S.C. 7703b).*

*(b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.—Of the amount authorized to be appropriated for fiscal year 2010 pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $14,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of such section 572, as amended by section 533 of this Act.*

*(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

***SEC. 532. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.***

*Of the amount authorized to be appropriated for fiscal year 2010 by section 301(5) for operation and maintenance for Defense-wide activities, $5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).*

***SEC. 533. TWO-YEAR EXTENSION OF AUTHORITY FOR ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.***

*Section 572(b)(4) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3271; 20 U.S.C. 7703b(b)(4)) is amended by striking ''September 30, 2010'' and inserting ''September 30, 2012''.*

***SEC. 534. AUTHORITY TO EXTEND ELIGIBILITY FOR ENROLLMENT IN DEPARTMENT OF DEFENSE ELEMENTARY AND SECONDARY SCHOOLS TO CERTAIN ADDITIONAL CATEGORIES OF DEPENDENTS.***

*Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(j) TUITION-FREE ENROLLMENT OF DEPENDENTS OF FOREIGN MILITARY PERSONNEL RESIDING ON DOMESTIC MILITARY INSTALLATIONS AND DEPENDENTS OF CERTAIN DECEASED MEMBERS OF THE ARMED FORCES.—(1) The Secretary may authorize the enrollment in a Department of Defense education program provided by the Secretary pursuant to subsection (a) of a dependent not otherwise eligible for such enrollment who is the dependent of an individual described in paragraph (2). Enrollment of such a dependent shall be on a tuition-free basis.*

*''(2) An individual referred to in paragraph (1) is any of the following:*

*''(A) A member of a foreign armed force residing on a military installation in the United States (including territories, commonwealths, and possessions of the United States).*

*''(B) A deceased member of the armed forces who died in the line of duty in a combat-related operation, as designated by the Secretary.''.*

***SEC. 535. PERMANENT AUTHORITY FOR ENROLLMENT IN DEFENSE DEPENDENTS' EDUCATION SYSTEM OF DEPENDENTS OF FOREIGN MILITARY MEMBERS ASSIGNED TO SUPREME HEADQUARTERS ALLIED POWERS, EUROPE.***

*(a) PERMANENT ENROLLMENT AUTHORITY.—Subsection (a)(2) of section 1404A of the Defense Dependents' Education Act of 1978 (20 U.S.C. 923a) is amended by striking '', and only through the 2010-2011 school year''.*

*(b) COMBATANT COMMANDER ADVICE AND ASSISTANCE.—Subsection (c)(1) of such section is amended by adding at the end the following new sentence: ''The Secretary shall prescribe such methodology with the advice and assistance of the commander of the geographic combatant command with jurisdiction over Mons, Belgium.''.*

***SEC. 536. DETERMINATION OF NUMBER OF WEIGHTED STUDENT UNITS FOR LOCAL EDUCATIONAL AGENCIES FOR RECEIPT OF BASIC SUPPORT PAYMENTS UNDER IMPACT AID.***

*Section 8003(a)(2)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(2)(C)(i)) is amended by striking ''6,500'' and inserting ''5,000''.*

***SEC. 537. STUDY ON OPTIONS FOR EDUCATIONAL OPPORTUNITIES FOR DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES WHEN PUBLIC SCHOOLS ATTENDED BY SUCH CHILDREN ARE DETERMINED TO NEED IMPROVEMENT.***

*(a) STUDY ON OPTIONS FOR EDUCATIONAL OPPORTUNITIES.—*

*(1) STUDY REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Education, conduct a study on options for educational opportunities that are, or may be, available for dependent children of members of the Armed Forces who do not attend Department of Defense dependents' schools when the public elementary and secondary schools attended by such children are determined to be in need of improvement pursuant to section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)).*

*(2) OPTIONS.—The options to be considered under the study required by paragraph (1) may include the following:*

*(A) Education programs offered through the Internet, including programs that are provided by the Department of Defense through the Internet.*

*(B) Charter schools.*

*(C) Such other public school options as the Secretary of Defense, in consultation with the Secretary of Education, considers appropriate for purposes of the study.*

*(3) ELEMENTS.—The study required by paragraph (1) shall address the following matters:*

*(A) The challenges faced by parents of military families in securing quality elementary and secondary education for their children when the public elementary and secondary schools attended by their children are identified as being in need of improvement.*

*(B) The extent to which perceptions of differing degrees of quality in public elementary and secondary schools in different regions of the United States affect plans of military families to relocate, including relocation pursuant to a permanent change of duty station.*

*(C) The various reasons why military families seek educational opportunities for their children other than those available through local public elementary and secondary schools.*

*(D) The current level of student achievement in public elementary and secondary schools in school districts which have a high percentage of students who are children of military families.*

*(E) The educational needs of children of military families who are required by location to attend public elementary and secondary schools identified as being in need of improvement.*

*(F) The value and impact of other alternative educational programs for military families.*

*(G) The extent to which the options referred to in paragraph (2) would provide a meaningful option for education for military children when the public elementary and secondary schools attended by such children are determined to be in need of improvement.*

*(H) The extent to which the options referred to in paragraph (2) would improve the quality of education available for students with special needs, including students with learning disabilities and gifted students.*

*(I) Such other matters as the Secretary of Defense and Secretary of Education consider appropriate for purposes of the study.*

*(b) REPORT.—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Education and Labor of the House of Representatives a report on the study required by subsection (a). The report shall include the following:*

*(1) A description of the results of the study.*

*(2) Such recommendations for legislative or administrative action as the Secretary of Defense, in consultation with the Secretary of Education, considers appropriate in light of the results of the study.*

***SEC. 538. COMPTROLLER GENERAL AUDIT OF ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES.***

*(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit of the utilization by local educational agencies of the assistance specified in subsection (b) provided to such agencies for fiscal years 2001 through 2009 for the education of dependent children of members of the Armed Forces. The audit shall include—*

*(1) an evaluation of the utilization of such assistance by such agencies; and*

*(2) an assessment of the effectiveness of such assistance in improving the quality of education provided to dependent children of members of the Armed Forces.*

*(b) ASSISTANCE SPECIFIED.—The assistance specified in this subsection is the following:*

*(1) Assistance provided under the following:*

*(A) Section 551 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4468).*

*(B) Section 571 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 119).*

*(C) Section 572 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2225).*

*(D) Section 574 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2226; 20 U.S.C. 7703b note).*

*(E) Section 575 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2227; 10 U.S.C. 1788 note).*

*(F) Section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3271; 20 U.S.C. 7703b).*

*(G) Section 574 of the National Defense Authorization Act for Fiscal Year 2006 (119 Stat. 3273).*

*(H) Section 558 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1916).*

*(I) Section 559 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (118 Stat. 1917).*

*(J) Section 536 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1474).*

*(K) Clauses (i) and (ii) of section 8003(b)(2)(H) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)(H)).*

*(L) Section 341 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2514).*

*(M) Section 344 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (116 Stat. 2515).*

*(N) Section 351 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1063).*

*(O) Section 362 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–76).*

*(P) Section 364 of the National Defense Authorization Act for Fiscal Year 2001 (114 Stat. 1654A–78)*

*(2) Payments made under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (114 Stat. 1654A–77; 20 U.S.C. 7703a).*

*(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing the results of the audit required by subsection (a).*

***SEC. 539. SENSE OF CONGRESS ON THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.***

*It is the sense of Congress to—*

*(1) express strong support and commendation for all the States that have successfully enacted the Interstate Compact on Educational Opportunity for Military Children;*

*(2) express its strong support and encourage all remaining States to enact the Interstate Compact on Educational Opportunity for Military Children;*

*(3) recognize the importance of the components of the Interstate Compact on Educational Opportunity for Military Children, including—*

*(A) the transfer of educational records to expedite the proper enrollment and placement of students;*

*(B) the ability of students to continue their enrollment at a grade level in the receiving State commensurate with their grade level from the sending State;*

*(C) priority for attendance to children of members of the Armed Forces assuming the school district accepts transfer students;*

*(D) the ability of students to continue their course placement, including but not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical, and career pathways courses;*

*(E) the recalculation of grades to consider the weights offered by a receiving school for the same performance in the same course when a student transfers from one grading system to another system (for example, number-based system to letter-based system);*

*(F) the waiver of specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency or the provision of an alternative means of acquiring required coursework so that graduation may occur on time; and*

*(G) the recognition of an appointed guardian as a custodial parent while the child's parent or parents are deployed; and*

*(4) express strong support for States to develop a State Council to provide for the coordination among their agencies of government, local education agencies, and military installations concerning the participation of a State in the Interstate Compact on Educational Opportunity for Military Children.*

***Subtitle E—Missing or Deceased Persons***

***SEC. 541. ADDITIONAL REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING IN CONFLICTS OCCURRING BEFORE ENACTMENT OF NEW SYSTEM FOR ACCOUNTING FOR MISSING PERSONS.***

*(a) IMPOSITION OF ADDITIONAL REQUIREMENTS.—Section 1509 of title 10, United States Code, is amended to read as follows:*

***"§ 1509. Program to resolve preenactment missing person cases***

*''(a) PROGRAM REQUIRED; COVERED CONFLICTS.—The Secretary of Defense shall implement a comprehensive, coordinated, integrated, and fully resourced program to account for persons described in subparagraph (A) or (B) of section 1513(1) of this title who are unaccounted for from the following conflicts:*

*''(1) World War II during the period beginning on December 7, 1941, and ending on December 31, 1946, including members of the armed forces who were lost during flight operations in the Pacific theater of operations covered by section 576 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 1501 note).*

*''(2) The Cold War during the period beginning on September 2, 1945, and ending on August 21, 1991.*

*''(3) The Korean War during the period beginning on June 27, 1950, and ending on January 31, 1955.*

*''(4) The Indochina War era during the period beginning on July 8, 1959, and ending on May 15, 1975.*

*''(5) The Persian Gulf War during the period beginning on August 2, 1990, and ending on February 28, 1991.*

*''(6) Such other conflicts in which members of the armed forces served as the Secretary of Defense may designate.*

*''(b) IMPLEMENTATION PROCESS.—(1) The Secretary of Defense shall implement the program within the Department of Defense POW/MIA accounting community.*

*''(2) For purposes of paragraph (1), the term 'POW/MIA accounting community' means:*

*''(A) The Defense Prisoner of War/Missing Personnel Office (DPMO).*

*''(B) The Joint POW/MIA Accounting Command (JPAC).*

*''(C) The Armed Forces DNA Identification Laboratory (AFDIL).*

*''(D) The Life Sciences Equipment Laboratory of the Air Force (LSEL).*

*''(E) The casualty and mortuary affairs offices of the military departments.*

*''(F) Any other element of the Department of Defense whose mission (as designated by the Secretary of Defense) involves the accounting for and recovery of members of the armed forces who are missing in action, prisoners of war, or unaccounted for.*

*''(c) TREATMENT AS MISSING PERSONS.—Each unaccounted for person covered by subsection (a) shall be considered to be a missing person for purposes of the applicability of other provisions of this chapter to the person.*

*''(d) ESTABLISHMENT OF PERSONNEL FILES.—(1) The Secretary of Defense shall ensure that a personnel file is established and maintained for each person covered by subsection (a) if the Secretary—*

*''(A) possesses any information relevant to the status of the person; or*

*''(B) receives any new information regarding the missing person as provided in subsection (e).*

*''(2) The Secretary of Defense shall ensure that each file established under this subsection contains all relevant information pertaining to a person covered by subsection (a) and is readily accessible to all elements of the department, the combatant commands, and the armed forces involved in the effort to account for the person.*

*''(3) Each file established under this subsection shall be handled in accordance with, and subject to the provisions of, section 1506 of this title in the same manner as applies to the file of a missing person otherwise subject to such section.*

*''(e) REVIEW OF STATUS REQUIREMENTS.—(1) If new information (as described in paragraph (3)) is found or received that may be related to one or more unaccounted for persons covered by subsection (a), whether or not such information specifically relates (or may specifically relate) to any particular such unaccounted for person, that information shall be provided to the Secretary of Defense.*

*''(2) Upon receipt of new information under paragraph (1), the Secretary shall ensure that—*

*''(A) the information is treated under paragraph (2) of subsection (c) of section 1505 of this title, relating to addition of the information to the personnel file of a person and notification requirements, in the same manner as information received under paragraph (1) under such subsection; and*

*''(B) the information is treated under paragraph (3) of subsection (c) and subsection (d) of such section, relating to a board review under such section, in the same manner as information received under paragraph (1) of such subsection (c).*

*''(3) For purposes of this subsection, new information is information that is credible and that—*

*''(A) is found or received after November 18, 1997, by a United States intelligence agency, by a Department of Defense agency, or by a person specified in section 1504(g) of this title; or*

*''(B) is identified after November 18, 1997, in records of the United States as information that could be relevant to the case of one or more unaccounted for persons covered by subsection (a).*

*''(f) COORDINATION REQUIREMENTS.—(1) In establishing and carrying out the program, the Secretary of Defense shall coordinate with the Secretaries of the military departments, the Chairman of the Joint Chiefs of Staff, and the commanders of the combatant commands.*

*''(2) In carrying out the program, the Secretary of Defense shall establish close coordination with the Department of State, the Central Intelligence Agency, and the National Security Council to enhance the ability of the Department of Defense POW/MIA accounting community to account for persons covered by subsection (a).''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 76 of such title is amended by striking the item relating to section 1509 and inserting the following new item:*

*''1509. Program to resolve preenactment missing person cases.''.*

*(c) CONFORMING AMENDMENT.—Section 1513(1) of such title is amended in the matter after subparagraph (B) by striking ''section 1509(b) of this title who is required by section 1509(a)(1) of this title'' and inserting ''subsection (a) of section 1509 of this title who is required by subsection (b) of such section''.*

*(d) IMPLEMENTATION.—*

*(1) PRIORITY.—A priority of the program required by section 1509 of title 10, United States Code, as amended by subsection (a), to resolve missing person cases arising before the enactment of chapter 76 of such title by section 569 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 336) shall be the return of missing persons to United States control alive.*

*(2) ACCOUNTING FOR GOAL.—In implementing the program, the Secretary of Defense, in coordination with the officials specified in subsection (f)(1) of section 1509 of title 10, United States Code, shall provide such funds, personnel, and resources as the Secretary considers appropriate to increase significantly the capability and capacity of the Department of Defense, the Armed Forces, and commanders of the combatant commands to account for missing persons so that, beginning with fiscal year 2015, the POW/MIA accounting community has sufficient resources to ensure that at least 200 missing persons are accounted for under the program annually.*

*(3) DEFINITIONS.—In this subsection:*

*(A) The term ''accounted for'' has the meaning given such term in section 1513(3)(B) of title 10, United States Code.*

*(B) The term ''POW/MIA accounting community'' has the meaning given such term in section 1509(b)(2) of such title.*

***SEC. 542. POLICY AND PROCEDURES ON MEDIA ACCESS AND ATTENDANCE BY FAMILY MEMBERS AT CEREMONIES FOR THE DIGNIFIED TRANSFER OF REMAINS OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS.***

*(a) DEPARTMENT OF DEFENSE POLICY AND PROCEDURES ON MEDIA ACCESS AT CEREMONIES FOR DIGNIFIED TRANSFER OF REMAINS OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS.—*

*(1) POLICY REQUIRED.—Not later than April 1, 2010, the Secretary of Defense shall prescribe a policy guaranteeing media access at ceremonies for the dignified transfer of remains of members of the Armed Forces who die while located or serving overseas (in this section referred to as ''military decedents'') when approved by the primary next of kin of such military decedents.*

*(2) PROCEDURES.—The policy developed under paragraph (1) shall include procedures to be followed by the military departments in conducting appropriate ceremonies for the dignified transfer of remains of military decedents. The procedures shall be uniform across the military departments except to the extent necessary to reflect the traditional practices or customs of a particular military department.*

*(3) ELEMENTS.—The policy developed under paragraph (1) shall include, but not be limited to, the following:*

*(A) Provision for access by media representatives to transfers described in paragraph (1) if approved in advance by the primary next of kin of the military decedent or their designee.*

*(B) Procedures for designating with certainty who is authorized to make the decision to approve media access at transfer ceremonies described in that paragraph under reasonable, foreseeable circumstances.*

*(C) Conditions for coverage that media representatives must comply with during such transfer ceremonies, and procedures for ensuring agreement in advance by media representatives with the conditions for coverage prescribed by military authorities.*

*(D) Procedures for the waiver by the primary next of kin or other designees of Departmental polices relating to delays in release of casualty information to the media and general public, when such waiver is required.*

*(b) TRANSPORTATION TO TRANSFER CEREMONIES.—*

*(1) PROVISION OF TRANSPORTATION REQUIRED.—Section 411f of title 37, United States Code, is amended—*

*(A) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and*

*(B) by inserting after subsection (d) the following new subsection (e):*

*''(e) TRANSPORTATION TO TRANSFER CEREMONIES OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS.—(1) The Secretary of the military department concerned may provide round trip transportation to ceremonies for the transfer of a member of the armed forces who dies while located or serving overseas to the following:*

*''(A) The primary next of kin of the member.*

*''(B) Two family members (other than primary next of kin) of the member.*

*''(C) One or more additional family members of the member, at the discretion of the Secretary.*

*''(2)(A) For purposes of this subsection, the primary next of kin of a member of the armed forces shall be the eligible relatives of the member specified in subparagraphs (A) through (D) of subsection (c)(1).*

*''(B) The Secretaries of the military departments shall prescribe in regulations the family members of a member of the armed forces who shall constitute family members for purposes of subparagraphs (B) and (C) of paragraph (1). The Secretary of Defense shall ensure that such regulations are uniform across the military departments.*

*''(3) Transportation shall be provided under this subsection by means of Invitational Travel Authorizations.*

*''(4) The Secretary of a military department may, upon the request of the primary next of kin covered by paragraph (1)(A) and at the discretion of the Secretary, provide for the accompaniment of such next of kin in travel under this subsection by a casualty assistance officer or family liaison officer of the military department who shall act as an escort in such accompaniment.''.*

*(2) CONFORMING AND CLERICAL AMENDMENTS.—*

*(A) HEADING AMENDMENT.—The heading of such section is amended to read as follows:*

***''§ 411f. Travel and transportation allowances: Transportation for survivors of deceased member to attend member's burial ceremonies; transportation for survivors of member dying overseas to attend transfer ceremonies''.***

*(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 411f and inserting the following new item:*

*''411f. Travel and transportation allowances: Transportation for survivors of deceased member to attend member's burial ceremonies; transportation for survivors of member dying overseas to attend transfer ceremonies.''.*

*(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.*

***SEC. 543. REPORT ON EXPANSION OF AUTHORITY OF A MEMBER TO DESIGNATE PERSONS TO DIRECT DISPOSITION OF THE REMAINS OF A DECEASED MEMBER.***

*Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report evaluating the potential effects of expanding the list of persons under section 1482(c) of title 10, United States Code, who may be designated by a member of the Armed Forces as the person authorized to direct disposition of the remains of the member if the member is deceased to include persons who are not family members of members of the Armed Forces.*

***SEC. 544. SENSE OF CONGRESS ON THE RECOVERY OF THE REMAINS OF MEMBERS OF THE ARMED FORCES WHO WERE KILLED DURING WORLD WAR II IN THE BATTLE OF TARAWA ATOLL.***

*Congress—*

*(1) reaffirms its support for the recovery and return to the United States of the remains of members of the Armed Forces killed in battle, and for the efforts by the Joint POW–MIA Accounting Command to recover the remains of members of the Armed Forces from all wars;*

*(2) recognizes the courage and sacrifice of the members of the Armed Forces who fought on Tarawa Atoll;*

*(3) acknowledges the dedicated research and efforts by persons to identify, locate, and advocate for the recovery of remains from Tarawa; and*

*(4) encourages the Department of Defense to review this research and, as appropriate, pursue new efforts to conduct field studies, new research, and undertake all feasible efforts to recover, identify, and return remains of members of the Armed Forces from Tarawa.*

***Subtitle F—Decorations and Awards***

***SEC. 551. AUTHORIZATION AND REQUEST FOR AWARD OF MEDAL OF HONOR TO ANTHONY T. KAHO'OHANOHANO FOR ACTS OF VALOR DURING THE KOREAN WAR.***

*(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized and requested to award the Medal of Honor under section 3741 of such title to former Private First Class Anthony T. Kaho'ohanohano for the acts of valor during the Korean War described in subsection (b).*

*(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then Private First Class Anthony T. Kaho'ohanohano of Company H of the 17th Infantry Regiment of the 7th Infantry Division on September 1, 1951, during the Korean War for which he was originally awarded the Distinguished-Service Cross.*

***SEC. 552. AUTHORIZATION AND REQUEST FOR AWARD OF DISTINGUISHED-SERVICE CROSS TO JACK T. STEWART FOR ACTS OF VALOR DURING THE VIETNAM WAR.***

*(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army is authorized and requested to award the Distinguished-Service Cross under section 3742 of such title to former Captain Jack T. Stewart of the United States Army for the acts of valor during the Vietnam War described in subsection (b).*

*(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Captain Jack T. Stewart as commander of a two-platoon Special Forces Mike Force element in combat with two battalions of the North Vietnamese Army on March 24, 1967, during the Vietnam War.*

***SEC. 553. AUTHORIZATION AND REQUEST FOR AWARD OF DISTINGUISHED-SERVICE CROSS TO WILLIAM T. MILES, JR., FOR ACTS OF VALOR DURING THE KOREAN WAR.***

*(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army is authorized*

*and requested to award the Distinguished-Service Cross under section 3742 of such title to former Sergeant First Class William T. Miles, Jr., of the United States Army for the acts of valor during the Korean War described in subsection (b).*

*(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Sergeant First Class William T. Miles, Jr,. as a member of United States Special Forces from June 18, 1951, to July 6, 1951, during the Korean War, when he fought a delaying action against enemy forces in order to allow other members of his squad to escape an ambush.*

***Subtitle G—Military Family Readiness Matters***

***SEC. 561. ESTABLISHMENT OF ONLINE RESOURCES TO PROVIDE INFORMATION ABOUT BENEFITS AND SERVICES AVAILABLE TO MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.***

*(a) INTERNET OUTREACH WEBSITE.—*

*(1) ESTABLISHMENT.—The Secretary of Defense shall establish an Internet website or other online resources for the purpose of providing comprehensive information to members of the Armed Forces and their families about the benefits and services described in subsection (b) that are available to members of the Armed Forces and their families.*

*(2) CONTACT INFORMATION.—The online resources shall provide contact information, both telephone and e-mail, that a member of the Armed Forces or dependent of the member can use to get specific information about benefits and services that may be available for the member or dependent.*

*(b) COVERED BENEFITS AND SERVICES.—The information provided through the online resources established pursuant to subsection (a) shall include information regarding the following benefits and services that may be available to a member of the Armed Forces and dependents of the member:*

*(1) Financial compensation, including financial counseling.*

*(2) Health care and life insurance programs.*

*(3) Death benefits.*

*(4) Entitlements and survivor benefits for dependents, including offsets in the receipt of such benefits under the Survivor Benefit Plan and in connection with the receipt of dependency and indemnity compensation.*

*(5) Educational assistance benefits, including limitations on and the transferability of such assistance.*

*(6) Housing assistance benefits, including counseling.*

*(7) Relocation planning and preparation.*

*(8) Maintaining military records.*

*(9) Legal assistance.*

*(10) Quality of life programs.*

*(11) Family and community programs.*

*(12) Employment assistance upon separation or retirement of a member or for the spouse of the member.*

*(13) Reserve component service for members completing service in a regular component.*

*(14) Disability benefits, including offsets in connection with the receipt of such benefits.*

*(15) Benefits and services provided under laws administered by the Secretary of Veterans Affairs.*

*(16) Such other benefits and services as the Secretary of Defense considers appropriate.*

*(c) DISSEMINATION OF INFORMATION ON AVAILABILITY ON ONLINE RESOURCES.—The Secretaries of the military departments shall use public service announcements, publications, and such other announcements through the general media as the Secretaries consider appropriate to inform members of the Armed Forces and their families and the general public about the information available through the online resources established pursuant to subsection (a).*

*(d) IMPLEMENTATION REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the quality and scope of the online resources established pursuant to subsection (a) to provide information about benefits and services for members of the Armed Forces and their families.*

***SEC. 562. ADDITIONAL MEMBERS ON DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS COUNCIL.***

*(a) RESERVE COMPONENT REPRESENTATION.—Paragraph (1) of section 1781a(b) of title 10, United States Code, is amended—*

*(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;*

*(2) by inserting after subparagraph (B) the following new subparagraph (C):*

*''(C) In addition to the representatives appointed under subparagraph (B)—*

*''(i) one representative from the Army National Guard or Air National Guard, who shall be appointed by the Secretary of Defense; and*

*''(ii) one representative from the Army Reserve, Navy Reserve, Marine Corps Reserve, or Air Force Reserve, who shall be appointed by the Secretary of Defense.''; and*

*(3) in subparagraph (E), as redesignated by paragraph (1), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''.*

*(b) TERM; ROTATION AMONG RESERVE COMPONENTS.—Paragraph (2) of such section is amended—*

*(1) by striking ''paragraph (1)(C)'' and inserting ''subparagraphs (C) and (D) of paragraph (1)''; and*

*(2) by adding at the end the following new sentences: ''Representation on the Council required by clause (i) of paragraph (1)(C) shall rotate between the Army National Guard and Air National Guard. Representation required by clause (ii) of such paragraph shall rotate among the reserve components specified in such clause.''.*

***SEC. 563. SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.***

*(a) OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—*

*(1) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1781b the following new section:*

***''§ 1781c. Office of Community Support for Military Families With Special Needs***

*''(a) ESTABLISHMENT.—There is in the Office of the Under Secretary of Defense for Personnel and Readiness the Office of Community Support for Military Families With Special Needs (in this section referred to as the 'Office').*

*''(b) PURPOSE.—The purpose of the Office is to enhance and improve Department of Defense support around the world for military families with special needs (whether medical or educational needs) through the development of appropriate policies, enhancement and dissemination of appropriate information throughout the Department of Defense, support for such families in obtaining referrals for services and in obtaining service, and oversight of the activities of the military departments in support of such families.*

*''(c) DIRECTOR.—(1) The head of the Office shall be the Director of the Office of Community Support for Military Families With Special Needs, who shall be appointed by the Secretary of Defense from among civilian employees of the Department of Defense who are members of the Senior Executive Service or members of the Armed Forces in a general or flag grade.*

*''(2) The Director shall be subject to the supervision, direction, and control of the Under Secretary of Defense for Personnel and Readiness in the discharge of the responsibilities of the Office, and shall report directly to the Under Secretary regarding the discharge of such responsibilities.*

*''(d) RESPONSIBILITIES.—The Office shall have the responsibilities as follows:*

*''(1) To develop and implement a comprehensive policy on support for military families with special needs as required by subsection (e).*

*''(2) To establish and oversee the programs required by subsection (f).*

*''(3) To identify gaps in services available through the Department of Defense for military families with special needs.*

*''(4) To develop plans to address gaps identified under paragraph (3) through appropriate mechanisms, such as enhancing resources and training and ensuring the provision of special assistance to military families with special needs and military parents of individuals with special needs (including through the provision of training and seminars to members of the armed forces).*

*''(5) To monitor the programs of the military departments for the assignment of members of the Armed Forces who are members of military families with special needs, and the programs for the support of such military families, and to advise the Secretary of Defense on the adequacy of such programs in conjunction with the preparation of future-years defense programs and other budgeting and planning activities of the Department of Defense.*

*''(6) To monitor the availability and accessibility of programs provided by other Federal, State, local, and non-governmental agencies to military families with special needs.*

*''(7) To carry out such other matters with respect to the programs and activities of the Department of Defense regarding military families with special needs as the Under Secretary of Defense for Personnel and Readiness shall specify.*

*''(e) POLICY.—(1) The Office shall develop, and update from time to time, a uniform policy for the Department of Defense regarding military families with special needs. The policy shall apply with respect to members of the armed forces without regard to their location, whether within or outside the continental United States.*

*''(2) The policy developed under this subsection shall include elements regarding the following:*

*''(A) The assignment of members of the Armed Forces who are members of military families with special needs.*

*''(B) Support for military families with special needs.*

*''(3) In addressing the assignment of members of the Armed Forces under paragraph (2)(A), the policy developed under this subsection shall, in a manner consistent with the needs of the Armed Forces and responsive to the career development of members of the armed forces on active duty, provide for such members each of the following:*

*''(A) Assignment to locations where care and support for family members with special needs are available.*

*''(B) Stabilization of assignment for a minimum of 4 years.*

*''(4) In addressing support for military families under paragraph (2)(B), the policy developed under this subsection shall provide the following:*

*''(A) Procedures to identify members of the armed forces who are members of military families with special needs.*

*''(B) Mechanisms to ensure timely and accurate evaluations of members of such families who have special needs.*

*''(C) Procedures to facilitate the enrollment of such members of the armed forces and their families in programs of the military department for the support of military families with special needs.*

*''(D) Procedures to ensure the coordination of Department of Defense health care programs and support programs for military families with special needs, and the coordination of such programs with other Federal, State, local, and non-governmental health care programs and support programs intended to serve such families.*

*''(E) Requirements for resources (including staffing) to ensure the availability through the Department of Defense of appropriate numbers of case managers to provide individualized support for military families with special needs.*

''(F) Requirements regarding the development and continuous updating of an individualized services plan (medical and educational) for each military family with special needs.

''(G) Requirements for record keeping, reporting, and continuous monitoring of available resources and family needs under individualized services support plans for military families with special needs, including the establishment and maintenance of a central or various regional databases for such purposes.

''(f) PROGRAMS.—(1) The Office shall establish, maintain, and oversee a program to provide information and referral services on special needs matters to military families with special needs on a continuous basis regardless of the location of the member's assignment. The program shall provide for timely access by members of such military families to individual case managers and counselors on matters relating to special needs.

''(2) The Office shall establish, maintain, and oversee a program of outreach on special needs matters for military families with special needs. The program shall—

''(A) assist military families in identifying whether or not they have a member with special needs; and

''(B) provide military families with special needs with information on the services, support, and assistance available through the Department of Defense regarding such members with special needs, including information on enrollment in programs of the military departments for such services, support, and assistance.

''(3)(A) The Office shall provide support to the Secretary of each military department in the establishment and sustainment by such Secretary of a program for the support of military families with special needs under the jurisdiction of such Secretary. Each program shall be consistent with the policy developed by the Office under subsection (e).

''(B) Each program under this paragraph shall provide for appropriate numbers of case managers for the development and oversight of individualized services plans for educational and medical support for military families with special needs.

''(C) Services under a program under this paragraph may be provided by contract or other arrangements with non-Department of Defense entities qualified to provide such services.

''(g) RESOURCES.—The Secretary of Defense shall assign to the Office such resources, including personnel, as the Secretary considers necessary for the discharge of the responsibilities of the Office, including a sufficient number of members of the armed forces to ensure appropriate representation by the military departments in the personnel of the Office.

''(h) REPORTS.—(1) Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the activities of the Office.

''(2) Each report under this subsection shall include the following:

''(A) A description of any gaps in services available through the Department of Defense for military families with special needs that were identified under subsection (d)(3).

''(B) A description of the actions being taken, or planned, to address such gaps, including any plans developed under subsection (d)(4).

''(C) Such recommendations for legislative action as the Secretary considers appropriate to provide for the continuous improvement of support and services for military families with special needs.

''(i) MILITARY FAMILY WITH SPECIAL NEEDS.—For purposes of this section, a military family with special needs is any military family with one or more members who has a medical or educational special need (as defined by the Secretary in regulations for purposes of this section), including a condition covered by the Extended Health Care Option Program under section 1079f of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 88 of such title is amended by inserting after the item relating to section 1781b the following new item:

''1781c. Office of Community Support for Military Families With Special Needs.''.

(3) REPEAL OF SUPERSEDED AUTHORITY.—Section 587 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 133; 10 U.S.C. 1781 note) is repealed.

(b) FOUNDATION FOR SUPPORT OF MILITARY FAMILIES WITH SPECIAL NEEDS.—

(1) ESTABLISHMENT AUTHORIZED.—The Secretary of Defense may establish a foundation for the provision of assistance to the Department of Defense in providing support to military families with special needs.

(2) PURPOSES.—The purposes of the foundation shall be to assist the Department of Defense as follows:

(A) In conducting outreach to identify military families with special needs.

(B) In developing programs to support and provide services to military families with special needs.

(C) In developing educational curricula for the training of professional and paraprofessional personnel providing support and services on special needs to military families with special needs.

(D) In conducting research on the following:

(i) The unique factors associated with a military career (including deployments of members of the Armed Forces) and their effects on families and individuals with special needs.

(ii) Evidence-based therapeutic and medical services for members of military families with special needs, including research in conjunction with non-Department of Defense entities such as the National Institutes of Health.

(E) In providing vocational education and training for adolescent and adult members of military families with special needs.

(F) In carrying out other initiatives to contribute to improved support for military families with special needs.

(3) DEPARTMENT OF DEFENSE FUNDING.—The Secretary may provide the foundation such financial support as the Secretary considers appropriate, including the provision to the foundation of appropriated funds and non-appropriated funds available to the Department of Defense.

(4) ANNUAL REPORT.—The foundation shall submit to the Secretary, and to the congressional defense committees, each year a report on its activities under this subsection during the preceding year. Each report shall include, for the year covered by such report, the following:

(A) A description of the programs and activities of the foundation.

(B) The budget of the foundation, including the sources of any funds provided to the foundation.

(5) MILITARY FAMILY WITH SPECIAL NEEDS DEFINED.—In this subsection, the term ''military family with special needs'' has the meaning given such term in section 1781c(i) of title 10, United States Code (as added by subsection (a)).

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated for the Department of Defense for fiscal year 2010 for support of military families with special needs, there is hereby authorized to be appropriated to the Department of Defense for fiscal year 2010 for military personnel, $50,000,000 for purposes of carrying out this section and the amendments made by this section. Of such amount, not less than $40,000,000 shall be allocated to the military departments for the execution of programs and activities in carrying out this section and the amendments made by this section in fiscal year 2010.

**SEC. 564. PILOT PROGRAM TO SECURE INTERNSHIPS FOR MILITARY SPOUSES WITH FEDERAL AGENCIES.**

(a) COST-REIMBURSEMENT AGREEMENTS WITH FEDERAL AGENCIES.—The Secretary of Defense may enter into an agreement with the head of an executive department or agency that has an established internship program to reimburse the department or agency for authorized costs associated with the first year of employment of an eligible military spouse who is selected to participate in the internship program of the department or agency.

(b) ELIGIBLE MILITARY SPOUSES.—

(1) ELIGIBILITY.—Except as provided in paragraph (2), any person who is married to a member of the Armed Forces on active duty is eligible for selection to participate in an internship program under a reimbursement agreement entered into under subsection (a).

(2) EXCLUSIONS.—Reimbursement may not be provided with respect to the following persons:

(A) A person who is legally separated from a member of the Armed Forces under court order or statute of any State, the District of Columbia, or possession of the United States when the person begins the internship.

(B) A person who is also a member of the Armed Forces on active duty.

(C) A person who is a retired member of the Armed Forces.

(c) FUNDING SOURCE.—Amounts authorized to be appropriated for operation and maintenance, for Defense-wide activities, shall be available to carry out this section.

(d) DEFINITIONS.—In this section:

(1) The term ''authorized costs'' includes the costs of the salary, benefits and allowances, and training for an eligible military spouse during the first year of the participation of the military spouse in an internship program pursuant to an agreement under subsection (a).

(2) The term ''internship'' means a professional, analytical, or administrative position in the Federal Government that operates under a developmental program leading to career advancement.

(e) TERMINATION OF AGREEMENT AUTHORITY.—No agreement may be entered into under subsection (a) after September 30, 2011. Authorized costs incurred after that date may be reimbursed under an agreement entered into before that date in the case of eligible military spouses who begin their internship by that date.

(f) REPORTING REQUIREMENT.—Not later than January 1, 2012, the Secretary of Defense shall submit to the congressional defense committees a report that provides information on how many eligible military spouses received internships pursuant to agreements entered into under subsection (a) and the types of internship positions they occupied. The report shall specify the number of interns who subsequently obtained permanent employment with the department or agency administering the internship program or with another department or agency. The Secretary shall include a recommendation regarding whether, given the investment of Department of Defense funds, the authority to enter into agreements should be extended, modified, or terminated.

**SEC. 565. FAMILY AND MEDICAL LEAVE FOR FAMILY OF SERVICEMEMBERS.**

(a) GENERAL REQUIREMENTS FOR LEAVE.—

(1) DEFINITION OF COVERED ACTIVE DUTY.—

(A) DEFINITION.—Section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is amended—

(i) by striking paragraph (14) and inserting the following:

''(14) COVERED ACTIVE DUTY.—The term 'covered active duty' means—

''(A) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and

''(B) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces

*to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.''; and*

*(ii) by striking paragraph (15) and redesignating paragraphs (16) through (19) as paragraphs (15) through (18), respectively.*

*(B) LEAVE.—Section 102 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612) is amended—*

*(i) in subsection (a)(1)(E)—*

*(I) by striking ''active duty'' each place it appears and inserting ''covered active duty''; and*

*(II) by striking ''in support of a contingency operation''; and*

*(ii) in subsection (e)(3)—*

*(I) in the paragraph heading, by striking ''ACTIVE DUTY'' and inserting ''COVERED ACTIVE DUTY'';*

*(II) by striking ''active duty'' each place it appears and inserting ''covered active duty''; and*

*(III) by striking ''in support of a contingency operation''.*

*(C) CONFORMING AMENDMENT.—Section 103(f) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613(f)) is amended, in the subsection heading, by striking ''ACTIVE DUTY'' each place it appears and inserting ''COVERED ACTIVE DUTY''.*

*(2) DEFINITION OF COVERED SERVICEMEMBER.—Paragraph (15) of section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) (as redesignated by paragraph (1)(A)(ii)) is amended to read as follows:*

*''(15) COVERED SERVICEMEMBER.—The term 'covered servicemember' means—*

*''(A) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or*

*''(B) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.''.*

*(3) DEFINITIONS OF SERIOUS INJURY OR ILLNESS; VETERAN.—Section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is further amended by striking paragraph (18) (as redesignated by paragraph (1)(A)(ii)) and inserting the following:*

*''(18) SERIOUS INJURY OR ILLNESS.—The term 'serious injury or illness'—*

*''(A) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and*

*''(B) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in paragraph (15)(B), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.*

*''(19) VETERAN.—The term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.''.*

*(4) TECHNICAL AMENDMENT.—Section 102(e)(2)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(e)(2)(A)) is amended by striking ''or parent'' and inserting ''parent, or covered servicemember''.*

*(5) REGULATIONS.—In prescribing regulations to carry out the amendments made by this subsection, the Secretary of Labor shall consult with the Secretary of Defense and the Secretary of Veterans Affairs, as applicable.*

*(b) LEAVE FOR CIVIL SERVICE EMPLOYEES.—*

*(1) EXIGENCY LEAVE FOR SERVICEMEMBERS ON COVERED ACTIVE DUTY.—*

*(A) DEFINITION.—Section 6381(7) of title 5, United States Code, is amended to read as follows:*

*''(7) the term 'covered active duty' means—*

*''(A) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and*

*''(B) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code;''.*

*(B) LEAVE.—Section 6382 of title 5, United States Code, is amended—*

*(i) in subsection (a)(1), by adding at the end the following:*

*''(E) Because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.'';*

*(ii) in subsection (b)(1), by inserting after the second sentence the following: ''Subject to subsection (e)(3) and section 6383(f), leave under subsection (a)(1)(E) may be taken intermittently or on a reduced leave schedule.'';*

*(iii) in subsection (d), by striking ''or (D)'' and inserting ''(D), or (E)''; and*

*(iv) in subsection (e), by adding at the end the following:*

*''(3) In any case in which the necessity for leave under subsection (a)(1)(E) is foreseeable, whether because the spouse, or a son, daughter, or parent, of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the employer as is reasonable and practicable.''.*

*(C) CERTIFICATION.—Section 6383(f) of title 5, United States Code, is amended by striking ''section 6382(a)(3)'' and inserting ''paragraph (1)(E) or (3) of section 6382(a)''.*

*(2) DEFINITION OF COVERED SERVICEMEMBER.—Paragraph (8) of section 6381 of title 5, United States Code, is amended to read as follows:*

*''(8) the term 'covered servicemember' means—*

*''(A) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or*

*''(B) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy;''.*

*(3) DEFINITIONS OF SERIOUS INJURY OR ILLNESS; VETERAN.—Section 6381 of title 5, United States Code, is further amended—*

*(A) in paragraph (10), by striking ''and'' at the end; and*

*(B) by striking paragraph (11) and inserting the following:*

*''(11) the term 'serious injury or illness'—*

*''(A) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and*

*''(B) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in paragraph (8)(B), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran; and*

*''(12) the term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.''.*

*(4) TECHNICAL AMENDMENT.—Section 6382(e)(2)(A) of title 5, United States Code, is amended by striking ''or parent'' and inserting ''parent, or covered servicemember''.*

*(5) REGULATIONS.—In prescribing regulations to carry out the amendments made by this subsection, the Office of Personnel Management shall consult with the Secretary of Defense and the Secretary of Veterans Affairs, as applicable.*

***SEC. 566. DEADLINE FOR REPORT ON SEXUAL ASSAULT IN THE ARMED FORCES BY DEFENSE TASK FORCE ON SEXUAL ASSAULT IN THE MILITARY SERVICES.***

*Section 576(e)(1) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1924; 10 U.S.C. 4331 note) is amended by striking ''one year after the initiation of its examination under subsection (b)'' and inserting ''December 1, 2009''.*

***SEC. 567. IMPROVED PREVENTION AND RESPONSE TO ALLEGATIONS OF SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.***

*(a) PREVENTION AND RESPONSE PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a revised plan for the implementation of policies aimed at preventing and responding effectively to sexual assaults involving members of the Armed Forces. The revised implementation plan shall include, at a minimum, the following elements:*

*(1) New initiatives aimed at reducing the number of sexual assaults, including timelines for implementation of such initiatives.*

*(2) Requirements for monitoring and reporting on progress in implementation of such initiatives and methods to measure the effectiveness of plans that implement the policies of the Department of Defense regarding sexual assaults involving members of the Armed Forces.*

*(3) Training programs for judge advocates, criminal investigators, commanders, prospective commanding officers, senior enlisted members, and personnel with less than six months of active-duty service.*

*(4) Information about the status of implementation, funding requirements and budgetary implications, and overall utility of data reporting systems on incidents of sexual assault involving members of the Armed Forces.*

*(5) Actions taken to implement recommendations of the Defense Task Force on Sexual Assault in the Military Services established pursuant to section 576 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 4331 note).*

*(6) Information about the funding needed to fully implement initiatives aimed at preventing and responding to sexual assault involving members of the Armed Forces.*

*(b) SEXUAL ASSAULT MEDICAL FORENSIC EXAMINATIONS.—*

*(1) CAPABILITY TO CONDUCT TIMELY SEXUAL ASSAULT MEDICAL FORENSIC EXAMINATIONS IN*

*COMBAT ZONES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating the protocols and capabilities of the Armed Forces to conduct timely and effective sexual assault medical forensic examinations in combat zones. The report shall include, at a minimum, the following:*

*(A) The current availability of sexual assault medical forensic examination protocols, trained personnel, and requisite equipment in combat zones.*

*(B) An assessment of the barriers to providing timely sexual assault medical forensic examinations to victims of sexual assault at all echelons of care in combat zones.*

*(C) Recommendations regarding improved capability to conduct timely and effective sexual assault medical forensic examinations in combat zones.*

*(2) TRICARE COVERAGE FOR FORENSIC MEDICAL EXAMINATIONS FOLLOWING SEXUAL ASSAULTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the progress made in implementing section 1079(a)(17) of title 10, United States Code, as added by section 701 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2279).*

*(c) MILITARY PROTECTIVE ORDERS.—*

*(1) REQUIREMENT FOR DATA COLLECTION.—*

*(A) IN GENERAL.—Pursuant to regulations prescribed by the Secretary of Defense, information shall be collected on—*

*(i) whether a military protective order was issued that involved either the victim or alleged perpetrator of a sexual assault; and*

*(ii) whether military protective orders involving members of the Armed Forces were violated in the course of substantiated incidents of sexual assaults against members of the Armed Forces.*

*(B) SUBMISSION OF DATA.—The data required to be collected under this subsection shall be included in the annual report submitted to Congress on sexual assaults involving members of the Armed Forces.*

*(2) INFORMATION TO MEMBERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report explaining the measures being taken to ensure that, when a military protective order has been issued, the member of the Armed Forces who is protected by the order is informed, in a timely manner, of the member's option to request transfer from the command to which the member is assigned.*

*(d) COMPTROLLER GENERAL REPORT.—*

*(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a review of the capability of each of the Armed Forces to timely and effectively investigate and adjudicate allegations of sexual assault against members of the Armed Forces. The Comptroller General shall determine whether existing policies and implementation plans of the Department of Defense, and the resources devoted for this purpose, are adequate or negatively affect the ability of each of the Armed Forces to facilitate the prevention, investigation, and adjudication of such allegations under the Uniform Code of Military Justice.*

*(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall refer to and incorporate the recommendations of the Defense Task Force on Sexual Assault in the Military Services regarding investigation and adjudication of sexual assault, and include a review of the following:*

*(A) The procedures required by each of the Armed Forces for responding to allegations of sexual assault (including guidance to commanding officers, standard operating and reporting procedures, and related matters), and the personnel (including judge advocates) and budgetary resources available to each of the Armed Forces to respond to allegations of sexual assault.*

*(B) The scope and effectiveness of personnel training methods regarding investigation and adjudication of sexual assault cases.*

*(C) The capability to investigate and adjudicate sexual assault cases in combat zones.*

*(D) An assessment whether the existing policies of the Department of Defense aimed at preventing and responding to incidents of sexual assault are adequate.*

***SEC. 568. COMPTROLLER GENERAL REPORT ON PROGRESS MADE IN IMPLEMENTING RECOMMENDATIONS TO REDUCE DOMESTIC VIOLENCE IN MILITARY FAMILIES.***

*(a) ASSESSMENT.—The Comptroller General shall review and assess the progress made by the Department of Defense in implementing the recommendations contained in the report by the Comptroller General entitled ''Military Personnel: Progress Made in Implementing Recommendations to reduce Domestic Violence, but Further Management Action Needed'' (GAO–06–540).*

*(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing the results of the review and assessment under subsection (a).*

***SEC. 569. REPORT ON IMPACT OF DOMESTIC VIOLENCE ON MILITARY FAMILIES.***

*Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing—*

*(1) an assessment of the impact of domestic violence in families of members of the Armed Forces on the children of such families; and*

*(2) information on progress being made to ensure that children of families of members of the Armed Forces receive adequate care and services when such children are exposed to domestic violence.*

***SEC. 570. REPORT ON INTERNATIONAL INTRAFAMILIAL ABDUCTION OF CHILDREN OF MEMBERS OF THE ARMED FORCES.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total number of children abducted from and returned to members of the Armed Forces in international intrafamilial abductions during the years 2007 through 2009, as such number was included in the numbers and elements of the annual Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction with respect to such years.*

*(b) ELEMENTS.—The report shall include an assessment of the following:*

*(1) The current availability of, and the additional need for, assistance (including general information, psychological counseling, financial assistance, leave for travel, and legal services) provided by the military departments to left-behind members of the Armed Forces involved in international intrafamilial child abductions for the purpose of obtaining the return of their abducted children and ensuring the military readiness of such members of the Armed Forces.*

*(2) The measures taken by the Department of Defense and the military departments, including any written policy guidelines, to prevent the abduction of children of members of the Armed Forces.*

*(3) The means by which members of the Armed Forces are educated on the risks of international intrafamilial child abduction, particularly when they first arrive at a military installation overseas or when the Armed Forces receive notice that a member is considering marriage or divorce overseas.*

***SEC. 571. ASSESSMENT OF IMPACT OF DEPLOYMENT OF MEMBERS OF THE ARMED FORCES ON THEIR DEPENDENT CHILDREN.***

*(a) ASSESSMENT REQUIRED.—*

*(1) IN GENERAL.—The Secretary of Defense shall undertake a comprehensive assessment of the impacts of military deployment on the dependent children of deployed members of the Armed Forces.*

*(2) CONSIDERATION OF SEPARATE CATEGORIES OF CHILDREN.—In conducting the assessment under paragraph (1), the Secretary shall separately address each of the following categories of dependent children of deployed members:*

*(A) Preschool-age children.*

*(B) Elementary-school age children.*

*(C) Teenage or adolescent children.*

*(3) CONSIDERATION OF SEPARATE CATEGORIES OF MEMBERS.—In conducting the assessment under paragraph (1), the Secretary shall separately address children of deployed members in the following circumstances:*

*(A) Two-parent families with only one parent in the Armed Forces.*

*(B) Members who are single parents.*

*(C) Parents who are both members and subject to dual deployments.*

*(b) ELEMENTS.—The assessment undertaken under subsection (a) shall specifically address the following:*

*(1) The impact that separation due to the deployment of a military parent or parents has on children.*

*(2) The impact that multiple deployments of a military parent or parents have on children.*

*(3) The impact that the return from deployment of a severely wounded or injured military parent or parents has on children.*

*(4) The impact that the death of a military parent or parents in connection with a deployment has on children.*

*(5) The impact that deployment of a military parent or parents has on children with preexisting psychological conditions, such as anxiety and depression.*

*(6) The impact that deployment of a military parent or parents has on risk factors, such as child abuse, child neglect, family violence, substance abuse by children, or parental substance abuse.*

*(7) Such other matters as the Secretary considers appropriate.*

*(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the assessment undertaken under subsection (a), including the findings and recommendations of the Secretary as a result of the assessment.*

***SEC. 572. REPORT ON CHILD CUSTODY LITIGATION INVOLVING SERVICE OF MEMBERS OF THE ARMED FORCES.***

*(a) REPORT REQUIRED.—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on all known reported cases since September 2003 involving child custody disputes in which the service of a member of the Armed Forces, whether a member of a regular component of the Armed Forces or a member of a reserve component of the Armed Forces, was an issue in the custody dispute.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) A statement of the total number of cases, by Armed Force, in which members of the Armed Forces have lost custody of a child as a result of deployment, or the prospect of deployment, under military orders.*

*(2) A summary of applicable Federal law pertaining to child custody disputes involving members of the Armed Forces.*

*(3) An analysis of the litigation history of all available reported cases involving child custody disputes in which the deployment of a member of the Armed Forces was an issue in the dispute, and a discussion of the rationale presented by deciding judges and courts of the reasons for their rulings.*

*(4) An assessment of the nature and extent of the problem, if any, for members of the Armed Forces who are custodial parents in being able to deploy and perform their operational mission while continuing to fulfill their role as parents with sole or joint custody of minor children.*

*(5) A discussion of measures being taken by the States, or which are under consideration by State legislatures, to address matters relating to child custody disputes in which one of the parties is a member of the Armed Forces, and an assessment of whether State legislatures and State courts are cognizant of issues involving members of the Armed Forces with minor children.*

*(6) A discussion of Family Care Plan policies aimed at ensuring that appropriate measures are taken by members of the Armed Forces to avoid litigation in child custody disputes.*

*(7) Such recommendations as the Secretary considers appropriate regarding how best to assist members of the Armed Forces who are single, custodial parents with respect to child custody disputes in connection with the performance of military duties, including the need for legislative or administrative action to provide such assistance.*

*(8) Such other recommendations for legislative or administrative action as the Secretary considers appropriate.*

***SEC. 573. COMPTROLLER GENERAL REPORT ON CHILD CARE ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.***

*(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on financial assistance for child care provided by the Department of Defense to members of the Armed Forces (including members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation).*

*(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of the following:*

*(1) The types of financial assistance for child care made available by the Department of Defense to members of the Armed Forces (including members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation).*

*(2) The extent to which such members have taken advantage of such assistance since such assistance was first made available.*

*(3) The formulas used for calculating the amount of such assistance provided to such members.*

*(4) The funding allocated to such assistance.*

*(5) The remaining costs of child care to families of such members that are not covered by the Department of Defense.*

*(6) Any barriers to access to such assistance faced by such members and the families of such members.*

*(7) The different criteria used by different States with respect to the regulation of child care services and the potential impact differences in such criteria may have on the access of such members to such assistance.*

*(8) The different standards and criteria used by different programs of the Department of Defense for providing such assistance with respect to child care providers and the potential impact differences in such standards and criteria may have on the access of such members to such assistance.*

*(9) The number of qualified families that do not receive any financial assistance for child care made available by the Department of Defense.*

*(10) Any other matters the Comptroller General determines relevant to the improvement of financial assistance to expand access for child care made available by the Department of Defense to members of the Armed Forces (including members of the reserve components of the Armed Forces who are deployed in connection with a contingency operation).*

***Subtitle H—Military Voting***

***SEC. 575. SHORT TITLE.***

*This subtitle may be cited as the ''Military and Overseas Voter Empowerment Act''.*

***SEC. 576. CLARIFICATION REGARDING DELEGATION OF STATE RESPONSIBILITIES TO LOCAL JURISDICTIONS.***

*Nothing in the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) may be construed to prohibit a State from delegating its responsibilities in carrying out the requirements of such Act, including any requirements imposed as a result of the provisions of and amendments made by this Act, to jurisdictions in the State.*

***SEC. 577. ESTABLISHMENT OF PROCEDURES FOR ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS BY MAIL AND ELECTRONICALLY.***

*(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (4), by striking ''and'' at the end;*

*(B) in paragraph (5), by striking the period at the end and inserting ''; and''; and*

*(C) by adding at the end the following new paragraph:*

*''(6) in addition to any other method of registering to vote or applying for an absentee ballot in the State, establish procedures—*

*''(A) for absent uniformed services voters and overseas voters to request by mail and electronically voter registration applications and absentee ballot applications with respect to general, special, primary, and runoff elections for Federal office in accordance with subsection (e);*

*''(B) for States to send by mail and electronically (in accordance with the preferred method of transmission designated by the absent uniformed services voter or overseas voter under subparagraph (C)) voter registration applications and absentee ballot applications requested under subparagraph (A) in accordance with subsection (e); and*

*''(C) by which the absent uniformed services voter or overseas voter can designate whether the voter prefers that such voter registration application or absentee ballot application be transmitted by mail or electronically.''; and*

*(2) by adding at the end the following new subsection:*

*''(e) DESIGNATION OF MEANS OF ELECTRONIC COMMUNICATION FOR ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR OTHER PURPOSES RELATED TO VOTING INFORMATION.—*

*''(1) IN GENERAL.—Each State shall, in addition to the designation of a single State office under subsection (b), designate not less than 1 means of electronic communication—*

*''(A) for use by absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State to request voter registration applications and absentee ballot applications under subsection (a)(6);*

*''(B) for use by States to send voter registration applications and absentee ballot applications requested under such subsection; and*

*''(C) for the purpose of providing related voting, balloting, and election information to absent uniformed services voters and overseas voters.*

*''(2) CLARIFICATION REGARDING PROVISION OF MULTIPLE MEANS OF ELECTRONIC COMMUNICATION.—A State may, in addition to the means of electronic communication so designated, provide multiple means of electronic communication to absent uniformed services voters and overseas voters, including a means of electronic communication for the appropriate jurisdiction of the State.*

*''(3) INCLUSION OF DESIGNATED MEANS OF ELECTRONIC COMMUNICATION WITH INFORMATIONAL AND INSTRUCTIONAL MATERIALS THAT ACCOMPANY BALLOTING MATERIALS.—Each State shall include a means of electronic communication so designated with all informational and instructional materials that accompany balloting materials sent by the State to absent uniformed services voters and overseas voters.*

*''(4) AVAILABILITY AND MAINTENANCE OF ONLINE REPOSITORY OF STATE CONTACT INFORMATION.—The Federal Voting Assistance Program of the Department of Defense shall maintain and make available to the public an online repository of State contact information with respect to elections for Federal office, including the single State office designated under subsection (b) and the means of electronic communication designated under paragraph (1), to be used by absent uniformed services voters and overseas voters as a resource to send voter registration applications and absentee ballot applications to the appropriate jurisdiction in the State.*

*''(5) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an absent uniformed services voter or overseas voter does not designate a preference under subsection (a)(6)(C), the State shall transmit the voter registration application or absentee ballot application by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.*

*''(6) SECURITY AND PRIVACY PROTECTIONS.—*

*''(A) SECURITY PROTECTIONS.—To the extent practicable, States shall ensure that the procedures established under subsection (a)(6) protect the security and integrity of the voter registration and absentee ballot application request processes.*

*''(B) PRIVACY PROTECTIONS.—To the extent practicable, the procedures established under subsection (a)(6) shall ensure that the privacy of the identity and other personal data of an absent uniformed services voter or overseas voter who requests or is sent a voter registration application or absentee ballot application under such subsection is protected throughout the process of making such request or being sent such application.''.*

*(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

***SEC. 578. ESTABLISHMENT OF PROCEDURES FOR STATES TO TRANSMIT BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY TO ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS.***

*(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 577, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (5), by striking ''and'' at the end;*

*(B) in paragraph (6), by striking the period at the end and inserting ''; and''; and*

*(C) by adding at the end the following new paragraph:*

*''(7) in addition to any other method of transmitting blank absentee ballots in the State, establish procedures for transmitting by mail and electronically blank absentee ballots to absent uniformed services voters and overseas voters with respect to general, special, primary, and runoff elections for Federal office in accordance with subsection (f).''; and*

*(2) by adding at the end the following new subsection:*

*''(f) TRANSMISSION OF BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—*

*''(1) IN GENERAL.—Each State shall establish procedures—*

*''(A) to transmit blank absentee ballots by mail and electronically (in accordance with the preferred method of transmission designated by the absent uniformed services voter or overseas voter under subparagraph (B)) to absent uniformed services voters and overseas voters for an election for Federal office; and*

*''(B) by which the absent uniformed services voter or overseas voter can designate whether the voter prefers that such blank absentee ballot be transmitted by mail or electronically.*

*''(2) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an absent uniformed services voter or overseas voter does not designate a preference under paragraph (1)(B), the State shall transmit the ballot by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.*

*''(3) SECURITY AND PRIVACY PROTECTIONS.—*

*''(A) SECURITY PROTECTIONS.—To the extent practicable, States shall ensure that the procedures established under subsection (a)(7) protect the security and integrity of absentee ballots.*

*''(B) PRIVACY PROTECTIONS.—To the extent practicable, the procedures established under subsection (a)(7) shall ensure that the privacy of the identity and other personal data of an absent uniformed services voter or overseas voter to whom a blank absentee ballot is transmitted under such subsection is protected throughout the process of such transmission.''.*

*(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

***SEC. 579. ENSURING ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS HAVE TIME TO VOTE.***

*(a) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)(1)), as amended by sections 577 and 578, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (6), by striking ''and'' at the end;*

*(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and*

*(C) by adding at the end the following new paragraph:*

*''(8) transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter—*

*''(A) except as provided in subsection (g), in the case in which the request is received at least 45 days before an election for Federal office, not later than 45 days before the election; and*

*''(B) in the case in which the request is received less than 45 days before an election for Federal office—*

*''(i) in accordance with State law; and*

*''(ii) if practicable and as determined appropriate by the State, in a manner that expedites the transmission of such absentee ballot.'';*

*(2) by adding at the end the following new subsection:*

*''(g) HARDSHIP EXEMPTION.—*

*''(1) IN GENERAL.—If the chief State election official determines that the State is unable to meet the requirement under subsection (a)(8)(A) with respect to an election for Federal office due to an undue hardship described in paragraph (2)(B), the chief State election official shall request that the Presidential designee grant a waiver to the State of the application of such subsection. Such request shall include—*

*''(A) a recognition that the purpose of such subsection is to allow absent uniformed services voters and overseas voters enough time to vote in an election for Federal office;*

*''(B) an explanation of the hardship that indicates why the State is unable to transmit absent uniformed services voters and overseas voters an absentee ballot in accordance with such subsection;*

*''(C) the number of days prior to the election for Federal office that the State requires absentee ballots be transmitted to absent uniformed services voters and overseas voters; and*

*''(D) a comprehensive plan to ensure that absent uniformed services voters and overseas voters are able to receive absentee ballots which they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office, which includes—*

*''(i) the steps the State will undertake to ensure that absent uniformed services voters and overseas voters have time to receive, mark, and submit their ballots in time to have those ballots counted in the election;*

*''(ii) why the plan provides absent uniformed services voters and overseas voters sufficient time to vote as a substitute for the requirements under such subsection; and*

*''(iii) the underlying factual information which explains how the plan provides such sufficient time to vote as a substitute for such requirements.*

*''(2) APPROVAL OF WAIVER REQUEST.—After consulting with the Attorney General, the Presidential designee shall approve a waiver request under paragraph (1) if the Presidential designee determines each of the following requirements are met:*

*''(A) The comprehensive plan under subparagraph (D) of such paragraph provides absent uniformed services voters and overseas voters sufficient time to receive absentee ballots they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office.*

*''(B) One or more of the following issues creates an undue hardship for the State:*

*''(i) The State's primary election date prohibits the State from complying with subsection (a)(8)(A).*

*''(ii) The State has suffered a delay in generating ballots due to a legal contest.*

*''(iii) The State Constitution prohibits the State from complying with such subsection.*

*''(3) TIMING OF WAIVER.—*

*''(A) IN GENERAL.—Except as provided under subparagraph (B), a State that requests a waiver under paragraph (1) shall submit to the Presidential designee the written waiver request not later than 90 days before the election for Federal office with respect to which the request is submitted. The Presidential designee shall approve or deny the waiver request not later than 65 days before such election.*

*''(B) EXCEPTION.—If a State requests a waiver under paragraph (1) as the result of an undue hardship described in paragraph (2)(B)(ii), the State shall submit to the Presidential designee the written waiver request as soon as practicable. The Presidential designee shall approve or deny the waiver request not later than 5 business days after the date on which the request is received.*

*''(4) APPLICATION OF WAIVER.—A waiver approved under paragraph (2) shall only apply with respect to the election for Federal office for which the request was submitted. For each subsequent election for Federal office, the Presidential designee shall only approve a waiver if the State has submitted a request under paragraph (1) with respect to such election.''.*

*(b) RUNOFF ELECTIONS.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(a)), as amended by subsection (a) and sections 577 and 578, is amended—*

*(1) in paragraph (7), by striking ''and'' at the end;*

*(2) in paragraph (8), by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following new paragraph:*

*''(9) if the State declares or otherwise holds a runoff election for Federal office, establish a written plan that provides absentee ballots are made available to absent uniformed services voters and overseas voters in manner that gives them sufficient time to vote in the runoff election.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

***SEC. 580. PROCEDURES FOR COLLECTION AND DELIVERY OF MARKED ABSENTEE BALLOTS OF ABSENT OVERSEAS UNIFORMED SERVICES VOTERS.***

*(a) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended by inserting after section 103 the following new section:*

***''SEC. 103A. PROCEDURES FOR COLLECTION AND DELIVERY OF MARKED ABSENTEE BALLOTS OF ABSENT OVERSEAS UNIFORMED SERVICES VOTERS.***

*''(a) ESTABLISHMENT OF PROCEDURES.—The Presidential designee shall establish procedures for collecting marked absentee ballots of absent overseas uniformed services voters in regularly scheduled general elections for Federal office, including absentee ballots prepared by States and the Federal write-in absentee ballot prescribed under section 103, and for delivering such marked absentee ballots to the appropriate election officials.*

*''(b) DELIVERY TO APPROPRIATE ELECTION OFFICIALS.—*

*''(1) IN GENERAL.—Under the procedures established under this section, the Presidential designee shall implement procedures that facilitate the delivery of marked absentee ballots of absent overseas uniformed services voters for regularly scheduled general elections for Federal office to the appropriate election officials, in accordance with this section, not later than the date by which an absentee ballot must be received in order to be counted in the election.*

*''(2) COOPERATION AND COORDINATION WITH THE UNITED STATES POSTAL SERVICE.—The Presidential designee shall carry out this section in cooperation and coordination with the United States Postal Service, and shall provide expedited mail delivery service for all such marked absentee ballots of absent uniformed services voters that are collected on or before the deadline described in paragraph (3) and then transferred to the United States Postal Service.*

*''(3) DEADLINE DESCRIBED.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), the deadline described in this paragraph is noon (in the location in which the ballot is collected) on the seventh day preceding the date of the regularly scheduled general election for Federal office.*

*''(B) AUTHORITY TO ESTABLISH ALTERNATIVE DEADLINE FOR CERTAIN LOCATIONS.—If the Presidential designee determines that the deadline described in subparagraph (A) is not sufficient to ensure timely delivery of the ballot under paragraph (1) with respect to a particular location because of remoteness or other factors, the Presidential designee may establish as an alternative deadline for that location the latest date occurring prior to the deadline described in subparagraph (A) which is sufficient to provide timely delivery of the ballot under paragraph (1).*

*''(4) NO POSTAGE REQUIREMENT.—In accordance with section 3406 of title 39, United States Code, such marked absentee ballots and other balloting materials shall be carried free of postage.*

*''(5) DATE OF MAILING.—Such marked absentee ballots shall be postmarked with a record of the date on which the ballot is mailed.*

*''(c) OUTREACH FOR ABSENT OVERSEAS UNIFORMED SERVICES VOTERS ON PROCEDURES.—The Presidential designee shall take appropriate actions to inform individuals who are anticipated to be absent overseas uniformed services*

*voters in a regularly scheduled general election for Federal office to which this section applies of the procedures for the collection and delivery of marked absentee ballots established pursuant to this section, including the manner in which such voters may utilize such procedures for the submittal of marked absentee ballots pursuant to this section.*

*''(d) ABSENT OVERSEAS UNIFORMED SERVICES VOTER DEFINED.—In this section, the term 'absent overseas uniformed services voter' means an overseas voter described in section 107(5)(A).*

*''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as may be necessary to carry out this section.''.*

*(b) CONFORMING AMENDMENT.—Section 101(b) of such Act (42 U.S.C. 1973ff(b)) is amended—*

*(1) by striking ''and'' at the end of paragraph (6);*

*(2) by striking the period at the end of paragraph (7) and inserting ''; and''; and*

*(3) by adding at the end the following new paragraph:*

*''(8) carry out section 103A with respect to the collection and delivery of marked absentee ballots of absent overseas uniformed services voters in elections for Federal office.''.*

*(c) STATE RESPONSIBILITIES.—Section 102(a) of such Act (42 U.S.C. 1973ff–1(a)), as amended by sections 577, 578, and 579, is amended—*

*(1) in paragraph (8), by striking ''and'' at the end;*

*(2) in paragraph (9), by striking the period at the end and inserting ''; and''; and*

*(3) by adding the following new paragraph:*

*''(10) carry out section 103A(b)(1) with respect to the processing and acceptance of marked absentee ballots of absent overseas uniformed services voters.''.*

*(d) TRACKING MARKED BALLOTS.—Section 102 of such Act (42 U.S.C. 1973ff–1(a)) is amended by adding at the end the following new subsection:*

*''(h) TRACKING MARKED BALLOTS.—The chief State election official, in coordination with local election jurisdictions, shall develop a free access system by which an absent uniformed services voter or overseas voter may determine whether the absentee ballot of the absent uniformed services voter or overseas voter has been received by the appropriate State election official.''.*

*(e) PROTECTING VOTER PRIVACY AND SECRECY OF ABSENTEE BALLOTS.—Section 101(b) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)), as amended by subsection (b), is amended—*

*(1) by striking ''and'' at the end of paragraph (7);*

*(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and*

*(3) by adding at the end the following new paragraph:*

*''(9) to the greatest extent practicable, take such actions as may be necessary—*

*''(A) to ensure that absent uniformed services voters who cast absentee ballots at locations or facilities under the jurisdiction of the Presidential designee are able to do so in a private and independent manner; and*

*''(B) to protect the privacy of the contents of absentee ballots cast by absentee uniformed services voters and overseas voters while such ballots are in the possession or control of the Presidential designee.''.*

*(f) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

***SEC. 581. FEDERAL WRITE-IN ABSENTEE BALLOT.***

*(a) USE IN GENERAL, SPECIAL, PRIMARY, AND RUNOFF ELECTIONS FOR FEDERAL OFFICE.—*

*(1) IN GENERAL.—Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–2) is amended—*

*(A) in subsection (a), by striking ''general elections for Federal office'' and inserting ''general, special, primary, and runoff elections for Federal office'';*

*(B) in subsection (e), in the matter preceding paragraph (1), by striking ''a general election'' and inserting ''a general, special, primary, or runoff election for Federal office''; and*

*(C) in subsection (f), by striking ''the general election'' each place it appears and inserting ''the general, special, primary, or runoff election for Federal office''.*

*(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on December 31, 2010, and apply with respect to elections for Federal office held on or after such date.*

*(b) PROMOTION AND EXPANSION OF USE.—Section 103(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–2) is amended—*

*(1) by striking ''GENERAL.—The Presidential'' and inserting ''GENERAL.—*

*''(1) FEDERAL WRITE-IN ABSENTEE BALLOT.—The Presidential''; and*

*(2) by adding at the end the following new paragraph:*

*''(2) PROMOTION AND EXPANSION OF USE OF FEDERAL WRITE-IN ABSENTEE BALLOTS.—*

*''(A) IN GENERAL.—Not later than December 31, 2011, the Presidential designee shall adopt procedures to promote and expand the use of the Federal write-in absentee ballot as a back-up measure to vote in elections for Federal office.*

*''(B) USE OF TECHNOLOGY.—Under such procedures, the Presidential designee shall utilize technology to implement a system under which the absent uniformed services voter or overseas voter may—*

*''(i) enter the address of the voter or other information relevant in the appropriate jurisdiction of the State, and the system will generate a list of all candidates in the election for Federal office in that jurisdiction; and*

*''(ii) submit the marked Federal write-in absentee ballot by printing the ballot (including complete instructions for submitting the marked Federal write-in absentee ballot to the appropriate State election official and the mailing address of the single State office designated under section 102(b)).*

*''(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as may be necessary to carry out this paragraph.''.*

***SEC. 582. PROHIBITING REFUSAL TO ACCEPT VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS, MARKED ABSENTEE BALLOTS, AND FEDERAL WRITE-IN ABSENTEE BALLOTS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.***

*(a) VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended by adding at the end the following new subsection:*

*''(i) PROHIBITING REFUSAL TO ACCEPT APPLICATIONS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid voter registration application or absentee ballot application (including the official post card form prescribed under section 101) or marked absentee ballot submitted in any manner by an absent uniformed services voter or overseas voter solely on the basis of the following:*

*''(1) Notarization requirements.*

*''(2) Restrictions on paper type, including weight and size.*

*''(3) Restrictions on envelope type, including weight and size.''.*

*(b) FEDERAL WRITE-IN ABSENTEE BALLOT.—Section 103 of such Act (42 U.S.C. 1973ff–2) is amended—*

*(1) by redesignating subsection (f) as subsection (g); and*

*(2) by inserting after subsection (e) the following new subsection:*

*''(f) PROHIBITING REFUSAL TO ACCEPT BALLOT FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid Federal write-in absentee ballot submitted in any manner by an absent uniformed services voter or overseas voter solely on the basis of the following:*

*''(1) Notarization requirements.*

*''(2) Restrictions on paper type, including weight and size.*

*''(3) Restrictions on envelope type, including weight and size.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

***SEC. 583. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.***

*(a) FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.—*

*(1) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.), as amended by section 580(a), is amended by inserting after section 103A the following new section:*

***''SEC. 103B. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.***

*''(a) DUTIES.—The Presidential designee shall carry out the following duties:*

*''(1) Develop online portals of information to inform absent uniformed services voters regarding voter registration procedures and absentee ballot procedures to be used by such voters with respect to elections for Federal office.*

*''(2) Establish a program to notify absent uniformed services voters of voter registration information and resources, the availability of the Federal postcard application, and the availability of the Federal write-in absentee ballot on the military Global Network, and shall use the military Global Network to notify absent uniformed services voters of the foregoing 90, 60, and 30 days prior to each election for Federal office.*

*''(b) CLARIFICATION REGARDING OTHER DUTIES AND OBLIGATIONS.—Nothing in this section shall relieve the Presidential designee of their duties and obligations under any directives or regulations issued by the Department of Defense, including the Department of Defense Directive 1000.04 (or any successor directive or regulation) that is not inconsistent or contradictory to the provisions of this section.*

*''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Voting Assistance Program of the Department of Defense (or a successor program) such sums as are necessary for purposes of carrying out this section.''.*

*(2) CONFORMING AMENDMENTS.—Section 101 of such Act (42 U.S.C. 1973ff), as amended by section 580, is amended—*

*(A) in subparagraph (b)—*

*(i) by striking ''and'' at the end of paragraph (8);*

*(ii) by striking the period at the end of paragraph (9) and inserting ''; and''; and*

*(iii) by adding at the end the following new paragraph:*

*''(10) carry out section 103B with respect to Federal Voting Assistance Program Improvements.''; and*

*(B) by adding at the end the following new subsection:*

*''(d) AUTHORIZATION OF APPROPRIATIONS FOR CARRYING OUT FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.—There are authorized to be appropriated to the Presidential designee such sums as are necessary for purposes of carrying out subsection (b)(10).''.*

*(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

*(b) VOTER REGISTRATION ASSISTANCE FOR ABSENT UNIFORMED SERVICES VOTERS.—*

*(1) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1566 the following new section:*

***"§ 1566a. Voting assistance: voter assistance offices***

*''(a) DESIGNATION OF OFFICES ON MILITARY INSTALLATIONS AS VOTER ASSISTANCE OFFICES.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010 and under regulations prescribed by the Secretary of Defense under subsection (f), the Secretaries of the military departments shall designate offices on installations under their jurisdiction to provide absent uniformed services voters, particularly those individuals described in subsection (b), and their family members with the following:*

*''(1) Information on voter registration procedures and absentee ballot procedures (including the official post card form prescribed under section 101 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff).*

*''(2) Information and assistance, if requested, including access to the Internet where practicable, to register to vote in an election for Federal office.*

*''(3) Information and assistance, if requested, including access to the Internet where practicable, to update the individual's voter registration information, including instructions for absent uniformed services voters to change their address by submitting the official post card form prescribed under section 101 of the Uniformed and Overseas Citizens Absentee Voting Act to the appropriate State election official.*

*''(4) Information and assistance, if requested, to request an absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).*

*''(b) COVERED INDIVIDUALS.—The individuals described in this subsection are absent uniformed services voters who—*

*''(1) are undergoing a permanent change of duty station;*

*''(2) are deploying overseas for at least six months;*

*''(3) are returning from an overseas deployment of at least six months; or*

*''(4) otherwise request assistance related to voter registration.*

*''(c) TIMING OF PROVISION OF ASSISTANCE.—The regulations prescribed by the Secretary of Defense under subsection (f) shall ensure, to the maximum extent practicable and consistent with military necessity, that the assistance provided under subsection (a) is provided to a covered individual described in subsection (b)—*

*''(1) if described in subsection (b)(1), as part of the administrative in-processing of the covered individual upon arrival at the new duty station of the covered individual;*

*''(2) if described in subsection (b)(2), as part of the administrative out-processing of the covered individual in preparation for deployment from the home duty station of the covered individual;*

*''(3) if described in subsection (b)(3), as part of the administrative in-processing of the covered individual upon return to the home duty station of the covered individual; or*

*''(4) if described in subsection (b)(4), at the time the covered individual requests such assistance.*

*''(d) OUTREACH.—The Secretary of each military department, or the Presidential designee, shall take appropriate actions to inform absent uniformed services voters of the assistance available under subsection (a), including—*

*''(1) the availability of information and voter registration assistance at offices designated under subsection (a); and*

*''(2) the time, location, and manner in which an absent uniformed services voter may utilize such assistance.*

*''(e) AUTHORITY TO DESIGNATE VOTING ASSISTANCE OFFICES AS VOTER REGISTRATION AGENCY ON MILITARY INSTALLATIONS.—The Secretary of Defense may authorize the Secretaries of the military departments to designate offices on military installations as voter registration agencies under section 7(a)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–5(a)(2)) for all purposes of such Act. Any office so designated shall discharge the requirements of this section, under the regulations prescribed by the Secretary of Defense under subsection (f).*

*''(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations relating to the administration of the requirements of this section. The regulations shall be prescribed before the regularly scheduled general election for Federal office held in November 2010, and shall be implemented for such general election for Federal office and for each succeeding election for Federal office.*

*''(g) DEFINITIONS.—In this section:*

*''(1) The term 'absent uniformed services voter' has the meaning given that term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(1)).*

*''(2) The term 'Federal office' has the meaning given that term in section 107(3) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(3)).*

*''(3) The term 'Presidential designee' means the official designated by the President under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(a)).''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 80 of such title is amended by inserting after the item relating to section 1566 the following new item:*

*''1566a. Voting assistance: voter assistance offices.''.*

***SEC. 584. DEVELOPMENT OF STANDARDS FOR REPORTING AND STORING CERTAIN DATA.***

*(a) IN GENERAL.—Section 101(b) of such Act (42 U.S.C. 1973ff(b)), as amended by sections 580 and 583, is amended—*

*(1) by striking ''and'' at the end of paragraph (9);*

*(2) by striking the period at the end of paragraph (10) and inserting ''; and''; and*

*(3) by adding at the end the following new paragraph:*

*''(11) working with the Election Assistance Commission and the chief State election official of each State, develop standards—*

*''(A) for States to report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate; and*

*''(B) for the Presidential designee to store the data reported.''.*

*(b) CONFORMING AMENDMENT.—Section 102(a) of such Act (42 U.S.C. 1973ff–1(a)), as amended by sections 577, 578, 579, and 580, is amended—*

*(1) in paragraph (9), by striking ''and'' at the end;*

*(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following new paragraph:*

*''(11) report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate in accordance with the standards developed by the Presidential designee under section 101(b)(11).''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the regularly scheduled general election for Federal office held in November 2010 and each succeeding election for Federal office.*

***SEC. 585. REPEAL OF PROVISIONS RELATING TO USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.***

*(a) IN GENERAL.—Subsections (a) through (d) of section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) are repealed.*

*(b) CONFORMING AMENDMENTS.—The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended—*

*(1) in section 101(b)—*

*(A) in paragraph (2), by striking '', for use by States in accordance with section 104''; and*

*(B) in paragraph (4), by striking ''for use by States in accordance with section 104''; and*

*(2) in section 104, as amended by subsection (a)—*

*(A) in the section heading, by striking ''**USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS**'' and inserting ''**PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION**''; and*

*(B) in subsection (e), by striking ''(e) PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION.—''.*

***SEC. 586. REPORTING REQUIREMENTS.***

*The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) is amended by inserting after section 105 the following new section:*

***"SEC. 105A. REPORTING REQUIREMENTS.***

*''(a) REPORT ON STATUS OF IMPLEMENTATION AND ASSESSMENT OF PROGRAMS.—Not later than 180 days after the date of the enactment of the Military and Overseas Voter Empowerment Act, the Presidential designee shall submit to the relevant committees of Congress a report containing the following information:*

*''(1) The status of the implementation of the procedures established for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters under section 103A, and a detailed description of the specific steps taken towards such implementation for the regularly scheduled general election for Federal office held in November 2010.*

*''(2) An assessment of the effectiveness of the Voting Assistance Officer Program of the Department of Defense, which shall include the following:*

*''(A) A thorough and complete assessment of whether the Program, as configured and implemented as of such date of enactment, is effectively assisting absent uniformed services voters in exercising their right to vote.*

*''(B) An inventory and explanation of any areas of voter assistance in which the Program has failed to accomplish its stated objectives and effectively assist absent uniformed services voters in exercising their right to vote.*

*''(C) As necessary, a detailed plan for the implementation of any new program to replace or supplement voter assistance activities required to be performed under this Act.*

*''(3) A detailed description of the specific steps taken towards the implementation of voter registration assistance for absent uniformed services voters under section 1566a of title 10, United States Code.*

*''(b) ANNUAL REPORT ON EFFECTIVENESS OF ACTIVITIES AND UTILIZATION OF CERTAIN PROCEDURES.—Not later than March 31 of each year, the Presidential designee shall transmit to the President and to the relevant committees of Congress a report containing the following information:*

*''(1) An assessment of the effectiveness of activities carried out under section 103B, including the activities and actions of the Federal Voting Assistance Program of the Department of Defense, a separate assessment of voter registration and participation by absent uniformed services voters, a separate assessment of voter registration and participation by overseas voters who are not members of the uniformed services, and a description of the cooperation between States and the Federal Government in carrying out such section.*

*''(2) A description of the utilization of voter registration assistance under section 1566a of title 10, United States Code, which shall include the following:*

*''(A) A description of the specific programs implemented by each military department of the Armed Forces pursuant to such section.*

*''(B) The number of absent uniformed services voters who utilized voter registration assistance provided under such section.*

''(3) In the case of a report submitted under this subsection in the year following a year in which a regularly scheduled general election for Federal office is held, a description of the utilization of the procedures for the collection and delivery of marked absentee ballots established pursuant to section 103A, which shall include the number of marked absentee ballots collected and delivered under such procedures and the number of such ballots which were not delivered by the time of the closing of the polls on the date of the election (and the reasons such ballots were not so delivered).

''(c) DEFINITIONS.—In this section:

''(1) ABSENT OVERSEAS UNIFORMED SERVICES VOTER.—The term 'absent overseas uniformed services voter' has the meaning given such term in section 103A(d).

''(2) PRESIDENTIAL DESIGNEE.—The term 'Presidential designee' means the Presidential designee under section 101(a).

''(3) RELEVANT COMMITTEES OF CONGRESS DEFINED.—The term 'relevant committees of Congress' means—

''(A) the Committees on Appropriations, Armed Services, and Rules and Administration of the Senate; and

''(B) the Committees on Appropriations, Armed Services, and House Administration of the House of Representatives.''.

**SEC. 587. ANNUAL REPORT ON ENFORCEMENT.**

Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f–4) is amended—

(1) by striking ''The Attorney'' and inserting ''(a) IN GENERAL.—The Attorney''; and

(2) by adding at the end the following new subsection:

''(b) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under subsection (a) during the preceding year.''.

**SEC. 588. REQUIREMENTS PAYMENTS.**

(a) USE OF FUNDS.—Section 251(b) of the Help America Vote Act of 2002 (42 U.S.C. 15401(b)) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following new paragraph:

''(3) ACTIVITIES UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—A State shall use a requirements payment made using funds appropriated pursuant to the authorization under section 257(a)(4) only to meet the requirements under the Uniformed and Overseas Citizens Absentee Voting Act imposed as a result of the provisions of and amendments made by the Military and Overseas Voter Empowerment Act.''.

(b) CONDITIONS FOR RECEIPT OF FUNDS.—

(1) INCLUSION OF COMPLIANCE IN STATE PLAN.—

(A) IN GENERAL.—Section 254(a) of the Help America Vote Act of 2002 (42 U.S.C. 15404(a)) is amended by adding at the end the following new paragraph:

''(14) How the State will comply with the provisions and requirements of and amendments made by the Military and Overseas Voter Empowerment Act.''.

(B) CONFORMING AMENDMENT.—Section 253(b)(1)(A) of such Act (42 U.S.C. 15403(b)(1)(A)) is amended by striking ''section 254'' and inserting ''section 254(a) (or, for purposes of determining the eligibility of a State to receive a requirements payment appropriated pursuant to the authorization provided under section 257(a)(4), contains the element described in paragraph (14) of such section)''.

(2) WAIVER OF PLAN FOR APPLICATION OF ADMINISTRATIVE COMPLAINT PROCEDURES.—Section 253(b)(2) of such Act (42 U.S.C. 15403(b)(2)) is amended—

(A) by striking ''(2) The State'' and inserting ''(2)(A) Subject to subparagraph (B), the State''; and

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

''(B) Subparagraph (A) shall not apply for purposes of determining the eligibility of a State to receive a requirements payment appropriated pursuant to the authorization provided under section 257(a)(4).''.

(3) SPECIAL RULE FOR PROVISION OF 5 PERCENT MATCH.—Section 253(b)(5) of such Act (42 U.S.C. 15403(b)(5)) is amended—

(A) by striking ''(5) The State'' and inserting ''(5)(A) Subject to subparagraph (B), the State''; and

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

''(B) Subparagraph (A) shall not apply for purposes of determining the eligibility of a State to receive a requirements payment appropriated pursuant to the authorization provided under section 257(a)(4) for fiscal year 2010, except that if the State does not appropriate funds in accordance with subparagraph (A) prior to the last day of fiscal year 2011, the State shall repay to the Commission the requirements payment which is appropriated pursuant to such authorization.''.

(c) AUTHORIZATION.—Section 257(a) of the Help America Vote Act of 2002 (42 U.S.C. 15407(a)) is amended by adding at the end the following new paragraph:

''(4) For fiscal year 2010 and subsequent fiscal years, such sums as are necessary for purposes of making requirements payments to States to carry out the activities described in section 251(b)(3).''.

**SEC. 589. TECHNOLOGY PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ABSENT UNIFORMED SERVICES VOTER.—The term ''absent uniformed services voter'' has the meaning given such term in section 107(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) OVERSEAS VOTER.—The term ''overseas voter'' has the meaning given such term in section 107(5) of such Act.

(3) PRESIDENTIAL DESIGNEE.—The term ''Presidential designee'' means the individual designated under section 101(a) of such Act.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Presidential designee may establish 1 or more pilot programs under which the feasibility of new election technology is tested for the benefit of absent uniformed services voters and overseas voters claiming rights under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(2) DESIGN AND CONDUCT.—The design and conduct of a pilot program established under this subsection—

(A) shall be at the discretion of the Presidential designee; and

(B) shall not conflict with or substitute for existing laws, regulations, or procedures with respect to the participation of absent uniformed services voters and military voters in elections for Federal office.

(c) CONSIDERATIONS.—In conducting a pilot program established under subsection (b), the Presidential designee may consider the following issues:

(1) The transmission of electronic voting material across military networks.

(2) Virtual private networks, cryptographic voting systems, centrally controlled voting stations, and other information security techniques.

(3) The transmission of ballot representations and scanned pictures in a secure manner.

(4) Capturing, retaining, and comparing electronic and physical ballot representations.

(5) Utilization of voting stations at military bases.

(6) Document delivery and upload systems.

(7) The functional effectiveness of the application or adoption of the pilot program to operational environments, taking into account environmental and logistical obstacles and State procedures.

(d) REPORTS.—The Presidential designee shall submit to Congress reports on the progress and outcomes of any pilot program conducted under this subsection, together with recommendations—

(1) for the conduct of additional pilot programs under this section; and

(2) for such legislation and administrative action as the Presidential designee determines appropriate.

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Election Assistance Commission and the National Institute of Standards and Technology shall provide the Presidential designee with best practices or standards in accordance with electronic absentee voting guidelines established under the first sentence of section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1277; 42 U.S.C. 1977ff note), as amended by section 567 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1919) to support the pilot program or programs.

(2) REPORT.—In the case in which the Election Assistance Commission has not established electronic absentee voting guidelines under such section 1604(a)(2), as so amended, by not later than 180 days after enactment of this Act, the Election Assistance Commission shall submit to the relevant committees of Congress a report containing the following information:

(A) The reasons such guidelines have not been established as of such date.

(B) A detailed timeline for the establishment of such guidelines.

(C) A detailed explanation of the Commission's actions in establishing such guidelines since the date of enactment of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1919).

(3) RELEVANT COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''relevant committees of Congress'' means—

(A) the Committees on Appropriations, Armed Services, and Rules and Administration of the Senate; and

(B) the Committees on Appropriations, Armed Services, and House Administration of the House of Representatives.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

**Subtitle I—Other Matters**

**SEC. 591. CLARIFICATION OF PERFORMANCE POLICIES FOR MILITARY MUSICAL UNITS AND MUSICIANS.**

(a) CLARIFICATION.—Section 974 of title 10, United States Code, is amended to read as follows:

**''§974. Military musical units and musicians: performance policies; restriction on performance in competition with local civilian musicians**

''(a) MILITARY MUSICIANS PERFORMING IN AN OFFICIAL CAPACITY.—(1) A military musical unit, and a member of the armed forces who is a member of such a unit performing in an official capacity, may not engage in the performance of music in competition with local civilian musicians.

''(2) For purposes of paragraph (1), the following shall, except as provided in paragraph (3), be included among the performances that are considered to be a performance of music in competition with local civilian musicians:

''(A) A performance that is more than incidental to an event that—

''(i) is not supported, in whole or in part, by United States Government funds; and

''(ii) is not free to the public.

''(B) A performance of background, dinner, dance, or other social music at an event that—

''(i) is not supported, in whole or in part, by United States Government funds; and

''(ii) is held at a location not on a military installation.

''(3) For purposes of paragraph (1), the following shall not be considered to be a performance of music in competition with local civilian musicians:

''(A) A performance (including background, dinner, dance, or other social music) at an official United States Government event that is supported, in whole or in part, by United States Government funds.

''(B) A performance at a concert, parade, or other event, that—

''(i) is a patriotic event or a celebration of a national holiday; and

''(ii) is free to the public.

''(C) A performance that is incidental to an event that—

''(i) is not supported, in whole or in part, by United States Government funds; or

''(ii) is not free to the public.

''(D) A performance (including background, dinner, dance, or other social music) at—

''(i) an event that is sponsored by a military welfare society, as defined in section 2566 of this title;

''(ii) an event that is a traditional military event intended to foster the morale and welfare of members of the armed forces and their families; or

''(iii) an event that is specifically for the benefit or recognition of members of the armed forces, their family members, veterans, civilian employees of the Department of Defense, or former civilian employees of the Department of Defense, to the extent provided in regulations prescribed by the Secretary of Defense.

''(E) A performance (including background, dinner, dance, or other social music)—

''(i) to uphold the standing and prestige of the United States with dignitaries and distinguished or prominent persons or groups of the United States or another nation; or

''(ii) in support of fostering and sustaining a cooperative relationship with another nation.

''(b) PROHIBITION OF MILITARY MUSICIANS ACCEPTING ADDITIONAL REMUNERATION FOR OFFICIAL PERFORMANCES.—A military musical unit, and a member of the armed forces who is a member of such a unit performing in an official capacity, may not receive remuneration for an official performance, other than applicable military pay and allowances.

''(c) RECORDINGS.—(1) When authorized under regulations prescribed by the Secretary of Defense for purposes of this section, a military musical unit may produce recordings for distribution to the public, at a cost not to exceed expenses of production and distribution.

''(2) Amounts received in payment for a recording distributed to the public under this subsection shall be credited to the appropriation or account providing the funds for the production of the recording. Any amount so credited shall be merged with amounts in the appropriation or account to which credited, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

''(d) PERFORMANCES AT FOREIGN LOCATIONS.—Subsection (a) does not apply to a performance outside the United States, its commonwealths, or its possessions.

''(e) MILITARY MUSICAL UNIT DEFINED.—In this section, the term 'military musical unit' means a band, ensemble, chorus, or similar musical unit of the armed forces.''.

(b) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 49 of such title is amended to read as follows:

''974. Military musical units and musicians: performance policies; restriction on performance in competition with local civilian musicians.''.

**SEC. 592. NAVY GRANTS FOR PURPOSES OF NAVAL SEA CADET CORPS.**

(a) GRANTS AUTHORIZED.—Chapter 647 of title 10, United States Code, is amended by inserting after section 7541a the following new section:

**''§ 7541b. Authority to make grants for purposes of Naval Sea Cadet Corps**

''Subject to the availability of funds for this purpose, the Secretary of the Navy may make grants to support the purposes of Naval Sea Cadet Corps, a federally chartered corporation under chapter 1541 of title 36.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 647 of such title is amended by inserting after the item relating to section 7541a the following new item:

''7541b. Authority to make grants for purposes of Naval Sea Cadet Corps.''.

**SEC. 593. MODIFICATION OF MATCHING FUND REQUIREMENTS UNDER NATIONAL GUARD YOUTH CHALLENGE PROGRAM.**

(a) AUTHORITY TO INCREASE DOD SHARE OF PROGRAM.—Section 509(d)(1) of title 32, United States Code, is amended by striking ''60 percent of the costs'' and inserting ''75 percent of the costs''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2009, and shall apply with respect to fiscal years beginning on or after that date.

**SEC. 594. EXPANSION OF MILITARY LEADERSHIP DIVERSITY COMMISSION TO INCLUDE RESERVE COMPONENT REPRESENTATIVES.**

Section 596(b)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4476) is amended by striking subparagraphs (C), (D), (E) and inserting the following new subparagraphs:

''(C) An active commissioned officer from each of the Army, Navy, Air Force, and Marine Corps, an active commissioned officer from the National Guard, and an active commissioned officer from the Reserves, each of whom serves or has served in a leadership position with either a military department command or combatant command.

''(D) A retired general or flag officer from each of the Army, Navy, Air Force, and Marine Corps, a retired general or flag officer from the National Guard, and a retired general or flag officer from the Reserves.

''(E) A retired noncommissioned officer from each of the Army, Navy, Air Force, and Marine Corps, a retired noncommissioned officer from the National Guard, and a retired noncommissioned officer from the Reserves.''.

**SEC. 595. EXPANSION OF SUICIDE PREVENTION AND COMMUNITY HEALING AND RESPONSE TRAINING UNDER THE YELLOW RIBBON REINTEGRATION PROGRAM.**

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(1) in subsection (h)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) through (15) as paragraphs (3) through (14), respectively; and

(2) by adding at the end the following new subsection:

''(i) SUICIDE PREVENTION AND COMMUNITY HEALING AND RESPONSE PROGRAM.—

''(1) ESTABLISHMENT.—As part of the Yellow Ribbon Reintegration Program, the Office for Reintegration Programs shall establish a program to provide National Guard and Reserve members and their families, and in coordination with community programs, assist the communities, with training in suicide prevention and community healing and response to suicide.

''(2) DESIGN.—In establishing the program under paragraph (1), the Office for Reintegration Programs shall consult with—

''(A) persons that have experience and expertise with combining military and civilian intervention strategies that reduce risk and promote healing after a suicide attempt or suicide death for National Guard and Reserve members; and

''(B) the adjutant general of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

''(3) OPERATION.—

''(A) SUICIDE PREVENTION TRAINING.—The Office for Reintegration Programs shall provide National Guard and Reserve members with training in suicide prevention. Such training shall include—

''(i) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

''(ii) examining the influence of military culture on risk and protective factors for suicide; and

''(iii) engaging in interactive case scenarios and role plays to practice effective intervention strategies.

''(B) COMMUNITY HEALING AND RESPONSE TRAINING.—The Office for Reintegration Programs shall provide the families and communities of National Guard and Reserve members with training in responses to suicide that promote individual and community healing. Such training shall include—

''(i) enhancing collaboration among community members and local service providers to create an integrated, coordinated community response to suicide;

''(ii) communicating best practices for preventing suicide, including safe messaging, appropriate memorial services, and media guidelines;

''(iii) addressing the impact of suicide on the military and the larger community, and the increased risk that can result; and

''(iv) managing resources to assist key community and military service providers in helping the families, friends, and fellow soldiers of a suicide victim through the processes of grieving and healing.

''(C) COLLABORATION WITH CENTERS OF EXCELLENCE.—The Office for Reintegration Programs, in consultation with the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, shall collect and analyze 'lessons learned' and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.

''(4) TERMINATION.—The program established under this subsection shall terminate on October 1, 2012.''.

**SEC. 596. COMPREHENSIVE PLAN ON PREVENTION, DIAGNOSIS, AND TREATMENT OF SUBSTANCE USE DISORDERS AND DISPOSITION OF SUBSTANCE ABUSE OFFENDERS IN THE ARMED FORCES.**

(a) REVIEW AND ASSESSMENT OF CURRENT CAPABILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall conduct a comprehensive review of the following:

(A) The programs and activities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces.

(B) The policies of the Department of Defense relating to the disposition of substance abuse offenders in the Armed Forces, including disciplinary action and administrative separation.

(2) ELEMENTS.—The review conducted under paragraph (1) shall include an assessment of each of the following:

(A) The current state and effectiveness of the programs of the Department of Defense and the military departments relating to the prevention, diagnosis, and treatment of substance use disorders.

(B) The adequacy of the availability of care, and access to care, for substance abuse in military medical treatment facilities and under the TRICARE program.

*(C) The adequacy of oversight by the Department of Defense of programs relating to the prevention, diagnosis, and treatment of substance abuse in members of the Armed Forces.*

*(D) The adequacy and appropriateness of current credentials and other requirements for healthcare professionals treating members of the Armed Forces with substance use disorders.*

*(E) The advisable ratio of physician and nonphysician care providers for substance use disorders to members of the Armed Forces with such disorders.*

*(F) The adequacy and appropriateness of protocols and directives for the diagnosis and treatment of substance use disorders in members of the Armed Forces and for the disposition, including disciplinary action and administrative separation, of members of the Armed Forces for substance abuse.*

*(G) The adequacy of the availability of and access to care for substance use disorders for members of the reserve components of the Armed Forces, including an identification of any obstacles that are unique to the prevention, diagnosis, and treatment of substance use disorders among members of the reserve components, and the appropriate disposition, including disciplinary action and administrative separation, of members of the reserve components for substance abuse.*

*(H) The adequacy of the prevention, diagnosis, and treatment of substance use disorders in dependents of members of the Armed Forces.*

*(I) Any gaps in the current capabilities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces.*

*(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the findings and recommendations of the Secretary as a result of the review conducted under paragraph (1). The report shall—*

*(A) set forth the findings and recommendations of the Secretary regarding each element of the review specified in paragraph (2);*

*(B) set forth relevant statistics on the frequency of substance use disorders, disciplinary actions, and administrative separations for substance abuse in members of the regular components of the Armed Forces, members of the reserve component of the Armed Forces, and to the extent applicable, dependents of such members (including spouses and children); and*

*(C) include such other findings and recommendations on improvements to the current capabilities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces and the policies relating to the disposition, including disciplinary action and administrative separation, of members of the Armed Forces for substance abuse, as the Secretary considers appropriate.*

*(b) PLAN FOR IMPROVEMENT AND ENHANCEMENT OF PROGRAMS AND POLICIES.—*

*(1) PLAN REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan for the improvement and enhancement of the following:*

*(A) The programs and activities of the Department of Defense for the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces and their dependents.*

*(B) The policies of the Department of Defense relating to the disposition of substance abuse offenders in the Armed Forces, including disciplinary action and administrative separation.*

*(2) BASIS.—The comprehensive plan required by paragraph (1) shall take into account the following:*

*(A) The results of the review and assessment conducted under subsection (a).*

*(B) Similar initiatives of the Secretary of Veterans Affairs to expand and improve care for substance use disorders among veterans, including the programs and activities conducted under title I of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 112 Stat. 4112).*

*(3) COMPREHENSIVE STATEMENT OF POLICY.—The comprehensive plan required by paragraph (1) shall include a comprehensive statement of the following:*

*(A) The policy of the Department of Defense regarding the prevention, diagnosis, and treatment of substance use disorders in members of the Armed Forces and their dependents.*

*(B) The policies of the Department of Defense relating to the disposition of substance abuse offenders in the Armed Forces, including disciplinary action and administrative separation.*

*(4) AVAILABILITY OF SERVICES AND TREATMENT.—The comprehensive plan required by paragraph (1) shall include mechanisms to ensure the availability to members of the Armed Forces and their dependents of a core of evidence-based practices across the spectrum of medical and non-medial services and treatments for substance use disorders, including the reestablishment of regional long-term inpatient substance abuse treatment programs. The Secretary may use contracted services for not longer than three years after the date of the enactment of this Act to perform such inpatient substance abuse treatment until the Department of Defense reestablishes this capability within the military health care system.*

*(5) PREVENTION AND REDUCTION OF DISORDERS.—The comprehensive plan required by paragraph (1) shall include mechanisms to facilitate the prevention and reduction of substance use disorders in members of the Armed Forces through science-based initiatives, including education programs, for members of the Armed Forces and their dependents.*

*(6) SPECIFIC INSTRUCTIONS.—The comprehensive plan required by paragraph (1) shall include each of the following:*

*(A) SUBSTANCES OF ABUSE.—Instructions on the prevention, diagnosis, and treatment of substance abuse in members of the Armed Forces, including the abuse of alcohol, illicit drugs, and nonmedical use and abuse of prescription drugs.*

*(B) HEALTHCARE PROFESSIONALS.—Instructions on—*

*(i) appropriate training of healthcare professionals in the prevention, screening, diagnosis, and treatment of substance use disorders in members of the Armed Forces;*

*(ii) appropriate staffing levels for healthcare professionals at military medical treatment facilities for the prevention, screening, diagnosis, and treatment of substance use disorders in members of the Armed Forces; and*

*(iii) such uniform training and credentialing requirements for physician and nonphysician healthcare professionals in the prevention, screening, diagnosis, and treatment of substance use disorders in members of the Armed Forces as the Secretary considers appropriate.*

*(C) SERVICES FOR DEPENDENTS.—Instructions on the availability of services for substance use disorders for dependents of members of the Armed Forces, including instructions on making such services available to dependents to the maximum extent practicable.*

*(D) RELATIONSHIP BETWEEN DISCIPLINARY ACTION AND TREATMENT.—Policy on the relationship between disciplinary actions and administrative separation processing and prevention and treatment of substance use disorders in members of the Armed Forces.*

*(E) CONFIDENTIALITY.—Recommendations regarding policies pertaining to confidentiality for members of the Armed Forces in seeking or receiving services or treatment for substance use disorders.*

*(F) PARTICIPATION OF CHAIN OF COMMAND.—Policy on appropriate consultation, reference to, and involvement of the chain of command of members of the Armed Forces in matters relating to the diagnosis and treatment of substance abuse and disposition of members of the Armed Forces for substance abuse.*

*(G) CONSIDERATION OF GENDER.—Instructions on gender specific requirements, if appropriate, in the prevention, diagnosis, treatment, and management of substance use disorders in members of the Armed Forces, including gender specific care and treatment requirements.*

*(H) COORDINATION WITH OTHER HEALTHCARE INITIATIVES.—Instructions on the integration of efforts on the prevention, diagnosis, treatment, and management of substance use disorders in members of the Armed Forces with efforts to address co-occurring health care disorders (such as post-traumatic stress disorder and depression) and suicide prevention.*

*(7) OTHER ELEMENTS.—In addition to the matters specified in paragraph (3), the comprehensive plan required by paragraph (1) shall include the following:*

*(A) IMPLEMENTATION PLAN.—An implementation plan for the achievement of the goals of the comprehensive plan, including goals relating to the following:*

*(i) Enhanced education of members of the Armed Forces and their dependents regarding substance use disorders.*

*(ii) Enhanced and improved identification and diagnosis of substance use disorders in members of the Armed Forces and their dependents.*

*(iii) Enhanced and improved access of members of the Armed Forces to services and treatment for and management of substance use disorders.*

*(iv) Appropriate staffing of military medical treatment facilities and other facilities for the treatment of substance use disorders in members of the Armed Forces.*

*(B) BEST PRACTICES.—The incorporation of evidence-based best practices utilized in current military and civilian approaches to the prevention, diagnosis, treatment, and management of substance use disorders.*

*(C) AVAILABLE RESEARCH.—The incorporation of applicable results of available studies, research, and academic reviews on the prevention, diagnosis, treatment, and management of substance use disorders.*

*(8) UPDATE IN LIGHT OF INDEPENDENT STUDY.—Upon the completion of the study required by subsection (c), the Secretary of Defense shall—*

*(A) in consultation with the Secretaries of the military departments, make such modifications and improvements to the comprehensive plan required by paragraph (1) as the Secretary of Defense considers appropriate in light of the findings and recommendations of the study; and*

*(B) submit to the congressional defense committees a report setting forth the comprehensive plan as modified and improved under subparagraph (A).*

*(c) INDEPENDENT REPORT ON SUBSTANCE USE DISORDERS PROGRAMS FOR MEMBERS OF THE ARMED FORCES.—*

*(1) STUDY REQUIRED.—Upon completion of the policy review required by subsection (a), the Secretary of Defense shall provide for a study on substance use disorders programs for members of the Armed Forces to be conducted by the Institute of Medicine of the National Academies of Sciences or such other independent entity as the Secretary shall select for purposes of the study.*

*(2) ELEMENTS.—The study required by paragraph (1) shall include a review and assessment of the following:*

*(A) The adequacy and appropriateness of protocols for the diagnosis, treatment, and management of substance use disorders in members of the Armed Forces.*

*(B) The adequacy of the availability of and access to care for substance use disorders in military medical treatment facilities and under the TRICARE program.*

*(C) The adequacy and appropriateness of current credentials and other requirements for physician and non-physician healthcare professionals treating members of the Armed Forces with substance use disorders.*

*(D) The advisable ratio of physician and non-physician care providers for substance use disorders to members of the Armed Forces with such disorders.*

*(E) The adequacy of the availability of and access to care for substance use disorders for members of the reserve components of the Armed Forces when compared with the availability of and access to care for substance use disorders for members of the regular components of the Armed Forces.*

*(F) The adequacy of the prevention, diagnosis, treatment, and management of substance use disorders programs for dependents of members of the Armed Forces, whether such dependents suffer from their own substance use disorder or because of the substance use disorder of a member of the Armed Forces.*

*(G) Such other matters as the Secretary considers appropriate for purposes of the study.*

*(3) REPORT.—Not later than two years after the date of the enactment of this Act, the entity conducting the study required by paragraph (1) shall submit to the Secretary of Defense and the congressional defense committees a report on the results of the study. The report shall set forth the findings and recommendations of the entity as a result of the study.*

***SEC. 597. REPORTS ON YELLOW RIBBON REINTEGRATION PROGRAM AND OTHER REINTEGRATION PROGRAMS.***

*(a) REPORT ON REINTEGRATION PROGRAMS GENERALLY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the various reintegration programs being administered in support of members of the National Guard and Reserves and their families.*

*(b) ADDITIONAL ELEMENTS OF ANNUAL REPORTS ON YELLOW RIBBON REINTEGRATION PROGRAM.—The annual reports on the Yellow Ribbon Reintegration Program under section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 122; 10 U.S.C. 10101 note) that are submitted under subsection (e)(4) of such section after the date of the enactment of this Act shall include the following:*

*(1) In the first such annual report submitted after the date of the enactment of this Act—*

*(A) a description and assessment of the implementation of the Yellow Ribbon Reintegration Program in fiscal year 2009, including—*

*(i) an assessment of best practices from pilot programs offered by various States to provide services to supplement the services available through the Yellow Ribbon Reintegration Program; and*

*(ii) an assessment of the feasibility of incorporating such practices into the Yellow Ribbon Reintegration Program; and*

*(B) current plans for the further implementation of the Yellow Ribbon Reintegration Program during fiscal year 2010.*

*(2) A list of the accounts (including accounts of the military departments and accounts for the Office of the Secretary of Defense) from which funds for the Yellow Ribbon Reintegration Program were derived during the most recent fiscal year, and an explanation why such accounts were the source of funding for programs and activities under the Yellow Ribbon Reintegration Program.*

*(3) An assessment of the extent to which funding for the Yellow Ribbon Reintegration Program during the most recent fiscal year supported robust joint programs that provided reintegration and support services to members of the National Guard and Reserves and their families regardless of Armed Force with which served.*

*(4) An assessment of the extent to which programs and activities under the Yellow Ribbon Reintegration Program during the preceding year were coordinating closely with appropriate programs and activities of the Department of Veterans Affairs.*

*(5) A description of current strategies to mitigate difficulties in sustaining attendance at events under the Yellow Ribbon Reintegration Program, and an explanation why funds, if any, that are available for the Yellow Ribbon Reintegration Program but remain unexpended have not been used for the Yellow Ribbon Reintegration Program.*

***SEC. 598. REPORTS ON PROGRESS IN COMPLETION OF CERTAIN INCIDENT INFORMATION MANAGEMENT TOOLS.***

*Not later than 120 days after the date of the enactment of this Act, and every six months thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report detailing the progress of the Secretary with respect to the completion of the following:*

*(1) The Defense Incident-Based Reporting System.*

*(2) The Defense Sexual Assault Incident Database.*

***TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS***

*Subtitle A—Pay and Allowances*

*Sec. 601. Fiscal year 2010 increase in military basic pay.*
*Sec. 602. Increase in maximum monthly amount of supplemental subsistence allowance for low-income members with dependents.*
*Sec. 603. Special compensation for members of the uniformed services with catastrophic injuries or illnesses requiring assistance in everyday living.*
*Sec. 604. Benefits under Post-Deployment/Mobilization Respite Absence program for certain periods before implementation of program.*
*Sec. 605. Report on housing standards and housing surveys used to determine basic allowance for housing.*
*Sec. 606. Comptroller General comparative assessment of military and private-sector pay and benefits.*

*Subtitle B—Bonuses and Special and Incentive Pays*

*Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.*
*Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.*
*Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.*
*Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.*
*Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.*
*Sec. 616. One-year extension of authorities relating to payment of referral bonuses.*
*Sec. 617. Technical corrections and conforming amendments to reconcile conflicting amendments regarding continued payment of bonuses and similar benefits for certain members.*
*Sec. 618. Proration of certain special and incentive pays to reflect time during which a member satisfies eligibility requirements for the special or incentive pay.*
*Sec. 619. Additional assignment pay or special duty pay authorized for members agreeing to serve in Afghanistan for extended periods.*
*Sec. 620. Temporary authority for monthly special pay for members of the Armed Forces subject to continuing active duty or service under stop-loss authorities.*
*Sec. 621. Army authority to provide additional recruitment incentives.*
*Sec. 622. Report on recruitment and retention of members of the Air Force in nuclear career fields.*

*Subtitle C—Travel and Transportation Allowances*

*Sec. 631. Travel and transportation for survivors of deceased members of the uniformed services to attend memorial ceremonies.*
*Sec. 632. Travel and transportation allowances for designated individuals of wounded, ill, or injured members of the uniformed services for duration of inpatient treatment.*
*Sec. 633. Authorized travel and transportation allowances for non-medical attendants for very seriously and seriously wounded, ill, or injured members.*
*Sec. 634. Reimbursement of travel expenses of members of the Armed Forces on active duty and their dependents for travel for specialty care under exceptional circumstances.*
*Sec. 635. Report on adequacy of weight allowances for transportation of baggage and household effects for members of the uniformed services.*

*Subtitle D—Disability, Retired Pay, and Survivor Benefits*

*Sec. 641. Transition assistance for reserve component members injured while on active duty.*
*Sec. 642. Recomputation of retired pay and adjustment of retired grade of Reserve retirees to reflect service after retirement.*
*Sec. 643. Election to receive retired pay for non-regular service upon retirement for service in an active reserve status performed after attaining eligibility for regular retirement.*
*Sec. 644. Report on re-determination process for permanently incapacitated dependents of retired and deceased members of the Armed Forces.*
*Sec. 645. Treatment as active service for retired pay purposes of service as member of Alaska Territorial Guard during World War II.*

*Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations*

*Sec. 651. Limitation on Department of Defense entities offering personal information services to members and their dependents.*
*Sec. 652. Report on impact of purchasing from local distributors all alcoholic beverages for resale on military installations on Guam.*

*Subtitle F—Other Matters*

*Sec. 661. Limitations on collection of overpayments of pay and allowances erroneously paid to members.*
*Sec. 662. Sense of Congress on airfares for members of the Armed Forces.*
*Sec. 663. Sense of Congress on establishment of flexible spending arrangements for the uniformed services.*
*Sec. 664. Sense of Congress regarding support for compensation, retirement, and other military personnel programs.*

***Subtitle A—Pay and Allowances***

***SEC. 601. FISCAL YEAR 2010 INCREASE IN MILITARY BASIC PAY.***

*(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal*

*year 2010 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.*

*(b) INCREASE IN BASIC PAY.—Effective on January 1, 2010, the rates of monthly basic pay for members of the uniformed services are increased by 3.4 percent.*

**SEC. 602. INCREASE IN MAXIMUM MONTHLY AMOUNT OF SUPPLEMENTAL SUBSISTENCE ALLOWANCE FOR LOW-INCOME MEMBERS WITH DEPENDENTS.**

*(a) INCREASE IN MAXIMUM MONTHLY AMOUNT.—Section 402a(a) of title 37, United States Code, is amended—*

*(1) in paragraph (2), by striking ''$500'' and inserting ''$1,100''; and*

*(2) in paragraph (3)(B), by striking ''$500'' and inserting ''$1,100''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2009, and shall apply with respect to monthly supplemental subsistence allowances for low-income members with dependents payable on or after that date.*

*(c) REPORT ON ELIMINATION OF RELIANCE ON SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM TO MEET NUTRITIONAL NEEDS OF MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.—*

*(1) IN GENERAL.—Not later than September 1, 2010, the Secretary of Defense, in consultation with the Secretary of Agriculture, shall submit to the congressional defense committees a report setting forth a plan for actions to eliminate the need for members of the Armed Forces and their dependents to rely on the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) for their monthly nutritional needs.*

*(2) ELEMENTS.—The plan required by paragraph (1) shall address the following:*

*(A) An appropriate amount or amounts for the monthly supplemental subsistence allowance for low-income members with dependents payable under section 402a of title 37, United States Code.*

*(B) Such modifications, if any, to the eligibility requirements for the monthly supplemental subsistence allowance, including limitations on the maximum size of the household of a member for purposes of eligibility for the allowance, as the Secretary of Defense considers appropriate.*

*(C) The advisability of requiring members of the Armed Forces to apply for the monthly supplemental subsistence allowance before seeking assistance under the supplemental nutrition assistance program and to notify their commanding officer if they are accepted for participation in the supplemental nutrition assistance program.*

*(D) A method for accurately determining the total number of members of the Armed Forces who are participating in the supplemental nutrition assistance program.*

*(E) Such other matters as the Secretary of Defense considers appropriate.*

**SEC. 603. SPECIAL COMPENSATION FOR MEMBERS OF THE UNIFORMED SERVICES WITH CATASTROPHIC INJURIES OR ILLNESSES REQUIRING ASSISTANCE IN EVERYDAY LIVING.**

*(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:*

***''§ 439. Special compensation: members of the uniformed services with catastrophic injuries or illnesses requiring assistance in everyday living***

*''(a) MONTHLY COMPENSATION AUTHORIZED.—The Secretary concerned may pay to any member of the uniformed services described in subsection (b) monthly special compensation in an amount determined under subsection (c).*

*''(b) COVERED MEMBERS.—A member eligible for monthly special compensation authorized by subsection (a) is a member who—*

*''(1) has a catastrophic injury or illness that was incurred or aggravated in the line of duty;*

*''(2) has been certified by a licensed physician to be in need of assistance from another person to perform the personal functions required in everyday living;*

*''(3) in the absence of the provision of such assistance, would require hospitalization, nursing home care, or other residential institutional care; and*

*''(4) meets such other criteria, if any, as the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) prescribes for purposes of this section.*

*''(c) AMOUNT.—(1) The amount of monthly special compensation payable to a member under subsection (a) shall be determined under criteria prescribed by the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard), but may not exceed the amount of aid and attendance allowance authorized by section 1114(r)(2) of title 38 for veterans in need of aid and attendance.*

*''(2) In determining the amount of monthly special compensation, the Secretary concerned shall consider the following:*

*''(A) The extent to which home health care and related services are being provided by the Government.*

*''(B) The value of the aid and attendance care necessary to assist the member in performing the personal functions required in everyday living, to be determined regardless of the sources of the care (other than the source identified in subparagraph (A)) actually being provided to the member.*

*''(d) DURATION.—The eligibility of a member to receive special monthly compensation under subsection (a) expires on the earlier of the following:*

*''(1) The last day of the month during which a 90-day period ends that begins on the date of the separation or retirement of the member.*

*''(2) The last day of the month during which the member dies.*

*''(3) The last day of the month during which the member is determined to be no longer afflicted with the catastrophic injury or illness referred to in subsection (b)(1).*

*''(4) The last day of the month preceding the month during which the member begins receiving compensation under section 1114(r)(2) of title 38.*

*''(e) CONSTRUCTION WITH OTHER PAY AND ALLOWANCES.—Monthly special compensation payable to a member under this section is in addition to any other pay and allowances payable to the member by law.*

*''(f) BENEFIT INFORMATION.—(1) The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall ensure that members of the uniformed services who may be eligible for compensation under this section are made aware of the availability of such compensation by including information about such compensation in written and online materials for such members and their families.*

*''(2) The Secretary of Defense shall ensure that a member eligible to receive special monthly compensation under this section is aware that the member's eligibility for such compensation will expire pursuant to subsection (d)(1) after the end of the 90-day period that begins on the date of the separation or retirement of the member even though the member has not begun to receive compensation under section 1114(r)(2) of title 38 before the end of such period.*

*''(g) CATASTROPHIC INJURY OR ILLNESS DEFINED.—In this section, the term 'catastrophic injury or illness' means a permanent, severely disabling injury, disorder, or illness that the Secretary concerned determines compromises the ability of the afflicted person to carry out the activities of daily living to such a degree that the person requires—*

*''(1) personal or mechanical assistance to leave home or bed; or*

*''(2) constant supervision to avoid physical harm to self or others.*

*''(h) REGULATIONS.—The Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard) shall prescribe regulations to carry out this section.''.*

*(b) REPORT TO CONGRESS.—*

*(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense (and the Secretary of Homeland Security, with respect to the Coast Guard) shall submit to Congress a report on the provision of compensation under section 439 of title 37, United States Code, as added by subsection (a) of this section.*

*(2) ELEMENTS.—The report required by paragraph (1) shall include the following:*

*(A) An estimate of the number of members of the uniformed services eligible for compensation under such section 439.*

*(B) The number of members of the uniformed services receiving compensation under such section.*

*(C) The average amount of compensation provided to members of the uniformed services receiving such compensation.*

*(D) The average amount of time required for a member of the uniformed services to receive such compensation after the member becomes eligible for such compensation.*

*(E) A summary of the types of injuries, disorders, and illnesses of members of the uniformed services receiving such compensation that made such members eligible for such compensation.*

*(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following new item:*

*''439. Special compensation: members of the uniformed services with catastrophic injuries or illnesses requiring assistance in everyday living.''.*

**SEC. 604. BENEFITS UNDER POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM FOR CERTAIN PERIODS BEFORE IMPLEMENTATION OF PROGRAM.**

*(a) IN GENERAL.—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may provide any member or former member of the Armed Forces with the benefits specified in subsection (b) if the member or former member would, on any day during the period beginning on January 19, 2007, and ending on the date of the implementation of the Post-Deployment/Mobilization Respite Absence (PDMRA) program by the Secretary concerned, have qualified for a day of administrative absence under the Post-Deployment/Mobilization Respite Absence program had the program been in effect during such period.*

*(b) BENEFITS.—The benefits specified in this subsection are the following:*

*(1) In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, payment of an amount not to exceed $200 for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.*

*(2) In the case of an individual who is a member of the Armed Forces at the time of the provision of benefits under this section, either one day of administrative absence or payment of an amount not to exceed $200, as selected by the Secretary concerned, for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.*

*(c) EXCLUSION OF CERTAIN FORMER MEMBERS.—A former member of the Armed Forces is not eligible under this section for the benefits specified in subsection (b)(1) if the former member was discharged or released from the Armed Forces under other than honorable conditions.*

*(d) FORM OF PAYMENT.—The paid benefits providable under subsection (b) may be paid in a lump sum or installments, at the election of the Secretary concerned.*

*(e) CONSTRUCTION WITH OTHER PAY AND LEAVE.—The benefits provided a member or former member of the Armed Forces under this section are in addition to any other pay, absence, or leave provided by law.*

*(f) DEFINITIONS.—In this section:*

*(1) The term ''Post-Deployment/Mobilization Respite Absence program'' means the program of a military department to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in reintegrating into civilian life after deployment or mobilization.*

*(2) The term ''Secretary concerned'' has the meaning given that term in section 101(5) of title 37, United States Code.*

*(g) DURATION.—*

*(1) IN GENERAL.—The authority to provide benefits under this section shall expire on the date that is one year after the date of the enactment of this Act.*

*(2) CONSTRUCTION.—Expiration under this subsection of the authority to provide benefits under this section shall not affect the utilization of any day of administrative absence provided a member of the Armed Forces under subsection (b)(2), or the payment of any payment authorized a member or former member of the Armed Forces under subsection (b), before the expiration of the authority in this section.*

***SEC. 605. REPORT ON HOUSING STANDARDS AND HOUSING SURVEYS USED TO DETERMINE BASIC ALLOWANCE FOR HOUSING.***

*(a) REPORT REQUIRED.—Not later than July 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report containing the following reviews:*

*(1) A review of the housing standards used to determine the monthly rates of basic allowance for housing under section 403 of title 37, United States Code.*

*(2) A review of the process and schedule for conducting surveys used to establish locality rates in housing areas to determine such monthly rates of basic allowance for housing.*

*(b) ELEMENTS OF HOUSING STANDARDS REVIEW.—In conducting the reviews under subsection (a), the Secretary shall consider whether the housing standards and survey process are suitable in terms of—*

*(1) recognizing the societal needs and expectations of families in the United States;*

*(2) providing for an appropriate quality of life for members of the Armed Forces in all grades;*

*(3) recognizing the appropriate rewards and prestige associated with promotion to higher military grades throughout the rank structure; and*

*(4) reflecting the most current housing cost data available.*

*(c) INCLUSION OF RECOMMENDED CHANGES.—The report required by subsection (a) shall include—*

*(1) such recommended changes to the housing standards, including an estimate of the cost of each recommended change, as the Secretary considers appropriate; and*

*(2) such recommended changes to improve the survey process, including ensuring that the housing cost data used to establish the rates is the most current data available, as the Secretary considers appropriate.*

***SEC. 606. COMPTROLLER GENERAL COMPARATIVE ASSESSMENT OF MILITARY AND PRIVATE-SECTOR PAY AND BENEFITS.***

*(a) STUDY REQUIRED.—The Comptroller General shall conduct a study comparing pay and benefits provided by law to members of the Armed Forces with pay and benefits provided by the private sector to comparably situated private-sector employees to assess how the differences in pay and benefits effect recruiting and retention of members of the Armed Forces.*

*(b) ELEMENTS.—The study required by subsection (a) shall include, but not be limited to, the following:*

*(1) An assessment of total military compensation for officers and for enlisted personnel, including basic pay, the basic allowance for housing (BAH), the basic allowance for subsistence (BAS), tax benefits applicable to military pay and allowances under Federal law (including the Social Security laws) and State law, military retirement benefits, commissary and exchange privileges, and military healthcare benefits.*

*(2) An assessment of private-sector pay and benefits for civilians of similar age, education, and experience with similar job responsibilities and working conditions as officers and enlisted personnel of the Armed Forces, including pay, bonuses, employee options, fringe benefits, retirement benefits, individual retirement investment benefits, flexible spending accounts and health savings accounts, and any other elements of private-sector compensation that the Comptroller General considers appropriate.*

*(3) An identification of the percentile of comparable private-sector compensation at which members of the Armed Forces are paid, including an assessment of the adequacy of percentile comparisons generally and whether the Department of Defense goal of compensating members of the Armed Forces at the 80th percentile of comparable private-sector compensation, as described in the 10th Quadrennial Review of Military Compensation, is appropriate and adequate to attract and retain quality individuals to serve in the Armed Forces.*

*(c) REPORT.—The Comptroller General shall submit to the congressional defense committees a report on the study required by subsection (a) by not later than April 1, 2010.*

## *Subtitle B—Bonuses and Special and Incentive Pays*

***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.***

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.*

*(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.*

*(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.*

*(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.*

*(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.*

*(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.*

*(7) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.*

***SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.***

*(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.*

*(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.*

*(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.*

*(2) Section 302d(a)(1), relating to accession bonus for registered nurses.*

*(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.*

*(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.*

*(5) Section 302h(a)(1), relating to accession bonus for dental officers.*

*(6) Section 302j(a), relating to accession bonus for pharmacy officers.*

*(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.*

*(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.*

***SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.***

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.*

*(2) Section 312b(c), relating to nuclear career accession bonus.*

*(3) Section 312c(d), relating to nuclear career annual incentive bonus.*

***SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.***

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 331(h), relating to general bonus authority for enlisted members.*

*(2) Section 332(g), relating to general bonus authority for officers.*

*(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.*

*(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.*

*(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.*

*(6) Section 351(i), relating to hazardous duty pay.*

*(7) Section 352(g), relating to assignment pay or special duty pay.*

*(8) Section 353(j), relating to skill incentive pay or proficiency bonus.*

*(9) Section 355(i), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.*

***SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.***

*The following sections of chapter 5 of title 37, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 301b(a), relating to aviation officer retention bonus.*

*(2) Section 307a(g), relating to assignment incentive pay.*

*(3) Section 308(g), relating to reenlistment bonus for active members.*

*(4) Section 309(e), relating to enlistment bonus.*

*(5) Section 324(g), relating to accession bonus for new officers in critical skills.*

*(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.*

*(7) Section 327(h), relating to incentive bonus for transfer between armed forces.*

*(8) Section 330(f), relating to accession bonus for officer candidates.*

***SEC. 616. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF REFERRAL BONUSES.***

*The following sections of title 10, United States Code, are amended by striking ''December 31, 2009'' and inserting ''December 31, 2010'':*

*(1) Section 1030(i), relating to health professions referral bonus.*

*(2) Section 3252(h), relating to Army referral bonus.*

**SEC. 617. TECHNICAL CORRECTIONS AND CONFORMING AMENDMENTS TO RECONCILE CONFLICTING AMENDMENTS REGARDING CONTINUED PAYMENT OF BONUSES AND SIMILAR BENEFITS FOR CERTAIN MEMBERS.**

(a) TECHNICAL CORRECTIONS TO RECONCILE CONFLICTING AMENDMENTS.—Section 303a(e) of title 37, United States Code, is amended—

(1) in paragraph (1)(A), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) in paragraph (5), as so redesignated, by striking ''paragraph (3)(B)'' and inserting ''paragraph (4)(B)'';

(4) by redesignating paragraph (2), as added by section 651(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4495), as paragraph (3); and

(5) by redesignating the second subparagraph (B) of paragraph (1), originally added as paragraph (2) by section 2(a)(3) of the Hubbard Act (Public Law 110–317; 122 Stat. 3526) and erroneously designated as subparagraph (B) by section 651(a)(3) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4495), as paragraph (2).

(b) INCLUSION OF HUBBARD ACT AMENDMENT IN CONSOLIDATED SPECIAL PAY AND BONUS AUTHORITIES.—Section 373(b) of such title is amended—

(1) in paragraph (2), by striking the paragraph heading and inserting ''SPECIAL RULE FOR DECEASED AND DISABLED MEMBERS.—''; and

(2) by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR MEMBERS WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.—(A) If a member of the uniformed services receives a sole survivorship discharge, the Secretary concerned—

''(i) shall not require repayment by the member of the unearned portion of any bonus, incentive pay, or similar benefit previously paid to the member; and

''(ii) may grant an exception to the requirement to terminate the payment of any unpaid amounts of a bonus, incentive pay, or similar benefit if the Secretary concerned determines that termination of the payment of the unpaid amounts would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interests of the United States.

''(B) In this paragraph, the term 'sole survivorship discharge' means the separation of a member from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early separation of a member who is the only surviving child in a family in which—

''(i) the father or mother or one or more siblings—

''(I) served in the Armed Forces; and

''(II) was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization); and

''(ii) the death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.''.

**SEC. 618. PRORATION OF CERTAIN SPECIAL AND INCENTIVE PAYS TO REFLECT TIME DURING WHICH A MEMBER SATISFIES ELIGIBILITY REQUIREMENTS FOR THE SPECIAL OR INCENTIVE PAY.**

(a) SPECIAL PAY FOR DUTY SUBJECT TO HOSTILE FIRE OR IMMINENT DANGER.—Section 310 of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''AND SPECIAL PAY AMOUNT'' in the subsection heading; and

(B) by striking ''at the rate of $225 for any month'' in the matter preceding paragraph (1) and inserting ''under subsection (b) for any month or portion of a month'';

(2) in subsection (c), by striking paragraph (3);

(3) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(4) by inserting after subsection (a) the following new subsection:

''(b) SPECIAL PAY AMOUNT; PRORATION.—(1) The special pay authorized by subsection (a) may not exceed $225 a month.

''(2) Except as provided in subsection (c), if a member does not satisfy the eligibility requirements specified in paragraphs (1) and (2) of subsection (a) for an entire month for receipt of special pay under subsection (a), the Secretary concerned may prorate the payment amount to reflect the duration of the member's actual qualifying service during the month.''.

(b) HAZARDOUS DUTY PAY.—Section 351 of such title is amended—

(1) by striking subsections (c) and (d) and redesignating subsections (e) through (i) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) METHOD OF PAYMENT; PRORATION.—

''(1) MONTHLY PAYMENT.—Subject to paragraph (2), hazardous duty pay shall be paid on a monthly basis.

''(2) PRORATION.—If a member does not satisfy the eligibility requirements specified in paragraph (1), (2), or (3) of subsection (a) for an entire month for receipt of hazardous duty pay, the Secretary concerned may prorate the payment amount to reflect the duration of the member's actual qualifying service during the month.''.

(c) ASSIGNMENT OR SPECIAL DUTY PAY.—Section 352(b)(1) of such title is amended by adding at the end the following new sentence: ''If paid monthly, the Secretary concerned may prorate the monthly amount of the assignment or special duty pay for a member who does not satisfy the eligibility requirement for an entire month to reflect the duration of the member's actual qualifying service during the month.''.

(d) SKILL INCENTIVE PAY.—Section 353 of such title is amended—

(1) by striking subsection (f) and redesignating subsections (g) through (j) as subsections (f) through (i), respectively; and

(2) in subsection (c), by striking paragraph (1) and inserting the following new paragraph:

''(1) SKILL INCENTIVE PAY.—(A) Skill incentive pay under subsection (a) may not exceed $1,000 a month.

''(B) If a member does not satisfy the eligibility requirements specified in paragraphs (1) and (2) of subsection (a) for an entire month for receipt of skill incentive pay, the Secretary concerned may prorate the payment amount to reflect the duration of the member's actual qualifying service during the month. A member of a reserve component entitled to compensation under section 206 of this title who is authorized skill incentive pay under subsection (a) may be paid an amount of such pay that is proportionate to the compensation received by the member under section 206 of this title for inactive-duty training.''.

**SEC. 619. ADDITIONAL ASSIGNMENT PAY OR SPECIAL DUTY PAY AUTHORIZED FOR MEMBERS AGREEING TO SERVE IN AFGHANISTAN FOR EXTENDED PERIODS.**

(a) AUTHORITY TO PROVIDE ADDITIONAL ASSIGNMENT PAY OR SPECIAL DUTY PAY.—The Secretary of Defense may provide assignment pay or special duty pay under section 352 of title 37, United States Code, in excess of the maximum amount of monthly or lump sum assignment or special duty pay authorized under subsection (b) of such section, to members of the Armed Forces (particularly members who achieve language proficiency at levels and in languages specified by the Secretary of Defense) who agree to serve on active duty in Afghanistan for a minimum of three years. The assignment period required by the agreement shall provide for reasonable periods of leave.

(b) REPORTING REQUIREMENTS.—The Secretary shall submit to Congress an annual report on the use of the authority provided under subsection (a) during the preceding year, including—

(1) the number of members of the Armed Forces receiving assignment pay or special duty pay under section 352 of title 37, United States Code, in excess of the maximum amount otherwise authorized under such section; and

(2) an assessment of the impact of the use of such authority on the effectiveness and efficiency in achieving the United States mission in Afghanistan.

(c) DURATION OF AUTHORITY.—The authority provided by subsection (a) to offer additional assignment pay or special duty pay under section 352 of title 37, United States Code, expires on December 31, 2012. The expiration of such authority shall not affect the terms or duration of any agreement entered into before that date to provide additional assignment pay or special duty pay under such section.

**SEC. 620. TEMPORARY AUTHORITY FOR MONTHLY SPECIAL PAY FOR MEMBERS OF THE ARMED FORCES SUBJECT TO CONTINUING ACTIVE DUTY OR SERVICE UNDER STOP-LOSS AUTHORITIES.**

(a) SPECIAL PAY AUTHORIZED.—The Secretary of the military department concerned may pay monthly special pay to any member of the Army, Navy, Air Force, or Marine Corps (including a member of a reserve component thereof) for any month, or portion of a month, in which the member serves on active duty in the Armed Forces, or has the member's eligibility for retirement from the Armed Forces suspended, as described in subsection (b).

(b) ELIGIBILITY REQUIREMENTS.—A member of the Armed Forces referred to in subsection (a) is eligible to receive special pay under this section if the member, at any time during the period beginning on October 1, 2009, and ending on June 30, 2011, serves on active duty while the member's enlistment or period of obligated service is extended, or has the member's eligibility for retirement suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law (commonly referred to as a ''stop-loss authority'') that authorizes the President to extend an enlistment or period of obligated service, or suspend eligibility for retirement, of a member of the Armed Forces in time of war or national emergency declared by Congress or the President.

(c) AMOUNT.—The amount of monthly special pay payable to a member under this section for a month may not exceed $500.

(d) CONSTRUCTION WITH OTHER PAYS.—Monthly special pay payable to a member under this section is in addition to any other amounts payable to the member by law.

**SEC. 621. ARMY AUTHORITY TO PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.**

(a) EXTENSION OF AUTHORITY.—Subsection (i) of section 681 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3321) is amended to read as follows:

''(i) DURATION OF AUTHORITY.—

''(1) IN GENERAL.—The Secretary may not develop an incentive under this section, or first provide an incentive developed under this section to an individual, after December 31, 2012.

''(2) CONTINUATION OF INCENTIVES.—Nothing in paragraph (1) shall be construed to prohibit or limit the continuing provision to an individual after the date specified in that paragraph of an incentive first provided the individual under this section before that date.''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (e) of such section is amended by inserting ''at the same time'' after ''provided''.

***SEC. 622. REPORT ON RECRUITMENT AND RETENTION OF MEMBERS OF THE AIR FORCE IN NUCLEAR CAREER FIELDS.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the efforts of the Air Force to attract and retain qualified individuals for service as members of the Air Force involved in the operation, maintenance, handling, and security of nuclear weapons.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) A description of current reenlistment rates and officer retention rates, set forth by Air Force Specialty Code, of members of the Air Force serving in positions involving the operation, maintenance, handling, and security of nuclear weapons.*

*(2) A description of the current personnel fill rate for Air Force units involved in the operation, maintenance, handling, and security of nuclear weapons.*

*(3) A description of the steps the Air Force has taken, including the use of retention bonuses or assignment incentive pay, to improve recruiting and reenlistment of enlisted personnel and accession and retention of officers by the Air Force for the positions described in paragraph (1).*

*(4) An assessment of the feasibility, advisability, utility, and cost effectiveness of establishing additional bonuses or incentive pay as a way to enhance the recruitment and retention by the Air Force of skilled personnel in the positions described in paragraph (1).*

*(5) An assessment of whether assignment incentive pay should be provided for members of the Air Force covered by the Personnel Reliability Program.*

*(6) An assessment of the long-term community management plan for recruitment, retention, and assignment by the Air Force of skilled personnel in the positions described in paragraph (1).*

*(7) Such other matters as the Secretary considers appropriate.*

***Subtitle C—Travel and Transportation Allowances***

***SEC. 631. TRAVEL AND TRANSPORTATION FOR SURVIVORS OF DECEASED MEMBERS OF THE UNIFORMED SERVICES TO ATTEND MEMORIAL CEREMONIES.***

*(a) ALLOWANCES AUTHORIZED.—Subsection (a) of section 411f of title 37, United States Code, is amended—*

*(1) by redesignating paragraph (2) as paragraph (3); and*

*(2) by inserting after paragraph (1) the following new paragraph (2):*

*''(2) The Secretary concerned may provide round trip travel and transportation allowances to eligible relatives of a member of the uniformed services who dies while on active duty in order that the eligible relatives may attend a memorial service for the deceased member that occurs at a location other than the location of the burial ceremony for which travel and transportation allowances are provided under paragraph (1). Travel and transportation allowances may be provided under this paragraph for travel of eligible relatives to only one memorial service for the deceased member concerned.''.*

*(b) CONFORMING AMENDMENTS.—Subsection (c) of such section is amended—*

*(1) by striking ''subsection (a)(1)'' the first place it appears and inserting ''paragraphs (1) and (2) of subsection (a)''; and*

*(2) by striking ''subsection (a)(1)'' the second place it appears and inserting ''paragraph (1) or (2) of subsection (a)''.*

***SEC. 632. TRAVEL AND TRANSPORTATION ALLOWANCES FOR DESIGNATED INDIVIDUALS OF WOUNDED, ILL, OR INJURED MEMBERS OF THE UNIFORMED SERVICES FOR DURATION OF INPATIENT TREATMENT.***

*(a) AUTHORITY TO PROVIDE TRAVEL TO DESIGNATED INDIVIDUALS.—Subsection (a) of section 411h of title 37, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''family members of a member described in paragraph (2)'' and inserting ''individuals who, with respect to a member described in paragraph (2), are designated individuals for that member'';*

*(B) by striking ''that the presence of the family member'' and inserting '', with respect to any such individual, that the presence of such individual''; and*

*(C) by striking ''of family members'' and inserting ''of designated individuals''; and*

*(2) by adding at the end the following new paragraph:*

*''(4) In the case of a designated individual who is also a member of the uniformed services, that member may be provided travel and transportation under this section in the same manner as a designated individual who is not a member.''.*

*(b) DEFINITION OF DESIGNATED INDIVIDUAL.—*

*(1) IN GENERAL.—Paragraph (1) of subsection (b) of such section is amended by striking ''the term'' and all that follows and inserting ''the term 'designated individual', with respect to a member, means—*

*''(A) an individual designated by the member for the purposes of this section; or*

*''(B) in the case of a member who has not made a designation under subparagraph (A) and, as determined by the attending physician or surgeon, is not able to make such a designation, an individual who, as designated by the attending physician or surgeon and the commander or head of the military medical facility exercising control over the member, is someone with a personal relationship to the member whose presence may aid and support the health and welfare of the member during the duration of the member's inpatient treatment.''.*

*(2) DESIGNATIONS NOT PERMANENT.—Paragraph (2) of such subsection is amended to read as follows:*

*''(2) The designation of an individual as a designated individual for purposes of this section may be changed at any time.''.*

*(c) COVERAGE OF MEMBERS HOSPITALIZED OUTSIDE THE UNITED STATES WHO WERE WOUNDED OR INJURED IN A COMBAT OPERATION OR COMBAT ZONE.—*

*(1) COVERAGE FOR HOSPITALIZATION OUTSIDE THE UNITED STATES.—Subparagraph (B) of subsection (a)(2) of such section is amended—*

*(A) in clause (i), by striking ''in or outside the United States''; and*

*(B) in clause (ii), by striking ''in the United States''.*

*(2) CLARIFICATION OF MEMBERS COVERED.—Such subparagraph is further amended—*

*(A) in clause (i), by inserting ''seriously wounded,'' after ''(i) is''; and*

*(B) in clause (ii)—*

*(i) by striking ''an injury'' and inserting ''a wound or an injury''; and*

*(ii) by striking ''that injury'' and inserting ''that wound or injury''.*

*(d) COVERAGE OF MEMBERS WITH SERIOUS MENTAL DISORDERS.—*

*(1) IN GENERAL.—Subsection (a)(2)(B)(i) of such section, as amended by subsection (c) of this section, is further amended by inserting ''(including having a serious mental disorder)'' after ''seriously injured''.*

*(2) SERIOUS MENTAL DISORDER DEFINED.—Subsection (b) of such section 411h, as amended by subsection (b) of this section, is further amended by adding at the end the following new paragraph:*

*''(4)(A) In this section, the term 'serious mental disorder', in the case of a member, means that the member has been diagnosed with a mental disorder that requires intensive mental health treatment or hospitalization.*

*''(B) The circumstances in which a member shall be considered to have a serious mental disorder for purposes of this section shall include, but not be limited to, the following:*

*''(i) The member is considered to be a potential danger to self or others as a result of a diagnosed mental disorder that requires intensive mental health treatment or hospitalization.*

*''(ii) The member is diagnosed with a mental disorder and has psychotic symptoms that require intensive mental health treatment or hospitalization.*

*''(iii) The member is diagnosed with a mental disorder and has severe symptoms or severe impairment in functioning that require intensive mental health treatment or hospitalization.''.*

*(e) FREQUENCY OF AUTHORIZED TRAVEL.—Paragraph (3) of subsection (a) of such section 411h is amended to read as follows:*

*''(3) Not more than a total of three roundtrips may be provided under paragraph (1) in any 60-day period at Government expense to the individuals who, with respect to a member, are the designated individuals of that member in effect during that period. However, if the Secretary concerned has granted a waiver under the second sentence of paragraph (1) with respect to a member, then for any 60-day period in which the waiver is in effect the limitation in the preceding sentence shall be adjusted accordingly. In addition, during any period during which there is in effect a non-medical attendant designation for a member under section 411k of this title, not more than a total of two roundtrips may be provided under paragraph (1) in any 60-day period at Government expense until there no longer is a designation of a non-medical attendant or that designation transfers to another individual, in which case during the transfer period three roundtrips may be provided.''.*

*(f) STYLISTIC AND CONFORMING AMENDMENTS.—Such section is further amended—*

*(1) in subsection (a), by striking ''(a)(1)'' and inserting ''(a) TRAVEL AND TRANSPORTATION AUTHORIZED.—(1)'';*

*(2) in subsection (b)—*

*(A) by striking ''(b)(1)'' and inserting ''(b) DEFINITIONS.—(1)''; and*

*(B) in paragraph (3)—*

*(i) by inserting ''(A)'' after ''(3)''; and*

*(ii) by adding at the end the following new subparagraph:*

*''(B) In this paragraph, the term 'family member', with respect to a member, means the following:*

*''(i) The member's spouse.*

*''(ii) Children of the member (including stepchildren, adopted children, and illegitimate children).*

*''(iii) Parents of the member or persons in loco parentis to the member, including fathers and mothers through adoption and persons who stood in loco parentis to the member for a period not less than one year immediately before the member entered the uniformed service, except that only one father and one mother or their counterparts in loco parentis may be recognized in any one case.*

*''(iv) Siblings of the member.*

*''(v) A person related to the member as described in clause (i), (ii), (iii), or (iv) who is also a member of the uniformed services.'';*

*(3) in subsection (c)—*

*(A) by striking ''(c)(1)'' and inserting ''(c) ROUND TRIP TRANSPORTATION AND PER DIEM ALLOWANCE.—(1)''; and*

*(B) in paragraph (1), by striking ''family member'' and inserting ''designated individual''; and*

*(4) in subsection (d), by striking ''(d)(1)'' and inserting ''(d) METHOD OF TRANSPORTATION AUTHORIZED.—(1)''.*

*(g) CLERICAL AMENDMENTS.—*

*(1) SECTION HEADING.—The heading of such section is amended to read as follows:*

***''§ 411h. Travel and transportation allowances: transportation of designated individuals incident to hospitalization of members for treatment of wounds, illness, or injury''.***

*(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 7 of such title is amended to read as follows:*

''411h. Travel and transportation allowances: transportation of designated individuals incident to hospitalization of members for treatment of wounds, illness, or injury.''.

(h) CONFORMING AMENDMENT TO WOUNDED WARRIOR ACT.—Section 1602(4) of the Wounded Warrior Act (10 U.S.C. 1071 note) is amended by striking ''411h(b)(1)'' and inserting ''411h(b)(3)(B)''.

(i) APPLICABILITY OF AMENDMENTS.—No reimbursement may be provided under section 411h of title 37, United States Code, by reason of the amendments made by this section for travel and transportation costs incurred before the date of the enactment of this Act.

**SEC. 633. AUTHORIZED TRAVEL AND TRANSPORTATION ALLOWANCES FOR NON-MEDICAL ATTENDANTS FOR VERY SERIOUSLY AND SERIOUSLY WOUNDED, ILL, OR INJURED MEMBERS.**

(a) PAYMENT OF TRAVEL COSTS AUTHORIZED.—

(1) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 411j the following new section:

**''§ 411k. Travel and transportation allowances: non-medical attendants for members who are determined to be very seriously or seriously wounded, ill, or injured**

''(a) ALLOWANCE FOR NON-MEDICAL ATTENDANT.—Under uniform regulations prescribed by the Secretaries concerned, travel and transportation described in subsection (d) may be provided for a qualified non-medical attendant for a covered member of the uniformed services described in subsection (c) if the attending physician or surgeon and the commander or head of the military medical facility exercising control over the member determine that the presence of such an attendant may contribute to the member's health and welfare.

''(b) QUALIFIED NON-MEDICAL ATTENDANT.—For purposes of this section, a qualified non-medical attendant, with respect to a covered member, is an individual who—

''(1) is designated by the member to be a non-medical attendant for the member for purposes of this section; and

''(2) is determined by the attending physician or surgeon and the commander or head of the military medical facility to be appropriate to serve as a non-medical attendant for the member and whose presence may contribute to the health and welfare of the member.

''(c) COVERED MEMBERS.—A member of the uniformed services covered by this section is a member who—

''(1) as a result of a wound, illness, or injury, has been determined by the attending physician or surgeon to be in the category known as 'very seriously wounded, ill, or injured' or 'seriously wounded, ill, or injured'; and

''(2) is hospitalized for treatment of the wound, illness, or injury or requires continuing outpatient treatment for the wound, illness, or injury.

''(d) AUTHORIZED TRAVEL AND TRANSPORTATION.—(1) The transportation authorized by subsection (a) for a qualified non-medical attendant for a member is round-trip transportation between the home of the attendant and the location at which the member is receiving treatment and may include transportation, while accompanying the member, to any other location to which the member is subsequently transferred for further treatment. A designated non-medical attendant under this section may not also be a designated individual for travel and transportation allowances section 411h(a) of this title.

''(2) The transportation authorized by subsection (a) includes any travel necessary to obtain treatment for the member at the location to which the member is permanently assigned.

''(3) In addition to the transportation authorized by subsection (a), the Secretary concerned may provide a per diem allowance or reimbursement for the actual and necessary expenses of the travel, or a combination thereof, but not to exceed the rates established under section 404(d) of this title.

''(4) The transportation authorized by subsection (a) may be provided by any of the following means:

''(A) Transportation in-kind.

''(B) A monetary allowance in place of transportation in-kind at a rate to be prescribed by the Secretaries concerned.

''(C) Reimbursement for the commercial cost of transportation.

''(5) An allowance payable under this subsection may be paid in advance.

''(6) Reimbursement payable under this subsection may not exceed the cost of Government-procured commercial round-trip air travel.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 411j the following new item:

''411k. Travel and transportation allowances: non-medical attendants for members determined to be very seriously or seriously wounded, ill, or injured.''.

(b) APPLICABILITY.—No reimbursement may be provided under section 411k of title 37, United States Code, as added by subsection (a), for travel and transportation costs incurred before the date of the enactment of this Act.

**SEC. 634. REIMBURSEMENT OF TRAVEL EXPENSES OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND THEIR DEPENDENTS FOR TRAVEL FOR SPECIALTY CARE UNDER EXCEPTIONAL CIRCUMSTANCES.**

(a) REIMBURSEMENT AUTHORIZED.—Section 1074i of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

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

''(b) REIMBURSEMENT FOR TRAVEL UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide reimbursement for reasonable travel expenses of travel of members of the armed forces on active duty and their dependents, and accompaniment, to a specialty care provider not otherwise authorized by subsection (a) under such exceptional circumstances as the Secretary considers appropriate for purposes of this section.''.

(b) TECHNICAL AMENDMENT.—Subsection (a) of such section is amended by inserting ''of Defense'' after ''the Secretary''.

**SEC. 635. REPORT ON ADEQUACY OF WEIGHT ALLOWANCES FOR TRANSPORTATION OF BAGGAGE AND HOUSEHOLD EFFECTS FOR MEMBERS OF THE UNIFORMED SERVICES.**

(a) REPORT REQUIRED.—Not later than July 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(1) a review of the weight allowances provided for the transportation of baggage and household goods under section 406(b)(1)(C) of title 37, United States Code; and

(2) such recommended changes to the weight allowance, including an estimate of the cost of each recommended change, as the Secretary considers appropriate.

(b) ELEMENTS OF REVIEW.—The Secretary shall consider whether the weight allowances reviewed under subsection (a) are suitable in terms of—

(1) recognizing the societal needs and expectations of families in the United States;

(2) providing for an appropriate quality of life for members of the Armed Forces in all grades; and

(3) recognizing the appropriate rewards and prestige associated with promotion to higher military grade, with particular attention to mid-grade and senior noncommissioned officer ranks.

## Subtitle D—Disability, Retired Pay, and Survivor Benefits

**SEC. 641. TRANSITION ASSISTANCE FOR RESERVE COMPONENT MEMBERS INJURED WHILE ON ACTIVE DUTY.**

(a) IN GENERAL.—Chapter 61 of title 10, United States Code, is amended by inserting after section 1218 the following new section:

**''§ 1218a. Discharge or release from active duty: transition assistance for reserve component members injured while on active duty**

''(a) PROVISION OF CERTAIN INFORMATION.—Before a member of a reserve component described in subsection (b) is demobilized or separated from the armed forces, the Secretary of the military department concerned shall provide to the member the following information:

''(1) Information on the availability of care and administrative processing through community based warrior transition units.

''(2) Information on the location of the community based warrior transition unit located nearest to the permanent place of residence of the member.

''(b) COVERED MEMBERS.—Subsection (a) applies to members of a reserve component who are injured while on active duty in the armed forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 61 of such title is amended by inserting after the item relating to section 1218 the following new item:

''1218a. Discharge or release from active duty: transition assistance for reserve component members injured while on active duty.''.

**SEC. 642. RECOMPUTATION OF RETIRED PAY AND ADJUSTMENT OF RETIRED GRADE OF RESERVE RETIREES TO REFLECT SERVICE AFTER RETIREMENT.**

(a) RECOMPUTATION OF RETIRED PAY.—Section 12739 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) If a member of the Retired Reserve is recalled to an active status in the Selected Reserve of the Ready Reserve under section 10145(d) of this title and completes not less than two years of service in such active status, the member is entitled to the recomputation under this section of the retired pay of the member.

''(2) The Secretary concerned may reduce the two-year service requirement specified in paragraph (1) in the case of a member who—

''(A) is recalled to serve in a position of adjutant general required under section 314 of title 32 or in a position of assistant adjutant general subordinate to such a position of adjutant general;

''(B) completes at least one year of service in such position; and

''(C) fails to complete the minimum two years of service solely because the appointment of the member to such position is terminated or vacated as described in section 324(b) of title 32.''.

(b) ADJUSTMENT OF RETIRED GRADE.—Section 12771 of such title is amended—

(1) by striking ''Unless'' and inserting ''(a) GRADE ON TRANSFER.—Unless''; and

(2) by adding at the end the following new subsection:

''(b) EFFECT OF SUBSEQUENT RECALL TO ACTIVE STATUS.—(1) If a member of the Retired Reserve who is a commissioned officer is recalled to an active status in the Selected Reserve of the Ready Reserve under section 10145(d) of this title and completes not less than two years of service in such active status, the member is entitled to an adjustment in the retired grade of the member in the manner provided in section 1370(d) of this title.

''(2) The Secretary concerned may reduce the two-year service requirement specified in paragraph (1) in the case of a member who—

''(A) is recalled to serve in a position of adjutant general required under section 314 of title 32 or in a position of assistant adjutant general subordinate to such a position of adjutant general;

''(B) completes at least one year of service in such position; and

''(C) fails to complete the minimum two years of service solely because the appointment of the member to such position is terminated or vacated as described in section 324(b) of title 32.''.

**SEC. 643. ELECTION TO RECEIVE RETIRED PAY FOR NON-REGULAR SERVICE UPON RETIREMENT FOR SERVICE IN AN ACTIVE RESERVE STATUS PERFORMED AFTER ATTAINING ELIGIBILITY FOR REGULAR RETIREMENT.**

(a) ELECTION AUTHORITY; REQUIREMENTS.—Subsection (a) of section 12741 of title 10, United States Code, is amended to read as follows:

''(a) AUTHORITY TO ELECT TO RECEIVE RESERVE RETIRED PAY.—(1) Notwithstanding the requirement in paragraph (4) of section 12731(a) of this title that a person may not receive retired pay under this chapter when the person is entitled, under any other provision of law, to retired pay or retainer pay, a person may elect to receive retired pay under this chapter, instead of receiving retired or retainer pay under chapter 65, 367, 571, or 867 of this title, if the person—

''(A) satisfies the requirements specified in paragraphs (1) and (2) of such section for entitlement to retired pay under this chapter;

''(B) served in an active status in the Selected Reserve of the Ready Reserve after becoming eligible for retirement under chapter 65, 367, 571, or 867 of this title (without regard to whether the person actually retired or received retired or retainer pay under one of those chapters); and

''(C) completed not less than two years of satisfactory service (as determined by the Secretary concerned) in such active status (excluding any period of active service).

''(2) The Secretary concerned may reduce the minimum two-year service requirement specified in paragraph (1)(C) in the case of a person who—

''(A) completed at least one year of service in a position of adjutant general required under section 314 of title 32 or in a position of assistant adjutant general subordinate to such a position of adjutant general; and

''(B) failed to complete the minimum years of service solely because the appointment of the person to such position was terminated or vacated as described in section 324(b) of title 32.''.

(b) ACTIONS TO EFFECTUATE ELECTION.—Subsection (b) of such section is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) terminate the eligibility of the person to retire under chapter 65, 367, 571, or 867 of this title, if the person is not already retired under one of those chapters, and terminate entitlement of the person to retired or retainer pay under one of those chapters, if the person was already receiving retired or retainer pay under one of those chapters; and''.

(c) CONFORMING AMENDMENT TO REFLECT NEW VARIABLE AGE REQUIREMENT FOR RETIREMENT.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking ''attains 60 years of age'' and inserting ''attains the eligibility age applicable to the person under section 12731(f) of this title''; and

(2) in paragraph (2)(A), by striking ''attains 60 years of age'' and inserting ''attains the eligibility age applicable to the person under such section''.

(d) RETIRED PAY BASE.—

(1) MEMBERS BECOMING MEMBERS BEFORE SEPTEMBER 8, 1980.—Section 1406(b)(2) of such title is amended by inserting after ''when retired pay is granted'' the following: ''(or, in the case of a person entitled to retired pay by reason of an election under section 12741(a) of this title, at rates applicable on the date the person completes the service required under such section 12741(a))''.

(2) MEMBERS BECOMING MEMBERS AFTER SEPTEMBER 7, 1980.—Section 1407(d)(4) of such title is amended by inserting after ''became entitled to retired pay'' the following: ''or, in the case of a member or former member entitled to retired pay by reason of an election under section 12741(a) of this title, before the member or former member completes the service required under such section 12741(a),''.

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading for section 12741 of such title is amended to read as follows:

**''§ 12741. Retirement for service in an active status performed in the Selected Reserve of the Ready Reserve after eligibility for regular retirement''.**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 1223 of such title is amended by striking the item relating to section 12741 and inserting the following new item:

''12741. Retirement for service in an active status performed in the Selected Reserve of the Ready Reserve after eligibility for regular retirement.''.

**SEC. 644. REPORT ON RE-DETERMINATION PROCESS FOR PERMANENTLY INCAPACITATED DEPENDENTS OF RETIRED AND DECEASED MEMBERS OF THE ARMED FORCES.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the re-determination process of the Department of Defense used to determine the eligibility of permanently incapacitated dependents of retired and deceased members of the Armed Forces for benefits provided under laws administered by the Secretary.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the re-determination process, including the following:

(A) The rationale for requiring a quadrennial recertification of financial support after issuance of a permanent identification card to a permanently incapacitated dependent.

(B) The administrative and other burdens the quadrennial recertification imposes on the affected sponsor and dependents, especially after the sponsor becomes ill, incapacitated, or deceased.

(C) The extent to which the quadrennial recertification undermines the utility of issuing a permanent identification card.

(D) The extent of the consequences entailed in eliminating the requirement for quadrennial recertification.

(2) Specific recommendations for the following:

(A) Improving the efficiency of the recertification process.

(B) Minimizing the burden of such process on the sponsors of such dependents.

(C) Eliminating the requirement for quadrennial recertification.

**SEC. 645. TREATMENT AS ACTIVE SERVICE FOR RETIRED PAY PURPOSES OF SERVICE AS MEMBER OF ALASKA TERRITORIAL GUARD DURING WORLD WAR II.**

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

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

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

## Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

**SEC. 651. LIMITATION ON DEPARTMENT OF DEFENSE ENTITIES OFFERING PERSONAL INFORMATION SERVICES TO MEMBERS AND THEIR DEPENDENTS.**

(a) IMPOSITION OF LIMITATION.—Subchapter III of chapter 147 of title 10, United States Code, is amended by inserting after section 2492 the following new section:

**''§ 2492a. Limitation on Department of Defense entities competing with private sector in offering personal information services**

''(a) LIMITATION.—(1) Notwithstanding section 2492 of this title, the Secretary of Defense may not authorize a Department of Defense entity to offer or provide personal information services directly to users using Department resources, personnel, or equipment, or compete for contracts to provide such personal information services directly to users, if users will be charged a fee for the personal information services to recover the cost incurred to provide the services or to earn a profit.

''(2) The limitation in paragraph (1) shall not be construed to prohibit or preclude the use of Department resources, personnel, or equipment to administer or facilitate personal information services contracts with private contractors.

''(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply if the Secretary of Defense determines that—

''(1) a private sector vendor is not available to provide the personal information services at specific locations;

''(2) the interests of the user population would be best served by allowing the Government to provide such services; or

''(3) circumstances (as specified by the Secretary for purposes of this section) are such that the provision of such services by a Department entity is in the best interest of the Government or military users in general.

''(c) PERSONAL INFORMATION SERVICES DEFINED.—In this section, the term 'personal information services' means the provision of Internet, telephone, or television services to consumers.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after section 2492 the following new item:

''2492a. Limitation on Department of Defense entities competing with private sector in offering personal information services.''.

(c) EFFECT ON EXISTING CONTRACTS.—Section 2492a of title 10, United States Code, as added by subsection (a), does not affect the validity or terms of any contract for the provision of personal information services entered into before the date of the enactment of this Act.

**SEC. 652. REPORT ON IMPACT OF PURCHASING FROM LOCAL DISTRIBUTORS ALL ALCOHOLIC BEVERAGES FOR RESALE ON MILITARY INSTALLATIONS ON GUAM.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating the impact of reimposing the requirement, effective for fiscal year 2008 pursuant to section 8073 of the Department of Defense Appropriations Act, 2008 (division A of Public Law 110–116; 121 Stat. 1331) but not extended for fiscal year 2009, that all alcoholic beverages intended

*for resale on military installations on Guam be purchased from local sources.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) The concerns of nonappropriated funds activities over the one-year imposition of the local-purchase requirement and the impact the requirement had on alcohol resale prices.*

*(2) The stated justification for any change in the price of alcoholic beverages for resale on military installations on Guam.*

*(3) The actions of the nonappropriated fund activities in complying with the local purchase requirements for resale of alcoholic beverages and their purchase of such affected products before and after the effective date of the provision of law referred to in subsection (a).*

*(4) The extent to which nonappropriated funds activities on military installations on Guam are implementing the applicable Department of Defense instruction and the methods used to determine the resale price of alcoholic beverages.*

***Subtitle F—Other Matters***

***SEC. 661. LIMITATIONS ON COLLECTION OF OVERPAYMENTS OF PAY AND ALLOWANCES ERRONEOUSLY PAID TO MEMBERS.***

*(a) MAXIMUM MONTHLY PERCENTAGE OF MEMBER'S PAY AUTHORIZED FOR DEDUCTION.—Paragraph (3) of subsection (c) of section 1007 of title 37, United States Code, is amended by striking ''20 percent'' and inserting ''15 percent''.*

*(b) REQUESTS FOR DELAY IN REPAYMENT.—Such paragraph is further amended—*

*(1) by inserting ''(A)'' after ''(3)''; and*

*(2) by adding at the end the following new subparagraph:*

*''(B) In all cases described in subparagraph (A), the Secretary concerned shall provide a reasonable opportunity for the member to request a delay in the imposition of the repayment requirement to recover the indebtedness. Before beginning collection efforts, the Secretary concerned shall consider the reasons provided by the member for the requested delay, including the financial ability of the member to repay the indebtedness, and the hardship that immediate collection would impose on the member and the member's dependents.''.*

*(c) DELAY IN INSTITUTING COLLECTIONS FROM WOUNDED OR INJURED MEMBERS.—Paragraph (4) of such subsection is amended to read as follows:*

*''(4)(A) If a member of the uniformed services, through no fault of the member, incurs a wound, injury, or illness while in the line of duty in a combat operation or combat zone designated by the President or the Secretary of Defense, any overpayment of pay or allowances made to the member while the member recovers from the wound, injury, or illness may not be deducted from the member's pay until—*

*''(i) the member is notified of the overpayment; and*

*''(ii) the later of the following occurs:*

*''(I) The end of the 180-day period beginning on the date of the completion of the tour of duty of the member in the combat operation or combat zone.*

*''(II) The end of the 90-day period beginning on the date of the reassignment of the member from a military treatment facility or other medical unit outside of the theater of operations.*

*''(B) Subparagraph (A) shall not apply if the member, after receiving notification of the overpayment, requests or consents to initiation at an earlier date of the collection of the overpayment of the pay or allowances.''.*

*(d) EFFECTIVE DATE.—The amendments made by this section shall apply only with respect to an overpayment of pay or allowances made to a member of the uniformed services after the date of the enactment of this Act.*

***SEC. 662. SENSE OF CONGRESS ON AIRFARES FOR MEMBERS OF THE ARMED FORCES.***

*It is the sense of Congress that—*

*(1) all United States commercial air carriers should seek to lend their support with flexible, generous policies applicable to members of the Armed Forces who are traveling on leave or liberty at their own expense; and*

*(2) each United States air carrier, for all members of the Armed Forces who have been granted leave or liberty and who are traveling by air at their own expense, should—*

*(A) seek to provide reduced air fares that are comparable to the lowest airfare for ticketed flights and that eliminate to the maximum extent possible advance purchase requirements;*

*(B) seek to eliminate change fees or charges and any penalties;*

*(C) seek to eliminate or reduce baggage and excess weight fees;*

*(D) offer flexible terms that allow members to purchase, modify, or cancel tickets without time restrictions, and to waive fees (including baggage fees), ancillary costs, or penalties; and*

*(E) seek to take proactive measures to ensure that all airline employees, particularly those who issue tickets and respond to members of the Armed Forces and their family members, are trained in the policies of the airline aimed at benefitting members of the Armed Forces who are on leave.*

***SEC. 663. SENSE OF CONGRESS ON ESTABLISHMENT OF FLEXIBLE SPENDING ARRANGEMENTS FOR THE UNIFORMED SERVICES.***

*(a) IN GENERAL.—It is the sense of Congress that the Secretary of Defense, with respect to members of the Army, Navy, Marine Corps, and Air Force, the Secretary of Homeland Security, with respect to members of the Coast Guard, the Secretary of Health and Human Services, with respect to commissioned officers of the Public Health Service, and the Secretary of Commerce, with respect to commissioned officers of the National Oceanic and Atmospheric Administration, should establish procedures to implement flexible spending arrangements with respect to basic pay and compensation for health care and dependent care on a pre-tax basis in accordance with regulations prescribed under sections 106(c) and 125 of the Internal Revenue Code of 1986.*

*(b) CONSIDERATIONS.—It is the sense of Congress that, in establishing the procedures described by subsection (a), the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Commerce should consider life events of members of the uniformed services that are unique to them as members of the uniformed services, including changes relating to permanent changes of duty station and deployments to overseas contingency operations.*

***SEC. 664. SENSE OF CONGRESS REGARDING SUPPORT FOR COMPENSATION, RETIREMENT, AND OTHER MILITARY PERSONNEL PROGRAMS.***

*It is the sense of Congress that members of the Armed Forces and their families and survivors and military retirees deserve ongoing recognition and support for their service and sacrifices on behalf of the United States, and Congress will continue to be vigilant in identifying appropriate direct spending offsets that can be used to address shortcomings within those military personnel programs that incur mandatory spending obligations.*

***TITLE VII—HEALTH CARE PROVISIONS***

*Subtitle A—Improvements to Health Benefits*

*Sec. 701. Prohibition on conversion of military medical and dental positions to civilian medical and dental positions.*

*Sec. 702. Health care for members of the reserve components.*

*Sec. 703. Enhancement of transitional dental care for members of the reserve components on active duty for more than 30 days in support of a contingency operation.*

*Sec. 704. Expansion of survivor eligibility under TRICARE dental program.*

*Sec. 705. TRICARE Standard coverage for certain members of the Retired Reserve who are qualified for a nonregular retirement but are not yet age 60.*

*Sec. 706. Constructive eligibility for TRICARE benefits of certain persons otherwise ineligible under retroactive determination of entitlement to Medicare part A hospital insurance benefits.*

*Sec. 707. Notification of certain individuals regarding options for enrollment under Medicare part B.*

*Sec. 708. Mental health assessments for members of the Armed Forces deployed in connection with a contingency operation.*

*Sec. 709. Temporary TRICARE inpatient fee modification.*

*Subtitle B—Health Care Administration*

*Sec. 711. Comprehensive policy on pain management by the military health care system.*

*Sec. 712. Administration and prescription of psychotropic medications for members of the Armed Forces before and during deployment.*

*Sec. 713. Cooperative health care agreements between military installations and non-military health care systems.*

*Sec. 714. Plan to increase the mental health capabilities of the Department of Defense.*

*Sec. 715. Department of Defense study on management of medications for physically and psychologically wounded members of the Armed Forces.*

*Sec. 716. Limitation on obligation of funds under defense health program information technology programs.*

*Subtitle C—Other Matters*

*Sec. 721. Study and plan to improve military health care.*

*Sec. 722. Study, plan, and pilot for the mental health care needs of dependent children of members of the Armed Forces.*

*Sec. 723. Clinical trial on cognitive rehabilitative therapy for members and former members of the Armed Forces.*

*Sec. 724. Department of Defense Task Force on the Care, Management, and Transition of Recovering Wounded, Ill, and Injured Members of the Armed Forces.*

*Sec. 725. Chiropractic clinical trials.*

*Sec. 726. Independent study on post-traumatic stress disorder efforts.*

*Sec. 727. Report on implementation of requirements on the relationship between the TRICARE program and employer-sponsored group health plans.*

*Sec. 728. Report on stipends for members of reserve components for health care for certain dependents.*

***Subtitle A—Improvements to Health Benefits***

***SEC. 701. PROHIBITION ON CONVERSION OF MILITARY MEDICAL AND DENTAL POSITIONS TO CIVILIAN MEDICAL AND DENTAL POSITIONS.***

*Subsection (a) of section 721 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 198; 10 U.S.C. 129c note) is amended—*

*(1) by striking ''during the period beginning on'' and inserting ''on or after''; and*

*(2) by striking '', and ending on September 30, 2012''.*

***SEC. 702. HEALTH CARE FOR MEMBERS OF THE RESERVE COMPONENTS.***

*Section 1074(d)(1)(B) of title 10, United States Code, is amended by striking ''90 days'' and inserting ''180 days''.*

**SEC. 703. ENHANCEMENT OF TRANSITIONAL DENTAL CARE FOR MEMBERS OF THE RESERVE COMPONENTS ON ACTIVE DUTY FOR MORE THAN 30 DAYS IN SUPPORT OF A CONTINGENCY OPERATION.**

*Section 1145(a) of title 10, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraph (4)''; and*

*(B) in subparagraph (A), by inserting ''except as provided in paragraph (3),'' before ''medical and dental care'';*

*(2) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively;*

*(3) by inserting after paragraph (2) the following new paragraph (3):*

*''(3) In the case of a member described in paragraph (2)(B), the dental care to which the member is entitled under this subsection shall be the dental care to which a member of the uniformed services on active duty for more than 30 days is entitled under section 1074 of this title.'';*

*(4) in paragraph (4), as redesignated by paragraph (2) of this section, by striking ''paragraph (6)'' and inserting ''paragraph (7)''; and*

*(5) in subparagraph (A) of paragraph (6), as redesignated by paragraph (2) of this section, by striking ''paragraph (4)'' and inserting ''paragraph (5)''.*

**SEC. 704. EXPANSION OF SURVIVOR ELIGIBILITY UNDER TRICARE DENTAL PROGRAM.**

*Paragraph (3) of section 1076a(k) of title 10, United States Code, is amended to read as follows:*

*''(3) Such term does not include a dependent by reason of paragraph (2) after the end of the three-year period beginning on the date of the member's death, except that, in the case of a dependent of the deceased who is described by subparagraph (D) or (I) of section 1072(2) of this title, the period of continued eligibility shall be the longer of the following periods beginning on such date:*

*''(A) Three years.*

*''(B) The period ending on the date on which such dependent attains 21 years of age.*

*''(C) In the case of such dependent who, at 21 years of age, is enrolled in a full-time course of study in a secondary school or in a full-time course of study in an institution of higher education approved by the administering Secretary and was, at the time of the member's death, in fact dependent on the member for over one-half of such dependent's support, the period ending on the earlier of the following dates:*

*''(i) The date on which such dependent ceases to pursue such a course of study, as determined by the administering Secretary.*

*''(ii) The date on which such dependent attains 23 years of age.''.*

**SEC. 705. TRICARE STANDARD COVERAGE FOR CERTAIN MEMBERS OF THE RETIRED RESERVE WHO ARE QUALIFIED FOR A NON-REGULAR RETIREMENT BUT ARE NOT YET AGE 60.**

*(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1076d the following new section:*

***''§ 1076e. TRICARE program: TRICARE Standard coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60***

*''(a) ELIGIBILITY.—(1) Except as provided in paragraph (2), a member of the Retired Reserve of a reserve component of the armed forces who is qualified for a non-regular retirement at age 60 under chapter 1223 of this title, but is not age 60, is eligible for health benefits under TRICARE Standard as provided in this section.*

*''(2) Paragraph (1) does not apply to a member who is enrolled, or is eligible to enroll, in a health benefits plan under chapter 89 of title 5.*

*''(b) TERMINATION OF ELIGIBILITY UPON OBTAINING OTHER TRICARE STANDARD COVERAGE.—Eligibility for TRICARE Standard coverage of a member under this section shall terminate upon the member becoming eligible for TRICARE Standard coverage at age 60 under section 1086 of this title.*

*''(c) FAMILY MEMBERS.—While a member of a reserve component is covered by TRICARE Standard under this section, the members of the immediate family of such member are eligible for TRICARE Standard coverage as dependents of the member. If a member of a reserve component dies while in a period of coverage under this section, the eligibility of the members of the immediate family of such member for TRICARE Standard coverage under this section shall continue for the same period of time that would be provided under section 1086 of this title if the member had been eligible at the time of death for TRICARE Standard coverage under such section (instead of under this section).*

*''(d) PREMIUMS.—(1) A member of a reserve component covered by TRICARE Standard under this section shall pay a premium for that coverage.*

*''(2) The Secretary of Defense shall prescribe for the purposes of this section one premium for TRICARE Standard coverage of members without dependents and one premium for TRICARE Standard coverage of members with dependents referred to in subsection (f)(1). The premium prescribed for a coverage shall apply uniformly to all members of the reserve components covered under this section.*

*''(3) The monthly amount of the premium in effect for a month for TRICARE Standard coverage under this section shall be the amount equal to the cost of coverage that the Secretary determines on an appropriate actuarial basis.*

*''(4) The Secretary shall prescribe the requirements and procedures applicable to the payment of premiums under this subsection.*

*''(5) Amounts collected as premiums under this subsection shall be credited to the appropriation available for the Defense Health Program Account under section 1100 of this title, shall be merged with sums in such Account that are available for the fiscal year in which collected, and shall be available under subsection (b) of such section for such fiscal year.*

*''(e) REGULATIONS.—The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations for the administration of this section.*

*''(f) DEFINITIONS.—In this section:*

*''(1) The term 'immediate family', with respect to a member of a reserve component, means all of the member's dependents described in subparagraphs (A), (D), and (I) of section 1072(2) of this title.*

*''(2) The term 'TRICARE Standard' means—*

*''(A) medical care to which a dependent described in section 1076(b)(1) of this title is entitled; and*

*''(B) health benefits contracted for under the authority of section 1086(a) of this title and subject to the same rates and conditions as apply to persons covered under that section.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1076d the following new item:*

*''1076e. TRICARE program: TRICARE Standard coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60.''.*

*(c) EFFECTIVE DATE.—Section 1076e of title 10, United States Code, as inserted by subsection (a), shall apply to coverage for months beginning on or after October 1, 2009, or such earlier date as the Secretary of Defense may specify.*

**SEC. 706. CONSTRUCTIVE ELIGIBILITY FOR TRICARE BENEFITS OF CERTAIN PERSONS OTHERWISE INELIGIBLE UNDER RETROACTIVE DETERMINATION OF ENTITLEMENT TO MEDICARE PART A HOSPITAL INSURANCE BENEFITS.**

*Section 1086(d) of title 10, United States Code, is amended—*

*(1) by redesignating paragraph (4) as paragraph (5); and*

*(2) by inserting after paragraph (3) the following new paragraph (4):*

*''(4)(A) If a person referred to in subsection (c) and described by paragraph (2)(B) is subject to a retroactive determination by the Social Security Administration of entitlement to hospital insurance benefits described in paragraph (1), the person shall, during the period described in subparagraph (B), be deemed for purposes of health benefits under this section—*

*''(i) not to have been covered by paragraph (1); and*

*''(ii) not to have been subject to the requirements of section 1079(j)(1) of this title, whether through the operation of such section or subsection (g) of this section.*

*''(B) The period described in this subparagraph with respect to a person covered by subparagraph (A) is the period that—*

*''(i) begins on the date that eligibility of the person for hospital insurance benefits referred to in paragraph (1) is effective under the retroactive determination of eligibility with respect to the person as described in subparagraph (A); and*

*''(ii) ends on the date of the issuance of such retroactive determination of eligibility by the Social Security Administration.''.*

**SEC. 707. NOTIFICATION OF CERTAIN INDIVIDUALS REGARDING OPTIONS FOR ENROLLMENT UNDER MEDICARE PART B.**

*(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 1110a. Notification of certain individuals regarding options for enrollment under Medicare part B***

*''(a) IN GENERAL.—(1) As soon as practicable, the Secretary of Defense shall notify each individual described in subsection (b)—*

*''(A) that the individual is no longer eligible for health care benefits under the TRICARE program under this chapter; and*

*''(B) of options available for enrollment of the individual in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.).*

*''(2) In carrying out this subsection, the Secretary of Defense shall—*

*''(A) establish procedures for identifying individuals described in subsection (b); and*

*''(B) consult with the Secretary of Health and Human Services to accurately identify and notify such individuals.*

*''(b) INDIVIDUALS DESCRIBED.—An individual described in this subsection is an individual who is—*

*''(1) a covered beneficiary;*

*''(2) entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c) under section 226(b) or section 226A of such Act (42 U.S.C. 426(b) and 426–1); and*

*''(3) eligible to enroll in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.).''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1110 the following new item:*

*''1110a. Notification of certain individuals regarding options for enrollment under Medicare part B.''.*

**SEC. 708. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.**

*(a) MENTAL HEALTH ASSESSMENTS.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance for the provision of a person-to-person mental health assessment for each member of the Armed Forces who is deployed in connection with a contingency operation as follows:*

*(A) At a time during the period beginning 60 days before the date of deployment in connection with the contingency operation.*

*(B) At a time during the period beginning 90 days after the date of redeployment from the contingency operation and ending 180 days after the date of redeployment from the contingency operation.*

*(C) Subject to subsection (d), not later than each of 6 months, 12 months, and 24 months after return from deployment.*

*(2) EXCLUSION OF CERTAIN MEMBERS.—A mental health assessment is not required for a member of the Armed Forces under subparagraphs (B) and (C) of paragraph (1) if the Secretary determines that the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned.*

*(b) PURPOSE.—The purpose of the mental health assessments provided pursuant to this section shall be to identify post-traumatic stress disorder, suicidal tendencies, and other behavioral health conditions identified among members of the Armed Forces described in subsection (a) in order to determine which such members are in need of additional care and treatment for such health conditions.*

*(c) ELEMENTS.—*

*(1) IN GENERAL.—The mental health assessments provided pursuant to this section shall—*

*(A) be performed by personnel trained and certified to perform such assessments and may be performed by licensed mental health professionals if such professionals are available and the use of such professionals for the assessments would not impair the capacity of such professionals to perform higher priority tasks;*

*(B) include a person-to-person dialogue between members of the Armed Forces described in subsection (a) and the professionals or personnel described by paragraph (1), as applicable, on such matters as the Secretary shall specify in order that the assessments achieve the purpose specified in subsection (b) for such assessments;*

*(C) be conducted in a private setting to foster trust and openness in discussing sensitive health concerns; and*

*(D) be provided in a consistent manner across the military departments.*

*(2) TREATMENT OF CURRENT ASSESSMENTS.—The Secretary may treat periodic health assessments and other person-to-person assessments that are provided to members of the Armed Forces as of the date of the enactment of this Act as meeting the requirements for mental health assessments required under this section if the Secretary determines that such assessments and person-to-person assessments meet the requirements for mental health assessments established by this section.*

*(d) CESSATION OF ASSESSMENTS.—No mental health assessment is required to be provided to an individual under subsection (a)(1)(C) after the individual's discharge or release from the Armed Forces.*

*(e) SHARING OF INFORMATION.—*

*(1) IN GENERAL.—The Secretary of Defense shall share with the Secretary of Veterans Affairs such information on members of the Armed Forces that is derived from confidential mental health assessments, including mental health assessments provided pursuant to this section and health assessments and other person-to-person assessments provided before the date of the enactment of this Act, as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate to ensure continuity of mental health care and treatment of members of the Armed Forces during their transition from health care and treatment provided by the Department of Defense to health care and treatment provided by the Department of Veterans Affairs.*

*(2) PROTOCOLS.—Any sharing of information under paragraph (1) shall occur pursuant to a protocol jointly established by the Secretary of Defense and the Secretary of Veterans Affairs for purposes of this subsection. Any such protocol shall be consistent with the following:*

*(A) Applicable provisions of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note), including in particular, section 1614 of that Act (122 Stat. 443; 10 U.S.C. 1071 note).*

*(B) Section 1720F of title 38, United States Code.*

*(f) CONTINGENCY OPERATION DEFINED.—In this section, the term ''contingency operation'' has the meaning given that term in section 101(a)(13) of title 10, United States Code.*

*(g) REPORTS.—*

*(1) REPORT ON GUIDANCE.—Upon the issuance of the guidance required by subsection (a), the Secretary of Defense shall submit to Congress a report describing the guidance.*

*(2) REPORTS ON IMPLEMENTATION OF GUIDANCE.—*

*(A) INITIAL REPORT.—Not later than 270 days after the date of the issuance of the guidance, the Secretary shall submit to Congress an initial report on the implementation of the guidance by the military departments.*

*(B) SUBSEQUENT REPORT.—Not later than two years after the date of the issuance of the guidance, the Secretary shall submit to Congress a report on the implementation of the guidance by the military departments. The report shall include an evidence-based assessment of the effectiveness of the mental health assessments provided pursuant to the guidance in achieving the purpose specified in subsection (b) for such assessments.*

***SEC. 709. TEMPORARY TRICARE INPATIENT FEE MODIFICATION.***

*Section 1086(b)(3) of title 10, United States Code, is amended by striking ''September 30, 2009'' and inserting ''September 30, 2010''.*

***Subtitle B—Health Care Administration***

***SEC. 711. COMPREHENSIVE POLICY ON PAIN MANAGEMENT BY THE MILITARY HEALTH CARE SYSTEM.***

*(a) COMPREHENSIVE POLICY REQUIRED.—Not later than March 31, 2011, the Secretary of Defense shall develop and implement a comprehensive policy on pain management by the military health care system.*

*(b) SCOPE OF POLICY.—The policy required by subsection (a) shall cover each of the following:*

*(1) The management of acute and chronic pain.*

*(2) The standard of care for pain management to be used throughout the Department of Defense.*

*(3) The consistent application of pain assessments throughout the Department of Defense.*

*(4) The assurance of prompt and appropriate pain care treatment and management by the Department when medically necessary.*

*(5) Programs of research related to acute and chronic pain, including pain attributable to central and peripheral nervous system damage characteristic of injuries incurred in modern warfare, brain injuries, and chronic migraine headache.*

*(6) Programs of pain care education and training for health care personnel of the Department.*

*(7) Programs of patient education for members suffering from acute or chronic pain and their families.*

*(c) UPDATES.—The Secretary shall revise the policy required by subsection (a) on a periodic basis in accordance with experience and evolving best practice guidelines.*

*(d) ANNUAL REPORT.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the commencement of the implementation of the policy required by subsection (a), and on October 1 each year thereafter through 2018, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the policy.*

*(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:*

*(A) A description of the policy implemented under subsection (a), and any revisions to such policy under subsection (c).*

*(B) A description of the performance measures used to determine the effectiveness of the policy in improving pain care for beneficiaries enrolled in the military health care system.*

*(C) An assessment of the adequacy of Department pain management services based on a current survey of patients managed in Department clinics.*

*(D) An assessment of the research projects of the Department relevant to the treatment of the types of acute and chronic pain suffered by members of the Armed Forces and their families.*

*(E) An assessment of the training provided to Department health care personnel with respect to the diagnosis, treatment, and management of acute and chronic pain.*

*(F) An assessment of the pain care education programs of the Department.*

*(G) An assessment of the dissemination of information on pain management to beneficiaries enrolled in the military health care system.*

***SEC. 712. ADMINISTRATION AND PRESCRIPTION OF PSYCHOTROPIC MEDICATIONS FOR MEMBERS OF THE ARMED FORCES BEFORE AND DURING DEPLOYMENT.***

*(a) REPORT REQUIRED.—Not later than October 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of policy guidance dated November 7, 2006, regarding deployment-limiting psychiatric conditions and medications.*

*(b) POLICY REQUIRED.—Not later than October 1, 2010, the Secretary shall establish and implement a policy for the use of psychotropic medications for deployed members of the Armed Forces. The policy shall, at a minimum, address the following:*

*(1) The circumstances or diagnosed conditions for which such medications may be administered or prescribed.*

*(2) The medical personnel who may administer or prescribe such medications.*

*(3) The method in which the administration or prescription of such medications will be documented in the medical records of members of the Armed Forces.*

*(4) The exam, treatment, or other care that is required following the administration or prescription of such medications.*

***SEC. 713. COOPERATIVE HEALTH CARE AGREEMENTS BETWEEN MILITARY INSTALLATIONS AND NON-MILITARY HEALTH CARE SYSTEMS.***

*(a) AUTHORITY.—The Secretary of Defense may establish cooperative health care agreements between military installations and local or regional health care systems.*

*(b) REQUIREMENTS.—In establishing an agreement under subsection (a), the Secretary shall—*

*(1) consult with—*

*(A) the Secretary of the military department concerned;*

*(B) representatives from the military installation selected for the agreement, including the TRICARE managed care support contractor with responsibility for such installation; and*

*(C) Federal, State, and local government officials;*

*(2) identify and analyze health care services available in the area in which the military installation is located, including such services available at a military medical treatment facility or in the private sector (or a combination thereof);*

*(3) determine the cost avoidance or savings resulting from innovative partnerships between*

*the Department of Defense and the private sector; and*

*(4) determine the opportunities for and barriers to coordinating and leveraging the use of existing health care resources, including such resources of Federal, State, local, and private entities.*

*(c) ANNUAL REPORTS.—Not later than December 31 of each year an agreement entered into under this section is in effect, the Secretary shall submit to the congressional defense committees a report on each such agreement. Each report shall include, at a minimum, the following:*

*(1) A description of the agreement.*

*(2) Any cost avoidance, savings, or increases as a result of the agreement.*

*(3) A recommendation for continuing or ending the agreement.*

*(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the provision of health care services at military medical treatment facilities or other facilities of the Department of Defense to individuals who are not otherwise entitled or eligible for such services under chapter 55 of title 10, United States Code.*

***SEC. 714. PLAN TO INCREASE THE MENTAL HEALTH CAPABILITIES OF THE DEPARTMENT OF DEFENSE.***

*(a) INCREASED AUTHORIZATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall increase the number of active duty mental health personnel authorized for the department under the jurisdiction of the Secretary in an amount equal to the sum of the following amounts:*

*(1) The greater of—*

*(A) the amount identified on personnel authorization documents as required but not authorized to be filled; or*

*(B) the amount that is 25 percent of the amount identified on personnel authorization documents as authorized.*

*(2) The amount required to fulfill the requirements of section 708, as determined by the Secretary concerned.*

*(b) REPORT AND PLAN ON THE REQUIRED NUMBER OF MENTAL HEALTH PERSONNEL.—*

*(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the appropriate number of mental health personnel required to meet the mental health care needs of members of the Armed Forces, retired members, and dependents. The report shall include, at a minimum, the following:*

*(A) An evaluation of the recommendation titled ''Ensure an Adequate Supply of Uniformed Providers'' made by the Department of Defense Task Force on Mental Health established by section 723 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3348).*

*(B) The criteria and models used to determine the appropriate number of mental health personnel.*

*(C) The plan under paragraph (2).*

*(2) PLAN.—The Secretary shall develop and implement a plan to significantly increase the number of military and civilian mental health personnel of the Department of Defense by September 30, 2013. The plan may include the following:*

*(A) The allocation of scholarships and financial assistance under the Health Professions Scholarship and Financial Assistance Program under subchapter I of chapter 105 of title 10, United States Code, to students pursuing advanced degrees in clinical psychology and other mental health professions.*

*(B) The offering of accession and retention bonuses for psychologists pursuant to section 620 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4489).*

*(C) An expansion of the capacity for training doctoral-level clinical psychologists at the Uniformed Services University of the Health Sciences.*

*(D) An expansion of the capacity of the Department of Defense for training masters-level clinical psychologists and social workers with expertise in deployment-related mental health disorders, such as post-traumatic stress disorder.*

*(E) The detail of commissioned officers of the Armed Forces to accredited schools of psychology for training leading to a doctoral degree in clinical psychology or social work.*

*(F) The reassignment of military mental health personnel from administrative positions to clinical positions in support of military units.*

*(G) The offering of civilian hiring incentives and bonuses and the use of direct hiring authority to increase the number of mental health personnel of the Department of Defense.*

*(H) Such other mechanisms to increase the number of mental health personnel of the Department of Defense as the Secretary considers appropriate.*

*(c) REPORT ON ADDITIONAL OFFICER OR ENLISTED MILITARY SPECIALTIES FOR MENTAL HEALTH.—*

*(1) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the assessment of the Secretary of the feasability and advisability of establishing one or more military mental health specialities for officers or enlisted members of the Armed Forces in order to better meet the mental health care needs of members of the Armed Forces and their families.*

*(2) ELEMENTS.—The report required by paragraph (1) shall set forth the following:*

*(A) A recommendation as to the feasability and advisability of establishing one or more military mental health specialities for officers or enlisted members of the Armed Forces.*

*(B) For each military specialty recommended to be established under subparagraph (A)—*

*(i) a description of the qualifications required for such speciality, which shall reflect lessons learned from best practices in academia and the civilian health care industry regarding positions analogous to such specialty; and*

*(ii) a description of the incentives or other mechanisms, if any, that would be advisable to facilitate recruitment and retention of individuals to and in such specialty.*

***SEC. 715. DEPARTMENT OF DEFENSE STUDY ON MANAGEMENT OF MEDICATIONS FOR PHYSICALLY AND PSYCHOLOGICALLY WOUNDED MEMBERS OF THE ARMED FORCES.***

*(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on the management of medications for physically and psychologically wounded members of the Armed Forces.*

*(b) ELEMENTS.—The study required under subsection (a) shall include the following:*

*(1) A review and assessment of current practices within the Department of Defense for the management of medications for physically and psychologically wounded members of the Armed Forces.*

*(2) A review and analysis of the published literature on the risks associated with the administration of medications, including accidental and intentional overdoses, under and over medication, and adverse interactions among medications.*

*(3) An identification of the medical conditions, and of the patient management procedures of the Department of Defense, that may increase the risks associated with the administration of medications in populations of members of the Armed Forces.*

*(4) An assessment of current and best practices in the Armed Forces, other departments and agencies of the Federal Government, and the private sector concerning the prescription, distribution, and management of medications, and the associated coordination of care.*

*(5) An identification of means for decreasing the risks associated with the administration of medications and associated problems with respect to physically and psychologically wounded members of the Armed Forces.*

*(c) REPORT.—Not later than April 1, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study required under subsection (a). The report shall include such findings and recommendations as the Secretary considers appropriate in light of the study.*

***SEC. 716. LIMITATION ON OBLIGATION OF FUNDS UNDER DEFENSE HEALTH PROGRAM INFORMATION TECHNOLOGY PROGRAMS.***

*(a) LIMITATION.—Of each amount described in subsection (c), not more than 50 percent of the amount remaining unobligated as of the date of the enactment of this Act may be obligated until 30 days after the Deputy Secretary of Defense, acting in the capacity of Chief Management Officer of the Department of Defense pursuant to section 132 of title 10, United States Code, submits to the congressional defense committees a report in accordance with subsection (b).*

*(b) REPORT.—The report required under subsection (a) shall be on improvements to the governance and execution of health information management and information technology programs planned and programmed to electronically support clinical medical care within the military health system. Such report shall include each of the following:*

*(1) An assessment of the capability of the enterprise architecture to achieve optimal clinical practices and health care outcomes.*

*(2) For each health information management and information technology program covered by the report, an identification and assessment of the risks associated with achieving the timelines and goals of the program.*

*(3) A plan of action to mitigate the risks identified under paragraph (2).*

*(4) An assessment of the appropriateness of the health information management and information technology technical architecture and whether that architecture leverages the current best practices of industry, including the ability to meet the interoperability standards required by section 1635 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note), as amended by section 252 of the Duncan Hunter National Defense Authorization Act for Fiscal Year for 2009 (Public Law 110–417; 122 Stat. 4400).*

*(5) An assessment, in coordination with the Secretary of Veterans Affairs, of—*

*(A) the capability of the Department of Defense of meeting the requirements for joint interoperability with the Department of Veterans Affairs, as required by such section 1635; and*

*(B) the progress the Secretary of Defense and the Secretary of Veterans Affairs have made on the establishment of a joint virtual lifetime electronic record for members of the Armed Forces.*

*(6) A plan to take corrective actions that are necessary to remedy shortfalls identified as a result of the assessments under this subsection.*

*(7) An assessment of the estimated resources required in future years to achieve optimal information technology support for health care clinical practice and quality and compliance with the requirements of such section 1635.*

*(8) An analysis of the methods by which the Office of the Assistant Secretary of Defense for Health Affairs procures health information management and information technology goods and services, and of the appropriateness of the application of legal and acquisition authorities.*

*(9) An analysis of the capabilities of the Office of the Assistant Secretary of Defense for Health Affairs to carry out necessary governance, management, and development functions of health information management and information technology systems, including—*

*(A) the recommendations of the Assistant Secretary for improvements to the Office or alternative organizational structures for the Office; and*

*(B) alternative organizations within the Department of Defense with equal or greater management capabilities for health information management and information technology.*

*(10) A recommendation as to whether health information management and information technology systems of the Department of Defense should be included in and subject to the requirements of section 2222 of title 10, United States Code.*

*(c) COVERED AUTHORIZATIONS OR APPROPRIATIONS.—Amounts described in this section are the following amounts authorized to be appropriated for the Department of Defense for fiscal year 2010:*

*(1) Of the amounts authorized to be appropriated for operation and maintenance for the Defense Health Program (DHP IM/IT Support Program), $116,200,000.*

*(2) Of the amounts authorized to be appropriated for procurement for the Defense Health Program, $144,600,000.*

*(3) Of the amounts authorized to be appropriated for information technology development (program element 65013), $124,400,000.*

*(d) COMPTROLLER GENERAL REVIEW.—Not later than 30 days after the Deputy Secretary submits the report required under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees the results of an assessment carried out by the Comptroller General of the report and plan of action to achieve Department goals and mitigate risk in the management and execution of health information management and information technology programs.*

***Subtitle C—Other Matters***

***SEC. 721. STUDY AND PLAN TO IMPROVE MILITARY HEALTH CARE.***

*(a) STUDY AND REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the health care needs of dependents (as defined in section 1072(2) of title 10, United States Code). The report shall include, at a minimum, the following:*

*(1) With respect to both the direct care system and the purchased care system, an analysis of the type of health care facility in which dependents seek care.*

*(2) The 10 most common medical conditions for which dependents seek care.*

*(3) The availability of and access to health care providers to treat the conditions identified under paragraph (2), both in the direct care system and the purchased care system.*

*(4) Any shortfalls in the ability of dependents to obtain required health care services.*

*(5) Recommendations on how to improve access to care for dependents.*

*(6) With respect to dependents accompanying a member stationed at a military installation outside of the United States, the need for and availability of mental health care services.*

*(b) ENHANCED MILITARY HEALTH SYSTEM AND IMPROVED TRICARE.—*

*(1) IN GENERAL.—The Secretary of Defense, in consultation with the other administering Secretaries, shall undertake actions to enhance the capability of the military health system and improve the TRICARE program.*

*(2) ELEMENTS.—In undertaking actions to enhance the capability of the military health system and improve the TRICARE program under paragraph (1), the Secretary shall consider the following actions:*

*(A) Actions to guarantee the availability of care within established access standards for eligible beneficiaries, based on the results of the study required by subsection (a).*

*(B) Actions to expand and enhance sharing of health care resources among Federal health care programs, including designated providers (as that term is defined in section 721(5) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2593; 10 U.S.C. 1073 note)).*

*(C) Actions using medical technology to speed and simplify referrals for specialty care.*

*(D) Actions to improve regional or national staffing capabilities in order to enhance support provided to military medical treatment facilities facing staff shortages.*

*(E) Actions to improve health care access for members of the reserve components and their families, including such access with respect to mental health care and consideration of access issues for members and their families located in rural areas.*

*(F) Actions to ensure consistency throughout the TRICARE program to comply with access standards, which are applicable to both commanders of military treatment facilities and managed care support contractors.*

*(G) Actions to create new budgeting and resource allocation methodologies to fully support and incentivize care provided by military treatment facilities.*

*(H) Actions regarding additional financing options for health care provided by civilian providers.*

*(I) Actions to reduce administrative costs.*

*(J) Actions to control the cost of health care and pharmaceuticals.*

*(K) Actions to audit the Defense Enrollment Eligibility Reporting System to improve system checks on the eligibility of TRICARE beneficiaries.*

*(L) Actions, including a comprehensive plan, for the enhanced availability of prevention and wellness care.*

*(M) Actions using technology to improve direct communication with beneficiaries regarding health and preventive care.*

*(N) Actions to create performance metrics by which to measure improvement in the TRICARE program.*

*(O) Such other actions as the Secretary, in consultation with the other administering Secretaries, considers appropriate.*

*(c) QUALITY ASSURANCE.—In undertaking actions under this section, the Secretary of Defense and the other administering Secretaries shall continue or enhance the current level of quality health care provided by the Department of Defense and the military departments with no adverse impact to cost, access, or care.*

*(d) CONSULTATION.—In considering actions to be undertaken under this section, and in undertaking such actions, the Secretary shall consult with a broad range of national health care and military advocacy organizations.*

*(e) REPORTS REQUIRED.—*

*(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees an initial report on the progress made in undertaking actions under this section and future plans for improvement of the military health system.*

*(2) REPORT REQUIRED WITH FISCAL YEAR 2012 BUDGET PROPOSAL.—Together with the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2012 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary shall submit to the congressional defense committees a report setting forth the following:*

*(A) Updates on the progress made in undertaking actions under this section.*

*(B) Future plans for improvement of the military health system.*

*(C) An explanation of how the budget submission may reflect such progress and plans.*

*(3) PERIODIC REPORTS.—The Secretary shall, on a periodic basis, submit to the congressional defense committees a report on the progress being made in the improvement of the TRICARE program under this section.*

*(4) ELEMENTS.—Each report under this subsection shall include the following:*

*(A) A description and assessment of the progress made as of the date of such report in the improvement of the TRICARE program.*

*(B) Such recommendations for administrative or legislative action as the Secretary considers appropriate to expedite and enhance the improvement of the TRICARE program.*

*(f) DEFINITIONS.—In this section:*

*(1) The term ''administering Secretaries'' has the meaning given that term in section 1072(3) of title 10, United States Code.*

*(2) The term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.*

***SEC. 722. STUDY, PLAN, AND PILOT FOR THE MENTAL HEALTH CARE NEEDS OF DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES.***

*(a) REPORT AND PLAN ON THE MENTAL HEALTH CARE AND COUNSELING SERVICES AVAILABLE TO MILITARY CHILDREN.—*

*(1) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive review of the mental health care and counseling services available to dependent children of members of the Armed Forces through the Department of Defense.*

*(2) ELEMENTS.—The review under paragraph (1) shall include an assessment of the following:*

*(A) The availability, quality, and effectiveness of Department of Defense programs intended to meet the mental health care needs of military children.*

*(B) The availability, quality, and effectiveness of Department of Defense programs intended to promote resiliency in military children in coping with deployment cycles, injury, or death of military parents.*

*(C) The extent of access to, adequacy, and availability of mental health care and counseling services for military children in military medical treatment facilities, in family assistance centers, through Military OneSource, under the TRICARE program, and in Department of Defense Education Activity schools.*

*(D) Whether the status of a member of the Armed Forces on active duty, or in reserve active status, affects the access of a military child to mental health care and counseling services.*

*(E) Whether, and to what extent, waiting lists, geographic distance, and other factors may obstruct the receipt by military children of mental health care and counseling services.*

*(F) The extent of access to, availability, and viability of specialized mental health care for military children (including adolescents).*

*(G) The extent of any gaps in the current capabilities of the Department of Defense to provide preventive mental health services for military children.*

*(H) Such other matters as the Secretary considers appropriate.*

*(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review conducted under paragraph (1), including the findings and recommendations of the Secretary as a result of the review.*

*(b) COMPREHENSIVE PLAN FOR IMPROVEMENTS IN ACCESS TO CARE AND COUNSELING.—The Secretary shall develop and implement a comprehensive plan for improvements in access to quality mental health care and counseling services for military children in order to develop and promote psychological health and resilience in children of deploying and deployed members of the Armed Forces. The information in the report required by subsection (a) shall provide the basis for the development of the plan.*

*(c) PILOT PROGRAM.—*

*(1) ELEMENTS.—The Secretary of the Army shall carry out a pilot program on the mental health care needs of military children and adolescents. In carrying out the pilot program, the Secretary shall establish a center to—*

*(A) develop teams to train primary care managers in mental health evaluations and treatment of common psychiatric disorders affecting children and adolescents;*

*(B) develop strategies to reduce barriers to accessing behavioral health services and encourage better use of the programs and services by children and adolescents; and*

*(C) expand the evaluation of mental health care using common indicators, including—*

*(i) psychiatric hospitalization rates;*

*(ii) non-psychiatric hospitalization rates; and*

*(iii) mental health relative value units.*

*(2) REPORTS.—*

*(A) Not later than 90 days after establishing the pilot program, the Secretary of the Army shall submit to the congressional defense committees a report describing the—*

*(i) structure and mission of the program; and*

*(ii) the resources allocated to the program.*

*(B) Not later than September 30, 2012, the Secretary of the Army shall submit to the congressional defense committees a report that addresses the elements described under paragraph (1).*

***SEC. 723. CLINICAL TRIAL ON COGNITIVE REHABILITATIVE THERAPY FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES.***

*(a) CLINICAL TRIAL REQUIRED.—The Secretary of Defense shall provide for a clinical trial to assess the efficacy of cognitive rehabilitative therapy for members or former members of the Armed Forces described in subsection (b).*

*(b) COVERED MEMBERS AND FORMER MEMBERS.—A member or former member of the Armed Forces described in this subsection is a member or former member of the Armed Forces who—*

*(1) has been diagnosed with a traumatic brain injury (TBI) incurred in the line of duty in Operation Iraqi Freedom or Operation Enduring Freedom; and*

*(2) is referred by a qualified physician, as determined by the Secretary, for cognitive rehabilitative therapy.*

*(c) FUNDING.—*

*(1) IN GENERAL.—The trial required by subsection (a) shall be funded as a medical research project using amounts authorized to be appropriated for Defense Health Program for research and development.*

*(2) PROHIBITION ON USE OF CERTAIN FUNDS.—Amounts in the Department of Defense Medicare-Eligible Retiree Health Care Fund under chapter 56 of title 10, United States Code, may not be used to carry out the provisions of this section.*

*(d) REPORTS.—*

*(1) REPORT ON PLAN AND DESIGN FOR TRIAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a plan for the conduct of the trial required by subsection (a), including a description of the proposed design of the trial.*

*(2) FINAL REPORT.—Not later than one year after the completion of the trial required by subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth, at a minimum, the following:*

*(A) An assessment of the efficacy of cognitive rehabilitative therapy in treating traumatic brain injury in members and former members of the Armed Forces described in subsection (b).*

*(B) Such recommendations as the Secretary considers appropriate on means to provide increased access to safe, effective, and quality cognitive rehabilitative therapy services for such members and former members, including recommendations regarding the following:*

*(i) Procedures for access of such members and former members to cognitive rehabilitative therapy services, including appropriate treatment plans and outcome measures.*

*(ii) Qualifications and supervisory requirements for licensed and certified health care professionals in the provision of such services to such members and former members.*

*(iii) A methodology for reimbursing providers of such services in the provision of such services to such members and former members.*

*(C) The recommendation of the Secretary as to the advisability of including cognitive rehabilitative therapy as a benefit under the TRICARE program.*

***SEC. 724. DEPARTMENT OF DEFENSE TASK FORCE ON THE CARE, MANAGEMENT, AND TRANSITION OF RECOVERING WOUNDED, ILL, AND INJURED MEMBERS OF THE ARMED FORCES.***

*(a) ESTABLISHMENT.—*

*(1) IN GENERAL.—The Secretary of Defense shall establish within the Department of Defense a task force to be known as the ''Department of Defense Task Force on the Care, Management, and Transition of Recovering Wounded, Ill, and Injured Members of the Armed Forces'' (in this section referred to as the ''Task Force'').*

*(2) PURPOSE.—The purpose of the Task Force shall be to assess the effectiveness of the policies and programs developed and implemented by the Department of Defense, and by each of the military departments, to assist and support the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces, and to make recommendations for the continuous improvement of such policies and programs.*

*(3) RELATION TO SENIOR OVERSIGHT COMMITTEE.—The Secretary shall ensure that the Task Force is independent of the Senior Oversight Committee (as defined in section 726(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4509)).*

*(b) COMPOSITION.—*

*(1) MEMBERS.—The Task Force shall consist of not more than 14 members, appointed by the Secretary of Defense from among the individuals as described in paragraph (2).*

*(2) COVERED INDIVIDUALS.—The individuals appointed to the Task Force shall include the following:*

*(A) At least one member of each of the regular components of the Army, the Navy, the Air Force, and the Marine Corps.*

*(B) One member of the National Guard.*

*(C) One member of a reserve component of the Armed Forces other than National Guard.*

*(D) A number of persons from outside the Department of Defense equal to the total number of personnel from within the Department of Defense (whether members of the Armed Forces or civilian personnel) who are appointed to the Task Force.*

*(E) Persons who have experience in—*

*(i) medical care and coordination for wounded, ill, and injured members of the Armed Forces;*

*(ii) medical case management;*

*(iii) non-medical case management;*

*(iv) the disability evaluation process for members of the Armed Forces;*

*(v) veterans benefits;*

*(vi) treatment of traumatic brain injury and post-traumatic stress disorder;*

*(vii) family support;*

*(viii) medical research;*

*(ix) vocational rehabilitation; or*

*(x) disability benefits.*

*(F) At least one family member of a wounded, ill, or injured member of the Armed Forces or veteran who has experience working with wounded, ill, and injured members of the Armed Forces or their families.*

*(3) INDIVIDUALS APPOINTED FROM WITHIN DEPARTMENT OF DEFENSE.—At least one of the individuals appointed to the Task Force from within the Department of Defense shall be the surgeon general of an Armed Force.*

*(4) INDIVIDUALS APPOINTED FROM OUTSIDE DEPARTMENT OF DEFENSE.—The individuals appointed to the Task Force from outside the Department of Defense—*

*(A) with the concurrence of the Secretary of Veterans Affairs, shall include an officer or employee of the Department of Veterans Affairs; and*

*(B) may include individuals from other departments or agencies of the Federal Government, from State and local agencies, or from the private sector.*

*(5) DEADLINE FOR APPOINTMENTS.—All original appointments to the Task Force shall be made not later than 120 days after the date of the enactment of this Act.*

*(6) CO-CHAIRS.—There shall be two co-chairs of the Task Force. One of the co-chairs shall be designated by the Secretary of Defense at the time of appointment from among the individuals appointed to the Task Force from within the Department of Defense. The other co-chair shall be selected from among the individuals appointed from outside the Department of Defense by those individuals.*

*(c) ANNUAL REPORT.—*

*(1) IN GENERAL.—Not later than 12 months after the date on which all members of the Task Force have been appointed, and each year thereafter for the life of the Task Force, the Task Force shall submit to the Secretary of Defense a report on the activities of the Task Force and the activities of the Department of Defense and the military departments to assist and support the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces. The report shall include the following:*

*(A) The findings and conclusions of the Task Force as a result of its assessment of the effectiveness of the policies and programs developed and implemented by the Department of Defense, and by each of the military departments, to assist and support the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces.*

*(B) A description of best practices and various ways in which the Department of Defense and the military departments could more effectively address matters relating to the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces, including members of the regular components, and members of the reserve components, and support for their families.*

*(C) A plan for the activities of the Task Force in the year following the year covered by the report.*

*(D) Such recommendations for other legislative or administrative action as the Task Force considers appropriate for measures to improve the policies and programs described in subparagraph (A).*

*(2) METHODOLOGY.—For purposes of the reports, the Task Force—*

*(A) shall conduct site visits and interviews as the Task Force considers appropriate;*

*(B) may consider the findings and recommendations of previous reviews and evaluations of the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces; and*

*(C) may use such other means for directly obtaining information relating to the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces as the Task Force considers appropriate.*

*(3) MATTERS TO BE REVIEWED AND ASSESSED.—For purposes of the reports, the Task Force shall review and assess the following:*

*(A) Case management, including the numbers and types of medical and non-medical case managers (including Federal Recovery Coordinators, Recovery Care Coordinators, National Guard or Reserve case managers, and other case managers) assigned to recovering wounded, ill, and injured members of the Armed Forces, the training provided such case mangers, and the effectiveness of such case mangers in providing care and support to recovering wounded, ill, and injured members of the Armed Forces.*

*(B) Staffing of Army Warrior Transition Units, Marine Corps Wounded Warrior Regiments, Navy and Air Force Medical Hold or*

*Medical Holdover Units, and other service-related programs or units for recovering wounded, ill, and injured members of the Armed Forces, including the use of applicable hiring authorities to ensure the proper staffing of such programs and units.*

*(C) The establishment and effectiveness of performance and accountability standards for warrior transition units and programs.*

*(D) The availability of services for traumatic brain injury and post traumatic stress disorder.*

*(E) The establishment and effectiveness of the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury, and the centers of excellence for military eye injuries, hearing loss and auditory system injuries, and traumatic extremity injuries and amputations.*

*(F) The effectiveness of the Interagency Program Office in achieving fully interoperable electronic health records by September 30, 2009, in accordance with section 1635 of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 460; 10 U.S.C. 1071 note).*

*(G) The effectiveness of wounded warrior information resources, including the Wounded Warrior Resource Center, the National Resource Directory, Military OneSource, Family Assistance Centers, and Service hotlines, in providing meaningful information for recovering wounded, ill, and injured members of the Armed Forces.*

*(H) The support available to family caregivers of recovering wounded, ill, and injured members of the Armed Forces.*

*(I) The legal support available to recovering wounded, ill, and injured members of the Armed Forces and their families.*

*(J) The availability of vocational training for recovering wounded, ill, and injured members of the Armed Forces seeking to transition to civilian life.*

*(K) The effectiveness of any measures under pilot programs to improve or enhance the military disability evaluation system.*

*(L) The support and assistance provided to recovering wounded, ill, and injured members of the Armed Forces as they progress through the military disability evaluation system.*

*(M) The support systems in place to ease the transition of recovering wounded, ill, and injured members of the Armed Forces from the Department of Defense to the Department of Veterans Affairs.*

*(N) Interagency matters affecting recovering wounded, ill, and injured members of the Armed Forces in their transition to civilian life.*

*(O) The effectiveness of the Senior Oversight Committee in facilitating and overseeing collaboration between the Department of Defense and the Department of Veterans Affairs on matters relating to the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces.*

*(P) Overall coordination between the Department of Defense and the Department of Veterans Affairs on the matters specified in this paragraph.*

*(Q) Such other matters as the Task Force considers appropriate in connection with the care, management, and transition of recovering wounded, ill, and injured members of the Armed Forces.*

*(4) TRANSMITTAL.—Not later than 90 days after receipt of a report required by paragraph (1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives the report and the Secretary's evaluation of the report.*

*(d) PLAN REQUIRED.—Not later than six months after the receipt of a report under subsection (c), the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to implement the recommendations of the Task Force included in the report.*

*(e) ADMINISTRATIVE MATTERS.—*

*(1) COMPENSATION.—Each member of the Task Force who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve on the Task Force without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be). Other members of the Task Force shall be appointed in accordance with, and subject to, the provisions of section 3161 of title 5, United States Code.*

*(2) OVERSIGHT.—The Under Secretary of Defense for Personnel and Readiness shall oversee the Task Force. The Washington Headquarters Services of the Department of Defense shall provide the Task Force with personnel, facilities, and other administrative support as necessary for the performance of the duties of the Task Force.*

*(3) VISITS TO MILITARY FACILITIES.—Any visit by the Task Force to a military installation or facility shall be undertaken through the Deputy Under Secretary of Defense for Personnel and Readiness, in coordination with the Secretaries of the military departments.*

*(f) TERMINATION.—The Task Force shall terminate on the date that is five years after the date of the enactment of this Act.*

***SEC. 725. CHIROPRACTIC CLINICAL TRIALS.***

*(a) CLINICAL TRIALS REQUIRED.—The Secretary of Defense shall provide for the clinical trials described under subsection (b) to be conducted by the National Institutes of Health or an independent academic institution as the Secretary shall select for the purposes of conducting each trial.*

*(b) CLINICAL TRIALS DESCRIBED.—*

*(1) CONTROLLED TRIALS.—The clinical trials required by subsection (a) shall include controlled trials that, at a minimum, compare the outcomes of chiropractic treatment, used either exclusively or as an adjunct to other treatments, with conventional treatment on the following topics:*

*(A) Pain management.*

*(B) Orthopedic injuries or disorders that do not require surgery.*

*(C) Smoking cessation.*

*(2) INTERVENTIONAL TRIALS.—The clinical trials required by subsection (a) shall include interventional trials that, at a minimum, cover the following topics:*

*(A) The effect of chiropractic treatment on the reflexes and reaction times of special operation forces.*

*(B) The effect of chiropractic treatment on strength, balance, and injury prevention for members of the Armed Forces with combat specialties operating in a combat theater.*

*(c) SCHEDULE.—*

*(1) FIRST TRIAL.—The first clinical trial required by subsection (a) shall begin not later than one year after the date of the enactment of this Act.*

*(2) FINAL TRIAL.—The final clinical trial required by subsection (a) shall begin not later than two years after the date of the enactment of this Act.*

*(d) TRIAL PARTICIPANTS.—A participant of a clinical trial required by subsection (a) shall be a member of the Armed Forces on active duty.*

*(e) CHIROPRACTIC PROVIDERS.—Chiropractic treatment provided during a clinical trial required by subsection (a) shall be provided by a doctor of chiropractic who is licensed as a doctor of chiropractic, chiropractic physician, or chiropractor by a State, the District of Columbia, or a territory or possession of the United States, subject to credentialing requirements prescribed by the Secretary.*

*(f) REPORTS.—*

*(1) TRIAL PROTOCOL REPORTS.—Not later than 30 days before each clinical trial required by subsection (a) is scheduled to begin, the Secretary shall submit to the congressional defense committees a report on the protocol of such clinical trial.*

*(2) FINAL REPORTS.—Not later than one year after the completion of each clinical trial required by subsection (a), the Secretary shall submit to the congressional defense committees a report on such clinical trial, including any recommendations regarding chiropractic treatment for covered beneficiaries (as such term is defined in section 1072(5) of title 10, United States Code).*

***SEC. 726. INDEPENDENT STUDY ON POST-TRAUMATIC STRESS DISORDER EFFORTS.***

*(a) STUDY REQUIRED.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall provide for a study on the treatment of post-traumatic stress disorder to be conducted by the Institute of Medicine of the National Academy of Sciences or such other independent entity as the Secretary shall select for purposes of the study.*

*(b) ELEMENTS.—The study required by subsection (a) shall include the following:*

*(1) A list of each operative program and method available for the prevention, screening, diagnosis, treatment, or rehabilitation of post-traumatic stress disorder, including—*

*(A) the rates of success for each such program or method (including an operational definition of the term ''success'' and a discussion of the process used to quantify such rates);*

*(B) based on the incidence of actual diagnoses, an estimate of the number of members of the Armed Forces and veterans diagnosed by the Department of Defense or the Department of Veterans Affairs as having post-traumatic stress disorder and the number of such veterans who have been successfully treated; and*

*(C) any collaborative efforts between the Department of Defense and the Department of Veterans Affairs to prevent, screen, diagnose, treat, or rehabilitate post-traumatic stress disorder.*

*(2) The status of studies and clinical trials involving innovative treatments of post-traumatic stress disorder that are conducted by the Department of Defense, the Department of Veterans Affairs, or the private sector, including—*

*(A) efforts to identify physiological markers of post-traumatic stress disorder;*

*(B) with respect to efforts to determine causation of post-traumatic stress disorder, brain imaging studies and the correlation between brain region physiology and post-traumatic stress disorder diagnoses and the results (including any interim results) of such efforts;*

*(C) the effectiveness of alternative therapies in the treatment of post-traumatic stress disorder, including the therapeutic use of animals;*

*(D) the effectiveness of administering pharmaceutical agents before, during, or after a traumatic event in the prevention and treatment of post-traumatic stress disorder; and*

*(E) identification of areas in which the Department of Defense and the Department of Veterans Affairs may be duplicating studies, programs, or research with respect to post-traumatic stress disorder.*

*(3) A description of each treatment program for post-traumatic stress disorder, including a comparison of the methods of treatment by each program, at the following locations:*

*(A) Fort Hood, Texas.*

*(B) Fort Bliss, Texas.*

*(C) Fort Campbell, Tennessee.*

*(D) Other locations the entity conducting the study considers appropriate.*

*(4) The respective current and projected future annual expenditures by the Department of Defense and the Department of Veterans Affairs for the treatment and rehabilitation of post-traumatic stress disorder.*

*(5) A description of gender-specific and racial and ethnic group-specific mental health treatment and services available for members of the Armed Forces, including—*

*(A) the availability of such treatment and services;*

*(B) the access to such treatment and services;*

*(C) the need for such treatment and services; and*

*(D) the efficacy and adequacy of such treatment and services.*

*(6) A description of areas for expanded future research with respect to post-traumatic stress disorder.*

*(7) Any other matters the Secretary of Defense and Secretary of Veterans Affairs consider relevant with respect to the purposes of obtaining a comprehensive scientific assessment of—*

*(A) the incidence of post-traumatic stress disorder among members of the Armed Forces and veterans;*

*(B) the availability and effectiveness of various treatment programs and methods available for post-traumatic stress disorder;*

*(C) the current and future projected costs of such treatment programs and methods; or*

*(D) additional areas of needed research.*

*(8) Any other matters the entity conducting the study considers relevant.*

*(c) REPORTS.—*

*(1) INITIAL REPORT.—Not later than July 1, 2012, the entity conducting the study required by subsection (a) shall submit to the Secretary of Defense, the Secretary of Veterans Affairs, and the appropriate committees a report on the study.*

*(2) RESPONSE.—Not later than January 1, 2013, the Secretary of Defense and the Secretary of Veterans Affairs shall each submit to the appropriate committees a response to the report submitted under paragraph (1), including any recommendations on the treatment of post-traumatic stress disorder based on such report.*

*(d) UPDATED REPORTS REQUIRED.—*

*(1) UPDATED REPORT.—Not later than July 1, 2014, the entity conducting the study required by subsection (a) shall submit to the Secretary of Defense, the Secretary of Veterans Affairs, and the appropriate committees an update of the report required by subsection (c).*

*(2) UPDATED RESPONSE.—Not later than January 1, 2015, the Secretary of Defense and the Secretary of Veterans Affairs shall each submit to the appropriate committees a response to the updated report submitted under paragraph (1), including any recommendations on the treatment of post-traumatic stress disorder based on such updated report.*

*(e) APPROPRIATE COMMITTEES DEFINED.—In this section, the term ''appropriate committees'' means—*

*(1) the Committee on Armed Services, the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Energy and Commerce of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Health, Education, Labor, and Pensions of the Senate.*

***SEC. 727. REPORT ON IMPLEMENTATION OF REQUIREMENTS ON THE RELATIONSHIP BETWEEN THE TRICARE PROGRAM AND EMPLOYER-SPONSORED GROUP HEALTH PLANS.***

*(a) REPORT REQUIRED.—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the requirements of section 1097c of title 10, United States Code, relating to the relationship between the TRICARE program and employer-sponsored group health plans.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) A description of the extent to which the Secretary has established measures to assess the effectiveness of section 1097c of title 10, United States Code, in reducing health care costs to the Department for military retirees and their families, and an assessment of the effectiveness of any measures so established.*

*(2) An assessment of the extent to which the implementation of such section 1097c has resulted in the migration of military retirees from coverage under the TRICARE Standard option of the TRICARE program to coverage under the TRICARE Prime option of the TRICARE program.*

*(3) A description of the exceptions adopted under subsection (a)(2) of such section 1097c to the requirements under such section 1097c, and an assessment of the effect of the exercise of any exceptions adopted on the administration of such section 1097c.*

*(4) An assessment of the extent to which the Secretary collects and assembles data on the treatment of employees eligible for participation in the TRICARE program in comparison with similar employees who are not eligible for participation in that program.*

*(5) A description of the outreach conducted by the Secretary to inform individuals eligible for participation in the TRICARE program and employers of their respective rights and responsibilities under such section 1097c, and an assessment of the effectiveness of any outreach so conducted.*

*(6) Such other matters with respect to the administration and effectiveness of the authorities in such section 1097c as the Secretary considers appropriate.*

***SEC. 728. REPORT ON STIPENDS FOR MEMBERS OF RESERVE COMPONENTS FOR HEALTH CARE FOR CERTAIN DEPENDENTS.***

*Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on stipends paid under section 704 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 188; 10 U.S.C. 1076 note). The report shall include—*

*(1) the number of stipends paid;*

*(2) the amount of the average stipend; and*

*(3) the number of members who received such stipends.*

***TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS***

*Subtitle A—Acquisition Policy and Management*

*Sec. 801. Temporary authority to acquire products and services produced in countries along a major route of supply to Afghanistan; report.*

*Sec. 802. Assessment of improvements in service contracting.*

*Sec. 803. Display of annual budget requirements for procurement of contract services and related clarifying technical amendments.*

*Sec. 804. Implementation of new acquisition process for information technology systems.*

*Sec. 805. Life-cycle management and product support.*

*Sec. 806. Treatment of non-defense agency procurements under joint programs with intelligence community.*

*Sec. 807. Policy and requirements to ensure the safety of facilities, infrastructure, and equipment for military operations.*

*Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitation*

*Sec. 811. Justification and approval of sole-source contracts.*

*Sec. 812. Revision of Defense Supplement relating to payment of costs prior to definitization.*

*Sec. 813. Revisions to definitions relating to contracts in Iraq and Afghanistan.*

*Sec. 814. Amendment to notification requirements for awards of single source task or delivery orders.*

*Sec. 815. Clarification of uniform suspension and debarment requirement.*

*Sec. 816. Extension of authority for use of simplified acquisition procedures for certain commercial items.*

*Sec. 817. Reporting requirements for programs that qualify as both major automated information system programs and major defense acquisition programs.*

*Sec. 818. Small arms production industrial base matters.*

*Sec. 819. Contract authority for advanced component development or prototype units.*

*Sec. 820. Publication of notification of bundling of contracts of the Department of Defense.*

*Subtitle C—Contractor Matters*

*Sec. 821. Authority for Government support contractors to have access to technical data belonging to prime contractors.*

*Sec. 822. Extension and enhancement of authorities on the Commission on Wartime Contracting in Iraq and Afghanistan.*

*Sec. 823. Authority for Secretary of Defense to reduce or deny award fees to companies found to jeopardize health or safety of Government personnel.*

*Subtitle D—Acquisition Workforce Matters*

*Sec. 831. Enhancement of expedited hiring authority for defense acquisition workforce positions.*

*Sec. 832. Funding of Department of Defense Acquisition Workforce Development Fund.*

*Sec. 833. Review of post-employment restrictions applicable to the Department of Defense.*

*Sec. 834. Review of Federal acquisition workforce training and hiring.*

*Subtitle E—Other Matters*

*Sec. 841. Reports to Congress on full deployment decisions for major automated information system programs.*

*Sec. 842. Authorization to take actions to correct the industrial resource shortfall for high-purity beryllium metal.*

*Sec. 843. Report on rare earth materials in the defense supply chain.*

*Sec. 844. Comptroller General report on structure and management of subcontractors under contracts for major weapon systems.*

*Sec. 845. Study of the use of factors other than cost or price as the predominate factors in evaluating competitive proposals for defense procurement contracts.*

*Sec. 846. Repeal of requirements relating to the military system essential item breakout list.*

*Sec. 847. Extension of SBIR and STTR programs of the Department of Defense.*

*Sec. 848. Extension of authority for small business innovation research Commercialization Pilot Program.*

***Subtitle A—Acquisition Policy and Management***

***SEC. 801. TEMPORARY AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN; REPORT.***

*(a) IN GENERAL.—In the case of a product or service to be acquired in support of military or stability operations in Afghanistan for which the Secretary of Defense makes a determination described in subsection (b), the Secretary may conduct a procurement in which—*

*(1) competition is limited to products or services that are from one or more countries along a major route of supply to Afghanistan; or*

*(2) a preference is provided for products or services that are from one or more countries along a major route of supply to Afghanistan.*

*(b) DETERMINATION.—A determination described in this subsection is a determination by the Secretary that—*

*(1) the product or service concerned is to be used—*

*(A) in the country that is the source of the product or service;*

*(B) in the course of efforts by the United States and the NATO International Security Assistance Force to ship goods to Afghanistan in support of military or stability operations in Afghanistan; or*

*(C) by the military forces, police, or other security personnel of Afghanistan;*

*(2) it is in the national security interest of the United States to limit competition or provide a preference as described in subsection (a) because such limitation or preference is necessary—*

*(A) to reduce overall United States transportation costs and risks in shipping goods in support of military or stability operations in Afghanistan;*

*(B) to encourage countries along a major route of supply to Afghanistan to cooperate in expanding supply routes through their territory in support of military or stability operations in Afghanistan; or*

*(C) to help develop more robust and enduring routes of supply to Afghanistan; and*

*(3) limiting competition or providing a preference as described in subsection (a) will not adversely affect—*

*(A) military or stability operations in Afghanistan; or*

*(B) the United States industrial base.*

*(c) PRODUCTS AND SERVICES FROM A COUNTRY ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.—For the purposes of this section:*

*(1) A product is from a country along a major route of supply to Afghanistan if it is mined, produced, or manufactured in a covered country.*

*(2) A service is from a country along a major route of supply to Afghanistan if it is performed in a covered country by citizens or permanent resident aliens of a covered country.*

*(d) COVERED COUNTRY DEFINED.—In this section, the term ''covered country'' means Georgia, Kyrgyzstan, Pakistan, Armenia, Azerbaijan, Kazakhstan, Tajikistan, Uzbekistan, or Turkmenistan.*

*(e) CONSTRUCTION WITH OTHER AUTHORITY.—The authority provided in subsection (a) is in addition to the authority set forth in section 886 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 266; 10 U.S.C. 2302 note).*

*(f) TERMINATION OF AUTHORITY.—The Secretary of Defense may not exercise the authority provided in subsection (a) on or after the date occurring three years after the date of the enactment of this Act.*

*(g) REPORT ON AUTHORITY.—Not later than April 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority provided in subsection (a). The report shall address, at a minimum, the following:*

*(1) The number of determinations made by the Secretary pursuant to subsection (b).*

*(2) A description of the products and services acquired using the authority.*

*(3) The extent to which the use of the authority has met the objectives of subparagraph (A), (B), or (C) of subsection (b)(2).*

*(4) A list of the countries providing products or services as a result of a determination made pursuant to subsection (b).*

*(5) Any recommended modifications to the authority.*

***SEC. 802. ASSESSMENT OF IMPROVEMENTS IN SERVICE CONTRACTING.***

*(a) ASSESSMENT REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall direct the Defense Science Board to conduct an independent assessment of improvements in the procurement and oversight of services by the Department of Defense.*

*(b) MATTERS COVERED.—The assessment required by subsection (a) shall include the following:*

*(1) An assessment of the quality and completeness of guidance relating to the procurement of services, including implementation of statutory and regulatory authorities and requirements.*

*(2) A determination of the extent to which best practices are being developed for setting requirements and developing statements of work.*

*(3) An assessment of the contracting approaches and contract types used for the procurement of services and whether such contracting approaches and contract types best serve the interests of the Department of Defense.*

*(4) A determination of whether effective standards to measure performance have been developed.*

*(5) An assessment of the effectiveness of peer reviews within the Department of Defense of contracts for services and whether such reviews are being conducted at the appropriate dollar threshold.*

*(6) An assessment of the management structure for the procurement of services, including how the military departments and Defense Agencies have implemented section 2330 of title 10, United States Code.*

*(7) A determination of whether the performance savings goals required by section 802 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 2330 note) are being achieved.*

*(8) An assessment of the effectiveness of the Acquisition Center of Excellence for Services established pursuant to section 1431(b) of the Services Acquisition Reform Act of 2003 (title XIV of Public Law 108–136; 117 Stat. 1671; 41 U.S.C. 405 note) and the feasibility of creating similar centers of excellence in the military departments.*

*(9) An assessment of the quality and sufficiency of the acquisition workforce for the procurement and oversight of services.*

*(10) Such other related matters as the Under Secretary considers appropriate.*

*(c) REPORT.—Not later than March 10, 2010, the Under Secretary shall submit to the congressional defense committees a report on the results of the assessment, including such comments and recommendations as the Under Secretary considers appropriate.*

***SEC. 803. DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR PROCUREMENT OF CONTRACT SERVICES AND RELATED CLARIFYING TECHNICAL AMENDMENTS.***

*(a) CODIFICATION OF REQUIREMENT FOR SPECIFICATION OF AMOUNTS REQUESTED FOR PROCUREMENT OF CONTRACT SERVICES.—*

*(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 234 the following new section:*

***''§ 235. Procurement of contract services: specification of amounts requested in budget***

*''(a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION MATERIALS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary of Defense shall include the information described in subsection (b) with respect to the procurement of contract services.*

*''(b) INFORMATION PROVIDED.—For each budget account, the materials submitted shall clearly and separately identify—*

*''(1) the amount requested for the procurement of contract services for each Department of Defense component, installation, or activity; and*

*''(2) the number of full-time contractor employees (or the equivalent of full-time in the case of part-time contractor employees) projected and justified for each Department of Defense component, installation, or activity based on the inventory of contracts for services required by subsection (c) of section 2330a of this title and the review required by subsection (e) of such section.*

*''(c) CONTRACT SERVICES DEFINED.—In this section, the term 'contract services'—*

*''(1) means services from contractors; but*

*''(2) excludes services relating to research and development and services relating to military construction.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:*

*''235. Procurement of contract services: specification of amounts requested in budget.''.*

*(3) REPEAL OF SUPERSEDED PROVISION.—Section 806 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 221 note) is repealed.*

*(b) CLARIFICATION OF CONTRACT SERVICES REVIEW AND PLANNING REQUIREMENTS.—Section 2330a(e) of title 10, United States Code, is amended in paragraph (4) by inserting after ''plan'' the following: '', including an enforcement mechanism and approval process,''.*

*(c) COMPTROLLER GENERAL REPORT ON INVENTORY.—Not later than 180 days after the date on which the Secretary of Defense submits to Congress the inventory required by section 2330a(c) of title 10, United States Code, in each of 2010, 2011 and 2012, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory so submitted, with such findings and recommendations as the Comptroller General considers appropriate.*

***SEC. 804. IMPLEMENTATION OF NEW ACQUISITION PROCESS FOR INFORMATION TECHNOLOGY SYSTEMS.***

*(a) NEW ACQUISITION PROCESS REQUIRED.—The Secretary of Defense shall develop and implement a new acquisition process for information technology systems. The acquisition process developed and implemented pursuant to this subsection shall, to the extent determined appropriate by the Secretary—*

*(1) be based on the recommendations in chapter 6 of the March 2009 report of the Defense Science Board Task Force on Department of Defense Policies and Procedures for the Acquisition of Information Technology; and*

*(2) be designed to include—*

*(A) early and continual involvement of the user;*

*(B) multiple, rapidly executed increments or releases of capability;*

*(C) early, successive prototyping to support an evolutionary approach; and*

*(D) a modular, open-systems approach.*

*(b) REPORT TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the new acquisition process developed pursuant to subsection (a). The report required by this subsection shall, at a minimum—*

*(1) describe the new acquisition process;*

*(2) provide an explanation for any decision by the Secretary to deviate from the criteria established for such process in paragraphs (1) and (2) of subsection (a);*

*(3) provide a schedule for the implementation of the new acquisition process;*

*(4) identify the categories of information technology acquisitions to which such process will apply; and*

*(5) include the Secretary's recommendations for any legislation that may be required to implement the new acquisition process.*

***SEC. 805. LIFE-CYCLE MANAGEMENT AND PRODUCT SUPPORT.***

*(a) GUIDANCE ON LIFE-CYCLE MANAGEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems. The guidance issued pursuant to this subsection shall—*

*(1) maximize competition and make the best possible use of available Department of Defense*

*and industry resources at the system, subsystem, and component levels; and*

*(2) maximize value to the Department of Defense by providing the best possible product support outcomes at the lowest operations and support cost.*

*(b) PRODUCT SUPPORT MANAGERS.—*

*(1) REQUIREMENT.—The Secretary of Defense shall require that each major weapon system be supported by a product support manager in accordance with this subsection.*

*(2) RESPONSIBILITIES.—A product support manager for a major weapon system shall—*

*(A) develop and implement a comprehensive product support strategy for the weapon system;*

*(B) conduct appropriate cost analyses to validate the product support strategy, including cost-benefit analyses as outlined in Office of Management and Budget Circular A–94;*

*(C) assure achievement of desired product support outcomes through development and implementation of appropriate product support arrangements;*

*(D) adjust performance requirements and resource allocations across product support integrators and product support providers as necessary to optimize implementation of the product support strategy;*

*(E) periodically review product support arrangements between the product support integrators and product support providers to ensure the arrangements are consistent with the overall product support strategy; and*

*(F) prior to each change in the product support strategy or every five years, whichever occurs first, revalidate any business-case analysis performed in support of the product support strategy.*

*(c) GOVERNMENT PERFORMANCE OF PRODUCT SUPPORT MANAGER FUNCTION.—Section 820(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2330) is amended—*

*(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5) and (6), respectively; and*

*(2) by inserting after paragraph (2) the following new paragraph (3):*

*''(3) Product support manager.''.*

*(d) DEFINITIONS.—In this section:*

*(1) The term ''product support'' means the package of support functions required to field and maintain the readiness and operational capability of major weapon systems, subsystems, and components, including all functions related to weapon system readiness.*

*(2) The term ''product support arrangement'' means a contract, task order, or any type of other contractual arrangement, or any type of agreement or non-contractual arrangement within the Federal Government, for the performance of sustainment or logistics support required for major weapon systems, subsystems, or components. The term includes arrangements for any of the following:*

*(A) Performance-based logistics.*

*(B) Sustainment support.*

*(C) Contractor logistics support.*

*(D) Life-cycle product support.*

*(E) Weapon systems product support.*

*(3) The term ''product support integrator'' means an entity within the Federal Government or outside the Federal Government charged with integrating all sources of product support, both private and public, defined within the scope of a product support arrangement.*

*(4) The term ''product support provider'' means an entity that provides product support functions. The term includes an entity within the Department of Defense, an entity within the private sector, or a partnership between such entities.*

*(5) The term ''major weapon system'' has the meaning given that term in section 2302d of title 10, United States Code.*

***SEC. 806. TREATMENT OF NON-DEFENSE AGENCY PROCUREMENTS UNDER JOINT PROGRAMS WITH INTELLIGENCE COMMUNITY.***

*Section 801(b) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended by adding at the end the following new paragraph:*

*''(3) TREATMENT OF PROCUREMENTS UNDER JOINT PROGRAMS WITH INTELLIGENCE COMMUNITY.—For purposes of this subsection, a contract entered into by a non-defense agency that is an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) for the performance of a joint program conducted to meet the needs of the Department of Defense and the non-defense agency shall not be considered a procurement of property or services for the Department of Defense through a non-defense agency.''.*

***SEC. 807. POLICY AND REQUIREMENTS TO ENSURE THE SAFETY OF FACILITIES, INFRASTRUCTURE, AND EQUIPMENT FOR MILITARY OPERATIONS.***

*(a) POLICY.—It shall be the policy of the Department of Defense that facilities, infrastructure, and equipment that are intended for use by military or civilian personnel of the Department in current or future military operations should be inspected for safety and habitability prior to such use, and that such facilities should be brought into compliance with generally accepted standards for the safety and health of personnel to the maximum extent practicable and consistent with the requirements of military operations and the best interests of the Department of Defense, to minimize the safety and health risk posed to such personnel.*

*(b) REQUIREMENTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall—*

*(1) ensure that each contract or task or delivery order entered into for the construction, installation, repair, maintenance, or operation of facilities for use by military or civilian personnel of the Department complies with the policy established in subsection (a);*

*(2) ensure that contracts entered into prior to the date that is 60 days after the date of the enactment of this Act comply with such policy to the maximum extent practicable;*

*(3) define the term ''generally accepted standards'' with respect to fire protection, structural integrity, electrical systems, plumbing, water treatment, waste disposal, and telecommunications networks for the purposes of this section; and*

*(4) provide such exceptions and limitations as may be needed to ensure that this section can be implemented in a manner that is consistent with the requirements of military operations and the best interests of the Department of Defense.*

***Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitation***

***SEC. 811. JUSTIFICATION AND APPROVAL OF SOLE-SOURCE CONTRACTS.***

*(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to provide that the head of an agency may not award a sole-source contract in a covered procurement for an amount exceeding $20,000,000 unless—*

*(1) the contracting officer for the contract justifies the use of a sole-source contract in writing;*

*(2) the justification is approved by the appropriate official designated to approve contract awards for dollar amounts that are comparable to the amount of the sole-source contract; and*

*(3) the justification and related information are made public as provided in sections 2304(f)(1)(C) and 2304(l) of title 10, United States Code, or sections 303(f)(1)(C) and 303(j) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)(C) and 253(j)), as applicable.*

*(b) ELEMENTS OF JUSTIFICATION.—The justification of a sole-source contract required pursuant to subsection (a) shall include the following:*

*(1) A description of the needs of the agency concerned for the matters covered by the contract.*

*(2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract.*

*(3) A determination that the use of a sole-source contract is in the best interest of the agency concerned.*

*(4) A determination that the anticipated cost of the contract will be fair and reasonable.*

*(5) Such other matters as the head of the agency concerned shall specify for purposes of this section.*

*(c) DEFINITIONS.—In this section:*

*(1) COVERED PROCUREMENT.—The term ''covered procurement'' means either of the following:*

*(A) A procurement described in section 2304(f)(2)(D)(ii) of title 10, United States Code.*

*(B) A procurement described in section 303(f)(2)(D)(ii) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(2)(D)(ii)).*

*(2) HEAD OF AN AGENCY.—The term ''head of an agency''—*

*(A) in the case of a covered procurement as defined in paragraph (1)(A), has the meaning provided in section 2302(1) of title 10, United States Code; and*

*(B) in the case of a covered procurement as defined in paragraph (1)(B), has the meaning provided the term ''agency head'' in section 309(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(a)).*

*(3) APPROPRIATE OFFICIAL.—The term ''appropriate official'' means—*

*(A) in the case of a covered procurement as defined in paragraph (1)(A), an official designated in section 2304(f)(1)(B) of title 10, United States Code; and*

*(B) in the case of a covered procurement as defined in paragraph (1)(B), an official designated in section 303(f)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)(B)).*

***SEC. 812. REVISION OF DEFENSE SUPPLEMENT RELATING TO PAYMENT OF COSTS PRIOR TO DEFINITIZATION.***

*(a) REVISION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Defense Supplement to the Federal Acquisition Regulation to ensure that any limitations described in subsection (b) are applicable to all categories of undefinitized contractual actions (including undefinitized task orders and delivery orders).*

*(b) LIMITATIONS.—The limitations referred to in subsection (a) are any limitations on the reimbursement of costs and the payment of profits or fees with respect to costs incurred before the definitization of an undefinitized contractual action of the Department of Defense, including—*

*(1) such limitations as described in part 52.216-26 of the Federal Acquisition Regulation; and*

*(2) any such limitations implementing the requirements of section 809 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2326 note).*

***SEC. 813. REVISIONS TO DEFINITIONS RELATING TO CONTRACTS IN IRAQ AND AFGHANISTAN.***

*(a) REVISIONS TO DEFINITION OF CONTRACT IN IRAQ OR AFGHANISTAN.—Section 864(a)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 258; 10 U.S.C. 2302 note) is amended—*

*(1) by striking ''or a task order or delivery order at any tier issued under such a contract'' and inserting ''a task order or delivery order at any tier issued under such a contract, a grant, or a cooperative agreement'';*

*(2) by striking in the parenthetical ''or task order or delivery order'' and inserting ''task order, delivery order, grant, or cooperative agreement'';*

*(3) by striking ''or task or delivery order'' after the parenthetical and inserting ''task order, delivery order, grant, or cooperative agreement''; and*

*(4) by striking ''14 days'' and inserting ''30 days''.*

*(b) REVISION TO DEFINITION OF COVERED CONTRACT.—Section 864(a)(3) of such Act (Public Law 110–181; 122 Stat. 259; 10 U.S.C. 2302 note) is amended—*

*(1) by striking ''or'' at the end of subparagraph (B);*

*(2) by striking the period and inserting a semicolon at the end of subparagraph (C); and*

*(3) by adding at the end the following new subparagraphs:*

*''(D) a grant for the performance of services in an area of combat operations, as designated by the Secretary of Defense under subsection (c) of section 862; or*

*''(E) a cooperative agreement for the performance of services in such an area of combat operations.''.*

*(c) REVISION TO DEFINITION OF CONTRACTOR.—Paragraph (4) of section 864(a) of such Act (Public Law 110–181; 122 Stat. 259; 10 U.S.C. 2302 note) is amended to read as follows:*

*''(4) CONTRACTOR.—The term 'contractor', with respect to a covered contract, means—*

*''(A) in the case of a covered contract that is a contract, subcontract, task order, or delivery order, the contractor or subcontractor carrying out the covered contract;*

*''(B) in the case of a covered contract that is a grant, the grantee; and*

*''(C) in the case of a covered contract that is a cooperative agreement, the recipient.''.*

*(d) REVISION IN VALUE OF CONTRACTS COVERED BY CERTAIN REPORT.—Section 1248(c)(1)(B) of such Act (Public Law 110–181; 122 Stat. 400) is amended by striking ''$25,000'' and inserting ''$100,000''.*

***SEC. 814. AMENDMENT TO NOTIFICATION REQUIREMENTS FOR AWARDS OF SINGLE SOURCE TASK OR DELIVERY ORDERS.***

*(a) CONGRESSIONAL DEFENSE COMMITTEES.—Subparagraph (B) of section 2304a(d)(3) of title 10, United States Code, is amended to read as follows:*

*''(B) The head of the agency shall notify the congressional defense committees within 30 days after any determination under clause (i), (ii), (iii), or (iv) of subparagraph (A).''.*

*(b) CONGRESSIONAL INTELLIGENCE COMMITTEES.—In the case of a task or delivery order contract awarded with respect to intelligence activities of the Department of Defense, any notification provided under subparagraph (B) of section 2304a(d)(3) of title 10, United States Code, as amended by subsection (a), shall also be provided at the same time as notification is provided to the congressional defense committees under that subparagraph—*

*(1) to the Permanent Select Committee on Intelligence of the House of Representatives insofar as such task or delivery order contract relates to tactical intelligence and intelligence-related activities of the Department; and*

*(2) to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives insofar as such task or delivery order contract relates to intelligence and intelligence-related activities of the Department other than those specified in paragraph (1).*

***SEC. 815. CLARIFICATION OF UNIFORM SUSPENSION AND DEBARMENT REQUIREMENT.***

*Section 2455(c)(1) of the Federal Acquisition Streamlining Act of 1994 (31 U.S.C. 6101 note) is amended by adding at the end the following: ''Such term includes subcontracts at any tier, other than subcontracts for commercially available off-the-shelf items (as defined in section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))), except that in the case of a contract for commercial items, such term includes only first-tier subcontracts.''.*

***SEC. 816. EXTENSION OF AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.***

*Section 4202 of the Clinger–Cohen Act of 1996 (division D of Public Law 104–106; 110 Stat. 652; 10 U.S.C. 2304 note) as amended by section 822 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 226) is amended in subsection (e) by striking ''2010'' and inserting ''2012''.*

***SEC. 817. REPORTING REQUIREMENTS FOR PROGRAMS THAT QUALIFY AS BOTH MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS AND MAJOR DEFENSE ACQUISITION PROGRAMS.***

*(a) IN GENERAL.—Section 2445d of title 10, United States Code, is amended by striking ''of this title'' and all that follows and inserting ''of this title, the Secretary may designate the program to be treated only as a major automated information system program covered by this chapter or to be treated only as a major defense acquisition program covered by such chapter 144.''.*

*(b) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance on the implementation of section 2445d of title 10, United States Code (as amended by subsection (a)). The guidance shall provide that, as a general rule—*

*(1) a program covered by such section that requires the development of customized hardware shall be treated only as a major defense acquisition program under chapter 144 of title 10, United States Code; and*

*(2) a program covered by such section that does not require the development of customized hardware shall be treated only as a major automated information system program under chapter 144A of title 10, United States Code.*

***SEC. 818. SMALL ARMS PRODUCTION INDUSTRIAL BASE MATTERS.***

*(a) AUTHORITY TO MODIFY DEFINITION OF ''SMALL ARMS PRODUCTION INDUSTRIAL BASE''.—Section 2473(c) of title 10, United States Code, is amended—*

*(1) by striking ''In this section'' and inserting ''(1) Subject to paragraph (2), in this section''; and*

*(2) by adding at the end the following new paragraph:*

*''(2) After March 31, 2010, the Secretary of Defense may eliminate, modify, or add to the firms included in the small arms production industrial base, as defined in paragraph (1), as he determines appropriate to best ensure the competitive development, production, and maintenance of small arms for the Department of Defense.''.*

*(b) REVIEW OF SMALL ARMS PRODUCTION INDUSTRIAL BASE.—*

*(1) REVIEW.—Not later than March 31, 2010, the Secretary of Defense shall review and determine, based on current and future Department requirements and competitive manufacturing capability and capacity—*

*(A) whether any firms included in the small arms production industrial base (as that term is defined in section 2473(c) of title 10, United States Code) should be eliminated or modified and whether any additional firms should be included; and*

*(B) whether any of the small arms listed in section 2473(d) of title 10, United States Code, should be eliminated from the list or modified on the list and whether any additional small arms should be included in the list.*

*(2) REPORTS.—*

*(A) Not later than March 31, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under this subsection.*

*(B) The Secretary of Defense shall notify the congressional defense committees not later than 30 days after making any modification to the list maintained pursuant to subsection (c) of section 2473 of title 10, United States Code, or the list under subsection (d) of such section.*

***SEC. 819. CONTRACT AUTHORITY FOR ADVANCED COMPONENT DEVELOPMENT OR PROTOTYPE UNITS.***

*(a) AUTHORITY.—A contract initially awarded from the competitive selection of a proposal resulting from a general solicitation referred to in section 2302(2)(B) of title 10, United States Code, may contain a contract line item or contract option for—*

*(1) the provision of advanced component development or prototype of technology developed under the contract; or*

*(2) the delivery of initial or additional prototype items if the item or a prototype thereof is created as the result of work performed under the contract.*

*(b) LIMITATIONS.—*

*(1) MINIMAL AMOUNT.—A contract line item or contract option described in subsection (a)(2) shall require the delivery of the minimal amount of initial or additional prototype items to allow for the timely competitive solicitation and award of a follow-on development or production contract for those items.*

*(2) TERM.—A contract line item or contract option described in subsection (a) shall be for a term of not more than 12 months.*

*(3) DOLLAR VALUE OF WORK.—The dollar value of the work to be performed pursuant to a contract line item or contract option described in subsection (a) may not exceed the lesser of the amounts as follows:*

*(A) The amount that is three times the dollar value of the work previously performed under the contract.*

*(B) $20,000,000.*

*(4) TERMINATION OF AUTHORITY.—A military department or defense agency may not exercise a contract line item or contract option pursuant to the authority provided in subsection (a) after September 30, 2014.*

*(c) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority provided by subsection (a) not later than March 1, 2013. The report shall, at a minimum, describe—*

*(1) the number of times a contract line item or contract option was exercised under such authority, the dollar amount of each such line item or option, and the scope of each such line item or option;*

*(2) the circumstances that rendered the military department or defense agency unable to solicit and award a follow-on development or production contract in a timely fashion, but for the use of such authority;*

*(3) the extent to which such authority affected competition and technology transition; and*

*(4) such recommendations as the Secretary considers appropriate, including any recommendations regarding the modification or extension of such authority.*

***SEC. 820. PUBLICATION OF NOTIFICATION OF BUNDLING OF CONTRACTS OF THE DEPARTMENT OF DEFENSE.***

*(a) REQUIREMENT TO PUBLISH NOTIFICATION FOR BUNDLING.—A contracting officer of the Department of Defense carrying out a covered acquisition shall publish a notification consistent with the requirements of paragraph (c)(2) of subpart 10.001 of the Federal Acquisition Regulation on the website known as FedBizOpps.gov (or any successor site) at least 30 days prior to the release of a solicitation for such acquisition and, if the agency has determined that measurably substantial benefits are expected to be derived as a result of bundling such acquisition, shall include in the notification a brief description of the benefits.*

*(b) COVERED ACQUISITION DEFINED.—In this section, the term ''covered acquisition'' means an acquisition that is—*

*(1) funded entirely using funds of the Department of Defense; and*

*(2) covered by subpart 7.107 of the Federal Acquisition Regulation (relating to acquisitions involving bundling).*

*(c) CONSTRUCTION.—*

*(1) NOTIFICATION.—Nothing in this section shall be construed to alter the responsibility of a contracting officer to provide the notification referred to in subsection (a) with respect to a covered acquisition, or otherwise provide notification, to any party concerning such acquisition under any other requirement of law or regulation.*

*(2) DISCLOSURE.—Nothing in this section shall be construed to require the public availability of information that is exempt from public disclosure under section 552(b) of title 5, United States Code, or is otherwise restricted from public disclosure by law or Executive order.*

*(3) ISSUANCE OF SOLICITATION.—Nothing in this section shall be construed to require a contracting officer to delay the issuance of a solicitation in order to meet the requirements of subsection (a) if the expedited issuance of such solicitation is otherwise authorized under any other requirement of law or regulation.*

***Subtitle C—Contractor Matters***

***SEC. 821. AUTHORITY FOR GOVERNMENT SUPPORT CONTRACTORS TO HAVE ACCESS TO TECHNICAL DATA BELONGING TO PRIME CONTRACTORS.***

*(a) AUTHORITY FOR ACCESS TO TECHNICAL DATA.—Subsection (c) of section 2320 of title 10, United States Code, is amended—*

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

*(2) by redesignating paragraph (2) as paragraph (3); and*

*(3) by inserting after paragraph (1) the following new paragraph (2):*

*''(2) notwithstanding any limitation upon the license rights conveyed under subsection (a), allowing a covered Government support contractor access to and use of any technical data delivered under a contract for the sole purpose of furnishing independent and impartial advice or technical assistance directly to the Government in support of the Government's management and oversight of the program or effort to which such technical data relates; or''.*

*(b) COVERED GOVERNMENT SUPPORT CONTRACTOR DEFINED.—Such section is further amended by adding at the end the following new subsection:*

*''(f) In this section, the term 'covered Government support contractor' means a contractor under a contract the primary purpose of which is to furnish independent and impartial advice or technical assistance directly to the Government in support of the Government's management and oversight of a program or effort (rather than to directly furnish an end item or service to accomplish a program or effort), which contractor—*

*''(1) is not affiliated with the prime contractor or a first-tier subcontractor on the program or effort, or with any direct competitor of such prime contractor or any such first-tier subcontractor in furnishing end items or services of the type developed or produced on the program or effort; and*

*''(2) executes a contract with the Government agreeing to and acknowledging—*

*''(A) that proprietary or nonpublic technical data furnished will be accessed and used only for the purposes stated in that contract;*

*''(B) that the covered Government support contractor will enter into a non-disclosure agreement with the contractor to whom the rights to the technical data belong;*

*''(C) that the covered Government support contractor will take all reasonable steps to protect the proprietary and nonpublic nature of the technical data furnished to the covered Government support contractor during the program or effort for the period of time in which the Government is restricted from disclosing the technical data outside of the Government;*

*''(D) that a breach of that contract by the covered Government support contractor with regard to a third party's ownership or rights in such technical data may subject the covered Government support contractor—*

*''(i) to criminal, civil, administrative, and contractual actions in law and equity for penalties, damages, and other appropriate remedies by the United States; and*

*''(ii) to civil actions for damages and other appropriate remedies by the contractor or subcontractor whose technical data is affected by the breach; and*

*''(E) that such technical data provided to the covered Government support contractor under the authority of this section shall not be used by the covered Government support contractor to compete against the third party for Government or non-Government contracts.''.*

***SEC. 822. EXTENSION AND ENHANCEMENT OF AUTHORITIES ON THE COMMISSION ON WARTIME CONTRACTING IN IRAQ AND AFGHANISTAN.***

*(a) DATE OF FINAL REPORT.—Subsection (d)(3) of section 841 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 230) is amended by striking ''two years'' and inserting ''three years''.*

*(b) ASSISTANCE FROM FEDERAL AGENCIES.—Such section is further amended—*

*(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and*

*(2) by inserting after subsection (e) the following new subsection (f):*

*''(f) ASSISTANCE FROM FEDERAL AGENCIES.—*

*''(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall provide to the Commission administrative support for the performance of the Commission's functions in carrying out the requirements of this section.*

*''(2) TRAVEL AND LODGING IN COMBAT THEATERS.—The administrative support provided the Commission under paragraph (1) shall include travel and lodging undertaken in combat theaters, which support shall be provided through funds made available for that purpose through the Washington Headquarters Services or on a non-reimbursable basis, as appropriate.*

*''(3) OTHER DEPARTMENTS AND AGENCIES.—In addition to the support required by paragraph (1), any department or agency of the Federal Government may provide to the Commission such services, funds, facilities, staff, and other support services for the performance of the Commission's functions as the head of such department or agency considers advisable, or as may otherwise be authorized by law.''.*

***SEC. 823. AUTHORITY FOR SECRETARY OF DEFENSE TO REDUCE OR DENY AWARD FEES TO COMPANIES FOUND TO JEOPARDIZE HEALTH OR SAFETY OF GOVERNMENT PERSONNEL.***

*(a) AUTHORITY TO REDUCE OR DENY AWARD FEES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the guidance issued pursuant to section 814 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 129 Stat. 2321) to ensure that all covered contracts using award fees—*

*(1) provide for the consideration of any incident described in subsection (b) in evaluations of contractor performance for the relevant award fee period; and*

*(2) authorize the Secretary to reduce or deny award fees for the relevant award fee period, or to recover all or part of award fees previously paid for such period, on the basis of the negative impact of such incident on contractor performance.*

*(b) COVERED INCIDENTS.—An incident referred to in subsection (a) is any incident in which the contractor—*

*(1) has been determined, through a criminal, civil, or administrative proceeding that results in a disposition listed in subsection (c), in the performance of a covered contract to have caused serious bodily injury or death to any civilian or military personnel of the Government through gross negligence or with reckless disregard for the safety of such personnel; or*

*(2) has been determined, through a criminal, civil, or administrative proceeding that results in a disposition listed in subsection (c), to be liable for actions of a subcontractor of the contractor that caused serious bodily injury or death to any civilian or military personnel of the Government, through gross negligence or with reckless disregard for the safety of such personnel.*

*(c) LIST OF DISPOSITIONS IN CRIMINAL, CIVIL, OR ADMINISTRATIVE PROCEEDINGS.—For purposes of subsection (a), the dispositions listed in this subsection are as follows:*

*(1) In a criminal proceeding, a conviction.*

*(2) In a civil proceeding, a finding of fault and liability that results in the payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more.*

*(3) In an administrative proceeding, a finding of fault and liability that results in—*

*(A) the payment of a monetary fine or penalty of $5,000 or more; or*

*(B) the payment of a reimbursement, restitution, or damages in excess of $100,000.*

*(4) To the maximum extent practicable and consistent with applicable laws and regulations, in a criminal, civil, or administrative proceeding, a disposition of the matter by consent or compromise with an acknowledgment of fault by the person if the proceeding could have led to any of the outcomes specified in paragraph (1), (2), or (3).*

*(d) DEFINITIONS.—In this section:*

*(1) The term ''defense contractor'' means a company awarded a covered contract.*

*(2) The term ''covered contract'' means a contract awarded by the Department of Defense for the procurement of goods or services.*

*(3) The term ''serious bodily injury'' means a grievous physical harm that results in a permanent disability.*

*(e) EFFECTIVE DATE.—This section shall apply with respect to contracts entered into after the date occurring 180 days after the date of the enactment of this Act.*

***Subtitle D—Acquisition Workforce Matters***

***SEC. 831. ENHANCEMENT OF EXPEDITED HIRING AUTHORITY FOR DEFENSE ACQUISITION WORKFORCE POSITIONS.***

*(a) IN GENERAL.—Paragraph (1) of section 1705(h) of title 10, United States Code, is amended—*

*(1) in subparagraph (A), by striking ''acquisition positions within the Department of Defense as shortage category positions'' and inserting ''acquisition workforce positions as positions for which there exists a shortage of candidates or there is a critical hiring need''; and*

*(2) in subparagraph (B), by striking ''highly''.*

*(b) EXTENSION.—Paragraph (2) of such section is amended by striking ''September 30, 2012'' and inserting ''September 30, 2015''.*

*(c) TECHNICAL AMENDMENT.—Paragraph (1) of such section is further amended by striking ''United States Code,'' in the matter preceding subparagraph (A).*

***SEC. 832. FUNDING OF DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.***

*(a) ADDITIONAL ELEMENT OF FUND.—Subsection (d) of section 1705 of title 10, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by redesignating subparagraph (B) as subparagraph (C); and*

*(B) by inserting after subparagraph (A) the following new subparagraph (B):*

*''(B) Amounts transferred to the Fund pursuant to paragraph (3).''; and*

*(2) by adding at the end the following new paragraph:*

*''(3) TRANSFER OF CERTAIN UNOBLIGATED BALANCES.—To the extent provided in appropriations Acts, the Secretary of Defense may, during*

*the 24-month period following the expiration of availability for obligation of any appropriations made to the Department of Defense for procurement, research, development, test, and evaluation, or operation and maintenance, transfer to the Fund any unobligated balance of such appropriations. Any amount so transferred shall be credited to the Fund.''.*

*(b) NATURE OF EXPENDED AMOUNTS PROVIDING BASIS FOR CREDIT TO FUND.—Subparagraph (A) of paragraph (2) of such subsection is amended by striking '', other than'' and all that follows and inserting ''from amounts available for contract services for operation and maintenance.''.*

*(c) REMITTANCES.—Subparagraph (B) of paragraph (2) of such subsection is amended by inserting '', from amounts available to such military department or Defense Agency, as the case may be, for contract services for operation and maintenance,'' after ''remit to the Secretary of Defense''.*

*(d) ADDITIONAL MATTERS RELATING TO REMITTANCES.—*

*(1) REMITTANCE BY FISCAL YEAR INSTEAD OF QUARTER.—Subparagraph (B) of paragraph (2) of such subsection is amended—*

*(A) in the first sentence, by striking ''the third fiscal year quarter'' and all that follows through ''thereafter'' and inserting ''the first quarter of each fiscal year''; and*

*(B) by striking ''quarter'' before ''for services''.*

*(2) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—Such subsection is further amended—*

*(A) in paragraph (2)(B), by striking ''Not later than'' and inserting ''Subject to paragraph (4), not later than''; and*

*(B) by adding at the end the following new paragraph:*

*''(4) ADDITIONAL REQUIREMENTS AND LIMITATIONS ON REMITTANCES.—(A) In the event amounts are transferred to the Fund during a fiscal year pursuant to paragraph (1)(B) or appropriated to the Fund for a fiscal year pursuant to paragraph (1)(C), the aggregate amount otherwise required to be remitted to the Fund for that fiscal year pursuant to paragraph (2)(B) shall be reduced by the amount equal to the amounts so transferred or appropriated to the Fund during or for that fiscal year. Any reduction in the aggregate amount required to be remitted to the Fund for a fiscal year under this subparagraph shall be allocated as provided in applicable provisions of appropriations Acts or, absent such provisions, on a pro rata basis among the military departments and Defense Agencies required to make remittances to the Fund for that fiscal year under paragraph (2)(B), subject to any exclusions the Secretary of Defense determines to be necessary in the best interests of the Department of Defense.*

*''(B) Any remittance of amounts to the Fund for a fiscal year under paragraph (2) shall be subject to the availability of appropriations for that purpose.''.*

*(e) REMITTANCE AMOUNTS.—Paragraph (2) of such subsection is further amended by striking subparagraphs (C) and (D) and inserting the following new subparagraphs:*

*''(C) For purposes of this paragraph, the applicable percentage for a fiscal year is the percentage that results in the credit to the Fund in such fiscal year of an amount as follows:*

*''(i) For fiscal year 2010, $100,000,000.*

*''(ii) For fiscal year 2011, $770,000,000.*

*''(iii) For fiscal year 2012, $900,000,000.*

*''(iv) For fiscal year 2013, $1,180,000,000.*

*''(v) For fiscal year 2014, $1,330,000,000.*

*''(vi) For fiscal year 2015, $1,470,000,000.*

*''(D) The Secretary of Defense may reduce an amount specified in subparagraph (C) for a fiscal year if the Secretary determines that the amount is greater than is reasonably needed for purposes of the Fund for such fiscal year. The Secretary may not reduce the amount for a fiscal year to an amount that is less than 80 percent of the amount otherwise specified in subparagraph (C) for such fiscal year.''.*

*(f) CLARIFICATION OF LIMITATION ON PAY OF BASE SALARY OF CURRENT EMPLOYEES.—Subsection (e)(5) of such section is amended by striking ''as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008'' and inserting ''serving in a position in the acquisition workforce as of January 28, 2008''.*

*(g) TECHNICAL AMENDMENTS.—*

*(1) Subsection (a) of such section is amended by inserting ''Development'' after ''Workforce''.*

*(2) Subsection (f) of such section is amended in the matter preceding paragraph (1) by striking ''beginning with fiscal year 2008''.*

*(h) EFFECTIVE DATES.—*

*(1) FUNDING AMENDMENTS.—The amendments made by subsections (a) through (c) shall take effect as of October 1, 2009.*

*(2) TECHNICAL AMENDMENTS.—The amendments made by subsections (f) and (g) shall take effect on the date of the enactment of this Act.*

***SEC. 833. REVIEW OF POST-EMPLOYMENT RESTRICTIONS APPLICABLE TO THE DEPARTMENT OF DEFENSE.***

*(a) REVIEW REQUIRED.—The Panel on Contracting Integrity, established pursuant to section 813 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), shall review policies relating to post-employment restrictions on former Department of Defense personnel to determine whether such policies adequately protect the public interest, without unreasonably limiting future employment options for former Department of Defense personnel.*

*(b) MATTERS CONSIDERED.—In performing the review required by subsection (a), the Panel shall consider the extent to which current post-employment restrictions—*

*(1) appropriately protect the public interest by preventing personal conflicts of interests and preventing former Department of Defense officials from exercising undue or inappropriate influence on the Department of Defense;*

*(2) appropriately require disclosure of personnel accepting employment with contractors of the Department of Defense involving matters related to their official duties;*

*(3) use appropriate thresholds, in terms of salary or duties, for the establishment of such restrictions;*

*(4) are sufficiently straightforward and have been explained to personnel of the Department of Defense so that such personnel are able to avoid potential violations of post-employment restrictions and conflicts of interest in interactions with former personnel of the Department;*

*(5) appropriately apply to all personnel performing duties in acquisition-related activities, such as personnel involved in—*

*(A) the establishment of requirements;*

*(B) testing and evaluation; and*

*(C) the development of doctrine;*

*(6) ensure that the Department of Defense has access to world-class talent, especially with respect to highly qualified technical, engineering, and acquisition expertise; and*

*(7) ensure that service in the Department of Defense remains an attractive career option.*

*(c) COMPLETION OF THE REVIEW.—The Panel shall complete the review required by subsection (a) not later than one year after the date of the enactment of this Act.*

*(d) REPORT TO COMMITTEES ON ARMED SERVICES.—Not later than 30 days after the completion of the review, the Panel shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the findings of the review and the recommendations of the Panel to the Secretary of Defense, including recommended legislative or regulatory changes, resulting from the review.*

*(e) NATIONAL ACADEMY OF PUBLIC ADMINISTRATION ASSESSMENT.—*

*(1) Not later than 30 days after the completion of the review, the Secretary of Defense shall enter into an arrangement with the National Academy of Public Administration to assess the findings and recommendations of the review.*

*(2) Not later than 210 days after the completion of the review, the National Academy of Public Administration shall provide its assessment of the review to the Secretary, along with such additional recommendations as the National Academy may have.*

*(3) Not later than 30 days after receiving the assessment, the Secretary shall provide the assessment, along with such comments as the Secretary considers appropriate, to the Committees on Armed Services of the Senate and the House of Representatives.*

***SEC. 834. REVIEW OF FEDERAL ACQUISITION WORKFORCE TRAINING AND HIRING.***

*(a) COMPTROLLER GENERAL REPORT ON THE GOVERNMENT-WIDE ACQUISITION WORKFORCE DEVELOPMENT STRATEGIC PLAN.—Not later than 180 days after the Acquisition Workforce Development Strategic Plan required by section 869 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4553) is completed, the Comptroller General of the United States shall submit to the relevant committees of Congress a report on the Plan.*

*(b) MATTERS COVERED.—The report required under subsection (a) shall include assessments of the following:*

*(1) The methodologies used to formulate the Acquisition Workforce Development Strategic Plan and its recommendations.*

*(2) The extent to which the Acquisition Workforce Development Strategic Plan addresses previously identified shortcomings in the acquisition workforce and prior efforts by agencies to develop acquisition workforce plans, including the strategies used to identify and hire acquisition personnel.*

*(3) The feasibility of the Acquisition Workforce Development Strategic Plan's recommendations and associated time frames for implementation, particularly as they relate to the development of a sustainable funding model and the applicability of the Defense Acquisition Workforce Development Fund model to civilian agencies.*

*(4) The extent to which the Acquisition Workforce Development Strategic Plan considered the use by agencies of contractor personnel to supplement the acquisition workforce.*

*(5) Whether the Acquisition Workforce Development Strategic Plan considered the full range of laws, regulations, and policies that currently apply to the acquisition workforce.*

*(6) The extent to which the Acquisition Workforce Development Strategic Plan considered the specific training and retention tools (whether located within or outside an agency) used to professionally develop and retain acquisition personnel, including the following:*

*(A) The Defense Acquisition University.*

*(B) The Federal Acquisition Institute.*

*(C) Continuing education and professional development opportunities available to acquisition professionals.*

*(D) Opportunities to pursue higher education available to acquisition personnel, including scholarships and student loan forgiveness.*

*(7) Such other matters, findings, and recommendations as the Comptroller General considers appropriate.*

*(c) RELEVANT COMMITTEES.—In this section, the term ''relevant committees'' means each of the following:*

*(1) The Committee on Oversight and Government Reform of the House of Representatives.*

*(2) The Committee on Armed Services of the House of Representatives.*

*(3) The Committee on Homeland Security and Government Affairs of the Senate.*

*(4) The Committee on Armed Services of the Senate.*

**Subtitle E—Other Matters**

**SEC. 841. REPORTS TO CONGRESS ON FULL DEPLOYMENT DECISIONS FOR MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS.**

*(a) IMPLEMENTATION SCHEDULE.—Section 2445b(b)(2) of title 10, United States Code, is amended by striking ''initial operational capability, and full operational capability'' and inserting ''full deployment decision, and full deployment''.*

*(b) CRITICAL CHANGES IN PROGRAM.—Section 2445c(d)(2)(A) of such title is amended by striking ''initial operational capability'' and inserting ''a full deployment decision''.*

*(c) DEFINITIONS.—Section 2445a of such title is amended by adding at the end the following new subsections:*

*''(e) FULL DEPLOYMENT DECISION.—In this chapter, the term 'full deployment decision' means, with respect to a major automated information system program, the final decision made by the Milestone Decision Authority authorizing an increment of the program to deploy software for operational use.*

*''(f) FULL DEPLOYMENT.—In this chapter, the term 'full deployment' means, with respect to a major automated information system program, the fielding of an increment of the program in accordance with the terms of a full deployment decision.''.*

**SEC. 842. AUTHORIZATION TO TAKE ACTIONS TO CORRECT THE INDUSTRIAL RESOURCE SHORTFALL FOR HIGH-PURITY BERYLLIUM METAL.**

*Notwithstanding any limitation in section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093), an action may be taken under such section to correct an industrial resource shortfall or domestic industrial base shortfall for high-purity beryllium metal if such action does not cause the aggregate outstanding amount of all such actions for such shortfall to exceed ''$85,000,000''.*

**SEC. 843. REPORT ON RARE EARTH MATERIALS IN THE DEFENSE SUPPLY CHAIN.**

*(a) REPORT REQUIRED.—Not later than April 1, 2010, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on rare earth materials in the supply chain of the Department of Defense.*

*(b) MATTERS ADDRESSED.—The report required by subsection (a) shall address, at a minimum, the following:*

*(1) An analysis of the current and projected domestic and worldwide availability of rare earths for use in defense systems, including an analysis of projected availability of these materials in the export market.*

*(2) An analysis of actions or events outside the control of the Government of the United States that could restrict the access of the Department of Defense to rare earth materials, such as past procurements and attempted procurements of rare earth mines and mineral rights.*

*(3) A determination as to which defense systems are currently dependent on, or projected to become dependent on, rare earth materials, particularly neodymium iron boron magnets, whose supply could be restricted—*

*(A) by actions or events identified pursuant to paragraph (2); or*

*(B) by other actions or events outside the control of the Government of the United States.*

*(4) The risk to national security, if any, of the dependencies (current or projected) identified pursuant to paragraph (3).*

*(5) Any steps that the Department of Defense has taken or is planning to take to address any such risk to national security.*

*(6) Such recommendations for further action to address the matters covered by the report as the Comptroller General considers appropriate.*

*(c) DEFINITIONS.—In this section:*

*(1) The term ''rare earth'' means the chemical elements, all metals, beginning with lanthanum, atomic number 57, and including all of the natural chemical elements in the periodic table following lanthanum up to and including lutetium, element number 71. The term also includes the elements yttrium and scandium.*

*(2) The term ''rare earth material'' includes rare earth ores, semi-finished rare earth products, and components containing rare earth materials.*

**SEC. 844. COMPTROLLER GENERAL REPORT ON STRUCTURE AND MANAGEMENT OF SUBCONTRACTORS UNDER CONTRACTS FOR MAJOR WEAPON SYSTEMS.**

*(a) STUDY.—The Comptroller General shall conduct a study on the structure and management of major subcontracts under contracts for the acquisition of selected major weapon systems.*

*(b) ISSUES TO BE ADDRESSED.—At a minimum, the study required by subsection (a) shall address the following:*

*(1) The number of major subcontracts under each prime contract reviewed.*

*(2) The manner in which the prime contractor addressed decisions to conduct work in-house or through subcontracts.*

*(3) The manner in which any potential organizational conflicts of interest were addressed and the Government's role (if any) in selecting the approach chosen.*

*(4) The manner in which such subcontracts were awarded (including the degree of competition) and the Government's role (if any) in such award decisions.*

*(5) Any recommendations that the Comptroller General may have for improving Government oversight, reducing the oversight burden on the acquisition workforce, or otherwise improving the management of subcontractors under contracts for the acquisition of major weapon systems.*

*(c) DEADLINE FOR SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study required by subsection (a), with such findings and recommendations as the Comptroller General considers appropriate.*

**SEC. 845. STUDY OF THE USE OF FACTORS OTHER THAN COST OR PRICE AS THE PREDOMINATE FACTORS IN EVALUATING COMPETITIVE PROPOSALS FOR DEFENSE PROCUREMENT CONTRACTS.**

*(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study of Department of Defense procurements that use solicitations in which evaluation factors other than cost or price, when combined, are more important than cost or price.*

*(b) ISSUES TO BE ADDRESSED.—The study required by subsection (a) shall include, at a minimum, an assessment of—*

*(1) the frequency with which evaluation factors other than cost or price, when combined, are given more weight than cost or price in solicitations for competitive proposals;*

*(2) the types of contracts for products or services for which such evaluation factors are most frequently used;*

*(3) the reasons why the Department of Defense chooses to use such evaluation factors; and*

*(4) the extent to which the use of such factors is or is not in the interest of the Department of Defense.*

*(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Service of the Senate and the House of Representatives a report on the results of the study required by subsection (a).*

**SEC. 846. REPEAL OF REQUIREMENTS RELATING TO THE MILITARY SYSTEM ESSENTIAL ITEM BREAKOUT LIST.**

*Section 813 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1543) is repealed.*

**SEC. 847. EXTENSION OF SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.**

*(a) SBIR EXTENSION.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—*

*(1) by striking ''The authorization'' and inserting the following:*

*''(1) IN GENERAL.—Except as provided in paragraph (2), the authorization''; and*

*(2) by adding at the end the following:*

*''(2) EXCEPTION FOR DEPARTMENT OF DEFENSE.—The Secretary of Defense and the Secretary of each military department is authorized to carry out the Small Business Innovation Research Program of the Department of Defense until September 30, 2010''.*

*(b) STTR REAUTHORIZATION.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended—*

*(1) by striking ''With respect'' and inserting the following:*

*''(i) FEDERAL AGENCIES GENERALLY.—Except as provided in clause (ii), with respect''; and*

*(2) by adding at the end the following:*

*''(ii) DEPARTMENT OF DEFENSE.—The Secretary of Defense and the Secretary of each military department shall carry out clause (i) with respect to each fiscal year through fiscal year 2010.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of July 30, 2009.*

**SEC. 848. EXTENSION OF AUTHORITY FOR SMALL BUSINESS INNOVATION RESEARCH COMMERCIALIZATION PILOT PROGRAM.**

*Section 9(y) of the Small Business Act (15 U.S.C. 638(y)) is amended in paragraph (6) by striking ''2009'' and inserting ''2010''.*

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**

*Subtitle A—Department of Defense Management*

*Sec. 901. Authority to allow private sector civilians to receive instruction at Defense Cyber Investigations Training Academy of the Defense Cyber Crime Center.*

*Sec. 902. Organizational structure of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity.*

*Sec. 903. Sense of Congress regarding the Director of Operational Energy Plans and Programs.*

*Sec. 904. Increased flexibility for combatant commander initiative fund.*

*Sec. 905. Repeal of requirement for a Deputy Under Secretary of Defense for Technology Security Policy within the Office of the Under Secretary of Defense for Policy.*

*Sec. 906. Deputy Under Secretaries of Defense and Assistant Secretaries of Defense.*

*Subtitle B—Space Activities*

*Sec. 911. Submission and review of space science and technology strategy.*

*Sec. 912. Provision of space situational awareness services and information to non-United States Government entities.*

*Sec. 913. Management and funding strategy and implementation plan for the National Polar-Orbiting Operational Environmental Satellite System Program.*

*Subtitle C—Intelligence-Related Matters*

*Sec. 921. Inclusion of Defense Intelligence Agency in authority to use proceeds from counterintelligence operations.*

*Sec. 922. Plan to address foreign ballistic missile intelligence analysis.*

*Subtitle D—Other Matters*

*Sec. 931. Implementation strategy for developing leap-ahead cyber operations capabilities.*

Sec. 932. Defense integrated military human resources system development and transition.
Sec. 933. Report on special operations command organization, manning, and management.
Sec. 934. Study on the recruitment, retention, and career progression of uniformed and civilian military cyber operations personnel.
Sec. 935. Plan on access to national airspace for unmanned aircraft systems.

**Subtitle A—Department of Defense Management**

**SEC. 901. AUTHORITY TO ALLOW PRIVATE SECTOR CIVILIANS TO RECEIVE INSTRUCTION AT DEFENSE CYBER INVESTIGATIONS TRAINING ACADEMY OF THE DEFENSE CYBER CRIME CENTER.**

(a) ADMISSION OF PRIVATE SECTOR CIVILIANS.—Chapter 108 of title 10, United States Code, is amended by inserting after section 2167 the following new section:

**"§2167a. Defense Cyber Investigations Training Academy: admission of private sector civilians to receive instruction**

''(a) AUTHORITY FOR ADMISSION.—The Secretary of Defense may permit eligible private sector employees to receive instruction at the Defense Cyber Investigations Training Academy operating under the direction of the Defense Cyber Crime Center. No more than the equivalent of 200 full-time student positions may be filled at any one time by private sector employees enrolled under this section, on a yearly basis. Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate certification or diploma.

''(b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—For purposes of this section, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial defense-related systems, products, or services, or whose work product is relevant to national security policy or strategy. A private sector employee remains eligible for such instruction only so long as that person remains employed by an eligible private sector firm.

''(c) PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

''(1) the curriculum in which private sector employees may be enrolled under this section is not readily available through other schools; and

''(2) the course offerings at the Defense Cyber Investigations Training Academy continue to be determined solely by the needs of the Department of Defense.

''(d) TUITION.—The Secretary of Defense shall charge private sector employees enrolled under this section tuition at a rate that is at least equal to the rate charged for employees of the United States. In determining tuition rates, the Secretary shall include overhead costs of the Defense Cyber Investigations Training Academy.

''(e) STANDARDS OF CONDUCT.—While receiving instruction at the Defense Cyber Investigations Training Academy, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the Academy.

''(f) USE OF FUNDS.—Amounts received by the Defense Cyber Investigations Training Academy for instruction of students enrolled under this section shall be retained by the Academy to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the Academy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2167 the following new item:

''2167a. Defense Cyber Investigations Training Academy: admission of private sector civilians to receive instruction.''.

**SEC. 902. ORGANIZATIONAL STRUCTURE OF THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS AND THE TRICARE MANAGEMENT ACTIVITY.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the organizational structure of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) ORGANIZATIONAL CHARTS.—Organizational charts for both the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity showing, at a minimum, the senior positions in such office and such activity.

(2) SENIOR POSITION DESCRIPTIONS.—A description of the policy-making functions and oversight responsibilities of each senior position in the Office of the Assistant Secretary of Defense for Health Affairs and the policy and program execution responsibilities of each senior position of the TRICARE Management Activity.

(3) POSITIONS FILLED BY SAME INDIVIDUAL.—A description of which positions in both organizations are filled by the same individual.

(4) ASSESSMENT.—An assessment of whether the senior personnel of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity, as currently organized, are able to appropriately perform the discrete functions of policy formulation, policy and program execution, and program oversight.

(c) DEFINITIONS.—In this section:

(1) SENIOR POSITION.—The term ''senior position'' means a position filled by a member of the senior executive service, a position on the Executive Schedule established pursuant to title 5, United States Code, or a position filled by a general or flag officer.

(2) SENIOR PERSONNEL.—The term ''senior personnel'' means personnel who are members of the senior executive service, who fill a position listed on the Executive Schedule established pursuant to title 5, United States Code, or who are general or flag officers.

**SEC. 903. SENSE OF CONGRESS REGARDING THE DIRECTOR OF OPERATIONAL ENERGY PLANS AND PROGRAMS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The demand for operational energy within the Department of Defense imposes significant logistical burdens and operational vulnerabilities on the warfighter and increases force protection requirements.

(2) In March 2008, the Comptroller General of the United States found that responsibilities for operational energy strategy, management, and oversight within the Department are diffused throughout various offices and working groups, including the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics; the Office of the Under Secretary of Defense for Policy; the Office of the Under Secretary of Defense (Comptroller); the Office of Program Analysis and Evaluation; the Office of the Chairman of the Joint Chiefs of Staff; the commanders of the combatant commands; and the offices of the Secretaries of the military departments.

(3) The Defense Science Board's 2008 report titled ''More Fight—Less Fuel'' stated that ''There are currently few efforts to manage energy demand by operational forces, which consume about three quarters of DoD energy, perhaps because no one is in charge. The lowest organizational level where all decisions that drive DoD energy use come together is the Deputy Secretary of Defense, implying the need for a senior energy official, and oversight of the Department's energy strategy and program by the Deputy's Advisory Working Group (DAWG).''.

(4) Congress established the Director of Operational Energy Plans and Programs in section 139b of title 10, United States Code, to provide leadership, conduct oversight, and be accountable for operational energy plans and programs in the Department of Defense and the Army, Navy, Air Force, and Marine Corps.

(5) Congress envisioned that the Director would have a direct line of communication with the Secretary of Defense and the Deputy Secretary of Defense, including participation in the Deputy's Advisory Working Group.

(6) The Department of Defense issued a statement that it ''intends to establish this position as administratively reporting to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), and this official would report directly to the Secretary of Defense on issues related to Operational Energy''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Director of Operational Energy Plans and Programs should report directly to the Secretary of Defense on issues related to operational energy and be included as a fully participating member of the Advisory Working Group of the Deputy Secretary of Defense.

**SEC. 904. INCREASED FLEXIBILITY FOR COMBATANT COMMANDER INITIATIVE FUND.**

(a) INCREASE IN FUNDING LIMITATIONS.—Subparagraph (A) of section 166a(e)(1) of title 10, United States Code, is amended—

(1) by striking ''$10,000,000'' and inserting ''$20,000,000''; and

(2) by striking ''$15,000'' and inserting ''the investment unit cost threshold in effect under section 2245a of this title''.

(b) COORDINATION WITH RELEVANT CHIEF OF MISSION.—Paragraph (6) of section 166a(b) of such title is amended by inserting after ''assistance,'' the following: ''in coordination with the relevant chief of mission to the extent practicable,''.

**SEC. 905. REPEAL OF REQUIREMENT FOR A DEPUTY UNDER SECRETARY OF DEFENSE FOR TECHNOLOGY SECURITY POLICY WITHIN THE OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR POLICY.**

(a) REPEAL OF REQUIREMENT FOR POSITION.—

(1) REPEAL.—Section 134b of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 134b.

(b) PRIOR NOTIFICATION OF CHANGE IN REPORTING RELATIONSHIP FOR THE DEFENSE TECHNOLOGY SECURITY ADMINISTRATION.—The Secretary of Defense shall ensure that no covered action is taken until the expiration of 30 legislative days after providing notification of such action to the Committees on Armed Services of the Senate and the House of Representatives.

(c) COVERED ACTION DEFINED.—In this section, the term ''covered action'' means—

(1) the transfer of the Defense Technology Security Administration to an Under Secretary or other office of the Department of Defense other than the Under Secretary of Defense for Policy;

(2) the consolidation of the Defense Technology Security Administration with another office, agency, or field activity of the Department of Defense; or

(3) the addition of management layers between the Director of the Defense Technology Security Administration and the Under Secretary of Defense for Policy.

**SEC. 906. DEPUTY UNDER SECRETARIES OF DEFENSE AND ASSISTANT SECRETARIES OF DEFENSE.**

(a) DEPUTY UNDER SECRETARIES OF DEFENSE.—

*(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding after section 137 the following new section:*

***"§ 137a. Deputy Under Secretaries of Defense***

*''(a)(1) There are five Deputy Under Secretaries of Defense.*

*''(2)(A) The Deputy Under Secretaries of Defense referred to in paragraphs (1) through (3) of subsection (c) shall be appointed as provided in the applicable paragraph.*

*''(B) The Deputy Under Secretaries of Defense referred to in paragraphs (4) and (5) of subsection (c) shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.*

*''(b) Each Deputy Under Secretary of Defense shall be the first assistant to an Under Secretary of Defense and shall assist such Under Secretary in the performance of the duties of the position of such Under Secretary and shall act for, and exercise the powers of, such Under Secretary when such Under Secretary is absent or disabled.*

*''(c)(1) One of the Deputy Under Secretaries is the Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics appointed pursuant to section 133a of this title.*

*''(2) One of the Deputy Under Secretaries is the Principal Deputy Under Secretary of Defense for Policy appointed pursuant to section 134a of this title.*

*''(3) One of the Deputy Under Secretaries is the Principal Deputy Under Secretary of Defense for Personnel and Readiness appointed pursuant to section 136a of this title.*

*''(4) One of the Deputy Under Secretaries shall be the Principal Deputy Under Secretary of Defense (Comptroller).*

*''(5) One of the Deputy Under Secretaries shall be the Principal Deputy Under Secretary of Defense for Intelligence.*

*''(d) The Deputy Under Secretaries of Defense take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Deputy Chief Management Officer of the Department of Defense.''.*

*(2) DELAYED LIMITATION ON NUMBER OF DEPUTY UNDER SECRETARIES OF DEFENSE.—Effective as of January 1, 2011, the five Deputy Under Secretaries of Defense authorized by section 137a of title 10, United States Code (as added by paragraph (1)), shall be the only Deputy Under Secretaries of Defense.*

*(3) REPORT ON REVISED ORGANIZATIONAL STRUCTURE FOR OSD.—Not later than March 15, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the realignment of the organizational structure of the Office of the Secretary of Defense to comply with the requirement in paragraph (2).*

*(b) ASSISTANT SECRETARIES OF DEFENSE.—*

*(1) REDESIGNATION OF DEPUTY UNDER SECRETARY FOR LOGISTICS AND MATERIEL READINESS AS ASSISTANT SECRETARY.—Chapter 4 of such title is further amended—*

*(A) by transferring section 133b to appear after section 138 and redesignating such section, as so transferred, as section 138a; and*

*(B) in such section, as so transferred and redesignated, by striking ''Deputy Under Secretary'' each place it appears and inserting ''Assistant Secretary''.*

*(2) ADDITIONAL ASSISTANT SECRETARIES.—Section 138 of such title is amended—*

*(A) by striking subsection (a) and inserting the following new subsection (a):*

*''(a)(1) There are 12 Assistant Secretaries of Defense.*

*''(2)(A) The Assistant Secretary of Defense referred to in subsection (b)(7) shall be appointed as provided in that subsection.*

*''(B) The other Assistant Secretaries of Defense shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.''; and*

*(B) in subsection (b), by adding the following new paragraphs:*

*''(6) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Acquisition. The Assistant Secretary of Defense for Acquisition is the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on matters relating to acquisition.*

*''(7) One of the Assistant Secretaries is the Assistant Secretary of Defense for Logistics and Materiel Readiness appointed pursuant to section 138a of this title. In addition to any duties and powers prescribed under paragraph (1), the Assistant Secretary of Defense for Logistics and Materiel Readiness shall have the duties specified in section 138a of this title.''.*

*(c) CONFORMING AND CLERICAL AMENDMENTS.—*

*(1) CONFORMING AMENDMENTS.—*

*(A) Section 133a of such title is amended—*

*(i) by striking ''Deputy Under Secretary of Defense for Acquisition and Technology'' each place it appears and inserting ''Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics''; and*

*(ii) by striking ''duties relating to acquisition and technology'' and inserting ''duties''.*

*(B) Section 134a of such title is amended by striking ''Deputy Under Secretary'' each place it appears and inserting ''Principal Deputy Under Secretary''.*

*(C) Section 136a of such title is amended by striking ''Deputy Under Secretary'' each place it appears and inserting ''Principal Deputy Under Secretary''.*

*(2) SECTION HEADING AMENDMENTS.—*

*(A) The heading of section 133a of such title is amended to read as follows:*

***"§ 133a. Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics".***

*(B) The heading of section 134a of such title is amended to read as follows:*

***"§ 134a. Principal Deputy Under Secretary of Defense for Policy".***

*(C) The heading of section 136a of such title is amended to read as follows:*

***"§ 136a. Principal Deputy Under Secretary of Defense for Personnel and Readiness".***

*(D) The heading of section 138a of such title, as transferred and redesignated by subsection (b)(1) of this section, is amended to read as follows:*

***"§ 138a. Assistant Secretary of Defense for Logistics and Materiel Readiness".***

*(3) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 4 of such title is amended—*

*(A) by striking the item relating to section 133a and inserting the following new item:*

*''133a. Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.'';*

*(B) by striking the item relating to section 134a and inserting the following new item:*

*''134a. Principal Deputy Under Secretary of Defense for Policy.'';*

*(C) by striking the item relating to section 136a and inserting the following new item:*

*''136a. Principal Deputy Under Secretary of Defense for Personnel and Readiness.'';*

*(D) by inserting after the item relating to section 137 the following new item:*

*''137a. Deputy Under Secretaries of Defense.''; and*

*(E) by inserting after the item relating to section 138 the following new item:*

*''138a. Assistant Secretary of Defense for Logistics and Materiel Readiness.''.*

*(d) EXECUTIVE SCHEDULE MATTERS.—*

*(1) LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Under Secretary of Defense for Acquisition and Technology and inserting the following new item:*

*''Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.''.*

*(2) LEVEL IV.—Section 5315 of such title is amended—*

*(A) by striking the item relating to the Assistant Secretaries of Defense and inserting the following new item:*

*''Assistant Secretaries of Defense (12).''; and*

*(B) by striking the items relating to the Deputy Under Secretary of Defense for Policy, the Deputy Under Secretary of Defense for Personnel and Readiness, and the Deputy Under Secretary of Defense for Logistics and Materiel Readiness and inserting the following new items:*

*''Principal Deputy Under Secretary of Defense for Policy.*

*''Principal Deputy Under Secretary of Defense for Personnel and Readiness.*

*''Principal Deputy Under Secretary of Defense (Comptroller).*

*''Principal Deputy Under Secretary of Defense for Intelligence.''.*

*(e) INAPPLICABILITY OF APPOINTMENT REQUIREMENTS TO CERTAIN INDIVIDUALS SERVING ON DATE OF ENACTMENT.—*

*(1) IN GENERAL.—Notwithstanding the amendments made by this section, the individual serving in a position specified in paragraph (2) on the day before the date of the enactment of this Act may continue to serve in such position without the requirement for appointment by the President, by and with the advice and consent of the Senate, for a period of up to four years after the date of the enactment of this Act.*

*(2) COVERED POSITIONS.—The positions specified in this paragraph are the following:*

*(A) The Principal Deputy Under Secretary of Defense (Comptroller).*

*(B) The Principal Deputy Under Secretary of Defense for Intelligence.*

***Subtitle B—Space Activities***

***SEC. 911. SUBMISSION AND REVIEW OF SPACE SCIENCE AND TECHNOLOGY STRATEGY.***

*(a) STRATEGY.—*

*(1) DIRECTOR OF NATIONAL INTELLIGENCE.—Paragraph (1) of section 2272(a) of title 10, United States Code, is amended by striking ''The Secretary of Defense shall develop'' and inserting ''The Secretary of Defense and the Director of National Intelligence shall jointly develop''.*

*(2) REQUIREMENTS.—Paragraph (2) of such section is amended by adding at the end the following new subparagraph:*

*''(D) The process for transitioning space science and technology programs to new or existing space acquisition programs.''.*

*(3) SUBMISSION TO CONGRESS.—Paragraph (5) of such section is amended to read as follows:*

*''(5) The Secretary of Defense and the Director of National Intelligence shall biennially submit the strategy developed under paragraph (1) to the congressional defense committees every other year on the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31.''.*

*(4) INITIAL REPORT.—The first space science and technology strategy required to be submitted under paragraph (5) of section 2272(a) of title 10, United States Code, as amended by paragraph (3) of this subsection, shall be submitted on the date on which the President submits to Congress the budget for fiscal year 2012 under section 1105 of title 31, United States Code.*

*(b) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF STRATEGY.—*

*(1) REVIEW.—The Comptroller General shall review and assess the first space science and*

*technology strategy submitted under paragraph (5) of section 2272(a) of title 10, United States Code, as amended by subsection (a)(3) of this section, and the effectiveness of the coordination process required under section 2272(b) of such title.*

*(2) REPORT.—Not later than 90 days after the date on which the Secretary of Defense and the Director of National Intelligence submit the first space science and technology strategy required to be submitted under paragraph (5) of section 2272(a) of title 10, United States Code, as amended by subsection (a)(3) of this section, the Comptroller General shall submit to the congressional defense committees a report containing the findings and assessment under paragraph (1).*

***SEC. 912. PROVISION OF SPACE SITUATIONAL AWARENESS SERVICES AND INFORMATION TO NON-UNITED STATES GOVERNMENT ENTITIES.***

*(a) IN GENERAL.—Section 2274 of title 10, United States Code, is amended to read as follows:*

***"§2274. Space situational awareness services and information: provision to non-United States Government entities***

*''(a) AUTHORITY.—The Secretary of Defense may provide space situational awareness services and information to, and may obtain space situational awareness data and information from, non-United States Government entities in accordance with this section. Any such action may be taken only if the Secretary determines that such action is consistent with the national security interests of the United States.*

*''(b) ELIGIBLE ENTITIES.—The Secretary may provide services and information under subsection (a) to, and may obtain data and information under subsection (a) from, any non-United States Government entity, including any of the following:*

*''(1) A State.*

*''(2) A political subdivision of a State.*

*''(3) A United States commercial entity.*

*''(4) The government of a foreign country.*

*''(5) A foreign commercial entity.*

*''(c) AGREEMENT.—The Secretary may not provide space situational awareness services and information under subsection (a) to a non-United States Government entity unless that entity enters into an agreement with the Secretary under which the entity—*

*''(1) agrees to pay an amount that may be charged by the Secretary under subsection (d);*

*''(2) agrees not to transfer any data or technical information received under the agreement, including the analysis of data, to any other entity without the express approval of the Secretary; and*

*''(3) agrees to any other terms and conditions considered necessary by the Secretary.*

*''(d) CHARGES.—(1) As a condition of an agreement under subsection (c), the Secretary may (except as provided in paragraph (2)) require the non-United States Government entity entering into the agreement to pay to the Department of Defense such amounts as the Secretary determines appropriate to reimburse the Department for the costs to the Department of providing space situational awareness services or information under the agreement.*

*''(2) The Secretary may not require the government of a State, or of a political subdivision of a State, to pay any amount under paragraph (1).*

*''(e) CREDITING OF FUNDS RECEIVED.—(1) Funds received for the provision of space situational awareness services or information pursuant to an agreement under this section shall be credited, at the election of the Secretary, to the following:*

*''(A) The appropriation, fund, or account used in incurring the obligation.*

*''(B) An appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.*

*''(2) Funds credited under paragraph (1) shall be merged with, and remain available for obligation with, the funds in the appropriation, fund, or account to which credited.*

*''(f) PROCEDURES.—The Secretary shall establish procedures by which the authority under this section shall be carried out. As part of those procedures, the Secretary may allow space situational awareness services or information to be provided through a contractor of the Department of Defense.*

*''(g) IMMUNITY.—The United States, any agencies and instrumentalities thereof, and any individuals, firms, corporations, and other persons acting for the United States, shall be immune from any suit in any court for any cause of action arising from the provision or receipt of space situational awareness services or information, whether or not provided in accordance with this section, or any related action or omission.*

*''(h) NOTICE OF CONCERNS OF DISCLOSURE OF INFORMATION.—If the Secretary determines that a commercial or foreign entity has declined or is reluctant to provide data or information to the Secretary in accordance with this section due to the concerns of such entity about the potential disclosure of such data or information, the Secretary shall, not later than 60 days after the Secretary makes that determination, provide notice to the congressional defense committees of the declination or reluctance of such entity.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title is amended by striking the item relating to section 2274 and inserting the following new item:*

*''2274. Space situational awareness services and information: provision to non-United States Government entities.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009, or the date of the enactment of this Act, whichever is later.*

***SEC. 913. MANAGEMENT AND FUNDING STRATEGY AND IMPLEMENTATION PLAN FOR THE NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM PROGRAM.***

*(a) MANAGEMENT AND FUNDING STRATEGY.—*

*(1) IN GENERAL.—The President shall develop a strategy for the management and funding of the National Polar-Orbiting Operational Environmental Satellite System Program (in this section referred to as the ''Program'') by the Department of Defense, the Department of Commerce, and the National Aeronautics and Space Administration.*

*(2) ELEMENTS.—The strategy required under paragraph (1) shall include the following:*

*(A) Requirements for the Program.*

*(B) The management structure of the Program.*

*(C) A funding profile for the Program for each year of the Program for the Department of Defense, the Department of Commerce, and the National Aeronautics and Space Administration.*

*(b) IMPLEMENTATION PLAN.—The President shall develop a plan to implement the strategy required under subsection (a)(1).*

*(c) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2010 by section 201(a)(3) for research, development, test, and evaluation for the Air Force and available for the Program—*

*(1) not more than 50 percent of such amounts may be obligated or expended before the date on which the strategy developed under subsection (a)(1) is submitted to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science and Technology of the House of Representatives; and*

*(2) not more than 75 percent of such amounts may be obligated or expended before the date on which the plan developed under subsection (c) is submitted to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science and Technology of the House of Representatives.*

*(d) SENSE OF CONGRESS.—It is the sense of Congress that once all requirements for the Program are fully agreed to by the Secretary of Defense, the Secretary of Commerce, and the Administrator of the National Aeronautics and Space Administration, the Program should be executed with no modifications to those requirements that would increase the cost, or extend the schedule, of the Program.*

***Subtitle C—Intelligence-Related Matters***

***SEC. 921. INCLUSION OF DEFENSE INTELLIGENCE AGENCY IN AUTHORITY TO USE PROCEEDS FROM COUNTERINTELLIGENCE OPERATIONS.***

*(a) IN GENERAL.—Section 423 of title 10, United States Code, is amended by inserting ''or the Defense Intelligence Agency'' after ''the military departments'' each place it appears in subsections (a) and (c).*

*(b) CONFORMING AMENDMENTS.—*

*(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:*

***"§423. Authority to use proceeds from counterintelligence operations of the military departments or the Defense Intelligence Agency".***

*(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 21 of such title is amended by striking the item relating to section 423 and inserting the following new item:*

*''423. Authority to use proceeds from counterintelligence operations of the military departments or the Defense Intelligence Agency.''.*

***SEC. 922. PLAN TO ADDRESS FOREIGN BALLISTIC MISSILE INTELLIGENCE ANALYSIS.***

*(a) ASSESSMENT AND PLAN.—The Secretary of Defense, in consultation with the Director of National Intelligence, shall—*

*(1) conduct an assessment of foreign ballistic missile intelligence analytic gaps and shortfalls; and*

*(2) develop a plan to ensure that the appropriate intelligence centers have sufficient analytical capabilities to address such gaps and shortfalls.*

*(b) REPORT.—Not later than February 28, 2010, the Secretary of Defense shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing—*

*(1) the results of the assessment conducted under subsection (a)(1);*

*(2) the plan developed under subsection (a)(2); and*

*(3) a description of the resources required to implement such plan.*

*(c) FORM.—The report under subsection (b) shall be submitted in unclassified form, but may contain a classified annex.*

***Subtitle D—Other Matters***

***SEC. 931. IMPLEMENTATION STRATEGY FOR DEVELOPING LEAP-AHEAD CYBER OPERATIONS CAPABILITIES.***

*(a) STRATEGY REPORT REQUIRED.—Not later than March 1, 2010, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on a strategy for organizing the research and development bodies of the Department of Defense to develop leap-ahead cyber operations capabilities.*

*(b) ELEMENTS.—The report required by subsection (a) shall address the following:*

*(1) A description of the management structure and investment review process for coordinating the technology development of advanced offensive and defensive cyber operations capabilities—*

*(A) among the military departments, the Defense Agencies, the combatant commands, and the intelligence community;*

*(B) across all levels of classification, including relevant special access programs; and*

*(C) based on the identification and prioritization of joint cyber operations capabilities gaps.*

*(2) Actions taken and recommendations for further improving the coordination of research and development of offensive and defensive cyber operations capabilities among private sector, interagency, non-governmental, and international partners.*

*(3) Assessment of the feasibility and utility of regular national level, joint, interagency cyber exercises that would include, to the extent possible, participants from industry, international militaries, and non-governmental organizations to assess technologies, policies, and capabilities.*

*(c) COORDINATION.—The report required by subsection (a) shall be developed in coordination and concurrence with the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Intelligence, the Under Secretary of Defense for Policy, the Assistant Secretary of Defense for Networks and Information Integration, the Director of the National Security Agency, and the commander of the United States Cyber Command.*

*(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.*

*(e) CYBER OPERATIONS CAPABILITIES DEFINED.—The term ''cyber operations capabilities'' means the range of capabilities needed for computer network defense, computer network attack, and computer network exploitations. Such term includes technical as well as non-materiel solutions.*

***SEC. 932. DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM DEVELOPMENT AND TRANSITION.***

*(a) IN GENERAL.—The Secretary of Defense shall establish a Defense Integrated Military Human Resources System development and transition Council to provide advice to the Secretary of Defense and the Secretaries of the military departments on the modernization of the integrated pay and personnel system for each military department and the collection of data generated by each such system into the enterprise information warehouse.*

*(b) COUNCIL.—The Council shall include the following members:*

*(1) The Deputy Chief Management Officer of the Department of Defense.*

*(2) The Director of the Business Transformation Agency.*

*(3) The Under Secretary of Defense for Acquisition, Technology, and Logistics, or a designated representative.*

*(4) The Under Secretary of Defense for Personnel and Readiness, or a designated representative.*

*(5) One representative from each of the Army, Navy, Air Force, and Marine Corps who is a lieutenant general or vice admiral, or a civilian equivalent.*

*(6) One representative of the National Guard Bureau who is a lieutenant general or vice admiral, or a civilian equivalent.*

*(7) The Assistant Secretary of Defense for Networks and Information Integration, or a designated representative.*

*(8) The Director of Operational Test and Evaluation, or a designated representative.*

*(9) Such other individuals as may be designated by the Deputy Secretary of Defense, acting in the Deputy Secretary's capacity as the Chief Management Officer.*

*(c) MEETINGS.—The Council shall meet not less than twice a year, or more often as specified by the Deputy Secretary of Defense.*

*(d) DUTIES.—The Council shall have the following responsibilities:*

*(1) Resolution of significant policy, programmatic, or budgetary issues impeding modernization or deployment of integrated personnel and pay systems for each military department, including issues relating to—*

*(A) common interfaces, architectures, and systems engineering;*

*(B) ensuring that developmental systems are consistent with current and future enterprise accounting and pay and personnel standards and practices; and*

*(C) ensuring that developmental systems are consistent with current and future Department of Defense business enterprise architecture.*

*(2) Coordination of implementation of the integrated personnel and pay system within defense organizations to ensure interoperability between all appropriate elements of the system.*

*(3) Establishment of metrics to assess the following:*

*(A) Business process re-engineering needed for successful deployment of the integrated pay and personnel system.*

*(B) Interoperability between legacy, operational, and developmental pay and personnel systems.*

*(C) Interface and systems architecture control and standardization.*

*(D) Retirement of legacy systems.*

*(E) Use of the enterprise information warehouse.*

*(F) Any other relevant matters.*

*(4) Such other responsibilities as the Secretary determines are appropriate.*

*(e) TERMINATION.—This section shall not be in effect after September 30, 2013.*

*(f) REPORT.—Not later than March 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken pursuant to this section.*

***SEC. 933. REPORT ON SPECIAL OPERATIONS COMMAND ORGANIZATION, MANNING, AND MANAGEMENT.***

*(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Commander of the United States Special Operations Command shall prepare and submit to the Secretary of Defense a report and recommendations, in accordance with this section, on the organization, manning, and management of the command.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) A comparison of current and projected fiscal year 2010 military and civilian end strength levels at special operations command headquarters with fiscal year 2000 levels, both actual and authorized.*

*(2) A comparison of fiscal year 2000 through 2010 special operations command headquarters end strength growth with the growth of each special operations forces component command headquarters over the same time period, both actual and authorized.*

*(3) A summary and assessment that identifies the resourcing, in terms of manning, training, equipping, and funding, that the United States Special Operations Command provides to each of the theater special operations commands under the geographical combatant commands and a summary of personnel specialties assigned to each such command.*

*(4) Options and recommendations for reducing staffing levels at special operations command headquarters by 5 and 10 percent, respectively, and an assessment of the opportunity costs and management risks associated with each option.*

*(5) Recommendations for increasing manning levels, if appropriate, at each component command, and especially at Army Special Operations Command.*

*(6) A plan to sustain the cultural engagement group of Special Operations Command Central.*

*(7) An assessment of the resourcing requirements to establish capability similar to the cultural engagement group capability at the other theater special operations command locations.*

*(8) A review and assessment for improving the relationship between the United States Special Operations Command and each of the theater special operations commands under the geographical combatant commands and the establishment of a more direct administrative and collaborative link between them.*

*(9) A review and assessment of existing Department of Defense executive agent support to the United States Special Operations Command and its subordinate components, as well as commentary about proposals to use the same executive agent throughout the special operations community.*

*(10) An updated assessment on the specific proposal to provide executive agent support from the Defense Logistics Agency for the United States Special Operations Command.*

*(11) A recommendation and plan for including international development and conflict prevention representatives as participants in the Interagency Task Force process.*

*(c) SUBMISSION OF REPORT AND RECOMMENDATIONS TO CONGRESSIONAL DEFENSE COMMITTEES.—Not later than 30 days after the date of the submission of the report and recommendations required under subsection (a) by the Commander of the United States Special Operations Command, the Secretary of Defense shall forward the report and recommendations to the congressional defense committees, together with such additional comments as the Secretary considers appropriate.*

***SEC. 934. STUDY ON THE RECRUITMENT, RETENTION, AND CAREER PROGRESSION OF UNIFORMED AND CIVILIAN MILITARY CYBER OPERATIONS PERSONNEL.***

*(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the challenges to retention and professional development of cyber operations personnel within the Department of Defense.*

*(b) MATTERS TO BE ADDRESSED.—The assessment by the Secretary of Defense shall address the following matters:*

*(1) The sufficiency of the numbers and types of personnel available for cyber operations, including an assessment of the balance between military and civilian positions and the availability of personnel with expertise in matters related to cyber operations from outside of the Department of Defense.*

*(2) The definition and coherence of career fields for both members of the Armed Forces and civilian employees of the Department of Defense, including the sufficiency of training and experience levels required, and measures to improve them if necessary.*

*(3) The types of recruitment and retention incentives available to members of the Armed Forces and civilian employees of the Department of Defense.*

*(4) Identification of legal, policy, or administrative impediments to attracting and retaining cyber operations personnel.*

*(5) The standards used by the Department of Defense to measure effectiveness at recruiting, retaining, and ensuring an adequate career progression for cyber operations personnel.*

*(6) The effectiveness of educational and outreach activities used to attract, retain, and reward cyber operations personnel, including how to expand outreach to academic institutions and improve coordination with other civilian agencies and industrial partners.*

*(7) The management of educational and outreach activities used to attract, retain, and reward cyber operations personnel, such as the National Centers of Academic Excellence in Information Assurance Education.*

*(8) Efforts to establish public-private partnerships to meet the needs of the Department with respect to cyber operations personnel and training.*

*(9) Recommendations for legislative changes necessary to increase the availability of cyber operations personnel.*

*(c) CYBER OPERATIONS PERSONNEL DEFINED.—In this section, the term ''cyber operations personnel'' refers to members of the Armed Forces*

*and civilian employees of the Department of Defense involved with the operations and maintenance of a computer network connected to the global information grid, as well as offensive, defensive, and exploitation functions of such a network.*

**SEC. 935. PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.**

*(a) IN GENERAL.—The Secretary of Defense and the Secretary of Transportation shall, after consultation with the Secretary of Homeland Security, jointly develop a plan for providing expanded access to the national airspace for unmanned aircraft systems of the Department of Defense.*

*(b) ELEMENTS.—The plan required by subsection (a) shall include the following:*

*(1) A description of how the Department of Defense and the Department of Transportation will communicate and cooperate, at the executive, management, and action levels, to provide expanded access to the national airspace for unmanned aircraft systems of the Department of Defense.*

*(2) Specific milestones, taking into account the operational and training needs of the Department of Defense and the safety and air traffic management needs of the Department of Transportation, for providing expanded access to the national airspace for unmanned aircraft systems and a transition plan for sites programmed to be activated as unmanned aerial system sites during fiscal years 2010 through 2015.*

*(3) Recommendations for policies with respect to use of the national airspace, flight standards, and operating procedures that should be implemented by the Department of Defense and the Department of Transportation to accommodate unmanned aircraft systems assigned to any State or territory of the United States.*

*(4) An identification of resources required by the Department of Defense and the Department of Transportation to execute the plan.*

*(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Transportation shall submit a report containing the plan required by subsection (a) to the following committees:*

*(1) The congressional defense committees.*

*(2) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

*(3) The Committee on Homeland Security and Government Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.*

**TITLE X—GENERAL PROVISIONS**

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*Sec. 1002. Relationship of the quadrennial defense review and the annual budget request.*
*Sec. 1003. Audit readiness of financial statements of the Department of Defense.*

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*Subtitle D—Miscellaneous Requirements, Authorities, and Limitations*

*Sec. 1031. Prohibition relating to propaganda.*
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*Sec. 1036. National strategic five-year plan for improving the nuclear forensic and attribution capabilities of the United States.*
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*Sec. 1038. Prohibition on interrogation of detainees by contractor personnel.*
*Sec. 1039. Notification and access of International Committee of the Red Cross with respect to detainees at Theater Internment Facility at Bagram Air Base, Afghanistan.*
*Sec. 1040. No Miranda Warnings for Al Qaeda Terrorists.*
*Sec. 1041. Limitation on use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.*
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*Subtitle E—Studies and Reports*

*Sec. 1051. Report on statutory compliance of the report on the 2009 quadrennial defense review.*
*Sec. 1052. Report on the force structure findings of the 2009 quadrennial defense review.*
*Sec. 1053. Annual report on the electronic warfare strategy of the Department of Defense.*
*Sec. 1054. Study on a system for career development and management of interagency national security professionals.*
*Sec. 1055. Report on nuclear aspirations of non-state entities, nuclear weapons and related programs in non-nuclear-weapons states and countries not parties to the Nuclear Non-Proliferation Treaty, and certain foreign persons.*
*Sec. 1056. Comptroller General review of Department of Defense spending in final fiscal quarters.*
*Sec. 1057. Report on Air America.*
*Sec. 1058. Report on defense travel simplification.*
*Sec. 1059. Report on modeling and simulation technological and industrial base.*
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*Sec. 1061. Additional members and duties for the independent panel to assess the quadrennial defense review.*
*Sec. 1062. Congressional earmarks relating to the Department of Defense.*
*Sec. 1063. Report on basing plans for certain United States geographic combatant commands.*

*Subtitle F—Other Matters*

*Sec. 1071. Extension of certain authority for making rewards for combating terrorism.*
*Sec. 1072. Business process reengineering.*
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*Sec. 1081. Modification of pilot program on commercial fee-for-service air refueling support for the air force.*
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*Sec. 1083. Disclosure of names of students and instructors at Western Hemisphere Institute for Security Cooperation.*
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***Subtitle A—Financial Matters***

**SEC. 1001. GENERAL TRANSFER AUTHORITY.**

*(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

*(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2010 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.*

*(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,000,000,000.*

*(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).*

*(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—*

*(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and*

*(2) may not be used to provide authority for an item that has been denied authorization by Congress.*

*(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.*

*(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).*

**SEC. 1002. RELATIONSHIP OF THE QUADRENNIAL DEFENSE REVIEW AND THE ANNUAL BUDGET REQUEST.**

*Section 118 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(h) RELATIONSHIP TO BUDGET.—Nothing in this section shall be construed to affect section 1105(a) of title 31.''.*

**SEC. 1003. AUDIT READINESS OF FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.**

*(a) FINANCIAL IMPROVEMENT AUDIT READINESS PLAN.—*

*(1) IN GENERAL.—The Chief Management Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense (Comptroller), develop and maintain a plan to be known as the ''Financial Improvement and Audit Readiness Plan''.*

*(2) ELEMENTS.—The plan required by paragraph (1) shall—*

*(A) describe specific actions to be taken and the costs associated with—*

*(i) correcting the financial management deficiencies that impair the ability of the Department of Defense to prepare timely, reliable, and complete financial management information; and*

*(ii) ensuring the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017;*

*(B) systematically tie the actions described under subparagraph (A) to process and control improvements and business systems modernization efforts described in the business enterprise architecture and transition plan required by section 2222 of title 10, United States Code;*

*(C) prioritize—*

*(i) improving the budgetary information of the Department of Defense, in order to achieve an unqualified audit opinion on the Department's statements of budgetary resources; and*

*(ii) as a secondary goal, improving the accuracy and reliability of management information on the Department's mission-critical assets (military and general equipment, real property, inventory, and operating materials and supplies) and validating its accuracy through existence and completeness audits; and*

*(D) include interim goals, including—*

*(i) the objective of ensuring that the financial statement of each of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Defense Logistics Agency is validated as ready for audit: and*

*(ii) a schedule setting forth milestones for elements of the military departments and financial statements of the military departments to be made ready for audit as part of the progress required to meet the objectives established pursuant to clause (i) of this subparagraph and clause (ii) of subparagraph (A) of this paragraph.*

*(b) SEMI-ANNUAL REPORTS ON FINANCIAL IMPROVEMENT AND AUDIT READINESS PLAN.—*

*(1) IN GENERAL.—Not later than May 15 and November 15 each year, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of the Financial Improvement and Audit Readiness Plan required by subsection (a).*

*(2) ELEMENTS.—Each report under paragraph (1) shall include, at a minimum—*

*(A) an overview of the steps the Department has taken or plans to take to meet the objectives specified in subsection (a)(2)(A), including progress toward achieving the interim goals and milestone schedule established pursuant to subsection (a)(2)(D); and*

*(B) a description of any impediments identified in the efforts of the Department to meet such objectives, and of the actions the Department has taken or plans to take to address such impediments.*

*(3) ADDITIONAL ISSUES TO BE ADDRESSED IN FIRST REPORT.—The first report submitted under paragraph (1) after the date of the enactment of this Act shall address, in addition to the elements required by paragraph (2), the actions taken or to be taken by the Department as follows:*

*(A) To develop standardized guidance for financial improvement plans by components of the Department.*

*(B) To establish a baseline of financial management capabilities and weaknesses at the component level of the Department.*

*(C) To provide results-oriented metrics for measuring and reporting quantifiable results toward addressing financial management deficiencies.*

*(D) To define the oversight roles of the Chief Management Officer of the Department of Defense, the chief management officers of the military departments, and other appropriate elements of the Department to ensure that the requirements of the Financial Improvement and Audit Readiness Plan are carried out.*

*(E) To assign accountability for carrying out specific elements of the Financial Improvement and Audit Readiness Plan to appropriate officials and organizations at the component level of the Department.*

*(F) To develop mechanisms to track budgets and expenditures for the implementation of the requirements of the Financial Improvement and Audit Readiness Plan.*

*(G) To develop a mechanism to conduct audits of the military intelligence programs and agencies and to submit audited financial statements for such agencies to Congress in a classified manner.*

*(c) RELATIONSHIP TO EXISTING LAW.—The requirements of this section shall be implemented in a manner that is consistent with the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1204; 10 U.S.C. 2222 note).*

## *Subtitle B—Counter-Drug Activities*

**SEC. 1011. UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.**

*Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1023 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4586), is further amended—*

*(1) in subsection (a), by striking ''2009'' and inserting ''2010''; and*

*(2) in subsection (c), by striking ''2009'' and inserting ''2010''.*

**SEC. 1012. JOINT TASK FORCES SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.**

*(a) EXTENSION OF AUTHORITY.—Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 371 note), as most recently amended by section 1022 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4586), is further amended by striking ''2009'' and inserting ''2010''.*

*(b) ANNUAL REPORT.—Subsection (c) of section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended to read as follows:*

*''(c) ANNUAL REPORT.—Not later than December 31 of each year after 2008 in which the authority in subsection (a) is in effect, the Secretary of Defense shall submit to Congress a report setting forth, for the one-year period ending on the date of such report, the following:*

*''(1) An assessment of the effect on counter-drug and counter-terrorism activities and objectives of using counter-drug funds of a joint task force to provide counterterrorism support authorized by subsection (a).*

*''(2) A description of the type of support and any recipient of support provided under subsection (a).*

*''(3) A list of current joint task forces conducting counter-drug operations.''.*

**SEC. 1013. REPORTING REQUIREMENT ON EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.**

*Section 1022(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–255), as most recently amended by section 1021 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4586), is further amended by striking ''April 15, 2006'' and all that follows through ''February 15, 2009'' and inserting ''February 15, 2010''.*

**SEC. 1014. SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.**

*(a) IN GENERAL.—Subsection (a)(2) section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1024(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4587), is further amended by striking ''2009'' and inserting ''2010''.*

*(b) MAXIMUM AMOUNT OF SUPPORT.—Subsection (e)(2) of such section is amended by striking ''fiscal year 2009'' and inserting ''either of fiscal years 2009 and 2010''.*

*(c) CONDITIONS ON PROVISION OF SUPPORT.—Subsection (f)(2) of such section is amended in the matter preceding subparagraph (A) by striking ''for fiscal year 2009 to carry out this section and the first fiscal year in which the support is to be provided'' and inserting ''and available for support''.*

*(d) COUNTER-DRUG PLAN.—Subsection (h) of such section is amended—*

*(1) in the matter preceding paragraph (1), by striking ''fiscal year 2009'' and inserting ''for each fiscal year''; and*

*(2) in paragraph (7), by striking ''fiscal year 2009, and thereafter, for the first fiscal year in which support is to be provided'' and inserting ''each fiscal year in which support is to be provided to a government''.*

**SEC. 1015. BORDER COORDINATION CENTERS IN AFGHANISTAN AND PAKISTAN.**

*(a) PROHIBITION ON USE OF COUNTER-NARCOTIC ASSISTANCE FOR BORDER COORDINATION CENTERS.—*

*(1) PROHIBITION.—Amounts available for drug interdiction and counter-drug activities of the Department of Defense may not be expended for the construction, expansion, repair, or operation and maintenance of any existing or proposed border coordination center.*

*(2) RULE OF CONSTRUCTION.—Paragraph (1) does not prohibit or limit the use of other funds available to the Department of Defense to construct, expand, repair, or operate and maintain border coordination centers.*

*(b) LIMITATION ON ESTABLISHMENT OF ADDITIONAL CENTERS.—*

*(1) LIMITATION.—The Secretary of Defense may not authorize the establishment, or any construction in connection with the establishment, of a third border coordination center in the area of operations of Regional Command–East in the Islamic Republic of Afghanistan until a border coordination center has been constructed, or is under construction, in either—*

*(A) the area of operations of Regional Command–South in the Islamic Republic of Afghanistan; or*

*(B) Baluchistan in the Islamic Republic of Pakistan.*

*(2) NATIONAL SECURITY WAIVER.—The Secretary may waive the limitation under paragraph (1) if the Secretary determines that such a waiver is vital to the national security interests of the United States. The Secretary shall promptly submit to Congress notice in writing of any waiver under this paragraph.*

*(c) BORDER COORDINATION CENTER DEFINED.—In this section, the term ''border coordination center'' means a multilateral military coordination and intelligence center that is located, or intended to be located, near the border between the Islamic Republic of Afghanistan and the Islamic Republic of Pakistan.*

***SEC. 1016. COMPTROLLER GENERAL REPORT ON EFFECTIVENESS OF ACCOUNTABILITY MEASURES FOR ASSISTANCE FROM COUNTER-NARCOTICS CENTRAL TRANSFER ACCOUNT.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the performance evaluation system used by the Secretary of Defense to assess the effectiveness of assistance provided for foreign nations to achieve the counter-narcotics objectives of the Department of Defense. The report shall be unclassified, but may contain a classified annex.*

*(b) ELEMENTS.—The report required by subsection (a) shall contain the following:*

*(1) A description of the performance evaluation system of the Department of Defense used to determine the efficiency and effectiveness of counter-narcotics assistance provided by the Department of Defense to foreign nations.*

*(2) An assessment of the ability of the performance evaluation system to accurately measure the efficiency and effectiveness of such counter-narcotics assistance.*

*(3) Detailed recommendations on how to improve the capacity of the performance evaluation system for the counter-narcotics central transfer account.*

***Subtitle C—Naval Vessels and Shipyards***

***SEC. 1021. SENSE OF CONGRESS ON THE MAINTENANCE OF A 313-SHIP NAVY.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) The Department of the Navy has a stated requirement for a 313-ship fleet.*

*(2) The Navy can better meet this requirement—*

*(A) by procuring sufficient numbers of new ships; and*

*(B) by ensuring the sound material condition of existing ships that will enable the Navy to utilize them for their full planned service lives.*

*(3) When procuring new classes of ships, the Navy must exercise greater caution than it has exhibited to date in proceeding from one stage of the acquisition cycle to the next before a ship program has achieved a level of maturity that significantly lowers the risk of cost growth and schedule slippage.*

*(4) In retaining existing assets, the Navy can do a much better job of achieving the full planned service lives of ships and extending the service lives of certain ships so as to keep their unique capabilities in the fleet while the Navy takes the time necessary to develop and field next-generation capabilities under a low risk program.*

*(5) The Navy can undertake certain development approaches that can help the Navy control the total costs of ownership of a ship or class of ships, including emphasizing common hull designs, open architecture combat systems, and other common ship systems in order to achieve efficiency in acquiring and supporting various classes of ships.*

*(6) The Navy needs to continue its efforts toward achieving an open architecture for existing combat systems, as this will have great benefit in reducing the costs and risks of fielding new classes of ships, and will yield recurring savings from reducing the costs of buying later ships in a program and reducing life cycle support costs for ships and classes of ships.*

*(7) The Navy can also undertake other measures to acquire new ships and maintain the current fleet with greater efficiency, including—*

*(A) greater use of fixed-price contracts;*

*(B) maximizing competition (or the option of competition) throughout the life cycle of its ships;*

*(C) entering into multi-year contracts when warranted; and*

*(D) employing an incremental approach to developing new technologies.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) the Navy should meet its requirement for a 313-ship fleet until such time that modifications to the Navy's ship fleet force structure are warranted, and the Secretary of the Navy provides Congress with a justification of any proposed modifications, supported by rigorous and sufficient warfighting analysis;*

*(2) the Navy should take greater care to achieve the full planned service life of existing ships and reduce the incidence of early ship decommissioning;*

*(3) the Navy should exercise greater restraint on the acquisition process for ships in order to achieve on-time, on-cost shipbuilding programs; and*

*(4) Congress should support the Navy when it is acting responsibly to undertake measures that can help the Navy achieve the requirement for a 313-ship fleet and maintain a fleet that is adequate to meet the national security needs of the United States.*

***SEC. 1022. DESIGNATION OF U.S.S. CONSTITUTION AS AMERICA'S SHIP OF STATE.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) In the Act entitled ''An Act to Provide a Naval Armament'', approved on March 27, 1794 (1 Stat. 350, Chap. XII), the 3rd Congress authorized the construction of six frigates as the first ships to be built for the United States Navy.*

*(2) One of the six frigates was built in Boston, Massachusetts, between 1794 and 1797, and is the only one of the original six ships to survive.*

*(3) President George Washington named this frigate ''Constitution'' to represent the Nation's founding document.*

*(4) President Thomas Jefferson, asserting the right of the United States to trade on the high seas, dispatched the frigate Constitution in 1803 as the flagship of the Mediterranean Squadron to end the depredations of the Barbary States against United States ships and shipping, which led to a treaty being signed with the Bashaw of Tripoli in the captain's cabin aboard the frigate Constitution on June 4, 1805.*

*(5) The frigate Constitution, with her defeat of the H.M.S. Guerriere, secured the first major victory by the young United States Navy against the Royal Navy during the War of 1812, gaining in the process the nickname ''Old Ironsides'', which she has proudly carried since.*

*(6) Congress awarded gold medals to four of the ship's commanding officers (Preble, Hull, Stewart, and Bainbridge), a record unmatched by any other United States Navy vessel.*

*(7) The frigate Constitution emerged from the War of 1812 undefeated, having secured victories over three additional ships of the Royal Navy.*

*(8) As early as May 1815, the frigate Constitution had already been adopted as a symbol of the young Republic, as attested by the [Washington] National Intelligencer which proclaimed, ''Let us keep 'Old Ironsides' at home. She has, literally become the Nation's Ship . . . and should thus be preserved . . . in honorable pomp, as a glorious Monument of her own, and our other Naval Victories.''.*

*(9) Rumors in 1830 that ''Old Ironsides'', an aging frigate, was about to be scrapped resulted in a public uproar demanding that the ship be restored and preserved, spurred by Oliver Wendell Holmes' immortal poem ''Old Ironsides''.*

*(10) ''Old Ironsides'' circumnavigated the world between 1844 and 1846, showing the American flag as she searched for future coaling stations that would eventually fuel the steam-powered navy of the United States.*

*(11) The first Pope to set foot on United States sovereign territory was Pius IX onboard the frigate Constitution in 1849.*

*(12) On April 25, 1860, ''Old Ironsides'' evacuated the midshipmen of the United States Naval Academy from Annapolis, Maryland, to Newport, Rhode Island, preventing the young officers and the esteemed ship from falling into Confederate hands.*

*(13) In 1896, Congressman John F. ''Honey Fitz'' Fitzgerald introduced legislation to return ''Old Ironsides'' from the Portsmouth Naval Shipyard in New Hampshire, where she was moored pier side and largely forgotten, to Boston for her 100th birthday.*

*(14) Thousands of school children contributed pennies between 1925 an 1927 to help fund a much needed restoration for ''Old Ironsides''.*

*(15) Between 1931 and 1934, more than 4,500,000 Americans gained inspiration, at the depth of the Great Depression, by going aboard ''Old Ironsides'' as she was towed to 76 ports on the Atlantic, Gulf, and Pacific coasts.*

*(16) The 83rd Congress enacted the Act of July 23, 1954 (68 Stat. 527, chapter 565), which directed the Secretary of the Navy to transfer to the States and appropriate commissions four other historic ships then on the Navy inventory, and to repair and equip the U.S.S. Constitution, as much as practicable, to her original condition, but not for active service.*

*(17) Queen Elizabeth II paid a formal visit to the U.S.S. Constitution in 1976, at the start of her state visit marking the bicentennial of the United States.*

*(18) The U.S.S. Constitution, in celebration of her bicentennial, returned to sea under sail on July 21, 1997, for the first time since 1881, proudly setting sails purchased by the contributions of thousands of pennies given by school children across the United States.*

*(19) The U.S.S. Constitution is the oldest commissioned warship afloat in the world.*

*(20) The U.S.S. Constitution is a national historic landmark.*

*(21) The U.S.S. Constitution continues to perform official, ceremonial duties, including in recent years hosting a congressional dinner honoring the late Senator John Chafee of Rhode Island, a special salute for the dedication of the John Moakley Federal Courthouse, a luncheon honoring British Ambassador Sir David Manning, and a special underway demonstration during which 60 Medal of Honor recipients each received a personal Medal of Honor flag.*

*(22) The U.S.S. Constitution celebrated on October 21, 2007, the 210th anniversary of her launching.*

*(23) The U.S.S. Constitution will remain a commissioned ship in the United States Navy, with the Navy retaining control of the ship, its material condition, and its employment.*

*(24) The U.S.S. Constitution's primary mission will remain education and public outreach, and any Ship of State functions will be an adjunct to the ship's primary mission.*

*(b) DESIGNATION AS AMERICA'S SHIP OF STATE.—*

*(1) IN GENERAL.—The U.S.S. Constitution is hereby designated as ''America's Ship of State''.*

*(2) REFERENCES.—The U.S.S. Constitution may be known or referred to as ''America's Ship of State''.*

*(3) SENSE OF CONGRESS.—It is the sense of Congress that the President, Vice President, executive branch officials, and members of Congress should use the U.S.S. Constitution for the conducting of pertinent matters of state, such as hosting visiting heads of state, signing legislation relating to the Armed Forces, and signing maritime related treaties.*

*(4) FEE OR REIMBURSEMENT STRUCTURE FOR NON-DEPARTMENT OF THE NAVY USE.—The Secretary of the Navy shall determine an appropriate fee or reimbursement structure for any non-Department of the Navy entities using the U.S.S. Constitution for Ship of State purposes.*

***SEC. 1023. TEMPORARY REDUCTION IN MINIMUM NUMBER OF OPERATIONAL AIRCRAFT CARRIERS.***

*(a) TEMPORARY WAIVER.—Notwithstanding section 5062(b) of title 10, United States Code, during the period beginning on the date of the*

*inactivation of the U.S.S. Enterprise (CVN–65) scheduled, as of the date of the enactment of this Act, for fiscal year 2013 and ending on the date of the commissioning into active service of the U.S.S. Gerald R. Ford (CVN–78), the number of operational aircraft carriers in the naval combat forces of the Navy may be 10.*

*(b) EVALUATION AND REPORT.—*

*(1) EVALUATION.—During fiscal year 2012, the Chairman of the Joint Chiefs of Staff, in coordination with the commanders of the combatant commands, shall evaluate the required postures and capabilities of each of the combatant commands to assess the level of increased risk that could result due to a temporary reduction in the total number of operational aircraft carriers following the inactivation of the U.S.S. Enterprise (CVN–65).*

*(2) REPORT TO CONGRESS.—Together with the budget materials submitted to Congress by the Secretary of Defense in support of the President's budget for fiscal year 2013, the Secretary of Defense shall submit to the congressional defense committees a report containing the findings of the evaluation conducted pursuant to paragraph (1), and the basis for each such finding.*

***SEC. 1024. SENSE OF CONGRESS CONCERNING THE DISPOSITION OF SUBMARINE NR–1.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) The Deep Submergence Vessel NR–1 (hereinafter in this section referred to as ''NR–1'') was built by the Electric Boat Company in Groton, Connecticut, entered service in 1969, and was the only nuclear-powered research submersible in the United States Navy.*

*(2) NR–1 was assigned to Naval Submarine Base New London, located in Groton, Connecticut, throughout her entire service life.*

*(3) NR–1 was inactivated in December 2008.*

*(4) Due to the unique capabilities of NR–1, it conducted numerous missions of significant military and scientific value most notably in the fields of geological survey and oceanographic research.*

*(5) In 1986, NR–1 played a key role in the search for and recovery of the Space Shuttle Challenger.*

*(6) The mission of the Submarine Force Library and Museum in Groton, Connecticut, is to collect, preserve, and interpret the history of the United States Naval Submarine Force in order to honor veterans and to educate naval personnel and the public in the heritage and traditions of the Submarine Force.*

*(7) NR–1 is a unique and irreplaceable part of the history of the Navy and the Submarine Force and an educational and historical asset that should be shared with the Nation and the world.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) NR–1 is a unique and irreplaceable part of the Nation's history and as much of the vessel as possible should be preserved for the historical and educational benefit of all Americans at the Submarine Force Library and Museum in Groton, Connecticut; and*

*(2) the Secretary of the Navy should ensure that as much of the vessel as possible, including unique components of on-board equipment and clearly recognizable sections of the hull and superstructure, to the full extent practicable, are made available for transfer to the Submarine Force Library and Museum.*

***Subtitle D—Miscellaneous Requirements, Authorities, and Limitations***

***SEC. 1031. PROHIBITION RELATING TO PROPAGANDA.***

*(a) IN GENERAL.—*

*(1) PROHIBITION.—Chapter 134 of title 10, United States Code, is amended by inserting after section 2241 the following new section:*

***''§ 2241a. Prohibition on use of funds for publicity or propaganda purposes within the United States***

*''Funds available to the Department of Defense may not be obligated or expended for publicity or propaganda purposes within the United States not otherwise specifically authorized by law.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:*

*''2241a. Prohibition on use of funds for publicity or propaganda purposes within the United States.''.*

*(b) EFFECTIVE DATE.—Section 2241a of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2009, or the date of the enactment of this Act, whichever is later.*

***SEC. 1032. RESPONSIBILITY FOR PREPARATION OF BIENNIAL GLOBAL POSITIONING SYSTEM REPORT.***

*(a) IN GENERAL.—Section 2281(d) of title 10, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''the Secretary of Defense'' and inserting ''the Deputy Secretary of Defense and the Deputy Secretary of Transportation, in their capacity as co-chairs of the National Executive Committee for Space-Based Positioning, Navigation, and Timing,''; and*

*(B) by striking ''the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives'' and inserting ''the Committees on Armed Services and Commerce, Science, and Transportation of the Senate and the Committees on Armed Services, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives''; and*

*(2) by striking paragraph (2) and inserting the following new paragraph (2):*

*''(2) In preparing each report required under paragraph (1), the Deputy Secretary of Defense and the Deputy Secretary of Transportation, in their capacity as co-chairs of the National Executive Committee for Space-Based Positioning, Navigation, and Timing, shall consult with the Secretary of Defense, the Secretary of State, the Secretary of Transportation, and the Secretary of Homeland Security.''.*

*(b) TECHNICAL AMENDMENTS.—Paragraph (1)(B)(ii) of such section is amended—*

*(1) by inserting ''validated'' before ''performance requirements''; and*

*(2) by inserting ''in accordance with Office of Management and Budget Circular A–109'' after ''Plan''.*

***SEC. 1033. REPORTS ON BANDWIDTH REQUIREMENTS FOR MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEM ACQUISITION PROGRAMS.***

*Section 1047(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4603; 10 U.S.C. 2366b note) is amended to read as follows:*

*''(d) FORMAL REVIEW PROCESS FOR BANDWIDTH REQUIREMENTS.—*

*''(1) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall, as part of the Milestone B or Key Decision Point B approval process for any major defense acquisition program or major system acquisition program, establish a formal review process to ensure that—*

*''(A) the bandwidth requirements needed to support such program are or will be met; and*

*''(B) a determination will be made with respect to how to meet the bandwidth requirements for such program.*

*''(2) REPORTS.—Not later than January 1 of each year, the Secretary of Defense and the Director of National Intelligence shall each submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on any determinations made under paragraph (1) with respect to meeting the bandwidth requirements for major defense acquisition programs and major system acquisition programs during the preceding fiscal year.''.*

***SEC. 1034. ADDITIONAL DUTIES FOR ADVISORY PANEL ON DEPARTMENT OF DEFENSE CAPABILITIES FOR SUPPORT OF CIVIL AUTHORITIES AFTER CERTAIN INCIDENTS.***

*(a) ADDITIONAL DUTIES.—Section 1082(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 337) is amended—*

*(1) by redesignating paragraphs (7) and (8) as paragraphs (9) and (10), respectively; and*

*(2) by inserting after paragraph (6) the following new paragraphs:*

*''(7) assess the adequacy of the process and methodology by which the Department of Defense establishes and maintains dedicated, special, and general purpose forces for conducting operations described in paragraph (1);*

*''(8) assess the adequacy of the resources planned and programmed by the Department of Defense to ensure the preparedness and capability of dedicated, special, and general purpose forces for conducting operations described in paragraph (1);''.*

*(b) TECHNICAL AMENDMENTS.—Section 1082(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 337) is further amended—*

*(1) in paragraph (1), by striking ''in support to'' and inserting ''to provide support to'';*

*(2) in paragraph (2), by striking ''purposes'' and inserting ''purpose''; and*

*(3) in paragraph (4), by striking ''other department'' and inserting ''other departments''.*

***SEC. 1035. CHARTER FOR THE NATIONAL RECONNAISSANCE OFFICE.***

*Not later than February 1, 2010, the Director of National Intelligence and the Secretary of Defense shall jointly submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a revised charter for the National Reconnaissance Office (in this section referred to as the ''NRO''). The charter shall include the following:*

*(1) The organizational and governance structure of the NRO.*

*(2) The role of the NRO in the development and generation of requirements and acquisition.*

*(3) The scope of the capabilities of the NRO.*

*(4) The roles and responsibilities of the NRO and the relationship of the NRO to other organizations and agencies in the intelligence and defense communities.*

***SEC. 1036. NATIONAL STRATEGIC FIVE-YEAR PLAN FOR IMPROVING THE NUCLEAR FORENSIC AND ATTRIBUTION CAPABILITIES OF THE UNITED STATES.***

*(a) IN GENERAL.—The President, with the participation of the officials specified in subsection (c), shall develop a national strategic plan for improving over a five-year period the nuclear forensic and attribution capabilities of the United States and the methods, capabilities, and capacity for nuclear materials forensics and attribution.*

*(b) ELEMENTS.—The plan required under subsection (a) shall include the following:*

*(1) An investment plan to support nuclear materials forensics and attribution.*

*(2) Recommendations with respect to—*

*(A) the allocation of roles and responsibilities for pre-detonation, detonation, and post-detonation activities; and*

*(B) methods for the attribution of nuclear or radiological material to the source when such material is intercepted by the United States, foreign governments, or international bodies or is dispersed in the course of a terrorist attack or other nuclear or radiological explosion.*

*(c) OFFICIALS.—The officials specified in this subsection are the following:*

*(1) The Secretary of Homeland Security.*
*(2) The Secretary of Defense.*
*(3) The Secretary of Energy.*
*(4) The Attorney General.*
*(5) The Secretary of State.*
*(6) The Director of National Intelligence.*
*(7) Such other officials as the President considers appropriate.*

*(d) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the plan required under subsection (a).*

**SEC. 1037. AUTHORIZATION OF APPROPRIATIONS FOR PAYMENTS TO PORTUGUESE NATIONALS EMPLOYED BY THE DEPARTMENT OF DEFENSE.**

*(a) AUTHORIZATION FOR PAYMENTS.—Subject to subsection (b), the Secretary of Defense may authorize payments to Portuguese nationals employed by the Department of Defense in Portugal, for the difference between—*

*(1) the salary increases resulting from section 8002 of the Department of Defense Appropriations Act, 2006 (Public Law 109–148; 119 Stat. 2697; 10 U.S.C. 1584 note) and section 8002 of the Department of Defense Appropriations Act, 2007 (Public Law 109–289; 120 Stat. 1271; 10 U.S.C. 1584 note); and*

*(2) salary increases supported by the Department of Defense Azores Foreign National wage surveys for survey years 2006 and 2007.*

*(b) LIMITATION.—The authority provided in subsection (a) may be exercised only if—*

*(1) the wage survey methodology described in the United States—Portugal Agreement on Cooperation and Defense, with supplemental technical and labor agreements and exchange of notes, signed at Lisbon on June 1, 1995, and entered into force on November 21, 1995, is eliminated; and*

*(2) the agreements and exchange of notes referred to in paragraph (1) and any implementing regulations thereto are revised to provide that the obligations of the United States regarding annual pay increases are subject to United States appropriation law governing the funding available for such increases.*

*(c) AUTHORIZATION FOR APPROPRIATION.—Of the amounts authorized to be appropriated under title III, not less than $240,000 is authorized to be appropriated for fiscal year 2010 for the purpose of the payments authorized by subsection (a).*

**SEC. 1038. PROHIBITION ON INTERROGATION OF DETAINEES BY CONTRACTOR PERSONNEL.**

*(a) PROHIBITION.—Except as provided in subsection (b), effective one year after the date of the enactment of this Act, no enemy prisoner of war, civilian internee, retained personnel, other detainee, or any other individual who is in the custody or under the effective control of the Department of Defense or otherwise under detention in a Department of Defense facility in connection with hostilities may be interrogated by contractor personnel.*

*(b) AUTHORIZED FUNCTIONS OF CONTRACTOR PERSONNEL.—Contractor personnel with proper training and security clearances may be used as linguists, interpreters, report writers, information technology technicians, and other employees filling ancillary positions, including as trainers of and advisors to interrogators, in interrogations of persons as described in subsection (a) if—*

*(1) such personnel are subject to the same rules, procedures, policies, and laws pertaining to detainee operations and interrogations as apply to government personnel in such positions in such interrogations; and*

*(2) appropriately qualified and trained military or civilian personnel of the Department of Defense are available to oversee the contractor's performance and to ensure that contractor personnel do not perform activities that are prohibited under this section.*

*(c) DISCHARGE BY GOVERNMENT PERSONNEL.—The Secretary of Defense shall take appropriate actions to ensure that, by not later than one year after the date of the enactment of this Act, the Department of Defense has the resources needed to ensure that interrogations described in subsection (a) are conducted by appropriately qualified government personnel.*

*(d) WAIVER.—*

*(1) WAIVERS AUTHORIZED.—The Secretary of Defense may waive the prohibition under subsection (a) for a period of 60 days if the Secretary determines such a waiver is vital to the national security interests of the United States. The Secretary may renew a waiver issued pursuant to this paragraph for an additional 30-day period, if the Secretary determines that such a renewal is vital to the national security interests of the United States.*

*(2) LIMITATION ON DELEGATION.—*

*(A) IN GENERAL.—The waiver authority under paragraph (1) may not be delegated to any official below the level of the Deputy Secretary of Defense, except in the case of a waiver for an individual interrogation that is based on military exigencies, in which case the delegation of the waiver authority shall be done pursuant to regulations that the Secretary of Defense shall prescribe but in no instance may the latter delegation be below the level of combatant commander of the theater in which the individual is in the custody or under the effective control of the Department of Defense or otherwise under detention in a Department of Defense facility within that theater.*

*(B) DEADLINE FOR REGULATIONS.—The Secretary of Defense shall prescribe the regulations referred to in subparagraph (A) by not later than 30 days after the date of the enactment of this Act.*

*(3) CONGRESSIONAL NOTIFICATION.—Not later than five days after the Secretary issues a waiver pursuant to paragraph (1), the Secretary shall submit to Congress written notification of the waiver.*

**SEC. 1039. NOTIFICATION AND ACCESS OF INTERNATIONAL COMMITTEE OF THE RED CROSS WITH RESPECT TO DETAINEES AT THEATER INTERNMENT FACILITY AT BAGRAM AIR BASE, AFGHANISTAN.**

*(a) NOTIFICATION.—The head of a military service or department that has custody or effective control of the Theater Internment Facility at Bagram Air Base, Afghanistan, or of any individual detained at such facility, shall, upon the detention of any such individual at such facility, notify the International Committee of the Red Cross (referred to in this section as the ''ICRC'') of such custody or effective control, as soon as practicable.*

*(b) ACCESS.—*

*(1) ICRC ACCESS.—The head of a military service or department with effective control of the Theater Internment Facility at Bagram Air Base, Afghanistan, shall—*

*(A) endeavor to ensure prompt ICRC access to any individual described in subsection (a) upon receipt by such head of an ICRC request to visit the detainee, pursuant to subsection (a); or*

*(B) if access to a such individual is temporarily denied as an exceptional measure, due to reasons of imperative military necessity, as soon thereafter as practicable, consistent with Article 126 of the Geneva Convention Relative to the Treatment of Prisoners of War, done at Geneva on August 12, 1949 (6 UST 3316), but normally no later than the next regularly scheduled ICRC visit.*

*(2) PROTOCOLS AND AGREEMENTS.—Such access to the individual shall continue pursuant to ICRC protocols and agreements reached between the ICRC and the head of a military service or department with effective control over the Theater Internment Facility at Bagram Air Base, Afghanistan.*

*(c) SCOPE OF ACCESS.—The ICRC shall be provided access, in accordance with this section, to those physical localities within the Theater Internment Facility at Bagram Air Base, Afghanistan, that are determined to be relevant to the treatment of an individual described in subsection (a), including the individual's cell or room, interrogation facilities or rooms, hospital or related health care facilities or rooms, and recreation areas. The scope of access described in this subsection shall not be construed to apply to facilities other than the Theater Internment Facility at Bagram Air Base, Afghanistan.*

*(d) EXCEPTION CONSISTENT WITH THE GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR.—Consistent with Article 126 of the Geneva Convention Relative to the Treatment of Prisoners of War, access by the ICRC to a detainee as provided for in subsections (b) and (c) may be temporarily denied, as an exceptional measure, for reasons of imperative military necessity.*

*(e) CONSTRUCTION.—Nothing in this section shall be construed to—*

*(1) create or modify the authority of the United States Armed Forces, the Department of Defense, a Federal law enforcement agency, or the intelligence community to detain an individual under existing law, as of the date of the enactment of this Act; or*

*(2) limit or otherwise affect any other rights or obligations which may arise under the Geneva Conventions, other international agreements, or other laws, or to state all of the situations under which notification to and access for the ICRC is required or allowed.*

**SEC. 1040. NO MIRANDA WARNINGS FOR AL QAEDA TERRORISTS.**

*(a) NO MIRANDA WARNINGS.—*

*(1) IN GENERAL.—Absent a court order requiring the reading of such statements, no member of the Armed Forces and no official or employee of the Department of Defense or a component of the intelligence community (other than the Department of Justice) may read to a foreign national who is captured or detained outside the United States as an enemy belligerent and is in the custody or under the effective control of the Department of Defense or otherwise under detention in a Department of Defense facility the statement required by Miranda v. Arizona (384 U.S. 436 (1966)), or otherwise inform such an individual of any rights that the individual may or may not have to counsel or to remain silent consistent with Miranda v. Arizona (384 U.S. 436 (1966)).*

*(2) NONAPPLICABILITY TO DEPARTMENT OF JUSTICE.—This subsection shall not apply to the Department of Justice.*

*(3) DEFINITIONS.—In this subsection:*

*(A) The term ''foreign national'' means an individual who is not a citizen or national of the United States.*

*(B) The term ''enemy belligerent'' includes a privileged belligerent against the United States and an unprivileged enemy belligerent, as those terms are defined in section 948a of title 10, United States Code, as amended by section 1802 of this Act.*

*(b) REPORT REQUIRED ON NOTIFICATION OF DETAINEES OF RIGHTS UNDER MIRANDA V. ARIZONA.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on how the reading of rights under Miranda v. Arizona (384 U.S. 436 (1966)) to individuals detained by the United States in Afghanistan may affect—*

*(1) the tactical questioning of detainees at the point of capture by United States Armed Forces deployed in support of Operation Enduring Freedom;*

*(2) post-capture theater-level interrogations and intelligence-gathering activities conducted as part of Operation Enduring Freedom;*

*(3) the overall counterinsurgency strategy and objectives of the United States for Operation Enduring Freedom;*

*(4) United States military operations and objectives in Afghanistan; and*

*(5) potential risks to members of the Armed Forces operating in Afghanistan.*

**SEC. 1041. LIMITATION ON USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

*(a) RELEASE PROHIBITION.—During the period beginning on October 1, 2009, and ending on December 31, 2010, the Secretary of Defense may not use any of the amounts authorized to be appropriated in this Act or otherwise available to the Department of Defense to release into the United States, its territories, or possessions, any individual described in subsection (e).*

*(b) TRANSFER LIMITATION.—During the period beginning on October 1, 2009, and ending on December 31, 2010, the Secretary of Defense may not use any of the amounts authorized to be appropriated in this Act or otherwise available to the Department of Defense to transfer any individual described in subsection (e) to the United States, its territories, or possessions, until 45 days after the President has submitted to the congressional defense committees the plan described in subsection (c).*

*(c) COMPREHENSIVE PLAN REQUIRED.—The President shall submit to the congressional defense committees a plan for the disposition of each individual described in subsection (e) who is proposed to be transferred to the United States, its territories, or possessions. Such plan for each individual shall include, at a minimum—*

*(1) an assessment of the risk that the individual described in subsection (e) poses to the national security of the United States, its territories, or possessions;*

*(2) a proposal for the disposition of each such individual;*

*(3) the measures to be taken to mitigate any risks described in paragraph (1);*

*(4) the location or locations at which the individual will be held under the proposal for disposition required by paragraph (2);*

*(5) the costs associated with executing the plan, including technical and financial assistance required to be provided to State and local law enforcement agencies, if necessary, to carry out the plan;*

*(6) a summary of the consultation required in subsection (d); and*

*(7) a certification by the Attorney General that under the plan the individual poses little or no security risk to the United States, its territories, or possessions.*

*(d) CONSULTATION REQUIRED.—The President shall consult with the chief executive of the State, the District of Columbia, or the territory or possession of the United States to which the disposition in subsection (c)(2) includes transfer to that State, District of Columbia, or territory or possession.*

*(e) DETAINEES DESCRIBED.—An individual described in this subsection is any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—*

*(1) is not a citizen of the United States; and*

*(2) is—*

*(A) in the custody or under the effective control of the Department of Defense; or*

*(B) otherwise under detention at the United States Naval Station, Guantanamo Bay, Cuba.*

**SEC. 1042. ADDITIONAL SUBPOENA AUTHORITY FOR THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.**

*Section 8 of the Inspector General Act of 1978 (5 U.S.C. App. 8) is amended by adding at the end the following new subsection:*

*''(i)(1) The Inspector General of the Department of Defense is authorized to require by subpoena the attendance and testimony of witnesses as necessary in the performance of functions assigned to the Inspector General by this Act, except that the Inspector General shall use procedures other than subpoenas to obtain attendance and testimony from Federal employees.*

*''(2) A subpoena issued under this subsection, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court.*

*''(3) The Inspector General shall notify the Attorney General 7 days before issuing any subpoena under this section.''.*

**SEC. 1043. LIMITATIONS ON MODIFICATIONS OF CERTAIN GOVERNMENT FURNISHED EQUIPMENT; ONE-TIME AUTHORITY TO TRANSFER CERTAIN MILITARY PROTOTYPE.**

*(a) LIMITATION.—An article of military equipment that is an end item of a major weapon system may not be furnished or transferred to a private entity for the conduct of research, development, test and evaluation under contractual agreement with the Department of Defense, if such research, development, test, and evaluation necessitates significantly modifying the military equipment, until the senior acquisition official of a military department, or his designee, submits to the congressional defense committees certification in writing—*

*(1) that the modification of such article of military equipment is necessary to execute the contractual scope of work and there is no suitable alternative to modifying such article;*

*(2) that the research, development, test, and evaluation effort is of sufficient interest to the military department to warrant the modification of such article of military equipment;*

*(3) that—*

*(A) prior to the end of the period of performance of such a contractual agreement, the article of military equipment will be restored to its original condition; or*

*(B) it is not necessary to restore the article of military equipment to its original condition because the military department intends to dispose of the equipment or operate the equipment in its modified form.*

*(4) that the private entity has sufficient resources and capability to fully perform the contractual research, development, test, and evaluation; and*

*(5) that the military department has—*

*(A) identified the scope of future test and evaluation likely to be required prior to transition of the associated technology to a program of record; and*

*(B) a plan for the conduct of such future test and evaluation, including the anticipated roles and responsibilities of government and the private entity, as applicable.*

*(b) CERTIFICATION.—No military equipment that is an end item of a major weapons system may be transferred or furnished to a private entity for purposes of research and development as authorized under subsection (a) unless the senior officer of the military service concerned certifies to the congressional defense committees that such equipment is not essential to the defense of the United States.*

*(c) ONE-TIME AUTHORITY TO TRANSFER.—The Secretary of the Navy may transfer, to Piasecki Aircraft Corporation of Essington, Pennsylvania (in this section referred to as ''transferee''), all right, title, and interest of the United States, except as otherwise provided in this subsection, in and to Navy aircraft N40VT (Bureau Number 163283), also known as the X–49A aircraft, and associated components and test equipment, previously specified as Government-furnished equipment in contract N00019–00–C–0284. The transferee shall provide consideration for the transfer of such military equipment to the transferor of an amount not to exceed fair value, as determined, on a non-delegable basis, by the Secretary.*

*(d) APPLICABLE LAW.—The transfer or use of military equipment is subject to all applicable Federal and State laws and regulations, including, but not limited to, the Arms Export Control Act, the Export Administration Act of 1979, continued under Executive Order 12924, International Traffic in Arms Regulations (22 C.F.R. 120 et seq.), Export Administration Regulations (15 C.F.R. 730 et seq.), Foreign Assets Control Regulations (31 C.F.R. 500 et 13 seq.), and the Espionage Act.*

*(e) CONDITION OF EQUIPMENT TO BE TRANSFERRED.—*

*(1) AS-IS CONDITION.—The military equipment transferred under subsection (c) shall be transferred in its current ''as-is'' condition. The Secretary is not required to repair or alter the condition of any military equipment before transferring any interest in such equipment under subsection (c).*

*(2) SPARE PARTS OR EQUIPMENT.—The Secretary of the Navy is not required to provide spare parts or equipment as a result of the transfer authorized under subsection (c).*

*(f) TRANSFER AT NO COST TO THE UNITED STATES.—The transfer of military equipment under subsection (c) shall be made at no cost to the United States. Any costs associated with the transfer shall be borne by the transferee.*

*(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary shall require that the transfer authorized by section (c) be carried out by means of a written agreement and shall require, at a minimum, the following conditions to the transfer:*

*(1) A condition stipulating that the transfer of the X-49A aircraft is for the sole purpose of further development, test, and evaluation of vectored thrust ducted propeller (hereinafter in this section referred to as ''VTDP'') technology.*

*(2) A condition providing the Government the right to procure the VTDP technology demonstrated under this program at a discounted cost based on the value of the X-49A aircraft and associated equipment at the time of transfer, with such valuation and terms determined by the Secretary.*

*(3) A condition that the transferee not transfer any interest in, or transfer possession of, the military equipment transferred under subsection (b) to any other party without the prior written approval of the Secretary.*

*(4) A condition that if the Secretary determines at any time that the transferee has failed to comply with a condition set forth in paragraphs (1) through (3), all items referred to in subsection (b) shall be transferred back to the Navy, at no cost to the United States.*

*(5) A condition that the transferee acknowledges sole responsibility of the X-49A aircraft and associated equipment and assumes all liability for operation of the X-49A aircraft and associated equipment.*

*(h) NO LIABILITY FOR THE UNITED STATES.—Upon the transfer of military equipment under subsection (b), the United States shall not be liable for any death, injury, loss, or damage that results from the use of such military equipment by any person other than the United States.*

*(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a transfer under subsection (b) as the Secretary considers appropriate to protect the interests of the United States.*

*(j) DEFINITIONS.—In this subsection:*

*(1) The term ''major system'' has the meaning provided in section 2302 of title 10, United States Code.*

*(2) The term ''contractual agreement'' includes contracts, grants, cooperative agreements, and other transactions.*

**Subtitle E—Studies and Reports**

**SEC. 1051. REPORT ON STATUTORY COMPLIANCE OF THE REPORT ON THE 2009 QUADRENNIAL DEFENSE REVIEW.**

*(a) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the Secretary of Defense releases the report on the 2009 quadrennial defense review, the Comptroller General shall submit to the congressional defense committees and to the Secretary of Defense a report on the degree to which the report on the 2009 quadrennial defense review addresses each of the items required by subsection (d) of section 118 of title 10, United States Code.*

*(b) SECRETARY OF DEFENSE REPORT.—If the Comptroller General determines that the report on the 2009 quadrennial defense review fails to directly address items required by subsection (d)*

*of section 118 of such title, the Secretary of Defense shall submit to the congressional defense committees a report directly addressing those items not later than 30 days after the submission of the report by the Comptroller General required by paragraph (1).*

**SEC. 1052. REPORT ON THE FORCE STRUCTURE FINDINGS OF THE 2009 QUADRENNIAL DEFENSE REVIEW.**

*(a) REPORT REQUIREMENT.—Concurrent with the delivery of the report on the 2009 quadrennial defense review required by section 118 of title 10, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report with a classified annex containing—*

*(1) the analyses used to determine and support the findings on force structure required by such section; and*

*(2) a description of any changes from the previous quadrennial defense review to the minimum military requirements for major military capabilities.*

*(b) MAJOR MILITARY CAPABILITIES DEFINED.—In this section, the term ''major military capabilities'' includes any capability the Secretary determines to be a major military capability, any capability discussed in the report of the 2006 quadrennial defense review, and any capability described in paragraph (9) or (10) of section 118(d) of title 10, United States Code.*

**SEC. 1053. ANNUAL REPORT ON THE ELECTRONIC WARFARE STRATEGY OF THE DEPARTMENT OF DEFENSE.**

*(a) ANNUAL REPORT REQUIRED.—At the same time as the President submits to Congress the budget under section 1105(a) of title 31, United States Code, for each of fiscal years 2011 through 2015, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretary of each of the military departments, shall submit to the congressional defense committees an annual report on the electronic warfare strategy of the Department of Defense.*

*(b) CONTENTS OF REPORT.—Each report required under subsection (a) shall include each of the following:*

*(1) A description and overview of—*

*(A) the electronic warfare strategy of the Department of Defense;*

*(B) how such strategy supports the National Defense Strategy; and*

*(C) the organizational structure assigned to oversee the development of the Department's electronic warfare strategy, requirements, capabilities, programs, and projects.*

*(2) A list of all the electronic warfare acquisition programs and research and development projects of the Department of Defense and a description of how each program or project supports the Department's electronic warfare strategy.*

*(3) For each unclassified program or project on the list required by paragraph (2)—*

*(A) the senior acquisition executive and organization responsible for oversight of the program or project;*

*(B) whether or not validated requirements exist for the program or project and, if such requirements do exist, the date on which the requirements were validated and the organizational authority that validated such requirements;*

*(C) the total amount of funding appropriated, obligated, and forecasted by fiscal year for the program or project, including the program element or procurement line number from which the program or project receives funding;*

*(D) the development or procurement schedule for the program or project;*

*(E) an assessment of the cost, schedule, and performance of the program or project as it relates to the program baseline for the program or project, as of the date of the submission of the report, and the original program baseline for such program or project, if such baselines are not the same;*

*(F) the technology readiness level of each critical technology that is part of the program or project;*

*(G) whether or not the program or project is redundant or overlaps with the efforts of another military department; and*

*(H) the capability gap that the program or project is being developed or procured to fulfill.*

*(4) A classified annex that contains the items described in subparagraphs (A) through (H) of paragraph (3) for each classified program or project on the list required by paragraph (2).*

**SEC. 1054. STUDY ON A SYSTEM FOR CAREER DEVELOPMENT AND MANAGEMENT OF INTERAGENCY NATIONAL SECURITY PROFESSIONALS.**

*(a) STUDY REQUIRED.—*

*(1) DESIGNATION OF EXECUTIVE AGENCY.—Not later than 30 days after the date of the enactment of this Act, the President shall designate an Executive agency to commission a study of the matters described in subsection (b) by an appropriate independent, nonprofit organization. The designated Executive agency shall select the organization and commission the study not later than 90 days after the date of the enactment of this Act.*

*(2) QUALIFICATIONS OF ORGANIZATION SELECTED.—The organization selected shall be qualified on the basis of having performed related work in the fields of national security and human capital development, and on the basis of such other criteria as the head of the designated Executive agency may determine.*

*(b) MATTERS TO BE EXAMINED.—The study required by subsection (a) shall examine matters pertaining to a system for the development and management of interagency national security professionals including, at a minimum, the following:*

*(1) PROFESSIONAL DEVELOPMENT.—The skills, education, training, and professional experiences desired in interagency national security professionals at various career stages, as well as the feasibility, benefits, and costs of developing a pool of personnel necessary to enable interagency national security professionals to undertake such professional development opportunities.*

*(2) COORDINATION.—Procedures for ensuring appropriate consistency and coordination among participating Executive agencies, such as methods for identifying positions and personnel that should be included in the system, and coordination of treatment in personnel and human resource systems, including performance review and promotion policies.*

*(3) FUNDING.—Potential mechanisms for funding an interagency national security professional development program.*

*(4) MILITARY AND STATE AND LOCAL GOVERNMENT PERSONNEL.—The feasibility of integrating, coordinating, or supplementing the systems and requirements regarding experience and education for military officers with an interagency national security professional system, as well as potential means of, and benefits and drawbacks of, including State and local government organizations and personnel in the system.*

*(5) INCENTIVES TO PARTICIPATE.—Incentives and requirements that could be implemented to encourage personnel and organizations to fully participate in the system across various career levels.*

*(6) CURRENT EFFORTS.—The effectiveness of, and lessons learned from, major current efforts at developing interagency national security professionals.*

*(c) REPORT.—A report containing the findings and recommendations resulting from the study required by subsection (a), together with any views or recommendations of the President, shall be submitted to Congress not later than December 1, 2010.*

*(d) DEFINITIONS.—In this section:*

*(1) The term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code.*

*(2) The term ''employee'' has the meaning given such term by section 2105 of title 5, United States Code.*

*(3) The term ''interagency national security professional'' means an employee of an Executive agency who plans, coordinates, or participates in activities relating to the national security of the United States that require significant interaction and engagement with other Executive agencies.*

**SEC. 1055. REPORT ON NUCLEAR ASPIRATIONS OF NON-STATE ENTITIES, NUCLEAR WEAPONS AND RELATED PROGRAMS IN NON-NUCLEAR-WEAPONS STATES AND COUNTRIES NOT PARTIES TO THE NUCLEAR NON-PROLIFERATION TREATY, AND CERTAIN FOREIGN PERSONS.**

*(a) IN GENERAL.—The Director of National Intelligence shall biennially submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report—*

*(1) on the nuclear weapons programs and any related programs of countries that are non-nuclear-weapons state parties to the Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty'') and countries that are not parties to the Treaty;*

*(2) on the nuclear weapons aspirations of such non-state entities as the Director considers appropriate to include in the report; and*

*(3) that identifies each foreign person that, during the period covered by the report, made a material contribution to the research, development, production, or acquisition by a country of proliferation concern of—*

*(A) weapons of mass destruction (including nuclear weapons, chemical weapons, or biological weapons); or*

*(B) ballistic or cruise missile systems.*

*(b) ELEMENTS.—The report required under subsection (a) shall include, with respect to each country described in subsection (a)(1) and each non-state entity referred to in subsection (a)(2), the following:*

*(1) A statement of the number of nuclear weapons possessed by such country or non-state entity.*

*(2) An estimate of the total number of nuclear weapons that such country or non-state entity seeks to obtain and, in the case of such non-state entity, an assessment of the extent to which such non-state entity is seeking to develop a nuclear weapon or device or radiological dispersion device.*

*(3) A description of the technical characteristics of any nuclear weapons possessed by such country or non-state entity.*

*(4) A description of nuclear weapons designs available to such country or non-state entity.*

*(5) A description of any sources of assistance with respect to nuclear weapons design provided to or by such country or non-state entity and, in the case of assistance provided by such country or non-state entity, a description of to whom such assistance was provided.*

*(6) An assessment of the annual capability of such country and non-state entity to produce new or newly designed nuclear weapons.*

*(7) A description of the type of fissile materials used in any nuclear weapons possessed by such country or non-state entity.*

*(8) An description of the location and production capability of any fissile materials production facilities in such country or controlled by such non-state entity, the current status of any such facilities, and any plans by such country or non-state entity to develop such facilities.*

*(9) An identification of the source of any fissile materials used by such country or non-state entity, if such materials are not produced in facilities referred to in paragraph (8).*

*(10) An assessment of the intentions of such country or non-state entity to leverage civilian*

*nuclear capabilities for a nuclear weapons program.*

*(11) A description of any delivery systems available to such country or non-state entity and an assessment of whether nuclear warheads have been mated, or there are plans for such warheads to be mated, to any such delivery system.*

*(12) An assessment of the physical security of the storage facilities for nuclear weapons in such country or controlled by such non-state entity.*

*(13) An assessment of whether such country is modernizing or otherwise improving the safety, security, and reliability of the nuclear weapons stockpile of such country.*

*(14) An assessment of the industrial capability and capacity of such country or non-state entity to produce nuclear weapons.*

*(15) In the case of a country, an assessment of the policy of such country on the employment and use of nuclear weapons.*

*(c) REFERENCES TO OTHER REPORTS.—Each report submitted under subsection (a) shall include a copy of any other report that is incorporated by reference into the report submitted under subsection (a).*

*(d) UNCLASSIFIED SUMMARY.—Each report submitted under subsection (a) shall include an unclassified summary of such report.*

*(e) SUBMITTAL TO CONGRESS.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), the Director of National Intelligence shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives the first report required under subsection (a) by not later than September 1, 2010.*

*(2) NOTIFICATION OF DELAY IN SUBMITTAL.—If the Director of National Intelligence determines that it will not be possible for the Director to submit the first report required under subsection (a) by September 1, 2010, the Director shall, not later than August 1, 2010, submit to the committees specified in paragraph (1) a notice—*

*(A) that such report will not be submitted by September 1, 2010; and*

*(B) setting forth the date by which the Director will submit such report.*

*(f) CONFORMING AMENDMENT.—Section 722 of the Combating Proliferation of Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2369) is repealed.*

*(g) DEFINITIONS.—In this section:*

*(1) FOREIGN PERSON.—The term ''foreign person'' means any of the following:*

*(A) A natural person who is not a citizen of the United States.*

*(B) A corporation, business association, partnership, society, trust, or other nongovernmental entity, organization, or group that is organized under the laws of a foreign country or has its principal place of business in a foreign country.*

*(C) Any foreign government or foreign governmental entity operating as a business enterprise or in any other capacity.*

*(D) Any successor, subunit, or subsidiary of any entity described in subparagraph (B) or (C).*

*(2) COUNTRY OF PROLIFERATION CONCERN.—The term ''country of proliferation concern'' means any country identified by the Director of Central Intelligence as having engaged in the acquisition of dual-use and other technology useful for the development or production of weapons of mass destruction (including nuclear weapons, chemical weapons, and biological weapons) or advanced conventional munitions—*

*(A) in the most recent report under section 721 of the Combating Proliferation of Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2366); or*

*(B) in any successor report on the acquisition by foreign countries of dual-use and other technology useful for the development or production of weapons of mass destruction.*

***SEC. 1056. COMPTROLLER GENERAL REVIEW OF DEPARTMENT OF DEFENSE SPENDING IN FINAL FISCAL QUARTERS.***

*(a) REVIEW OF SPENDING BY THE COMPTROLLER GENERAL.—The Comptroller General shall conduct a review of obligations incurred by the Department of Defense in the final quarter each covered fiscal year, as compared to the obligations so incurred in the first three quarters of that fiscal year, to determine if policies with respect to financial execution by the Department contribute to hastened year-end spending and poor use or waste of taxpayer dollars. Such review shall include both one-year and multi-year appropriations for each covered fiscal year.*

*(b) COVERED FISCAL YEARS.—For purposes of this section, a covered fiscal year is fiscal year 2006, 2007, 2008, or 2009.*

*(c) REPORT.—Not later than March 31, 2010, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—*

*(1) the results of the review conducted under subsection (a); and*

*(2) any recommendations of the Comptroller General with respect to improving the policies pursuant to which amounts appropriated to the Department of Defense are obligated and expended in the final quarter of a fiscal year.*

***SEC. 1057. REPORT ON AIR AMERICA.***

*(a) DEFINITIONS.—In this section:*

*(1) AIR AMERICA.—The term ''Air America'' means Air America, Incorporated.*

*(2) ASSOCIATED COMPANY.—The term ''associated company'' means any entity associated with, predecessor to, or subsidiary to Air America, including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport, during the period when such an entity was owned and controlled by the United States Government.*

*(b) REPORT ON RETIREMENT BENEFITS FOR FORMER EMPLOYEES OF AIR AMERICA.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the advisability of providing Federal retirement benefits to United States citizens for the service of such citizens prior to 1977 as employees of Air America or an associated company during a period when Air America or the associated company was owned or controlled by the United States Government and operated or managed by the Central Intelligence Agency.*

*(2) REPORT ELEMENTS.—The report required by paragraph (1) shall include the following:*

*(A) The history of Air America and the associated companies prior to 1977, including a description of—*

*(i) the relationship between Air America and the associated companies and the Central Intelligence Agency or any other element of the United States Government;*

*(ii) the workforce of Air America and the associated companies;*

*(iii) the missions performed by Air America, the associated companies, and their employees for the United States; and*

*(iv) the casualties suffered by employees of Air America and the associated companies in the course of their employment.*

*(B) A description of—*

*(i) the retirement benefits contracted for or promised to the employees of Air America and the associated companies prior to 1977;*

*(ii) the contributions made by such employees for such benefits;*

*(iii) the retirement benefits actually paid such employees;*

*(iv) the entitlement of such employees to the payment of future retirement benefits; and*

*(v) the likelihood that such employees will receive any future retirement benefits.*

*(C) An assessment of the difference between—*

*(i) the retirement benefits that former employees of Air America and the associated companies have received or will receive by virtue of their employment with Air America and the associated companies; and*

*(ii) the retirement benefits that such employees would have received or be eligible to receive if such employment was deemed to be employment by the United States Government and their service during such employment was credited as Federal service for the purpose of Federal retirement benefits.*

*(D)(i) Any recommendations regarding the advisability of legislative action to treat such employment as Federal service for the purpose of Federal retirement benefits in light of the relationship between Air America and the associated companies and the United States Government and the services and sacrifices of such employees to and for the United States.*

*(ii) If legislative action is considered advisable under clause (i), a proposal for such action and an assessment of its costs.*

*(E) The opinions of the Director of the Central Intelligence Agency, if any, on any matters covered by the report that the Director of the Central Intelligence Agency considers appropriate.*

*(3) ASSISTANCE OF COMPTROLLER GENERAL.—The Comptroller General of the United States shall, upon the request of the Director of National Intelligence and in a manner consistent with the protection of classified information, assist the Director in the preparation of the report required by paragraph (1).*

*(4) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.*

***SEC. 1058. REPORT ON DEFENSE TRAVEL SIMPLIFICATION.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a comprehensive plan to simplify Department of Defense travel procedures.*

*(b) ELEMENTS.—The report required under subsection (a) shall include the following:*

*(1) A comprehensive discussion of aspects of the Department of Defense travel procedures that are most confusing, inefficient, and in need of revision.*

*(2) A critical review of opportunities to streamline and simplify defense travel policies and to reduce travel-related costs to the Department of Defense.*

*(3) A discussion of any actions to incorporate permanent duty travel that are being undertaken by the Secretary of Defense as of the date of the enactment of this Act.*

*(4) A plan to gather data on the number of manual temporary duty vouchers processed by the Department of Defense.*

*(5) Options to leverage industry capabilities and technologies that could enhance management responsiveness to changing markets.*

*(6) A discussion of pilot programs that the Secretary of Defense could carry out to demonstrate the merit of improvements identified pursuant to preparing the report required by this section, including a discussion of—*

*(A) recommendations for legislative authority; and*

*(B) how the systems developed for purposes of such a pilot program would interact with the automated Defense Travel System in effect as of the date of the enactment of this Act.*

*(7) Such recommendations and an implementation plan for legislative or administrative action as the Secretary of Defense considers appropriate to improve defense travel.*

***SEC. 1059. REPORT ON MODELING AND SIMULATION TECHNOLOGICAL AND INDUSTRIAL BASE.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, working through the Director for Defense Research and Engineering, the Deputy Under Secretary of Defense for Industrial Policy, the Commander of the United*

*States Joint Forces Command, and other appropriate organizations, shall submit to the congressional defense committees a report that describes current and planned efforts to support and enhance the defense modeling and simulation technological and industrial base, including in academia, industry, and government.*

*(b) ELEMENTS.—The report required under subsection (a) shall include the following:*

*(1) An assessment of the current and future domestic defense modeling and simulation technological and industrial base and its ability to meet current and future defense requirements.*

*(2) A description of current and planned programs and activities of the Department of Defense to enhance the ability of the domestic defense modeling and simulation technological and industrial base to meet current and future defense requirements.*

*(3) A description of current and planned Department of Defense activities in cooperation with Federal, State, and local government organizations that promote the enhancement of the ability of the domestic defense modeling and simulation technological and industrial base to meet current and future defense requirements.*

*(4) A comparative assessment of current and future global modeling and simulation capabilities relative to those of the United States in areas related to defense applications of modeling and simulation.*

*(5) An identification of additional authorities or resources related to technology transfer, establishment of public-private partnerships, coordination with regional, State, or local initiatives, or other activities that would be required to enhance efforts to support the domestic defense modeling and simulation technological and industrial base.*

*(6) Other matters as determined appropriate by the Secretary.*

***SEC. 1060. REPORT ON ENABLING CAPABILITIES FOR SPECIAL OPERATIONS FORCES.***

*(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Commander of the United States Special Operations Command, jointly with the commanders of the combatant commands and the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff a report on the availability of enabling capabilities to support special operations forces requirements.*

*(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:*

*(1) An identification of the requirements for enabling capabilities for conventional forces and special operations forces globally, including current and projected needs in Iraq, Afghanistan, and other theaters of operation.*

*(2) A description of the processes used to prioritize and allocate enabling capabilities to meet the mission requirements of conventional forces and special operations forces.*

*(3) An identification and description of any shortfalls in enabling capabilities for special operations forces by function, region, and quantity, as determined by the Commander of the United States Special Operations Command and the commanders of the geographic combatant commands.*

*(4) An assessment of the current inventory of these enabling capabilities within the military departments and components and the United States Special Operations Command.*

*(5) An assessment of whether there is a need to create additional enabling capabilities by function and quantity.*

*(6) An assessment of the merits of creating additional enabling units, by type and quantity—*

*(A) within the military departments; and*

*(B) within the United States Special Operations Command.*

*(7) Recommendations for meeting the current and future enabling force requirements of the United States Special Operations Command, including an assessment of the increases in endstrength, equipment, funding, and military construction that would be required to support these recommendations.*

*(8) Any other matters the Commander of the United States Special Operations Command, the commanders of the combatant commands, and the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps consider useful and relevant.*

*(c) REPORT TO CONGRESS.—Not later than 30 days after receiving the report required under subsection (a), the Secretary of Defense shall forward the report to the congressional defense committees with any additional comments the Secretary considers appropriate.*

***SEC. 1061. ADDITIONAL MEMBERS AND DUTIES FOR THE INDEPENDENT PANEL TO ASSESS THE QUADRENNIAL DEFENSE REVIEW.***

*(a) ADDITIONAL MEMBERS.—*

*(1) IN GENERAL.—For purposes of conducting the assessment of the 2009 quadrennial defense review under section 118 of title 10, United States Code (in this section referred to as the ''2009 QDR''), the independent panel established under subsection (f) of such section (in this section referred to as the ''Panel'') shall include eight additional members as follows:*

*(A) Two appointed by the chairman of the Committee on Armed Services of the House of Representatives.*

*(B) Two appointed by the chairman of the Committee on Armed Services of the Senate.*

*(C) Two appointed by the ranking member of the Committee on Armed Services of the House of Representatives.*

*(D) Two appointed by the ranking member of the Committee on Armed Services of the Senate.*

*(2) PERIOD OF APPOINTMENT; VACANCIES.—Members of the Panel appointed under paragraph (1) shall be appointed for the life of the Panel. Any vacancy in an appointment to the Panel under paragraph (1) shall be filled in the same manner as the original appointment.*

*(b) ADDITIONAL DUTIES.—In addition to the duties of the Panel under section 118(f) of title 10, United States Code, the Panel shall, with respect to the 2009 QDR—*

*(1) review the Secretary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on the 2009 QDR;*

*(2) conduct an assessment of the assumptions, strategy, findings, and risks in the report of the Secretary of Defense on the 2009 QDR, with particular attention paid to the risks described in that report;*

*(3) conduct an independent assessment of a variety of possible force structures for the Armed Forces, including the force structure identified in the report of the Secretary of Defense on the 2009 QDR; and*

*(4) review the resource requirements identified in the 2009 QDR pursuant to section 118(b)(3) of title 10, United States Code, and, to the extent practicable, make a general comparison of such resource requirements with the resource requirements to support the forces contemplated under the force structures assessed under paragraph (3).*

*(c) REPORTS.—*

*(1) INITIAL REPORT OF PANEL.—The report on the 2009 QDR that is submitted to Congress pursuant to section 118(f)(2) of title 10, United States Code, shall include, in addition to any other matters required by such section, the interim findings of the Panel with respect to the matters specified in subsection (b).*

*(2) FINAL REPORT OF PANEL.—Not later than July 15, 2010, the Panel shall submit to the Secretary of Defense, and to the congressional defense committees, the final report of the Panel on the matters specified in subsection (b). The report shall include such recommendations on such matters as the Panel considers appropriate.*

*(3) REPORT OF SECRETARY OF DEFENSE.—Not later than August 15, 2010, the Secretary of Defense shall, after consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth the Secretary's response to the final report of the Panel under paragraph (2).*

*(d) TERMINATION OF PANEL.—The Panel shall terminate 45 days after the date on which the Panel submits its final report under subsection (c)(2).*

***SEC. 1062. CONGRESSIONAL EARMARKS RELATING TO THE DEPARTMENT OF DEFENSE.***

*(a) REPORT ON RECURRING EARMARKS.—*

*(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding covered earmarks.*

*(2) ELEMENTS.—The report required by paragraph (1) shall include the following:*

*(A) An identification of each covered earmark that has been included in a national defense authorization Act for three or more consecutive fiscal years as of the date of the enactment of this Act.*

*(B) A description of the extent to which competitive or merit-based procedures were used to award funding, or to enter into a contract, grant, or other agreement, pursuant to each covered earmark.*

*(C) An identification of the specific contracting vehicle used for each covered earmark.*

*(D) In the case of any covered earmark for which competitive or merit-based procedures were not used to award funding, or to enter into the contract, grant, or other agreement, a statement of the reasons competitive or merit-based procedures were not used.*

*(b) DOD INSPECTOR GENERAL AUDIT OF CONGRESSIONAL EARMARKS.—The Inspector General of the Department of Defense shall conduct an audit of contracts, grants, or other agreements pursuant to congressional earmarks of Department of Defense funds to determine whether or not the recipients of such earmarks are complying with requirements of Federal law on the use of appropriated funds to influence, whether directly or indirectly, congressional action on any legislation or appropriation matter pending before Congress.*

*(c) DEFINITIONS.—In this section:*

*(1) The term ''congressional earmark'' means any congressionally directed spending item (Senate) or congressional earmark (House of Representatives) on a list published in compliance with rule XLIV of the Standing Rules of the Senate or rule XXI of the Rules of the House of Representatives.*

*(2) The term ''covered earmark'' means any congressional earmark identified in the joint explanatory statement to accompany the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) that was printed in the Congressional Record on September 23, 2008.*

*(3) The term ''national defense authorization Act'' means an Act authorizing funds for a fiscal year for the military activities of the Department of Defense, and for other purposes.*

***SEC. 1063. REPORT ON BASING PLANS FOR CERTAIN UNITED STATES GEOGRAPHIC COMBATANT COMMANDS.***

*(a) REPORT REQUIREMENT.—Concurrent with the delivery of the report on the 2009 quadrennial defense review required by section 118 of title 10, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the plan for basing of forces outside the United States.*

*(b) MATTERS COVERED.—The report required under subsection (a) shall contain a description of—*

*(1) how the plan supports the United States national security strategy;*

*(2) how the plan supports the security commitments undertaken by the United States pursuant to any international security treaty, including the North Atlantic Treaty, the Treaty of*

*Mutual Cooperation and Security between the United States and Japan, and the Security Treaty Between Australia, New Zealand, and the United States of America;*

*(3) how the plan addresses the current security environment in each geographic combatant command's area of responsibility, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises;*

*(4) the impact that a permanent change in the basing of a unit currently stationed outside the United States would have on the matters described in paragraphs (1) through (3);*

*(5) the impact the plan will have on the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy and the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations of the global defense posture of the United States;*

*(6) any recommendations for additional closures or realignments of military installations outside of the United States; and*

*(7) any comments resulting from an interagency review of the plan that includes the Department of State and other relevant Federal departments and agencies.*

*(c) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify Congress at least 30 days before the permanent relocation of a unit stationed outside the United States as of the date of the enactment of this Act.*

*(d) DEFINITIONS.—In this section:*

*(1) UNIT.—The term ''unit'' has the meaning determined by the Secretary of Defense for purposes of this section.*

*(2) GEOGRAPHIC COMBATANT COMMAND.—For purposes of this section, the term ''geographic combatant command'' means a combatant command with a geographic area of responsibility that does not include North America.*

***Subtitle F—Other Matters***

***SEC. 1071. EXTENSION OF CERTAIN AUTHORITY FOR MAKING REWARDS FOR COMBATING TERRORISM.***

*Section 127b(c)(3)(C) of title 10, United States Code, is amended by striking ''2009'' and inserting ''2010''.*

***SEC. 1072. BUSINESS PROCESS REENGINEERING.***

*(a) NEW PROGRAMS.—Section 2222 of title 10, United States Code, is amended—*

*(1) in subsection (a)—*

*(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;*

*(B) by inserting before paragraph (2), as redesignated by subparagraph (A) of this subsection, the following new paragraph (1):*

*''(1) the appropriate chief management officer for the defense business system modernization has determined whether or not—*

*''(A) the defense business system modernization is in compliance with the enterprise architecture developed under subsection (c); and*

*''(B) appropriate business process reengineering efforts have been undertaken to ensure that—*

*''(i) the business process to be supported by the defense business system modernization will be as streamlined and efficient as practicable; and*

*''(ii) the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique interfaces has been eliminated or reduced to the maximum extent practicable;'';*

*(C) in paragraph (2), as redesignated by subparagraph (A) of this subsection, by striking subparagraph (A) and inserting the following new subparagraph (A):*

*''(A) has been determined by the appropriate chief management officer to be in compliance with the requirements of paragraph (1);'';* and

*(D) in paragraph (3), as redesignated by subparagraph (A) of this paragraph, by striking ''the certification by the approval authority is'' and inserting ''the certification by the approval authority and the determination by the chief management officer are''; and*

*(2) in subsection (f)—*

*(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;*

*(B) by inserting ''(1)'' before ''The Secretary of Defense'';*

*(C) in subparagraph (E) of paragraph (1), as designated by this paragraph, by striking ''paragraphs (1) through (4)'' and inserting ''subparagraphs (A) through (D)''; and*

*(D) by adding at the end the following new paragraph (2):*

*''(2) For purposes of subsection (a), the appropriate chief management officer for a defense business system modernization is as follows:*

*''(A) In the case of an Army program, the Chief Management Officer of the Army.*

*''(B) In the case of a Navy program, the Chief Management Officer of the Navy.*

*''(C) In the case of an Air Force program, the Chief Management Officer of the Air Force.*

*''(D) In the case of a program of a Defense Agency, the Deputy Chief Management Officer of the Department of Defense.*

*''(E) In the case of a program that will support the business processes of more than one military department or Defense Agency, the Deputy Chief Management Officer of the Department of Defense.''.*

*(b) ONGOING PROGRAMS.—*

*(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the appropriate chief management officer for each defense business system modernization approved by the Defense Business Systems Management Committee before the date of the enactment of this Act that will have a total cost in excess of $100,000,000 shall review such defense business system modernization to determine whether or not appropriate business process reengineering efforts have been undertaken to ensure that—*

*(A) the business process to be supported by such defense business system modernization will be as streamlined and efficient as practicable; and*

*(B) the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique interfaces has been eliminated or reduced to the maximum extent practicable.*

*(2) ACTION ON FINDING OF LACK OF REENGINEERING EFFORTS.—If the appropriate chief management officer determines that appropriate business process reengineering efforts have not been undertaken with regard to a defense business system modernization as described in paragraph (1), that chief management officer—*

*(A) shall develop a plan to undertake business process reengineering efforts with respect to the defense business system modernization; and*

*(B) may direct that the defense business system modernization be restructured or terminated, if necessary to meet the requirements of paragraph (1).*

*(3) DEFINITIONS.—In this subsection:*

*(A) The term ''appropriate chief management officer'', with respect to a defense business system modernization, has the meaning given that term in paragraph (2) of subsection (f) of section 2222 of title 10, United States Code (as amended by subsection (a)(2) of this section).*

*(B) The term ''defense business system modernization'' has the meaning given that term in subsection (j)(3) of section 2222 of title 10, United States Code.*

***SEC. 1073. TECHNICAL AND CLERICAL AMENDMENTS.***

*(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:*

*(1) The table of chapters at the beginning of subtitle A is amended—*

*(A) in the item relating to chapter 81, by striking ''1581'' and inserting ''1580''; and*

*(B) in the item relating to chapter 152, by striking ''2541'' and inserting ''2551''.*

*(2) Section 118(g) is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008'' in paragraphs (1) and (2) and inserting ''January 28, 2008,''.*

*(3) Section 184(b)(3) is amended by striking ''the date of the enactment of this section'' and inserting ''October 17, 2006''.*

*(4) Section 438 at the end of subchapter I of chapter 21 is redesignated as section 428.*

*(5) The item relating to section 438 in the table of sections at the beginning of subchapter I of chapter 21 is redesignated as section 428.*

*(6) Section 490(b)(1) is amended by striking ''180 days after date of the enactment of this section, and every even-numbered year thereafter'' and inserting ''July 28 of every even-numbered year''.*

*(7) The table of chapters at the beginning of part II of subtitle A is amended by striking ''1581'' in the item relating to chapter 81 and inserting ''1580''.*

*(8) Section 992(b)(4) is amended by striking the period after ''under this section''.*

*(9) Section 1074f(f)(3) is amended by striking ''continency'' and inserting ''contingency''.*

*(10) Section 1074g(f) is amended by striking ''on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008'' and inserting ''after January 28, 2008''.*

*(11) The section heading for section 1076d is amended by striking ''**standard**'' and inserting ''**Standard**''.*

*(12) Section 1079(f)(2)(B) is amended by striking the period after ''year''.*

*(13) Section 1142(b) is amended—*

*(A) in paragraph (4)(C), by striking ''the Troops-to-Teachers Program Act of 1999 (20 U.S.C. 9301 et seq.)'' and inserting ''the Troops-to-Teachers Program under section 2302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672)''; and*

*(B) in paragraph (15), by striking ''federal'' both places it appears and inserting ''Federal''.*

*(14) Section 1175a(h)(1) is amended by striking ''qualities'' and inserting ''qualifies''.*

*(15) Section 1408(h)(2) is amended by striking ''and'' at the end of subparagraph (A).*

*(16) The heading of section 1567 is amended to read as follows:*

***''§ 1567. Duration of military protective orders''.***

*(17) The heading of section 1567a is amended to read as follows:*

***''§ 1567a. Mandatory notification of issuance of military protective order to civilian law enforcement''.***

*(18) Section 2004a is amended—*

*(A) in subsection (b)(1), by striking ''pay grade 0-3'' and inserting ''pay grade O-3''; and*

*(B) in subsection (i), by adding a period at the end.*

*(19) Section 2127(e) is amended by striking ''of'' after ''an annual grant''.*

*(20) Section 2200a(e)(1) is amended by striking ''section (b)'' and inserting ''subsection (b)''.*

*(21) The table of chapters at the beginning of part IV of subtitle A is amended by striking ''2541'' in the item relating to chapter 152 and inserting ''2551''.*

*(22) Section 2306c(h) is amended by striking ''section 2801(c)(2)'' and inserting ''section 2801(c)(4)''.*

*(23) Section 2333 is amended—*

*(A) in subsection (d)(1)(D)(ii), by striking ''indefinite delivery indefinite quantity'' and inserting ''indefinite delivery-indefinite quantity'';*

*(B) in subsection (d)(2), by striking ''this Act'' and inserting ''the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2388)''; and*

*(C) in subsection (f)(3), by striking ''section 101(13)'' and inserting ''section 101(a)(13)''.*

*(24) Section 2401(f)(2) is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006'' and inserting ''January 6, 2006''.*

*(25) Section 2461(c)(3)(A) is amended by striking ''public private competition'' both places it appears in the first sentence and inserting ''public-private competition''.*

*(26) Section 2667(g)(1) is amended by striking ''law,'' and all that follows through ''may'' and inserting ''law, the Secretary concerned may''.*

*(27) Section 2684a(g)(2) is amended by striking ''the following the following'' and inserting ''the following''.*

*(28) Section 2701(d)(5) is amended by striking ''6920)'' and inserting ''9620)''.*

*(29) Sections 4348(f), 6959(f), and 9348(f) are amended by striking ''section (a)'' and inserting ''subsection (a)''.*

*(30) The item relating to section 7317 in the table of sections at the beginning of chapter 633 is amended by inserting a period after ''thereof''.*

*(31) Section 7306b(b)(1) is amended by striking ''1802(14))'' and inserting ''1802(14)))''.*

*(32) The item relating to section 9515 in the table of sections at the beginning of chapter 941 is transferred to appear after the item relating to section 9514 in the table of sections at the beginning of chapter 931.*

*(33) The item relating to chapter 1409 in the table of chapters at the beginning of subtitle E is amended by striking ''Reserve-Active Status List'' and inserting ''Reserve Active-Status List''.*

*(34) Section 12310(c)(1)(A) is amended by striking ''section 12304(i)(2) of this title'' and inserting ''section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1))''.*

*(35) Section 12731(f)(2)(A) is amended by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008'' and inserting ''January 28, 2008''.*

*(36) Section 16163(e)(1) is amended by striking ''programs'' and inserting ''program''.*

*(b) TITLE 37, UNITED STATES CODE.—Section 308(a)(2)(A)(ii) of title 37, United States Code, is amended by striking the comma before the period at the end.*

*(c) DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Effective as of October 14, 2008, and as if included therein as enacted, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is amended as follows:*

*(1) Section 314(a) (122 Stat. 4410; 10 U.S.C. 2710 note) is amended by striking ''Secretary'' and inserting ''Secretary of Defense''.*

*(2) Section 523(1) (122 Stat. 4446) is amended by striking ''serving or'' and inserting ''serving in or''.*

*(3) Section 616 (122 Stat. 4486) is amended by striking ''of title'' in subsections (b) and (c) and inserting ''of such title''.*

*(4) Section 811(c)(6)(A)(iv)(I) (122 Stat. 4524) is amended by striking ''after of 'the program'' and inserting ''after 'of the program' ''.*

*(5) Section 813(d)(3) (122 Stat. 4527) is amended by striking ''each of subsections (c)(2)(A) and (d)(2)'' and inserting ''subsection (c)(2)(A)''.*

*(6) Section 834(a)(2) (122 Stat. 4537) is amended by inserting ''subchapter II of'' before ''chapter 87''.*

*(7) Section 855 (122 Stat. 4545) is repealed.*

*(8) Section 921(1) (122 Stat. 4573) is amended by striking ''subsections (f) and (g) as subsections (g) and (h)'' and inserting ''subsections (f), (g), and (h) as subsections (g), (h), and (i)''.*

*(9) Section 931(b)(5) (122 Stat. 4575) is amended—*

*(A) by striking ''Section 201(e)(2)'' and inserting ''Section 201(f)(2)(E)''; and*

*(B) by striking ''(6 U.S.C. 121(e)(2))'' and inserting ''(6 U.S.C. 121(f)(2)(E))''.*

*(10) Section 932 (122 Stat. 4576) is repealed.*

*(11) Section 1059 (122 Stat. 4611) is amended by striking ''Act of'' and inserting ''Act for''.*

*(12) Section 1061(b)(3) (122 Stat. 4613) is amended by striking ''103'' and inserting ''188''.*

*(13) Section 2104(b) (122 Stat. 4664) is amended in the matter preceding paragraph (1) by striking ''section 2401'' and inserting ''section 2101''.*

*(14) Section 3508(b) (122 Stat. 4769) is amended to read as follows:*

*''(b) CONFORMING AMENDMENT.—The chapter 541 of title 46, United States Code, as inserted and amended by the amendments made by subparagraphs (A) through (D) of section 3523(a)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 599), is repealed.''.*

*(15) Section 3511(d) (122 Stat. 4770) is amended by inserting before the period the following: '', and by striking 'CALENDAR' and inserting 'FISCAL' in the heading for paragraph (2)''.*

*(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—Section 1107(e)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public 110–181; 10 U.S.C. 2358 note) is amended by striking ''Not later than'' and all that follows through ''subsection is submitted,'' and inserting ''Not later than November 29, 2008, and not later than March 1 of each year thereafter,''.*

***SEC. 1074. EXTENSION OF SUNSET FOR CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.***

*Section 1062(g) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319) is amended by striking ''September 30, 2009'' and inserting ''December 31, 2009''.*

***SEC. 1075. COMBAT AIR FORCES RESTRUCTURING.***

*(a) LIMITATIONS RELATING TO LEGACY AIRCRAFT.—Until the expiration of the 30-day period beginning on the date the Secretary of the Air Force submits a report in accordance with subsection (b), the following provisions apply:*

*(1) PROHIBITION ON RETIREMENT OF AIRCRAFT.—The Secretary of the Air Force may not retire any fighter aircraft pursuant to the Combat Air Forces restructuring plan announced by the Secretary on May 18, 2009.*

*(2) PROHIBITION ON PERSONNEL REASSIGNMENTS.—The Secretary of the Air Force may not reassign any Air Force personnel (whether on active duty or a member of a reserve component, including the National Guard) associated with such restructuring plan.*

*(b) REPORT.—The report under subsection (a) shall be submitted to the Committees on Armed Services of the House of Representatives and the Senate and shall include the following information:*

*(1) A detailed plan of how the force structure and capability gaps resulting from the retirement actions will be addressed.*

*(2) An explanation of the assessment conducted of the current threat environment and current capabilities.*

*(3) A description of the follow-on mission assignments for each affected base.*

*(4) An explanation of the criteria used for selecting the affected bases and the particular fighters chosen for retirement.*

*(5) A description of the environmental analyses being conducted.*

*(6) An identification of the reassignment and manpower authorizations necessary for the Air Force personnel (both active duty and reserve component) affected by the retirements if such retirements are accomplished.*

*(7) A description of the funding needed in fiscal years 2010 through 2015 to cover operation and maintenance costs, personnel, and aircraft procurement, if the restructuring plan is not carried out.*

*(8) An estimate of the cost avoidance should the restructuring plan more forward and a description of how such funds would be invested during the future-years defense plan to ensure the remaining fighter force achieves the desired service life and is sufficiently modernized to outpace the threat.*

*(c) EXCEPTION FOR CERTAIN AIRCRAFT.—The prohibition in subsection (a)(1) shall not apply to the five fighter aircraft scheduled for retirement in fiscal year 2010, as announced when the budget for fiscal year 2009 was submitted to Congress.*

***SEC. 1076. SENSE OF CONGRESS REGARDING CARRIER AIR WING FORCE STRUCTURE.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) Section 5062(b) of title 10, United States Code, requires the Department of the Navy to maintain not less than 11 operational aircraft carriers.*

*(2) In repeated testimony before Congress, the Navy has pledged its long-term commitment to naval combat forces that include 11 operational aircraft carriers and 10 carrier air wings, composed of 44 strike-fighter aircraft per wing.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) in addition to the forces described in section 5062(b) of title 10, United States Code, the Navy should meet its current requirement for 10 carrier air wings (even if the number of aircraft carriers is temporarily reduced) that are comprised of not less than 44 strike-fighter aircraft, in addition to any other aircraft associated with the air wing; and*

*(2) the Congress and the Secretary of the Navy should take all appropriate actions necessary to achieve the current requirement for such carrier air wings until such time that modifications to the carrier air wing force structure are warranted and the Secretary of the Navy provides Congress with a justification of any proposed modifications, supported by rigorous and sufficient warfighting analysis.*

***SEC. 1077. DEPARTMENT OF VETERANS AFFAIRS USE OF SERVICE DOGS FOR THE TREATMENT OR REHABILITATION OF VETERANS WITH PHYSICAL OR MENTAL INJURIES OR DISABILITIES.***

*(a) PROGRAM REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a three-year study to assess the benefits, feasibility, and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities, including post-traumatic stress disorder.*

*(b) PARTNERSHIPS.—*

*(1) IN GENERAL.—The Secretary shall carry out the study by partnering with nonprofit 501(c)(3) organizations that—*

*(A) would not charge veterans who participate in the study fees for the dogs, services, or lodging that they provide; and*

*(B) are accredited by, or adhere to standards comparable to those of, an accrediting organization with demonstrated experience, national scope, and recognized leadership and expertise in the training of service dogs and education in the use of service dogs.*

*(2) REIMBURSEMENT OF COSTS.—The Secretary shall reimburse partners $10,000 for each dog provided to a veteran who enrolls in the study and successfully completes a training program offered by one of the partners.*

*(c) PARTICIPATION.—*

*(1) IN GENERAL.—As part of the study, the Secretary shall, subject to paragraph (2), arrange for the provision of a service dog to the greater of the following:*

*(A) 200 veterans.*

*(B) A sufficient number of such veterans to produce scientifically valid results with respect to assessing the benefits and costs of the use of such dogs for the treatment or rehabilitation of such veterans.*

*(2) NUMBER OF VETERANS.—The Department of Veterans Affairs may provide dogs to fewer than 200 veterans if, despite its sustained and repeated efforts, it is unable to recruit 200 veterans to participate in the study referred to in subsection (d).*

*(3) ELIGIBLE VETERANS.—A veteran is eligible to enroll and participate in the study on an ongoing basis if:*

*(A) The veteran has physical disabilities (other than blindness or hearing impairment) or mental injuries or disabilities.*

*(B) A Department of Veterans Affairs provider determines, based on clinical evaluation of efficacy, that the veteran is an appropriate candidate for the study and may potentially benefit from a service dog.*

*(C) The veteran agrees to successfully complete a training program arranged by the Department of Veterans Affairs and offered by a nonprofit 501(c)(3) organization that is accredited by, or adheres to standards comparable to those of, an accrediting organization with demonstrated experience, national scope, and recognized leadership and expertise in the training of service dogs and education in the use of service dogs.*

*(4) COMPOSITION.—The Secretary shall ensure that at least half of the participants in the study are veterans who suffer primarily from a mental health injury or disability.*

*(5) AUTHORIZED BENEFITS.—The Department of Veterans Affairs will provide to a veteran participating in this study:*

*(A) Veterinary treatment to maintain the health of the dog and keep it functioning in its prescribed role.*

*(B) Hardware required by the dog to perform its tasks, and repairs to such hardware.*

*(C) Payments and allowances for travel incurred in becoming adjusted to the service dogs, to be paid in the same manner that payments and allowances are authorized under section 111 of title 38, United States Code, and its implementing regulations.*

*(6) ADDITIONAL BENEFIT FOR ASSOCIATED EXPENSES.—As an incentive for participation in the study, veterans participating in the study will receive from the Department of Veterans Affairs a monthly payment of $75 to offset costs associated with the dog in addition to those identified in paragraph (5), such as services not prescribed or performed by a veterinarian, including but not limited to, license tags (if required), food, grooming, nail trimming, boarding, and over-the-counter medications.*

*(7) OPTION FOR OWNERSHIP OF, AND RESPONSIBILITY FOR, THE DOG AFTER THE COMPLETION OF THE STUDY.—At the end of the study the veteran will have the option of ownership of the dog. If the veteran does not wish to retain the dog, the 501(c)(3) organization that provided the dog will be responsible for caring for or appropriately placing the dog. In any case after completion of the study, or if and when the veteran chooses to not participate in the study until completion, further responsibility by the Department of Veterans Affairs for any benefits in this provision will cease. Further, the Department of Veterans Affairs' liability related to the dog will cease.*

*(d) STUDY.—The Secretary shall conduct a scientifically valid research study of the costs and benefits associated with the use of service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities. The matters studied shall include the following:*

*(1) The therapeutic benefits to such veterans, including the quality of life benefits reported by the veterans partaking in the study.*

*(2) The economic benefits of using service dogs for the treatment or rehabilitation of such veterans, including—*

*(A) savings on health care costs, including savings related to reductions in hospitalization and reductions in the use of prescription drugs; and*

*(B) productivity and employment gains for the veterans.*

*(e) REPORTS.—*

*(1) ANNUAL REPORT OF THE SECRETARY.—After each year of the study, the Secretary shall submit to Congress a report on the findings of the Secretary with respect to the study.*

*(2) FINAL REPORT BY THE NATIONAL ACADEMY OF SCIENCES.—Not later than 180 days after the date of the completion of the study, the National Academy of Sciences shall submit to Congress a report on the results of the study.*

*(f) FUNDING.—The study under this section is subject to the availability of appropriations provided to the Department of Veterans Affairs for such purpose.*

***SEC. 1078. PLAN FOR SUSTAINMENT OF LAND-BASED SOLID ROCKET MOTOR INDUSTRIAL BASE.***

*(a) IN GENERAL.—The Secretary of Defense shall review and establish a plan to sustain the solid rocket motor industrial base, including the ability to maintain and sustain currently deployed strategic and missile defense systems and to maintain an intellectual and engineering capacity to support next generation rocket motors, as needed.*

*(b) SUBMISSION OF PLAN.—Not later than June 1, 2010, the Secretary of Defense shall submit to the congressional defense committees the plan required under subsection (a).*

***SEC. 1079. JUSTICE FOR VICTIMS OF TORTURE AND TERRORISM.***

*It is the sense of Congress that the claims of American victims of torture and hostage taking by the Government of Iraq during the regime of Saddam Hussein that are subject to Presidential Determination Number 2008-9 of January 28, 2008, which waived application of section 1083 of the National Defense Authorization Act for Fiscal Year 2008, should be resolved by a prompt and fair settlement negotiated between the Government of Iraq and the Government of the United States, taking note of the provisions of H.R. 5167 of the 110th Congress, which was adopted by the United States House of Representatives.*

***SEC. 1080. REQUIREMENT FOR VIDEOTAPING OR OTHERWISE ELECTRONICALLY RECORDING STRATEGIC INTELLIGENCE INTERROGATIONS OF PERSONS IN THE CUSTODY OF OR UNDER THE EFFECTIVE CONTROL OF THE DEPARTMENT OF DEFENSE.***

*(a) VIDEOTAPING OR OTHER ELECTRONIC RECORDING REQUIRED.—In accordance with the Army Field Manual on Human Intelligence Collector Operations (FM 2–22.3, September 2006), or any successor thereto, and the guidelines developed pursuant to subsection (f), the Secretary of Defense shall ensure that each strategic intelligence interrogation of any person who is in the custody or under the effective control of the Department of Defense or under detention in a Department of Defense facility is videotaped or otherwise electronically recorded.*

*(b) CLASSIFICATION OF INFORMATION.—To protect United States national security, the safety of the individuals conducting or assisting in the conduct of a strategic intelligence interrogation, and the privacy of persons described in subsection (a), the Secretary of Defense shall provide for the appropriate classification of videotapes or other electronic recordings made pursuant to subsection (a). The use of such classified videotapes or other electronic recordings in proceedings conducted under the Detainee Treatment Act of 2005 (title 14 of Public Law 109–163 and title 10 of Public Law 109–148), the Military Commissions Act of 2006 (10 U.S.C. 948 et seq.; Public Law 109–366), as amended by section 1802 of this Act, or at any other judicial or administrative forum under any other provision of law shall be governed by applicable rules, regulations, and laws that protect classified information.*

*(c) STRATEGIC INTELLIGENCE INTERROGATION DEFINED.—For purposes of this section, the term ''strategic intelligence interrogation'' means an interrogation of a person described in subsection (a) conducted at a theater-level detention facility.*

*(d) EXCLUSION.—Nothing in this section shall be construed as requiring—*

*(1) any member of the Armed Forces engaged in direct combat operations to videotape or otherwise electronically record an interrogation of a person described in subsection (a); or*

*(2) the videotaping of or otherwise electronically recording of tactical questioning, as such term is defined in the Army Field Manual on Human Intelligence Collector Operations (FM 2–22.3, September 2006), or any successor thereto.*

*(e) WAIVER.—*

*(1) WAIVERS AUTHORIZED.—The Secretary of Defense may, as an exceptional measure, as part of a specific interrogation plan for a specific person described in subsection (a), waive the requirement in that subsection on a case-by-case basis for a period not to exceed 30 days, if the Secretary—*

*(A) makes a determination in writing that such a waiver is necessary to the national security interests of the United States; and*

*(B) by not later than five days after the date on which such a determination is made, submits to the Committees on Armed Services of the Senate and House of Representatives, the House Permanent Select Committee on Intelligence, and the Senate Select Committee on Intelligence notice of that determination, including a justification for that determination.*

*(2) SUSPENSIONS AUTHORIZED.—The Secretary may temporarily suspend the requirement under subsection (a) at a specific theater-level detention facility for a period not to exceed 30 days, if the Secretary—*

*(A) makes a determination in writing that such a suspension is vital to the national security interests of the United States; and*

*(B) by not later than five days after the date on which such a determination is made, submits to the Committees on Armed Services of the Senate and House of Representatives, the House Permanent Select Committee on Intelligence, and the Senate Select Committee on Intelligence notice of that determination, including a justification for that determination.*

*(3) LIMITATION ON DELEGATION OF AUTHORITY.—This authority of the Secretary under this subsection may only be delegated as follows:*

*(A) In the case of the authority under paragraph (1), such authority may not be delegated below the level of the combatant commander of the theater in which the detention facility holding the person is located.*

*(B) In the case of the authority under paragraph (2), such authority may not be delegated below the level of the Deputy Secretary of Defense.*

*(4) EXTENSIONS.—The Secretary may extend a waiver under paragraph (1) for one additional 30-day period, or a suspension under paragraph (2) for one additional 30-day period, if—*

*(A) the Secretary—*

*(i) in the case of such a waiver, makes a determination in writing that such an extension is necessary to the national security interests of the United State; or*

*(ii) in the case of such a suspension, makes a determination in writing that such an extension is vital to the national security interests of the United States; and*

*(B) by not later than five days after the date on which such a determination is made, the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives, the House Permanent Select Committee on Intelligence, and the Senate Select Committee on Intelligence notice of that determination, including a justification for that determination.*

*(f) GUIDELINES.—*

*(1) DEVELOPMENT OF GUIDELINES.—The Secretary of Defense, acting through the Judge Advocates General (as defined in section 801(1) of title 10, United States Code, (Article 1 of the Uniform Code of Military Justice)), shall develop and adopt uniform guidelines for videotaping or otherwise electronically recording strategic intelligence interrogations as required under subsection (a). Such guidelines shall, at a minimum—*

*(A) promote full compliance with the laws of the United States;*

*(B) promote the exploitation of intelligence;*

*(C) address the retention, maintenance, and disposition of videotapes or other electronic recordings, consistent with subparagraphs (A) and (B) and with the interests of justice; and*

*(D) ensure the safety of all participants in the interrogations.*

*(2) SUBMITTAL TO CONGRESS.—Not later than 30 days after the date of the enactment of this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the guidelines developed under paragraph (1). Such report shall be in an unclassified form but may include a classified annex.*

***SEC. 1081. MODIFICATION OF PILOT PROGRAM ON COMMERCIAL FEE-FOR-SERVICE AIR REFUELING SUPPORT FOR THE AIR FORCE.***

*Section 1081(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 335; 10 U.S.C. 2461 note) is amended by inserting before the period at the end of the first sentence the following: '', unless the Secretary of Defense submits notification to the congressional defense committees that pursuing such a program is not in the national interest''.*

***SEC. 1082. MULTIYEAR CONTRACTS UNDER PILOT PROGRAM ON COMMERCIAL FEE-FOR-SERVICE AIR REFUELING SUPPORT FOR THE AIR FORCE.***

*(a) MULTIYEAR CONTRACTS AUTHORIZED.—The Secretary of the Air Force may enter into one or more multiyear contracts, beginning with the fiscal year 2011 program year, for purposes of conducting the pilot program on utilizing commercial fee-for-service air refueling tanker aircraft for Air Force operations required by section 1081 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 335).*

*(b) COMPLIANCE WITH LAW APPLICABLE TO MULTIYEAR CONTRACTS.—Any contract entered into under subsection (a) shall be entered into in accordance with the provisions of section 2306c of title 10, United States Code, except that—*

*(1) the term of the contract may not be more than 8 years; and*

*(2) notwithstanding section 2306c(b) of such title, the authority under section 2306c(a) of such title shall apply to the fee-for-service air refueling pilot program.*

*(c) COMPLIANCE WITH LAW APPLICABLE TO SERVICE CONTRACTS.—A contract entered into under subsection (a) shall be entered into in accordance with the provisions of section 2401 of title 10, United States Code, except that—*

*(1) the Secretary shall not be required to certify to the congressional defense committees that the contract is the most cost-effective means of obtaining commercial fee-for-service air refueling tanker aircraft for Air Force operations; and*

*(2) the Secretary shall not be required to certify to the congressional defense committees that there is no alternative for meeting urgent operational requirements other than making the contract.*

*(d) LIMITATION ON AMOUNT.—The amount of a contract under subsection (a) may not exceed $999,999,999.*

*(e) PROVISION OF GOVERNMENT INSURANCE.—A commercial air operator contracting with the Department of Defense under the pilot program referred to in subsection (a) shall be eligible to receive Government-provided insurance pursuant to chapter 443 of title 49, United States Code, if commercial insurance is unavailable on reasonable terms and conditions.*

***SEC. 1083. DISCLOSURE OF NAMES OF STUDENTS AND INSTRUCTORS AT WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION.***

*(a) DISCLOSURE.—*

*(1) IN GENERAL.—The Secretary of Defense shall release to the public, upon request, the information described in paragraph (2) for each of fiscal years 2009 and 2010.*

*(2) CONTENT.—The information to be released under paragraph (1) shall include, with respect to the fiscal year covered, the entire name, including the first, middle, and surnames, with respect to each student and instructor at the Western Hemisphere Institute for Security Cooperation.*

*(b) WAIVER.—The Secretary of Defense may waive the requirement under subsection (a) if the Secretary determines it to be in the national interest.*

***SEC. 1084. SENSE OF CONGRESS REGARDING THE WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION.***

*It is the sense of Congress that—*

*(1) the Western Hemisphere Institute for Security Cooperation—*

*(A) offers quality professional military bilingual instruction for military officers and noncommissioned officers that promotes democracy, subordination to civilian authority, and respect for human rights; and*

*(B) is uniquely positioned to support the modernization of Latin America security forces as they work to transcend their own controversial pasts;*

*(2) the Western Hemisphere Institute for Security Cooperation is building partner capacity which enhances regional and global security while encouraging respect for human rights and promoting democratic principles among eligible military personnel, law enforcement officials, and civilians of nations of the Western Hemisphere;*

*(3) the Western Hemisphere Institute for Security Cooperation is an invaluable education and training facility the curriculum of which is not duplicated in any of the military departments and is not replaceable by professional military education funded by appropriations for International Military Education and Training, for which education is not conducted in Spanish and does not concentrate on regional challenges; and*

*(4) the Western Hemisphere Institute for Security Cooperation is an essential tool to educate future generations of Latin American leaders and improve United States relationships with partner nations that are working with the United States to promote democracy, prosperity, and stability in the Western Hemisphere.*

## *TITLE XI—CIVILIAN PERSONNEL MATTERS*

*Subtitle A—Personnel*

*Sec. 1101. Authority to employ individuals completing the National Security Education Program.*
*Sec. 1102. Authority for employment by Department of Defense of individuals who have successfully completed the requirements of the science, mathematics, and research for transformation (SMART) defense scholarship program.*
*Sec. 1103. Authority for the employment of individuals who have successfully completed the Department of Defense information assurance scholarship program.*
*Sec. 1104. Extension and modification of experimental personnel management program for scientific and technical personnel.*
*Sec. 1105. Modification to Department of Defense laboratory personnel authority.*
*Sec. 1106. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.*
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*Sec. 1108. Requirement for Department of Defense strategic workforce plans.*
*Sec. 1109. Adjustments to limitations on personnel and requirement for annual manpower reporting.*
*Sec. 1110. Pilot program for the temporary exchange of information technology personnel.*
*Sec. 1111. Availability of funds for compensation of certain civilian employees of the Department of Defense.*
*Sec. 1112. Department of defense civilian leadership program.*
*Sec. 1113. Provisions relating to the National Security Personnel System.*
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*Subtitle B—Provisions Relating to Reemployment of Annuitants*

*Sec. 1121. Authority to expand scope of provisions relating to unreduced compensation for certain reemployed annuitants.*
*Sec. 1122. Part-time reemployment.*
*Sec. 1123. Government Accountability Office report.*

### *Subtitle A—Personnel*

***SEC. 1101. AUTHORITY TO EMPLOY INDIVIDUALS COMPLETING THE NATIONAL SECURITY EDUCATION PROGRAM.***

*Section 802 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902) is amended by adding at the end the following new subsection:*

*''(k) EMPLOYMENT OF PROGRAM PARTICIPANTS.—The Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, or the head of a Federal agency or office identified by the Secretary of Defense under subsection (g) as having national security responsibilities—*

*''(1) may, without regard to any provision of title 5 governing appointments in the competitive service, appoint to a position that is identified under subsection (b)(2)(A)(i) as having national security responsibilities, or to a position in such Federal agency or office, in the excepted service an individual who has successfully completed an academic program for which a scholarship or fellowship under this section was awarded and who, under the terms of the agreement for such scholarship or fellowship, at the time of such appointment owes a service commitment to such Department or such Federal agency or office; and*

*''(2) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of paragraph (1), convert the appointment of such individual, without competition, to a career or career conditional appointment.''.*

***SEC. 1102. AUTHORITY FOR EMPLOYMENT BY DEPARTMENT OF DEFENSE OF INDIVIDUALS WHO HAVE SUCCESSFULLY COMPLETED THE REQUIREMENTS OF THE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE SCHOLARSHIP PROGRAM.***

*(a) AUTHORITY FOR EMPLOYMENT.—Subsection (d) of section 2192a of title 10, United States Code, is amended to read as follows:*

*''(d) EMPLOYMENT OF PROGRAM PARTICIPANTS.—The Secretary of Defense—*

*''(1) may, without regard to any provision of title 5 governing appointment of employees to competitive service positions within the Department of Defense, appoint to a position in the Department of Defense in the excepted service an individual who has successfully completed an academic program for which a scholarship or fellowship under this section was awarded and who, under the terms of the agreement for such scholarship or fellowship, at the time of such appointment, owes a service commitment to the Department; and*

*''(2) may, upon satisfactory completion of 2 years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of paragraph (1), convert the appointment of such individual, without competition, to a career or career conditional appointment.''.*

*(b) CONFORMING AMENDMENT.—Subsection (c)(2) of such section is amended by striking ''Except as provided in subsection (d), the'' in the second sentence and inserting ''The''.*

*(c) TECHNICAL AMENDMENTS.—Subsection (f) of such section is amended—*

*(1) by striking the first sentence; and*

*(2) by striking ''the authorities provided in such chapter'' and inserting ''the other authorities provided in this chapter''.*

*(d) REPEAL OF OBSOLETE PROVISIONS.—(1) Such section is further amended by striking subsection (g) and by redesignating subsection (h) as subsection (g).*

*(2) Subparagraph (B) of section 3304(a)(3) of title 5, United States Code, is amended to read as follows:*

*''(B) the Office of Personnel Management has determined that there exists a severe shortage of candidates or that there is a critical hiring need.''.*

***SEC. 1103. AUTHORITY FOR THE EMPLOYMENT OF INDIVIDUALS WHO HAVE SUCCESSFULLY COMPLETED THE DEPARTMENT OF DEFENSE INFORMATION ASSURANCE SCHOLARSHIP PROGRAM.***

*(a) IN GENERAL.—Section 2200a of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(g) EMPLOYMENT OF PROGRAM PARTICIPANTS.—The Secretary of Defense—*

*''(1) may, without regard to any provision of title 5 governing appointments in the competitive service, appoint to an information technology position in the Department of Defense in the excepted service an individual who has successfully completed an academic program for which a scholarship under this section was awarded and who, under the terms of the agreement for such scholarship, at the time of such appointment owes a service commitment to the Department; and*

*''(2) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of paragraph (1), convert the appointment of such individual, without competition, to a career or career conditional appointment.''.*

*(b) TECHNICAL AMENDMENT.—Subsection (a) of such section is amended by striking ''subsection (g),'' and inserting ''subsection (f),''.*

***SEC. 1104. EXTENSION AND MODIFICATION OF EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.***

*(a) THREE-YEAR EXTENSION.—Subsection (e)(1) of section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking ''September 30, 2011'' and inserting ''September 30, 2014''.*

*(b) LIMITATIONS ON ADDITIONAL PAYMENTS.—Such section is further amended—*

*(1) in subsection (b)(3), by striking ''under subsection (d)(1)'' and inserting ''under subsection (d)''; and*

*(2) by striking subsection (d) and inserting the following:*

*''(d) LIMITATIONS ON ADDITIONAL PAYMENTS.—(1) Subject to paragraph (3), the total amount of additional payments paid to an employee under subsection (b)(3) for any 12-month period may not exceed the lesser of the following amounts:*

*''(A) $50,000 in fiscal year 2010, which may be adjusted annually thereafter by the Secretary, with a percentage increase equal to one-half of 1 percentage point less than the percentage by which the Employment Cost Index, published quarterly by the Bureau of Labor Statistics, for the base quarter of the year before the preceding calendar year exceeds the Employment Cost Index for the base quarter of the second year before the preceding calendar year.*

*''(B) The amount equal to 50 percent of the employee's annual rate of basic pay.*

*''(2) In paragraph (1), the term 'base quarter' has the meaning given that term in section 5302(3) of title 5, United States Code.*

*''(3) Notwithstanding any other provision of this section or section 5307 of title 5, United States Code, no additional payments may be paid to an employee under subsection (b)(3) in any calendar year if, or to the extent that, the employee's total annual compensation in such calendar year will exceed the maximum amount of total annual compensation payable at the salary set in accordance with section 104 of title 3, United States Code.*

*''(4) An employee appointed under the program is not eligible for any bonus, monetary award, or other monetary incentive for service under the appointment other than payments authorized by this section.''.*

*(c) REPORTING REQUIREMENTS.—Paragraph (1) of subsection (g) of such section is amended to read as follows:*

*''(1)(A) Not later than December 31 of each year in which the authority under this section is in effect, the Secretary of Defense shall submit to the committees of Congress specified in subparagraph (B) a report on the operation of this section. Each report shall cover the fiscal year that most recently ended before such December 31.*

*''(B) The committees of Congress specified in this subparagraph are—*

*''(i) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and*

*''(ii) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.''.*

***SEC. 1105. MODIFICATION TO DEPARTMENT OF DEFENSE LABORATORY PERSONNEL AUTHORITY.***

*(a) DESIGNATION OF LABORATORIES.—Each of the following is hereby designated as a Department of Defense science and technology reinvention laboratory (as described in section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721), as amended by section 1114 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001):*

*(1) The Aviation and Missile Research Development and Engineering Center.*

*(2) The Army Research Laboratory.*

*(3) The Medical Research and Materiel Command.*

*(4) The Engineer Research and Development Command.*

*(5) The Communications-Electronics Command.*

*(6) The Soldier and Biological Chemical Command.*

*(7) The Naval Sea Systems Command Centers.*

*(8) The Naval Research Laboratory.*

*(9) The Office of Naval Research.*

*(10) The Air Force Research Laboratory.*

*(11) The Tank and Automotive Research Development and Engineering Center.*

*(12) The Armament Research Development and Engineering Center.*

*(13) The Naval Air Warfare Center, Weapons Division.*

*(14) The Naval Air Warfare Center, Aircraft Division.*

*(15) The Space and Naval Warfare Systems Center, Pacific.*

*(16) The Space and Naval Warfare Systems Center, Atlantic.*

*(17) The laboratories within the Army Research Development and Engineering Command.*

*(b) CONVERSION PROCEDURES.—The Secretary of Defense shall implement procedures to convert the civilian personnel of each Department of Defense science and technology reinvention laboratory, as so designated by subsection (a), from the personnel system which applies as of the date of the enactment of this Act to the personnel system under an appropriate demonstration project (as referred to in such section 342(b)). Any conversion under this subsection—*

*(1) shall not adversely affect any employee with respect to pay or any other term or condition of employment;*

*(2) shall be consistent with section 4703(f) of title 5, United States Code;*

*(3) shall be completed within 18 months after the date of the enactment of this Act; and*

*(4) shall not apply to prevailing rate employees (as defined by section 5342(a)(2) of title 5, United States Code) or senior executives (as defined by section 3132(a)(3) of such title).*

*(c) LIMITATION.—The science and technology reinvention laboratories, as so designated by subsection (a), may not implement any personnel system, other than a personnel system under an appropriate demonstration project (as referred to in such section 342(b)), without prior congressional authorization.*

***SEC. 1106. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.***

*(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615) is amended by striking ''calendar year 2009,'' and inserting ''calendar years 2009 and 2010,''.*

*(b) RELATED PROVISION.—Subsection (b) of such section 1101 is amended to read as follows:.*

*''(b) APPLICABILITY OF AGGREGATE LIMITATION ON PAY.—*

*''(1) IN GENERAL.—Section 5307 of title 5, United States Code, shall not apply to any employee in any calendar year in which that employee is granted a waiver under subsection (a).*

*''(2) OTHER LIMITATIONS.—In the case of any employees who (disregarding subparagraph (A)) would otherwise be subject to a limitation on premium pay similar to one set forth in section 5547 of title 5, United States Code (as determined by the head of the Executive agency in or under which such employees are employed)—*

*''(A) the agency head may waive that otherwise applicable limitation, to the same extent and in the same manner as would be allowable under subsection (a) if those employees were instead subject to such section 5547; and*

*''(B) if a waiver under subparagraph (A) is granted with respect to such employees, then, neither section 5307 of title 5, United States Code, nor any other similar limitation (as determined by the agency head) shall apply with respect to such employees for purposes of any calendar year for which such waiver is so granted.''.*

***SEC. 1107. EXTENSION OF CERTAIN BENEFITS TO FEDERAL CIVILIAN EMPLOYEES ON OFFICIAL DUTY IN PAKISTAN.***

*Section 1603(a)(2) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as amended by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616), is amended by inserting ''Pakistan or'' after ''is on official duty in''.*

***SEC. 1108. REQUIREMENT FOR DEPARTMENT OF DEFENSE STRATEGIC WORKFORCE PLANS.***

*(a) CODIFICATION OF REQUIREMENT FOR STRATEGIC WORKFORCE PLAN.—*

*(1) IN GENERAL.—Chapter 2 of title 10, United States Code, is amended by adding after section 115a the following new section:*

***''§ 115b. Annual strategic workforce plan***

*''(a) ANNUAL PLAN REQUIRED.—(1) The Secretary of Defense shall submit to the congressional defense committees on an annual basis a strategic workforce plan to shape and improve the civilian employee workforce of the Department of Defense.*

*''(2) The Under Secretary of Defense for Personnel and Readiness shall have overall responsibility for developing and implementing the strategic workforce plan, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics.*

''(b) CONTENTS.—Each strategic workforce plan under subsection (a) shall include, at a minimum, the following:

''(1) An assessment of—

''(A) the critical skills and competencies that will be needed in the future within the civilian employee workforce by the Department of Defense to support national security requirements and effectively manage the Department during the seven-year period following the year in which the plan is submitted;

''(B) the appropriate mix of military, civilian, and contractor personnel capabilities;

''(C) the critical skills and competencies of the existing civilian employee workforce of the Department and projected trends in that workforce based on expected losses due to retirement and other attrition; and

''(D) gaps in the existing or projected civilian employee workforce of the Department that should be addressed to ensure that the Department has continued access to the critical skills and competencies described in subparagraphs (A) and (C).

''(2) A plan of action for developing and reshaping the civilian employee workforce of the Department to address the gaps in critical skills and competencies identified under paragraph (1)(D), including—

''(A) specific recruiting and retention goals, especially in areas identified as critical skills and competencies under paragraph (1), including the program objectives of the Department to be achieved through such goals and the funding needed to achieve such goals;

''(B) specific strategies for developing, training, deploying, compensating, and motivating the civilian employee workforce of the Department, including the program objectives of the Department to be achieved through such strategies and the funding needed to implement such strategies;

''(C) any incentives necessary to attract or retain any civilian personnel possessing the skills and competencies identified under paragraph (1);

''(D) any changes in the number of personnel authorized in any category of personnel listed in subsection (f)(1) or in the acquisition workforce that may be needed to address such gaps and effectively meet the needs of the Department;

''(E) any changes in resources or in the rates or methods of pay for any category of personnel listed in subsection (f)(1) or in the acquisition workforce that may be needed to address inequities and ensure that the Department has full access to appropriately qualified personnel to address such gaps and meet the needs of the Department; and

''(F) any legislative changes that may be necessary to achieve the goals referred to in subparagraph (A).

''(3) An assessment, using results-oriented performance measures, of the progress of the Department in implementing the strategic workforce plan under this section during the previous year.

''(4) Any additional matters the Secretary of Defense considers necessary to address.

''(c) SENIOR MANAGEMENT, FUNCTIONAL, AND TECHNICAL WORKFORCE.—(1) Each strategic workforce plan under subsection (a) shall include a separate chapter to specifically address the shaping and improvement of the senior management, functional, and technical workforce (including scientists and engineers) of the Department of Defense.

''(2) For purposes of paragraph (1), each plan shall include, with respect to such senior management, functional, and technical workforce—

''(A) an assessment of the matters set forth in subparagraphs (A) through (D) of subsection (b)(1);

''(B) a plan of action meeting the requirements set forth in subparagraphs (A) through (F) of subsection (b)(2);

''(C) specific strategies for developing, training, deploying, compensating, motivating, and designing career paths and career opportunities; and

''(D) specific steps that the Department has taken or plans to take to ensure that such workforce is managed in compliance with the requirements of section 129 of this title.

''(d) DEFENSE ACQUISITION WORKFORCE.—(1) Each strategic workforce plan under subsection (a) shall include a separate chapter to specifically address the shaping and improvement of the defense acquisition workforce, including both military and civilian personnel.

''(2) For purposes of paragraph (1), each plan shall include, with respect to the defense acquisition workforce—

''(A) an assessment of the matters set forth in subparagraphs (A) through (D) of subsection (b)(1);

''(B) a plan of action meeting the requirements set forth in subparagraphs (A) through (F) of subsection (b)(2);

''(C) specific steps that the Department has taken or plans to take to develop appropriate career paths for civilian employees in the acquisition field and to implement the requirements of section 1722a of this title with regard to members of the armed forces in the acquisition field; and

''(D) a plan for funding needed improvements in the acquisition workforce of the Department through the period of the future-years defense program, including—

''(i) the funding programmed for defense acquisition workforce improvements, including a specific identification of funding provided in the Department of Defense Acquisition Workforce Fund established under section 1705 of this title, along with a description of how such funding is being implemented and whether it is being fully used; and

''(ii) a description of any continuing shortfalls in funding available for the acquisition workforce.

''(e) SUBMITTALS BY SECRETARIES OF THE MILITARY DEPARTMENTS AND HEADS OF THE DEFENSE AGENCIES.—The Secretary of Defense shall require the Secretary of each military department and the head of each Defense Agency to submit a report to the Secretary addressing each of the matters described in this section. The Secretary of Defense shall establish a deadline for the submittal of reports under this subsection that enables the Secretary to consider the material submitted in a timely manner and incorporate such material, as appropriate, into the strategic workforce plan required by this section.

''(f) DEFINITIONS.—In this section:

''(1) The term 'senior management, functional, and technical workforce of the Department of Defense' includes the following categories of Department of Defense civilian personnel:

''(A) Appointees in the Senior Executive Service under section 3131 of title 5.

''(B) Persons serving in positions described in section 5376(a) of title 5.

''(C) Highly qualified experts appointed pursuant to section 9903 of title 5.

''(D) Scientists and engineers appointed pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721), as amended by section 1114 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398 (114 Stat. 1654A–315)).

''(E) Scientists and engineers appointed pursuant to section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note).

''(F) Persons serving in the Defense Intelligence Senior Executive Service under section 1606 of this title.

''(G) Persons serving in Intelligence Senior Level positions under section 1607 of this title.

''(2) The term 'acquisition workforce' includes individuals designated under section 1721 as filling acquisition positions.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of such title is amended by inserting after the item relating to section 115a the following new item:

''115b. Annual strategic workforce plan.''.

(b) COMPTROLLER GENERAL REPORTS.—

(1) REPORT ON STRATEGIC WORKFORCE PLAN.—Not later than 180 days after the date on which the Secretary of Defense submits to the congressional defense committees an annual strategic workforce plan under section 115b of title 10, United States Code (as added by subsection (a)), in each of 2009, 2010, 2011, and 2012, the Comptroller General of the United States shall submit to the congressional defense committees a report on the plan so submitted.

(2) REPORT ON THE TRAINING OF ACQUISITION AND AUDIT PERSONNEL OF THE DEPARTMENT OF DEFENSE.—(A) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the efficacy of Department of Defense training for acquisition and audit personnel of the Department of Defense.

(B) The report required under subparagraph (A) shall address the efficacy of training, the extent to which such training reaches appropriate personnel, and the extent to which the training recommendations of previous reviews (including the recommendations of the Commission on Army Acquisition and Program Management in Expeditionary Operations) have been implemented.

(c) CONFORMING REPEALS.—The following provisions are repealed:

(1) Section 1122 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3452; 10 U.S.C. note prec. 1580).

(2) Section 1102 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2407).

(3) Section 851 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 247; 10 U.S.C. note prec. 1580).

**SEC. 1109. ADJUSTMENTS TO LIMITATIONS ON PERSONNEL AND REQUIREMENT FOR ANNUAL MANPOWER REPORTING.**

(a) AMENDMENTS.—Section 1111 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4619) is amended—

(1) in subsection (b), by striking ''for four'';

(2) in paragraph (1) of subsection (b), by striking ''requirements of—'' and all that follows through the end of subparagraph (C) and inserting ''the requirements of section 115b of this title; or'';

(3) in paragraph (2) of subsection (b), by striking ''purpose described in paragraphs (1) through (4) of subsection (c).'' and inserting the following:

''any of the following purposes:

''(A) Performance of inherently governmental functions.

''(B) Performance of work pursuant to section 2463 of title 10, United States Code.

''(C) Ability to maintain sufficient organic expertise and technical capability.

''(D) Performance of work that, while the position may not exercise an inherently governmental function, nevertheless should be performed only by officers or employees of the Federal Government or members of the Armed Forces because of the critical nature of the work.''; and

(4) by striking subsections (c) and (d).

(b) CONSOLIDATED ANNUAL REPORT.—

(1) INCLUSION IN ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.—Section 115a of title 10, United States Code, is amended by inserting after subsection (e) the following new subsection:

''(f) The Secretary shall also include in each such report the following information with respect to personnel assigned to or supporting

*major Department of Defense headquarters activities:*

*''(1) The military end strength and civilian full-time equivalents assigned to major Department of Defense headquarters activities for the preceding fiscal year and estimates of such numbers for the current fiscal year and subsequent fiscal years.*

*''(2) A summary of the replacement during the preceding fiscal year of contract workyears providing support to major Department of Defense headquarters activities with military end strength or civilian full-time equivalents, including an estimate of the number of contract workyears associated with the replacement of contracts performing inherently governmental or exempt functions.*

*''(3) The plan for the continued review of contract personnel supporting major Department of Defense headquarters activities for possible conversion to military or civilian performance in accordance with section 2463 of this title.*

*''(4) The amount of any adjustment in the limitation on personnel made by the Secretary of Defense or the Secretary of a military department, and, for each adjustment made pursuant to section 1111(b)(2) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 143 note), the purpose of the adjustment.''.*

*(2) TECHNICAL AMENDMENTS TO REFLECT NAME OF REPORT.—*

*(A) Subsection (a) of section 115a of such title is amended by inserting ''defense'' before ''manpower requirements report.''.*

*(B)(i) The heading of such section is amended to read as follows:*

***''§ 115a. Annual defense manpower requirements report''.***

*(ii) The item relating to such section in the table of sections at the beginning of chapter 2 of such title is amended to read as follows:*

*''115a. Annual defense manpower requirements report.''.*

*(3) CONFORMING REPEAL.—Subsections (b) and (c) of section 901 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 272; 10 U.S.C. 221 note) are repealed.*

***SEC. 1110. PILOT PROGRAM FOR THE TEMPORARY EXCHANGE OF INFORMATION TECHNOLOGY PERSONNEL.***

*(a) ASSIGNMENT AUTHORITY.—The Secretary of Defense may, with the agreement of the private sector organization concerned, arrange for the temporary assignment of an employee to such private sector organization, or from such private sector organization to a Department of Defense organization under this section. An employee shall be eligible for such an assignment only if—*

*(1) the employee—*

*(A) works in the field of information technology management;*

*(B) is considered by the Secretary of Defense to be an exceptional employee;*

*(C) is expected to assume increased information technology management responsibilities in the future; and*

*(D) is compensated at not less than the GS–11 level (or the equivalent); and*

*(2) the proposed assignment meets applicable requirements of section 209(b) of the E-Government Act of 2002 (44 U.S.C. 3501 note).*

*(b) AGREEMENTS.—The Secretary of Defense shall provide for a written agreement among the Department of Defense, the private sector organization, and the employee concerned regarding the terms and conditions of the employee's assignment under this section. The agreement—*

*(1) shall require that employees of the Department of Defense, upon completion of the assignment, will serve in the civil service for a period equal to the length of the assignment; and*

*(2) shall provide that if the employee of the Department of Defense or of the private sector organization (as the case may be) fails to carry out the agreement, such employee shall be liable to the United States for payment of all expenses of the assignment, unless that failure was for good and sufficient reason, as determined by the Secretary of Defense.*

*An amount for which an employee is liable under paragraph (2) shall be treated as a debt due the United States.*

*(c) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the private sector organization concerned.*

*(d) DURATION.—An assignment under this section shall be for a period of not less than 3 months and not more than 1 year, and may be extended in 3-month increments for a total of not more than 1 additional year; however, no assignment under this section may commence after September 30, 2013.*

*(e) TERMS AND CONDITIONS FOR PRIVATE SECTOR EMPLOYEES.—An employee of a private sector organization who is assigned to a Department of Defense organization under this section—*

*(1) may continue to receive pay and benefits from the private sector organization from which such employee is assigned;*

*(2) is deemed to be an employee of the Department of Defense for the purposes of—*

*(A) chapter 73 of title 5, United States Code;*

*(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code;*

*(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;*

*(D) the Federal Tort Claims Act and any other Federal tort liability statute;*

*(E) the Ethics in Government Act of 1978;*

*(F) section 1043 of the Internal Revenue Code of 1986; and*

*(G) section 27 of the Office of Federal Procurement Policy Act; and*

*(3) may not have access to any trade secrets or to any other nonpublic information which is of commercial value to the private sector organization from which such employee is assigned.*

*(f) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private sector organization may not charge the Department of Defense or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee assigned to a Department of Defense organization under this section for the period of the assignment.*

*(g) CONSIDERATIONS.—In carrying out this section, the Secretary of Defense—*

*(1) shall ensure that, of the assignments made under this section each year, at least 20 percent are from small business concerns (as defined by section 3703(e)(2)(A) of title 5, United States Code); and*

*(2) shall take into consideration the question of how assignments under this section might best be used to help meet the needs of the Department of Defense with respect to the training of employees in information technology management.*

*(h) NUMERICAL LIMITATION.—In no event may more than 10 employees be participating in assignments under this section at any given time.*

*(i) REPORTING REQUIREMENT.—For each of fiscal years 2010 through 2015, the Secretary of Defense shall submit to the congressional defense committees, not later than 1 month after the end of the fiscal year involved, a report on any activities carried out under this section during such fiscal year, including information concerning—*

*(1) the respective organizations (as referred to in subsection (a)) to and from which any employee was assigned under this section;*

*(2) the positions those employees held while they were so assigned;*

*(3) a description of the tasks they performed while they were so assigned; and*

*(4) a discussion of any actions that might be taken to improve the effectiveness of the program under this section, including any proposed changes in law.*

*(j) REPEAL OF SUPERSEDED SECTION.—Section 1109 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 358) is repealed, except that—*

*(1) nothing in this subsection shall, in the case of any assignment commencing under such section 1109 on or before the date of the enactment of this Act, affect—*

*(A) the duration of such assignment or the authority to extend such assignment in accordance with subsection (d) of such section 1109, as last in effect; or*

*(B) the terms or conditions of the agreement governing such assignment, including with respect to any service obligation under subsection (b) thereof; and*

*(2) any employee whose assignment is allowed to continue by virtue of paragraph (1) shall be taken into account for purposes of—*

*(A) the numerical limitation under subsection (h); and*

*(B) the reporting requirement under subsection (i).*

***SEC. 1111. AVAILABILITY OF FUNDS FOR COMPENSATION OF CERTAIN CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.***

*(a) AVAILABILITY OF FUNDS.—Funds authorized to be appropriated for the Department of Defense that are available for the purchase of contract services to meet a requirement that is anticipated to continue for five years or more shall be available to provide compensation for civilian employees of the Department to meet the same requirement.*

*(b) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prescribe regulations implementing the authority in subsection (a). Such regulations—*

*(1) shall ensure that the authority in subsection (a) is utilized to build government capabilities that are needed to perform inherently governmental functions, functions closely associated with inherently governmental functions, and other critical functions;*

*(2) shall include a mechanism to ensure that follow-on funding to provide compensation for civilian employees of the Department to perform functions described in paragraph (1) is provided from appropriate accounts; and*

*(3) may establish additional criteria and levels of approval within the Department for the utilization of funds to provide compensation for civilian employees of the Department pursuant to subsection (a).*

*(c) ANNUAL REPORT.—Not later than 60 days after the end of each fiscal year for which the authority in subsection (a) is in effect, the Secretary shall submit to the congressional defense committees a report on the use of such authority. Each report shall cover the preceding fiscal year and shall identify, at a minimum, the following:*

*(1) The amount of funds used under the authority in subsection (a) to provide compensation for civilian employees.*

*(2) The source or sources of the funds so used.*

*(3) The number of civilian employees employed through the use of such funds.*

*(4) The actions taken by the Secretary to ensure that follow-on funding for such civilian employees is provided through appropriate accounts.*

*(d) TEMPORARY AUTHORITY.—The authority in subsection (a) shall apply to funds authorized to be appropriated for the Department of Defense for fiscal years 2010 through 2019.*

***SEC. 1112. DEPARTMENT OF DEFENSE CIVILIAN LEADERSHIP PROGRAM.***

*(a) LEADERSHIP PROGRAM REQUIRED.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a program of*

*leadership recruitment and development for civilian employees of the Department of Defense, to be known as the ''Department of Defense Civilian Leadership Program'' (in this section referred to as the ''program'').*

*(2) OBJECTIVES.—The objectives of the program shall be as follows:*

*(A) To develop a new generation of civilian leaders for the Department of Defense.*

*(B) To recruit individuals with the academic merit, work experience, and demonstrated leadership skills to meet the future needs of the Department.*

*(C) To offer rapid advancement, competitive compensation, and leadership opportunities to highly qualified civilian employees of the Department.*

*(3) AVAILABLE AUTHORITIES.—In carrying out the program, the Secretary may exercise any authority available to the Office of Personnel Management under section 4703 of title 5, United States Code, except that the Secretary shall not be bound by the limitations in subsection (d) of such section. Nothing in this section shall be construed to authorize the waiver of any part of chapter 71 of title 5, United States Code, or any regulation implementing such chapter, in the carrying out of the program.*

*(b) ELIGIBLE INDIVIDUALS.—*

*(1) IN GENERAL.—The following individuals shall be eligible to participate in the program:*

*(A) Current employees of the Department of Defense.*

*(B) Appropriate individuals in the private sector.*

*(2) LIMITATION ON NUMBER OF PARTICIPANTS IN PROGRAM.—The total number of individuals who may participate in the program in any fiscal year may not exceed 5,000.*

*(3) LIMITATION ON PERIOD OF PARTICIPATION IN PROGRAM.—The maximum period of time that an individual may participate in the program is three years.*

*(c) ELEMENTS OF PROGRAM.—*

*(1) COMPETITIVE ENTRY.—The selection of individuals for entry into the program shall be made on the basis of a competition conducted at least twice each year. In each competition, participants in the program shall be selected from among applicants determined by the Secretary to be the most highly qualified in terms of academic merit, work experience, and demonstrated leadership skills. Each competition shall provide for entry-level participants and midcareer participants in the program.*

*(2) ALLOCATION OF POSITIONS.—The Secretary shall allocate positions in the program among the components of the Department of Defense that—*

*(A) offer the most challenging assignments;*

*(B) provide the greatest level of responsibility; and*

*(C) demonstrate the greatest need for participants in the program.*

*(3) ASSIGNMENTS TO POSITIONS.—Participants in the program shall be assigned to components of the Department that best match their skills and qualifications. Participants in the program may be rotated among components of the Department of Defense at the discretion of the Secretary.*

*(4) INITIAL COMPENSATION.—The initial compensation of participants in the program shall be determined by the Secretary based on the qualifications of such participants and applicable market conditions.*

*(5) EDUCATION AND TRAINING.—The Secretary shall provide participants in the program with training, mentoring, and educational opportunities that are appropriate to facilitate the development of such participants into effective civilian leaders for the Department of Defense.*

*(6) OBJECTIVE, MERIT-BASED PRINCIPLES FOR PERSONNEL DECISIONS.—The Secretary shall make personnel decisions under the program in accordance with such objective, merit-based criteria as the Secretary shall prescribe in regulations for purposes of the program. Such criteria shall include, but not be limited to, criteria applicable to the following:*

*(A) The selection of individuals for entry into the program.*

*(B) The assignment of participants in the program to positions in the Department of Defense.*

*(C) The initial compensation of participants in the program.*

*(D) The access of participants in the program to training, mentoring, and educational opportunities under the program.*

*(E) The consideration of participants in the program for selection into the senior management, functional, and technical workforce of the Department.*

*(7) CONSIDERATION FOR SENIOR MANAGEMENT, FUNCTIONAL, AND TECHNICAL WORKFORCE.—Any participant in the program who, as determined by the Secretary, demonstrates outstanding performance shall be afforded priority in consideration for selection into the appropriate element of the senior management, functional, and technical workforce of the Department of Defense (as defined in section 115b(f) of title 10, United States Code).*

***SEC. 1113. PROVISIONS RELATING TO THE NATIONAL SECURITY PERSONNEL SYSTEM.***

*(a) DEFINITIONS.—For purposes of this section—*

*(1) the term ''National Security Personnel System'' or ''NSPS'' refers to a human resources management system established under authority of section 9902 of title 5, United States Code (as in effect before the date of the enactment of this Act); and*

*(2) the term ''statutory pay system'' means a pay system under—*

*(A) subchapter III of chapter 53 of title 5, United States Code (relating to General Schedule pay rates); or*

*(B) such other provisions of law as would apply if section 9902 of title 5, United States Code, had never been enacted.*

*(b) REPEAL OF PROVISIONS RELATING TO NSPS.—*

*(1) IN GENERAL.—Section 9902 of title 5, United States Code, is amended—*

*(A) by striking subsections (a), (b), (c), (d), (e), (i) and (j); and*

*(B) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively.*

*(2) EXPANSION PROHIBITED.—The National Security Personnel System may not be extended to any organizational or functional unit of the Department of Defense (or any component thereof) not included in such System as of March 1, 2009.*

*(3) CURRENT RULES INVALID.—Any regulations in effect as of the day before the date of the enactment of this Act which were issued pursuant to any provision of law repealed by paragraph (1)(A)—*

*(A) may not be modified on or after the date of the enactment of this Act, except as necessary to implement this Act; and*

*(B) shall cease to be effective as of January 1, 2012.*

*(c) TERMINATION OF NSPS AND CONVERSION OF EMPLOYEES AND POSITIONS.—*

*(1) IN GENERAL.—The Secretary of Defense shall take all actions which may be necessary to provide, beginning no later than 6 months after the date of enactment of this Act, for the orderly termination of the National Security Personnel System and conversion of all employees and positions from such System, by not later than January 1, 2012, to—*

*(A) the statutory pay system and all other aspects of the personnel system that last applied to such employee or position (as the case may be) before the National Security Personnel System applied; or*

*(B) if subparagraph (A) does not apply, the statutory pay system and all other aspects of the personnel system that would have applied if the National Security Personnel System had never been established.*

*No employee shall suffer any loss of or decrease in pay because of the preceding sentence, and, for purposes of carrying out such preceding sentence, any determination of the system that last applied (or that would have applied) with respect to an employee or position shall take into account any modifications to such system pursuant to the provisions of subsections (a) and (b) of section 9902 of title 5, United States Code, as amended by subsection (d).*

*(2) TRANSITION PERIOD APPOINTMENTS.—To the extent practicable, any individual who, during the NSPS transition period, is appointed to any position within the Department of Defense which is subject to the NSPS shall be subject to the statutory pay system and all other aspects of the personnel system to which such individual or position is to be converted in accordance with the requirements of paragraph (1).*

*(3) TEMPORARY CONTINUATION OF NSPS.—Notwithstanding any other provision of this section, the National Security Personnel System, as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to any employees and positions remaining subject to the NSPS, in accordance with paragraph (1), during the NSPS transition period.*

*(4) RESTORATION OF FULL ANNUAL PAY ADJUSTMENTS UNDER NSPS PENDING ITS TERMINATION.—Notwithstanding subsection (b)(1)(A), section 9902(e)(7) of title 5, United States Code, to the extent that it remains in force under paragraph (3), shall be applied by substituting ''100 percent'' for ''no less than 60 percent''.*

*(5) NSPS TRANSITION PERIOD DEFINED.—For purposes of this subsection, the term ''NSPS transition period'' means the period beginning on the date of the enactment of this Act and ending on January 1, 2012.*

*(d) AUTHORITY RELATING TO PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVES, HIRING FLEXIBILITIES, AND TRAINING OF SUPERVISORS.—Section 9902 of title 5, United States Code, as amended by subsection (b)(1), is further amended by inserting before subsection (e) (as so redesignated by subsection (b)(1)(B)) the following:*

*''(a) PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVES.—(1) The Secretary, in coordination with the Director, shall promulgate regulations providing for the following:*

*''(A) A fair, credible, and transparent performance appraisal system for employees.*

*''(B) A fair, credible, and transparent system for linking employee bonuses and other performance-based actions to performance appraisals of employees.*

*''(C) A process for ensuring ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period and setting timetables for review.*

*''(D) Development of 'performance assistance plans' that are designed to give employees formal training, on-the-job training, counseling, mentoring, and other assistance.*

*''(2) In developing the regulations required by this subsection, the Secretary, in coordination with the Director, may waive the requirements of chapters 43 (other than sections 4302 and 4303(e)) and the regulations implementing such chapters, to the extent necessary to achieve the objectives of this subsection.*

*''(3)(A) The Secretary may establish a fund, to be known as the 'Department of Defense Civilian Workforce Incentive Fund' (in this paragraph referred to as the 'Fund').*

*''(B) The Fund shall consist of the following:*

*''(i) Amounts appropriated to the Fund.*

*''(ii) Amounts available for compensation of employees that are transferred to the Fund.*

*''(C) Amounts in the Fund shall be available for the following:*

*''(i) Incentive payments for employees based on team or individual performance (which payments shall be in addition to basic pay).*

*''(ii) Incentive payments to attract or retain employees with particular or superior qualifications or abilities.*

*''(D) The authority provided in this paragraph is in addition to, and does not supersede*

*or replace, any authority or source of funding otherwise available to the Secretary to pay bonuses or make incentive payments to civilian employees of the Department.*

*''(4)(A) Any action taken by the Secretary under this subsection, or to implement this subsection, shall be subject to the requirements of subsection (c) and chapter 71.*

*''(B) Any rules or regulations promulgated pursuant to this subsection shall be deemed an agency rule or regulation under section 7117(a)(2), and shall not be deemed a Government-wide rule or regulation under section 7117(a)(1).*

*''(b) FLEXIBILITIES RELATING TO APPOINTMENTS.—(1) The Secretary, in coordination with the Director, shall promulgate regulations to redesign the procedures which are applied by the Department of Defense in making appointments to positions within the competitive service in order to—*

*''(A) better meet mission needs;*

*''(B) respond to managers' needs and the needs of applicants;*

*''(C) produce high-quality applicants;*

*''(D) support timely decisions;*

*''(E) uphold appointments based on merit system principles; and*

*''(F) promote competitive job offers.*

*''(2) In redesigning the process by which such appointments shall be made, the Secretary, in coordination with the Director, may waive the requirements of chapter 33, and the regulations implementing such chapter, to the extent necessary to achieve the objectives of this section, while providing for the following:*

*''(A) Fair, credible, and transparent methods of establishing qualification requirements for, recruitment for, and appointments to positions.*

*''(B) Fair and open competition and equitable treatment in the consideration and selection of individuals to positions.*

*''(C) Fair, credible, and transparent methods of assigning, reassigning, detailing, transferring, or promoting employees.*

*''(3) In implementing this subsection, the Secretary shall comply with the provisions of section 2302(b)(11), regarding veterans' preference requirements, in a manner consistent with that in which such provisions are applied under chapter 33.*

*''(4)(A) Any action taken by the Secretary under this subsection, or to implement this subsection, shall be subject to the requirements of subsection (c) and chapter 71.*

*''(B) Any rules or regulations promulgated pursuant to this section shall be deemed an agency rule or regulation under section 7117(a)(2), and shall not be deemed a Government-wide rule or regulation under section 7117(a)(1).*

*''(c) CRITERIA FOR USE OF NEW PERSONNEL AUTHORITIES.—In establishing any new performance management and workforce incentive system under subsection (a) or utilizing appointment flexibilities under subsection (b), the Secretary shall—*

*''(1) adhere to merit principles set forth in section 2301;*

*''(2) include a means for ensuring employee involvement (for bargaining unit employees, through their exclusive representatives) in the design and implementation of such system;*

*''(3) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of such system;*

*''(4) develop—*

*''(A) a comprehensive management succession program to provide training to employees to develop managers for the agency; and*

*''(B) a program to provide training to supervisors on actions, options, and strategies a supervisor may use in administering such system;*

*''(5) include effective transparency and accountability measures and safeguards to ensure that the management of such system is fair, credible, and equitable, including appropriate independent reasonableness reviews, internal assessments, and employee surveys;*

*''(6) utilize the annual strategic workforce plan, required by section 115b of title 10; and*

*''(7) ensure that adequate agency resources are allocated for the design, implementation, and administration of such system.*

*''(d) DEVELOPMENT OF TRAINING PROGRAM FOR SUPERVISORS.—(1) The Secretary shall develop—*

*''(A) a program to provide training to supervisors on use of the new authorities provided in this section, including the actions, options, and strategies a supervisor may use in—*

*''(i) developing and discussing relevant goals and objectives with the employee, communicating and discussing progress relative to performance goals and objectives, and conducting performance appraisals;*

*''(ii) mentoring and motivating employees, and improving employee performance and productivity;*

*''(iii) fostering a work environment characterized by fairness, respect, equal opportunity, and attention to the quality of the work of employees;*

*''(iv) effectively managing employees with unacceptable performance;*

*''(v) addressing reports of a hostile work environment, reprisal, or harassment of or by another supervisor or employee; and*

*''(vi) otherwise carrying out the duties and responsibilities of a supervisor;*

*''(B) a program to provide training to supervisors on the prohibited personnel practices under section 2302 (particularly with respect to such practices described under subsections (b)(1) and (b)(8) of such section), employee collective bargaining and union participation rights, and the procedures and processes used to enforce employee rights; and*

*''(C) a program under which experienced supervisors mentor new supervisors by—*

*''(i) sharing knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, leadership, and professional development; and*

*''(ii) pointing out strengths and areas for development.*

*''(2) Each supervisor shall be required to complete a program at least once every 3 years.''.*

*(e) REPORTS.—The Secretary of Defense shall provide a report to the covered committees (as defined by subsection (g)(6))—*

*(1) no later than 6 months after the date of enactment of this Act, on the initial steps being taken to reclassify positions from the NSPS and the initial conversion plan to begin converting employees from the NSPS, which information shall be supplemented by reports describing the progress of the conversion process which shall be submitted to the same committees on a semiannual basis;*

*(2) no later than 12 months after date of enactment, a plan for the personnel management system as authorized by section 9902(a) of title 5, United States Code, as amended by this section, which plan shall not take effect until 90 days after the submission of the plan to Congress; and*

*(3) no later than 12 months after date of enactment, a plan for the appointment procedures as authorized by section 9902(b) of title 5, United States Code, as amended by this section.*

*(f) CLERICAL AMENDMENTS.—*

*(1) The heading of section 9902 of title 5, United States Code, is amended to read as follows:*

***''§ 9902. Department of Defense personnel authorities''.***

*(2) The table of sections at the beginning of chapter 99 of such title is amended by striking the item relating to section 9902 and inserting the following:*

*''9902. Department of Defense personnel authorities.''.*

*(g) OTHER PERSONNEL FLEXIBILITIES.—*

*(1) IN GENERAL.—If the Secretary of Defense determines that it would be in the best interest of the Department of Defense to implement personnel flexibilities in addition to those authorized under section 9902 of title 5, as amended by this section, the Secretary, in coordination with the Director of the Office of Personnel Management, may develop and submit to the covered committees, not later than 6 months after the date of the enactment of this Act, a proposal to implement—*

*(A) additional personnel flexibilities and associated statutory waivers with respect to the application of the General Schedule (as defined in section 5332 of title 5, United States Code); or*

*(B) additional personnel flexibilities and associated statutory waivers, which would require exemption from the application of the General Schedule (as so defined).*

*(2) RATIONALE.—If the Secretary's proposal is to implement authorities described in paragraph (1)(B), the Secretary shall provide a detailed rationale as to why implementation of authorities described in paragraph (1)(A) are not adequate or appropriate to meet the interests of the Department.*

*(3) REQUIREMENTS.—The Secretary's proposal (whether as described in paragraph (1)(A) or (1)(B))—*

*(A) shall be developed in a manner consistent with the requirements of subsections (c) and (d) of section 9902 of title 5, United States Code, as amended by this section;*

*(B) shall include a description of proposed regulations and implementing rules that the Secretary plans to adopt for the proposed system;*

*(C) shall identify and provide a rationale for any statutory waiver that would be required to implement the proposed system;*

*(D) shall describe the steps that the Department would take to avoid problems of the type described in the report of the Defense Business Board, dated August 2009, regarding the National Security Personnel System; and*

*(E) may not provide for the waiver of any provision of law that cannot be waived under paragraph (3) of section 9902(b) of title 5, United States Code (as in effect on the day before the date of the enactment of this Act), and shall be subject to the requirements in paragraphs (4) and (5) of such section (as then in effect).*

*(4) CONGRESSIONAL APPROVAL REQUIRED.—If Congress approves the Secretary's proposal in the National Defense Authorization Act for Fiscal Year 2011, the Secretary may implement the proposal (subject to any changes required by law) and begin the implementation of such proposal for personnel included in the National Security Personnel System, in lieu of the transition that would otherwise be required by subsection (b), subject to paragraph (5).*

*(5) RESTRICTIONS.—Notwithstanding any approval under paragraph (4), the provisions of subsection (b)(2) and (c)(4) shall apply with respect to any proposal approved under such paragraph, unless and until modified or repealed in legislation enacted after the date of the enactment of this Act.*

*(6) DEFINITIONS.—For purposes of this subsection, the term ''covered committees'' means—*

*(A) the Committees on Armed Services of the Senate and the House of Representatives;*

*(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and*

*(C) the Committee on Oversight and Government Reform of the House of Representatives.*

*(h) MODIFICATION OF IMPLEMENTATION AUTHORITIES AND LIMITATIONS.—Section 1106 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 349) is amended—*

*(1) by striking subsection (b);*

*(2) by redesignating subsection (c) as subsection (b); and*

*(3) in subsection (b) (as so redesignated by paragraph (2))—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) The Comptroller General shall conduct a review, in each of calendar years 2010, 2011, and 2012, of—*

*''(A) employee satisfaction with any processes established pursuant to regulations promulgated by the Secretary of Defense pursuant to section 9902 of title 5, United States Code (as amended by section 1113 of the National Defense Authorization Act for Fiscal Year 2011; and*

*''(B) the extent to which any processes so established are fair, credible, and transparent, as required by such section 9902 (as so amended).''; and*

*(B) in paragraph (2), by striking ''the National Security Personnel System'' and inserting ''any processes established pursuant to such regulations''.*

***SEC. 1114. PROVISIONS RELATING TO THE DEFENSE CIVILIAN INTELLIGENCE PERSONNEL SYSTEM.***

*(a) SUSPENSION OF CERTAIN PAY AUTHORITY.—Effective with respect to amounts paid during the period beginning on the date of the enactment of this Act and ending on December 31, 2010, rates of basic pay for employees and positions within any element of the intelligence community (as defined by the National Security Act of 1947)—*

*(1) may not be fixed under the Defense Civilian Intelligence Personnel System; and*

*(2) shall instead be fixed in accordance with the provisions of law that (disregarding DCIPS) would then otherwise apply.*

*The preceding sentence shall not apply with respect to the National Geospatial-Intelligence Agency.*

*(b) RESPONSE TO GAO REPORT.—Not later than 3 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional oversight committees a written description of any actions taken or proposed to be taken by such Secretary in response to the review and recommendations of the Government Accountability Office regarding the Defense Civilian Intelligence Personnel System.*

*(c) INDEPENDENT ORGANIZATION.—*

*(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, the Director of the Office of Personnel Management, and the Director of National Intelligence shall jointly designate an independent organization to review the operation of the Defense Civilian Intelligence Personnel System, including—*

*(A) its impact on career progression;*

*(B) its appropriateness or inappropriateness in light of the complexities of the workforce affected;*

*(C) its sufficiency in terms of providing protections for diversity in promotion and retention of personnel; and*

*(D) the adequacy of the training, policy guidelines, and other preparations afforded in connection with transitioning to that system.*

*(2) DEADLINE.—The independent organization shall, after appropriate consultation with employees and employee organizations, submit its findings and recommendations under this section to the Secretary of Defense and the congressional oversight committees, in a written report, not later than June 1, 2010.*

*(d) PROPOSED ACTIONS BASED ON REPORT.—Not later than 60 days after receiving the report of the independent organization under subsection (c), the Secretary of Defense, in coordination with the Director of the Office of Personnel Management and the Director of National Intelligence, shall submit to the congressional oversight committees a written report describing any actions that the Secretary has taken or proposes to take in response to such report.*

*(e) HOLD-HARMLESS PROVISION.—No employee shall suffer any loss of or decrease in pay as a result of being converted from DCIPS in compliance with subsection (a).*

*(f) DEFINITIONS.—For purposes of this section—*

*(1) the terms ''Defense Civilian Intelligence Personnel System'' and ''DCIPS'' mean the civilian personnel system established by the Secretary of Defense under regulations—*

*(A) prescribed pursuant to sections 1601 through 1614 of title 10, United States Code; and*

*(B) taking effect in September 2008 or thereafter; and*

*(2) the term ''congressional oversight committees'' means—*

*(A) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(B) the Committee on Armed Services and the Select Committee on Intelligence of the Senate.*

***Subtitle B—Provisions Relating to Reemployment of Annuitants***

***SEC. 1121. AUTHORITY TO EXPAND SCOPE OF PROVISIONS RELATING TO UNREDUCED COMPENSATION FOR CERTAIN REEMPLOYED ANNUITANTS.***

*(a) IN GENERAL.—Section 9902(h) of title 5, United States Code, is amended—*

*(1) by redesignating paragraph (3) as paragraph (4); and*

*(2) by inserting after paragraph (2) the following:*

*''(3) Benefits similar to those provided by paragraphs (1) and (2) may be extended, in accordance with regulations prescribed by the President, so as to be made available with respect to reemployed annuitants within the Department of Defense who are subject to such other retirement systems for Government employees (whose annuities are payable under authorities other than subchapter III of chapter 83 or chapter 84 of title 5) as may be provided for under such regulations.''.*

*(b) CONFORMING AMENDMENT.—Paragraph (4) of section 9902(h) of such title 5 (as so designated by subsection (a)(1)) is amended by striking the period and inserting '', excluding paragraph (3).''.*

***SEC. 1122. PART-TIME REEMPLOYMENT.***

*(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8344 of title 5, United States Code, is amended—*

*(1) by redesignating subsection (l) as subsection (m);*

*(2) by inserting after subsection (k) the following:*

*''(l)(1) For purposes of this subsection—*

*''(A) the term 'head of an agency' means—*

*''(i) the head of an Executive agency, other than the Department of Defense or the Government Accountability Office;*

*''(ii) the head of the United States Postal Service;*

*''(iii) the Director of the Administrative Office of the United States Courts, with respect to employees of the judicial branch; and*

*''(iv) any employing authority described under subsection (k)(2), other than the Government Accountability Office; and*

*''(B) the term 'limited time appointee' means an annuitant appointed under a temporary appointment limited to 1 year or less.*

*''(2) The head of an agency may waive the application of subsection (a) or (b) with respect to any annuitant who is employed in such agency as a limited time appointee, if the head of the agency determines that the employment of the annuitant is necessary to—*

*''(A) fulfill functions critical to the mission of the agency, or any component of that agency;*

*''(B) assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) or the Troubled Asset Relief Program under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.);*

*''(C) assist in the development, management, or oversight of agency procurement actions;*

*''(D) assist the Inspector General for that agency in the performance of the mission of that Inspector General;*

*''(E) promote appropriate training or mentoring programs of employees;*

*''(F) assist in the recruitment or retention of employees; or*

*''(G) respond to an emergency involving a direct threat to life of property or other unusual circumstances.*

*''(3) The head of an agency may not waive the application of subsection (a) or (b) with respect to an annuitant—*

*''(A) for more than 520 hours of service performed by that annuitant during the period ending 6 months following the individual's annuity commencing date;*

*''(B) for more than 1040 hours of service performed by that annuitant during any 12-month period; or*

*''(C) for more than a total of 3120 hours of service performed by that annuitant.*

*''(4)(A) The total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8468(i) applies may not exceed 2.5 percent of the total number of full-time employees of that agency.*

*''(B) If the total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8468(i) applies exceeds 1 percent of the total number of full-time employees of that agency, the head of that agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Office of Personnel Management—*

*''(i) a report with an explanation that justifies the need for the waivers in excess of that percentage; and*

*''(ii) not later than 180 days after submitting the report under clause (i), a succession plan.*

*''(5)(A) The Director of the Office of Personnel Management may promulgate regulations providing for the administration of this subsection.*

*''(B) Any regulations promulgated under subparagraph (A) may—*

*''(i) provide standards for the maintenance and form of necessary records of employment under this subsection;*

*''(ii) to the extent not otherwise expressly prohibited by law, require employing agencies to provide records of such employment to the Office of Personnel Management or other employing agencies as necessary to ensure compliance with paragraph (3);*

*''(iii) authorize other administratively convenient periods substantially equivalent to 12 months, such as 26 pay periods, to be used in determining compliance with paragraph (3)(B);*

*''(iv) include such other administrative requirements as the Director of the Office of Personnel Management may find appropriate to provide for the effective operation of, or to ensure compliance with, this subsection; and*

*''(v) encourage the training and mentoring of employees by any limited time appointee employed under this subsection.*

*''(6)(A) Any hours of training or mentoring of employees by any limited time appointee employed under this subsection shall not be included in the hours of service performed for purposes of paragraph (3), but those hours of training or mentoring may not exceed 520 hours.*

*''(B) If the primary service performed by any limited time appointee employed under this subsection is training or mentoring of employees, the hours of that service shall be included in the hours of service performed for purposes of paragraph (3).*

*''(7) The authority of the head of an agency under this subsection to waive the application of subsection (a) or (b) shall terminate 5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2010.''; and*

*(3) in subsection (m) (as so redesignated)—*

*(A) in paragraph (1), by striking ''(k)'' and inserting ''(l)''; and*

*(B) in paragraph (2), by striking ''or (k)'' and inserting ''(k), or (l)''.*

*(b) FEDERAL EMPLOYEE RETIREMENT SYSTEM.—Section 8468 of title 5, United States Code, is amended—*

*(1) by redesignating subsection (i) as subsection (j);*

*(2) by inserting after subsection (h) the following:*

*''(i)(1) For purposes of this subsection—*

*''(A) the term 'head of an agency' means—*

*''(i) the head of an Executive agency, other than the Department of Defense or the Government Accountability Office;*

*''(ii) the head of the United States Postal Service;*

*''(iii) the Director of the Administrative Office of the United States Courts, with respect to employees of the judicial branch; and*

*''(iv) any employing authority described under subsection (h)(2), other than the Government Accountability Office; and*

*''(B) the term 'limited time appointee' means an annuitant appointed under a temporary appointment limited to 1 year or less.*

*''(2) The head of an agency may waive the application of subsection (a) with respect to any annuitant who is employed in such agency as a limited time appointee, if the head of the agency determines that the employment of the annuitant is necessary to—*

*''(A) fulfill functions critical to the mission of the agency, or any component of that agency;*

*''(B) assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) or the Troubled Asset Relief Program under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.);*

*''(C) assist in the development, management, or oversight of agency procurement actions;*

*''(D) assist the Inspector General for that agency in the performance of the mission of that Inspector General;*

*''(E) promote appropriate training or mentoring programs of employees;*

*''(F) assist in the recruitment or retention of employees; or*

*''(G) respond to an emergency involving a direct threat to life of property or other unusual circumstances.*

*''(3) The head of an agency may not waive the application of subsection (a) with respect to an annuitant—*

*''(A) for more than 520 hours of service performed by that annuitant during the period ending 6 months following the individual's annuity commencing date;*

*''(B) for more than 1040 hours of service performed by that annuitant during any 12-month period; or*

*''(C) for more than a total of 3120 hours of service performed by that annuitant.*

*''(4)(A) The total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8344(l) applies may not exceed 2.5 percent of the total number of full-time employees of that agency.*

*''(B) If the total number of annuitants to whom a waiver by the head of an agency under this subsection or section 8344(l) applies exceeds 1 percent of the total number of full-time employees of that agency, the head of that agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Office of Personnel Management—*

*''(i) a report with an explanation that justifies the need for the waivers in excess of that percentage; and*

*''(ii) not later than 180 days after submitting the report under clause (i), a succession plan.*

*''(5)(A) The Director of the Office of Personnel Management may promulgate regulations providing for the administration of this subsection.*

*''(B) Any regulations promulgated under subparagraph (A) may—*

*''(i) provide standards for the maintenance and form of necessary records of employment under this subsection;*

*''(ii) to the extent not otherwise expressly prohibited by law, require employing agencies to provide records of such employment to the Office or other employing agencies as necessary to ensure compliance with paragraph (3);*

*''(iii) authorize other administratively convenient periods substantially equivalent to 12 months, such as 26 pay periods, to be used in determining compliance with paragraph (3)(B);*

*''(iv) include such other administrative requirements as the Director of the Office of Personnel Management may find appropriate to provide for effective operation of, or to ensure compliance with, this subsection; and*

*''(v) encourage the training and mentoring of employees by any limited time appointee employed under this subsection.*

*''(6)(A) Any hours of training or mentoring of employees by any limited time appointee employed under this subsection shall not be included in the hours of service performed for purposes of paragraph (3), but those hours of training or mentoring may not exceed 520 hours.*

*''(B) If the primary service performed by any limited time appointee employed under this subsection is training or mentoring of employees, the hours of that service shall be included in the hours of service performed for purposes of paragraph (3).*

*''(7) The authority of the head of an agency under this subsection to waive the application of subsection (a) shall terminate 5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2010.''; and*

*(3) in subsection (j) (as so redesignated)—*

*(A) in paragraph (1), by striking ''(h)'' and inserting ''(i)''; and*

*(B) in paragraph (2), by striking ''or (h)'' and inserting ''(h), or (i)''.*

*(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section may be construed to authorize the waiver of the hiring preferences under chapter 33 of title 5, United States Code in selecting annuitants to employ in an appointive or elective position.*

*(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 1005(d)(2) of title 39, United States Code, is amended—*

*(1) by striking ''(l)(2)'' and inserting ''(m)(2)''; and*

*(2) by striking ''(i)(2)'' and inserting ''(j)(2)''.*

***SEC. 1123. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.***

*(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report regarding the use of the authority under the amendments made by section 1122.*

*(b) CONTENTS.—The report submitted under subsection (a) shall—*

*(1) include the number of annuitants for whom a waiver was made under subsection (l) of section 8344 of title 5, United States Code, as amended by this subtitle, or subsection (i) of section 8468 of title 5, United States Code, as amended by this subtitle; and*

*(2) identify each agency that used the authority described in paragraph (1).*

*(c) AGENCY DATA.—Each head of an agency (as defined under sections 8344(l)(1) and 8468(i)(1)(A) of title 5, United States Code, as added by section 1122 of this subtitle) shall—*

*(1) collect and maintain data necessary for purposes of the Comptroller General report submitted under subsection (a); and*

*(2) submit to the Comptroller General that data as the Comptroller General requires in a timely fashion.*

***TITLE XII—MATTERS RELATING TO FOREIGN NATIONS***

*Subtitle A—Assistance and Training*

*Sec. 1201. One-year extension of authority for security and stabilization assistance.*
*Sec. 1202. Expansion of authority and modification of notification and reporting requirements for use of authority for support of special operations to combat terrorism.*
*Sec. 1203. Modification of report on foreign-assistance related programs carried out by the Department of Defense.*
*Sec. 1204. Report on authorities to build the capacity of foreign military forces and related matters.*
*Sec. 1205. Authority to provide administrative services and support to coalition liaison officers of certain foreign nations assigned to United States Joint Forces Command.*
*Sec. 1206. Modification of authorities relating to program to build the capacity of foreign military forces.*
*Sec. 1207. Authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries.*
*Sec. 1208. Report on alternatives to use of acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability.*
*Sec. 1209. Enhancing Iraqi security through defense cooperation between the United States and Iraq.*
*Sec. 1210. Availability of appropriated funds for the State Partnership Program.*

*Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan*

*Sec. 1221. Limitation on availability of funds for certain purposes relating to Iraq.*
*Sec. 1222. One-year extension and expansion of Commanders' Emergency Response Program.*
*Sec. 1223. Modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
*Sec. 1224. Pakistan Counterinsurgency Fund.*
*Sec. 1225. Program to provide for the registration and end-use monitoring of defense articles and defense services transferred to Afghanistan and Pakistan.*
*Sec. 1226. Reports on campaign plans for Iraq and Afghanistan.*
*Sec. 1227. Report on responsible redeployment of United States Armed Forces from Iraq.*
*Sec. 1228. Report on community-based security programs in Afghanistan.*
*Sec. 1229. Updates of report on command and control structure for military forces operating in Afghanistan.*
*Sec. 1230. Report on feasibility and desirability of establishing general uniform procedures and guidelines for the provision of monetary assistance by the United States to civilian foreign nationals for losses incident to combat activities of the armed forces.*
*Sec. 1231. Assessment and report on United States-Pakistan military relations and cooperation.*
*Sec. 1232. Report on progress toward security and stability in Pakistan.*
*Sec. 1233. Repeal of GAO war-related reporting requirement.*
*Sec. 1234. Authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan.*
*Sec. 1235. Analysis of required force levels and types of forces needed to secure southern and eastern regions of Afghanistan.*
*Sec. 1236. Modification of report on progress toward security and stability in Afghanistan.*

Sec. 1237. No permanent military bases in Afghanistan.

Subtitle C—Other Matters

Sec. 1241. Report on United States engagement with Iran.
Sec. 1242. Annual counterterrorism status reports.
Sec. 1243. Report on United States contributions to the United Nations.
Sec. 1244. NATO Special Operations Coordination Center.
Sec. 1245. Annual report on military power of Iran.
Sec. 1246. Annual report on military and security developments involving the People's Republic of China.
Sec. 1247. Report on impacts of drawdown authorities on the Department of Defense.
Sec. 1248. Risk assessment of United States space export control policy.
Sec. 1249. Patriot air and missile defense battery in Poland.
Sec. 1250. Report on potential foreign military sales of the F–22A fighter aircraft.
Sec. 1251. Report on the plan for the nuclear weapons stockpile, nuclear weapons complex, and delivery platforms and sense of Congress on follow-on negotiations to START Treaty.
Sec. 1252. Map of mineral-rich zones and areas under the control of armed groups in the Democratic Republic of the Congo.
Sec. 1253. Sense of Congress relating to Israel.
Sec. 1254. Sense of Congress on imposing sanctions with respect to Iran.
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Sec. 1256. Report on potential missile defense cooperation with Russia.

Subtitle D—VOICE Act

Sec. 1261. Short title.
Sec. 1262. Authorization of appropriations.
Sec. 1263. Iranian Electronic Education, Exchange, and Media Fund.
Sec. 1264. Annual report.
Sec. 1265. Report on actions by non-Iranian companies.
Sec. 1266. Human rights documentation.

**Subtitle A—Assistance and Training**

**SEC. 1201. ONE-YEAR EXTENSION OF AUTHORITY FOR SECURITY AND STABILIZATION ASSISTANCE.**

*Section 1207(g) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3458), as amended by section 1210 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 369) and section 1207 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4625), is further amended by striking ''September 30, 2009'' and inserting ''September 30, 2010''.*

**SEC. 1202. EXPANSION OF AUTHORITY AND MODIFICATION OF NOTIFICATION AND REPORTING REQUIREMENTS FOR USE OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.**

*(a) AUTHORITY.—Section 1208(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as amended by section 1208(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4626), is further amended by striking ''$35,000,000'' and inserting ''$40,000,000''.*

*(b) NOTIFICATION.—Section 1208(c) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as amended by section 1208(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4626), is further amended—*

*(1) by striking ''Upon using'' and inserting the following:*

*''(1) IN GENERAL.—Upon using'';*

*(2) by inserting after ''support of an approved military operation'' the following: ''or changing the scope or funding level of any support for such an operation'';*

*(3) by striking ''Such a notification need be provided only once with respect to any such operation.''; and*

*(4) by adding at the end the following new paragraph:*

*''(2) CONTENT.—Notifications required under this subsection shall include the following information:*

*''(A) The type of support provided or to be provided to United States special operations forces.*

*''(B) The type of support provided or to be provided to the recipient of the funds.*

*''(C) The amount obligated under the authority to provide support.''.*

*(c) ANNUAL REPORT.—Section 1208(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086) is amended in the second sentence by striking ''shall describe the support'' and all that follows through the period at the end and inserting ''shall include the following information:*

*''(1) A description of supported operations.*

*''(2) A summary of operations.*

*''(3) The type of recipients that received support, identified by authorized category (foreign forces, irregular forces, groups, or individuals).*

*''(4) The total amount obligated in the previous fiscal year, including budget details.*

*''(5) The total amount obligated in prior fiscal years.*

*''(6) The intended duration of support.*

*''(7) A description of support or training provided to the recipients of support.*

*''(8) A value assessment of the operational support provided.''.*

**SEC. 1203. MODIFICATION OF REPORT ON FOREIGN-ASSISTANCE RELATED PROGRAMS CARRIED OUT BY THE DEPARTMENT OF DEFENSE.**

*(a) AMENDMENT.—Section 1209 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 368) is amended—*

*(1) in subsection (a), by striking ''180 days after the date of the enactment of this Act'' and inserting ''February 1 of each year through February 1, 2013''; and*

*(2) in subsection (b)(1)—*

*(A) in subparagraph (G), by striking ''and'' at the end; and*

*(B) by adding at the end the following new subparagraph:*

*''(I) subsection (b)(6) of section 166a of title 10, United States Code; and''.*

*(b) REPORT FOR FISCAL YEARS 2008 AND 2009.—The report required to be submitted not later than February 1, 2010, under section 1209(a) of the National Defense Authorization Act for Fiscal Year 2008, as amended by subsection (a), shall include information required under such section with respect to fiscal years 2008 and 2009.*

**SEC. 1204. REPORT ON AUTHORITIES TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES AND RELATED MATTERS.**

*(a) REPORT REQUIRED.—Not later than March 1, 2010, the President shall transmit to the congressional committees specified in subsection (b) a report on the following:*

*(1) The relationship between authorities of the Department of Defense to conduct security cooperation programs to train and equip, or otherwise build the capacity of, foreign military forces and security assistance authorities of the Department of State and other foreign assistance agencies to provide assistance to train and equip, or otherwise build the capacity of, foreign military forces, including the distinction, if any, between the purposes of such authorities, the processes to generate requirements to satisfy the purposes of such authorities, and the contribution such authorities make to the core missions of each such department and agency.*

*(2) The strengths and weaknesses of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the Arms Export Control Act (22 U.S.C. 2171 et seq.), title 10, United States Code, and any other provision of law relating to training and equipping, or otherwise building the capacity of, foreign military forces, including to conduct counterterrorist operations or participate in or support military and stability operations in which the United State Armed Forces are a participant.*

*(3) The changes, if any, that should be made to the provisions of law described in paragraph (2) that would improve the ability of the United States Government to train and equip, or otherwise build the capacity of, foreign military forces, including to conduct counterterrorist operations or participate in or support military and stability operations in which the United State Armed Forces are a participant.*

*(4) The organizational and procedural changes, if any, that should be made in the Department of Defense and the Department of State and other foreign assistance agencies to improve the ability of such departments and agencies to conduct programs to train and equip, or otherwise build the capacity of, foreign military forces, including to conduct counterterrorist operations or participate in or support military and stability operations in which the United State Armed Forces are a participant.*

*(5) The resources and funding mechanisms required to ensure adequate funding for such programs.*

*(b) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this subsection are the following:*

*(1) The Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.*

*(2) The Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.*

**SEC. 1205. AUTHORITY TO PROVIDE ADMINISTRATIVE SERVICES AND SUPPORT TO COALITION LIAISON OFFICERS OF CERTAIN FOREIGN NATIONS ASSIGNED TO UNITED STATES JOINT FORCES COMMAND.**

*(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1051a of title 10, United States Code, is amended—*

*(1) by striking ''assigned temporarily'' and inserting ''assigned temporarily as follows:'';*

*(2) by designating the remainder of the text of that subsection as paragraph (1) and indenting that text two ems from the left margin;*

*(3) in paragraph (1), as so designated, by striking ''to the headquarters'' and inserting ''To the headquarters''; and*

*(4) by adding at the end the following new paragraph:*

*''(2) To the headquarters of the combatant command assigned by the Secretary of Defense the mission of joint warfighting experimentation and joint forces training.''.*

*(b) EFFECTIVE DATE.—Paragraph (2) of section 1051a(a) of title 10, United States Code (as added by subsection (a)), shall take effect on October 1, 2009, or the date of the enactment of this Act, whichever is later.*

**SEC. 1206. MODIFICATION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.**

*(a) TEMPORARY LIMITATION ON AMOUNT FOR BUILDING CAPACITY FOR MILITARY AND STABILITY OPERATIONS.—Section 1206(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), as amended by section 1206 of the John Warner National Defense Authorization Act for Fiscal*

*Year 2007 (Public Law 109–364; 120 Stat. 2418) and section 1206 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4625), is further amended by adding at the end the following new paragraph:*

*''(5) TEMPORARY LIMITATION ON AMOUNT FOR BUILDING CAPACITY TO PARTICIPATE IN OR SUPPORT MILITARY AND STABILITY OPERATIONS.—Of the funds used to carry out a program under subsection (a), not more than $75,000,000 may be used during fiscal year 2010, and not more than $75,000,000 may be used during fiscal year 2011, for purposes described in subsection (a)(1)(B).''.*

*(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2009, and shall apply with respect to programs under section 1206(a) of the National Defense Authorization Act for Fiscal Year 2006 that begin on or after that date.*

***SEC. 1207. AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.***

*(a) AUTHORITY TO ENTER INTO NON-RECIPROCAL INTERNATIONAL EXCHANGE AGREEMENTS.—*

*(1) IN GENERAL.—The Secretary of Defense may enter into non-reciprocal international defense personnel exchange agreements.*

*(2) INTERNATIONAL DEFENSE PERSONNEL EXCHANGE AGREEMENTS DEFINED.—For purposes of this section, an international defense personnel exchange agreement is an agreement with the government of an ally of the United States or another friendly foreign country for the exchange of military and civilian personnel of the defense ministry of that foreign government.*

*(b) ASSIGNMENT OF PERSONNEL.—*

*(1) IN GENERAL.—Pursuant to a non-reciprocal international defense personnel exchange agreement, personnel of the defense ministry of a foreign government may be assigned to positions in the Department of Defense.*

*(2) MUTUAL AGREEMENT REQUIRED.—An individual may not be assigned to a position pursuant to a non-reciprocal international defense personnel exchange agreement unless the assignment is acceptable to both governments.*

*(c) PAYMENT OF PERSONNEL COSTS.—*

*(1) IN GENERAL.—The foreign government with which the United States has entered into a non-reciprocal international defense personnel exchange agreement shall pay the salary, per diem, cost of living, travel costs, cost of language or other training, and other costs for its personnel under such agreement in accordance with the applicable laws and regulations of such government.*

*(2) EXCLUDED COSTS.—Paragraph (1) does not apply to the following costs:*

*(A) The cost of training programs conducted to familiarize, orient, or certify exchanged personnel regarding unique aspects of the assignments of the exchanged personnel.*

*(B) Costs incident to the use of facilities of the United States Government in the performance of assigned duties.*

*(C) The cost of temporary duty of the exchanged personnel directed by the United States Government.*

*(d) PROHIBITED CONDITIONS.—No personnel exchanged pursuant to a non-reciprocal agreement under this section may take or be required to take an oath of allegiance or to hold an official capacity in the government.*

*(e) REPORT.—*

*(1) IN GENERAL.—Not later than 90 days after the end of the fiscal year in which the authority in subsection (a) has been exercised, the Secretary of Defense shall submit to the appropriate congressional committees a report on the use of the authority through the end of such fiscal year.*

*(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include the number of non-reciprocal international defense personnel exchange agreements, the number of personnel assigned pursuant to such agreements, the Department of Defense component to which the personnel have been assigned, the duty title of each assignment, and the countries with which the agreements have been concluded.*

*(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—*

*(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and*

*(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

*(f) DURATION OF AUTHORITY.—The authority under this section shall expire on September 30, 2012.*

***SEC. 1208. REPORT ON ALTERNATIVES TO USE OF ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND MILITARY EQUIPMENT FOR PERSONNEL PROTECTION AND SURVIVABILITY.***

*(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth and assessing various alternatives to the use of acquisition and cross-servicing agreements pursuant to the temporary authority in section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412), as amended by section 1252 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 402), for purposes of lending covered military equipment to military forces of nations as follows:*

*(1) A nation participating in combined operations with the United States in Iraq and Afghanistan.*

*(2) A nation participating in combined operations with the United States as part of a peacekeeping operation under the Charter of the United Nations or another international agreement.*

*(b) COVERED MILITARY EQUIPMENT DEFINED.—In this section, the term ''covered military equipment'' has the meaning given that term in section 1202(d)(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007.*

***SEC. 1209. ENHANCING IRAQI SECURITY THROUGH DEFENSE COOPERATION BETWEEN THE UNITED STATES AND IRAQ.***

*(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate congressional committees a report on the role of Foreign Military Sales in meeting the requirements of the military and security forces of Iraq for restoring and maintaining peace and security in Iraq.*

*(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:*

*(1) A description of the minimum requirements of the military and security forces of Iraq to achieve and sustain internal security.*

*(2) A description of how Foreign Military Sales may be leveraged to ensure the timely delivery of training, equipment, and supplies beyond the December 2011 drawdown deadline and any recommendations for improving the Foreign Military Sales process with respect to Iraq.*

*(3) An assessment of the feasibility and desirability of treating an undertaking by the Government of Iraq between the date of the enactment of this Act and December 31, 2011, as a dependable undertaking described in section 22(a) of the Arms Export Control Act (22 U.S.C. 2762(a)) for the purpose of entering into contracts for the procurement of defense articles and defense services as provided for in that section.*

*(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should, with the concurrence of the Secretary of State, seek to increase the number of positions in professional military education courses, including courses at command and general staff colleges, war colleges, and the service academies, that are made available annually to personnel of the security forces of the Government of Iraq.*

*(d) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

***SEC. 1210. AVAILABILITY OF APPROPRIATED FUNDS FOR THE STATE PARTNERSHIP PROGRAM.***

*(a) REGULATIONS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with Secretary of State, shall prescribe regulations regarding the use of funds appropriated to the Department of Defense to pay the costs incurred by the National Guard in conducting activities under the State Partnership Program. The Secretary of Defense shall transmit to the appropriate congressional committees a copy of the regulations not later than 15 days after the date on which the regulations are prescribed under this subsection.*

*(b) LIMITATIONS.—*

*(1) APPROVAL BY COMMANDER OF COMBATANT COMMAND AND CHIEF OF MISSION.—Funds shall not be available under subsection (a) for activities conducted under the State Partnership Program in a foreign country unless such activities are jointly approved by the commander of the combatant command concerned and the chief of mission concerned.*

*(2) PARTICIPATION BY MEMBERS.—Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities conducted under the State Partnership Program in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation.*

*(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not later than the end of each of the fiscal years 2010 through 2013, the Secretary of Defense shall submit to the appropriate congressional committees a report describing the civilian engagement activities conducted under the State Partnership Program, including a detailed description of the activities undertaken and funds expended in the previous fiscal year under the State Partnership Program.*

*(d) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

***Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan***

***SEC. 1221. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN PURPOSES RELATING TO IRAQ.***

*No funds appropriated pursuant to an authorization of appropriations in this Act may be obligated or expended 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 of the oil resources of Iraq.*

***SEC. 1222. ONE-YEAR EXTENSION AND EXPANSION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.***

*(a) ONE-YEAR EXTENSION OF AUTHORITY.—*

*(1) AUTHORITY FOR FISCAL YEAR 2010.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2006*

*(Public Law 109–163; 119 Stat. 3455), as amended by section 1205 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 366) and section 1214 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4630), is further amended—*

*(A) in the heading, by striking ''FISCAL YEARS 2008 AND 2009'' and inserting ''FISCAL YEAR 2010'';*

*(B) by striking ''each of fiscal years 2008 and 2009'' and inserting ''fiscal year 2010'';*

*(C) by striking ''for such fiscal year''; and*

*(D) by striking ''$1,700,000,000 in fiscal year 2008 and $1,500,000,000 in fiscal year 2009'' and inserting ''$1,300,000,000''.*

*(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2009.*

*(b) EXTENSION OF DUE DATE FOR QUARTERLY REPORTS.—Subsection (b)(1) of such section is amended—*

*(1) by striking ''15 days'' and inserting ''30 days''; and*

*(2) by striking ''fiscal years 2008 and 2009'' and inserting ''any fiscal year during which the authority under subsection (a) is in effect''.*

*(c) TECHNICAL AMENDMENTS.—Subsections (e)(1) and (f)(1) of such section are amended by striking ''the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009'' and inserting ''October 14, 2008,''.*

*(d) AUTHORITY TO TRANSFER FUNDS FOR SUPPORT OF AFGHANISTAN NATIONAL SOLIDARITY PROGRAM.—*

*(1) AUTHORITY.—If the Secretary of Defense determines that the use of Commanders' Emergency Response Program funds to support the Afghanistan National Solidarity Program would enhance counterinsurgency operations or stability operations in Afghanistan, the Secretary of Defense may transfer funds, from amounts available for the Commanders' Emergency Response Program for fiscal year 2010, to the Secretary of State for purposes of supporting the Afghanistan National Solidarity Program.*

*(2) LIMITATION.—The amount of funds transferrable under paragraph (1) may not exceed $50,000,000.*

*(3) CONGRESSIONAL NOTIFICATION.—Not later than 15 days before transferring funds under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees a report setting forth the Secretary's determination pursuant to paragraph (1) and a description of the amount of funds to be transferred under that paragraph.*

*(4) EXPIRATION.—The authority to transfer funds under paragraph (1) shall expire at the close of September 30, 2010.*

*(e) USE OF FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.—*

*(1) AUTHORITY.—The Secretary of Defense, in coordination with the Government of Afghanistan and with the concurrence of the Secretary of State, may utilize such funds as necessary from amounts available for the Commanders' Emergency Response Program for fiscal year 2010 to support the reintegration into Afghan society of those individuals who have renounced violence against the Government of Afghanistan.*

*(2) QUARTERLY REPORTS.—*

*(A) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report on activities carried out utilizing the authority of paragraph (1). Such report shall be included in the report required under section 1202(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3455), and shall be specifically identified as having been carried out under the authority of paragraph (1).*

*(B) COPY OF REPORT.—The Secretary of Defense shall provide the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate with a copy of that portion of the report required by section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3455) that pertains to expenditures carried out under the authority of paragraph (1).*

*(3) EXPIRATION.—The authority to utilize funds under paragraph (1) shall expire at the close of September 30, 2010.*

*(f) REVIEW OF PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a thorough review of the Commander's Emergency Response Program and submit to the congressional defense committees the results of such review.*

*(g) DEFINITION.—In this section, the term ''Commanders' Emergency Response Program'' has the meaning given the term in section 1202(g) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456).*

***SEC. 1223. MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.***

*(a) EXPANSION OF AUTHORITY.—Section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended—*

*(1) in subsection (a)—*

*(A) by striking ''section 1508'' and inserting ''section 1509(5) of the National Defense Authorization Act for Fiscal Year 2010'';*

*(B) by striking ''key cooperating nation for logistical'' and inserting the following: ''key cooperating nation for the following:*

*''(1) Logistical''; and*

*(C) by adding at the end the following:*

*''(2) Logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations described in paragraph (1).'';*

*(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and*

*(3) by inserting after subsection (a) the following new subsection:*

*''(b) OTHER SUPPORT.—Using funds described in subsection (a)(2), the Secretary of Defense may also assist any key cooperating nation supporting United States military operations in Operation Iraqi Freedom or Operation Enduring Freedom in Afghanistan through the following:*

*''(1) The provision of specialized training to personnel of that nation in connection with such operations, including training of such personnel before deployment in connection with such operations.*

*''(2) The procurement and provision of supplies to that nation in connection with such operations.*

*''(3) The procurement of specialized equipment and the loaning of such specialized equipment to that nation on a non-reimbursable basis in connection with such operations.''.*

*(b) AMOUNTS OF SUPPORT.—Paragraph (2) of subsection (c) of such section (as redesignated) is amended to read as follows:*

*''(2) SUPPORT.—Support authorized by subsection (b) may be provided 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 considers appropriate.''.*

*(c) LIMITATION ON AMOUNT.—Paragraph (1) of subsection (d) of such section (as redesignated) is amended by adding at the end the following: ''The aggregate amount of reimbursements made under subsection (a) and support provided under subsection (b) during fiscal year 2010 may not exceed $1,600,000,000.''.*

*(d) NOTICE TO CONGRESS.—Subsection (e) of such section (as redesignated) is amended by striking ''shall—'' and all that follows and inserting ''shall notify the appropriate congressional committees not later than 15 days before making any reimbursement under the authority in subsection (a) or providing any support under the authority in subsection (b). In the case of any reimbursement to Pakistan under the authority of this section, such notice shall be made in accordance with the notice requirements under section 1232(b).''.*

*(e) QUARTERLY REPORTS.—Such section is further amended by adding at the end the following new subsection:*

*''(f) QUARTERLY REPORTS.—The Secretary of Defense shall submit to the appropriate congressional committees on a quarterly basis a report on any reimbursements made under the authority in subsection (a), and any support provided under the authority in subsection (b), during such quarter.''.*

*(f) DEFINITION.—Such section is further amended by adding at the end the following new subsection:*

*''(g) DEFINITION.—In this section, the term 'appropriate congressional committees' means—*

*''(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and*

*''(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.''.*

*(g) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as amended by section 1217(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4635), is further amended by striking ''September 30, 2010'' and inserting ''September 30, 2011''.*

***SEC. 1224. PAKISTAN COUNTERINSURGENCY FUND.***

*(a) AVAILABILITY.—*

*(1) AMOUNTS IN THE FUND.—The Pakistan Counterinsurgency Fund (in this section referred to as the ''Fund'') shall consist of the following:*

*(A) Amounts appropriated to the Fund for fiscal year 2009.*

*(B) Amounts transferred to the Fund pursuant to subsection (d).*

*(2) INITIAL ASSESSMENT REQUIRED.—Concurrent with the initial use of funds available under this section, the Secretary of Defense shall submit to the appropriate congressional committees a report setting forth an assessment by the Secretary as to whether the Government of Pakistan is making concerted efforts to confront the threat posed by al Qa'ida, the Taliban, and other militant extremists based on the national security interests of Pakistan.*

*(b) USE OF FUNDS.—*

*(1) IN GENERAL.—Amounts in the Fund shall be made available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide assistance (including program management and the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction) to the security forces of Pakistan (including military forces, police forces, and the Frontier Corps) to build and maintain the counterinsurgency capability of such forces, and of which not more than $4,000,000 may be made available to provide humanitarian assistance to the people of Pakistan only as part of civil-military training exercises for such forces receiving assistance under the Fund.*

*(2) RELATION TO OTHER AUTHORITIES.—Except as otherwise provided in section 1225 of this Act, amounts in the Fund are authorized to be made available subject only to the terms and conditions of this section and notwithstanding any other provision of law. The authority to provide assistance under this subsection is in addition to any other authority to provide assistance to foreign countries.*

*(c) TRANSFERS FROM FUND.—*

*(1) IN GENERAL.—The Secretary of Defense may transfer such amounts as the Secretary determines to be appropriate from the Fund—*

*(A) to any account available to the Department of Defense, or*

*(B) with the concurrence of the Secretary of State and head of the relevant Federal department or agency, to any other non-intelligence related Federal account,*

*for purposes consistent with this section.*

*(2) TREATMENT OF TRANSFERRED FUNDS.—Subject to subsection (b)(2), amounts transferred to an account under the authority of paragraph (1) shall be merged with amounts in such account and shall be made available for the same purposes, and subject to the same conditions and limitations, as amounts in such account.*

*(3) TRANSFERS BACK TO FUND.—Upon a determination by the Secretary of Defense with respect to funds transferred under paragraph (1)(A), or the head of the other Federal department or agency with the concurrence of the Secretary of State with respect to funds transferred under paragraph (1)(B), that all or part of amounts transferred from the Fund under paragraph (1) are not necessary for the purpose provided, such amounts may be transferred back to the Fund and shall be made available for the same purposes, and subject to the same conditions and limitations, as originally applicable under subsection (b).*

*(d) TRANSFERS TO FUND.—*

*(1) IN GENERAL.—The Fund may include amounts transferred by the Secretary of State, with the concurrence of the Secretary of Defense, under any authority of the Secretary of State to transfer funds under any provision of law.*

*(2) TREATMENT OF TRANSFERRED FUNDS.—Amounts transferred to the Fund under the authority of paragraph (1) shall be subject to any restriction relating to payments for Letters of Offer and Acceptance as a condition of the authority to transfer funds under paragraph (1), and merged with amounts in the Fund and shall be made available for the same purposes, and subject to the same conditions and limitations, as amounts in the Fund.*

*(e) CONGRESSIONAL NOTIFICATION.—Amounts in the Fund may not be transferred from the Fund under this section until 15 days after the date on which the Secretary of Defense notifies the appropriate congressional committees in writing of the details of the proposed transfer.*

*(f) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal quarter, the Secretary of Defense shall submit to the appropriate congressional committees a report that summarizes, on a project-by-project basis, any transfer of funds from the Fund under this section during such fiscal quarter.*

*(g) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.*

*(h) SUNSET.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided under this section terminates at the close of September 30, 2010.*

*(2) EXCEPTION.—Any program supported from amounts in the Fund established before the close of September 30, 2010, may be completed after that date but only using amounts appropriated or transferred to the Fund on or before that date.*

***SEC. 1225. PROGRAM TO PROVIDE FOR THE REGISTRATION AND END-USE MONITORING OF DEFENSE ARTICLES AND DEFENSE SERVICES TRANSFERRED TO AFGHANISTAN AND PAKISTAN.***

*(a) PROGRAM REQUIRED.—*

*(1) IN GENERAL.—The Secretary of Defense shall establish and carry out a program to provide for the registration and end-use monitoring of defense articles and defense services transferred to Afghanistan and Pakistan in accordance with the requirements under subsection (b) and to prohibit the retransfer of such defense articles and defense services without the consent of the United States. The program required under this subsection shall be limited to the transfer of defense articles and defense services—*

*(A) pursuant to authorities other than the Arms Export Control Act or the Foreign Assistance Act of 1961; and*

*(B) using funds made available to the Department of Defense, including funds available pursuant to the Pakistan Counterinsurgency Fund.*

*(2) PROHIBITION.—No defense articles or defense services that would be subject to the program required under this subsection may be transferred to—*

*(A) the Government of Afghanistan or any other group, organization, citizen, or resident of Afghanistan, or*

*(B) the Government of Pakistan or any other group, organization, citizen, or resident of Pakistan,*

*until the Secretary of Defense certifies to the specified congressional committees that the program required under this subsection has been established.*

*(b) REGISTRATION AND END-USE MONITORING REQUIREMENTS.—The registration and end-use monitoring requirements under this subsection shall include the following:*

*(1) A detailed record of the origin, shipping, and distribution of defense articles and defense services transferred to—*

*(A) the Government of Afghanistan and other groups, organizations, citizens, and residents of Afghanistan; and*

*(B) the Government of Pakistan and other groups, organizations, citizens, and residents of Pakistan.*

*(2) The registration of the serial numbers of all small arms to be provided to—*

*(A) the Government of Afghanistan and other groups, organizations, citizens, and residents of Afghanistan; and*

*(B) the Government of Pakistan and other groups, organizations, citizens, and residents of Pakistan.*

*(3) A program of end-use monitoring of lethal defense articles and defense services transferred to the entities and individuals described in subparagraphs (A) and (B) of paragraph (1).*

*(c) REVIEW; EXEMPTION.—*

*(1) REVIEW.—The Secretary of Defense shall periodically review the defense articles and defense services subject to the registration and end-use monitoring requirements under subsection (b) to determine which defense articles and defense services, if any, should no longer be subject to such registration and end-use monitoring requirements. The Secretary of Defense shall submit to the specified congressional committees the results of each review conducted under this paragraph.*

*(2) EXEMPTION.—The Secretary of Defense may exempt a defense article or defense service from the registration and end-use monitoring requirements under subsection (b) beginning on the date that is 30 days after the date on which the Secretary provides notice of the proposed exemption to the specified congressional committees. Such notice shall describe any controls to be imposed on such defense article or defense service, as the case may be, under any other provision of law.*

*(d) DEFINITIONS.—In this section:*

*(1) DEFENSE ARTICLE.—The term ''defense article'' has the meaning given the term in section 644(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(d)).*

*(2) DEFENSE SERVICE.—The term ''defense service'' has the meaning given the term in section 644(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(f)).*

*(3) SMALL ARM.—The term ''small arm'' means—*

*(A) a handgun or pistol;*

*(B) a shoulder-fired weapon, including a subcarbine, carbine, or rifle;*

*(C) a light, medium, or heavy automatic weapon up to and including a .50 caliber machine gun;*

*(D) a recoilless rifle up to and including 106mm;*

*(E) a mortar up to and including 81mm;*

*(F) a rocket launcher, man-portable;*

*(G) a grenade launcher, rifle and shoulder fired; and*

*(H) an individually-operated weapon which is portable or can be fired without special mounts or firing devices and which has potential use in civil disturbances and is vulnerable to theft.*

*(4) SPECIFIED CONGRESSIONAL COMMITTEES.—The term ''specified congressional committees'' means—*

*(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and*

*(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.*

*(e) EFFECTIVE DATE.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect 180 days after the date of the enactment of this Act.*

*(2) EXCEPTION.—The Secretary of Defense may delay the effective date of this section by an additional period of up to 120 days if the Secretary certifies in writing to the specified congressional committees for such additional period that it is in the vital interest of the United States to do so and includes in the certification a description of such vital interest.*

***SEC. 1226. REPORTS ON CAMPAIGN PLANS FOR IRAQ AND AFGHANISTAN.***

*(a) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees separate reports containing assessments of the extent to which the campaign plan for Iraq and the campaign plan for Afghanistan (including the supporting and implementing documents for each such plan) each adhere to military doctrine (as defined in the Department of Defense's Joint Publication 5–0, Joint Operation Planning), including the elements set forth in subsection (b).*

*(b) MATTERS TO BE ASSESSED.—The matters to be included in the assessments required under subsection (a) are as follows:*

*(1) The extent to which each campaign plan identifies and prioritizes the conditions that must be achieved in each phase of the campaign.*

*(2) The extent to which each campaign plan reports the number of combat brigade teams and other forces required for each campaign phase.*

*(3) The extent to which each campaign plan estimates the time needed to reach the desired end state and complete the military portion of the campaign.*

*(c) UPDATE OF REPORT.—The Comptroller General shall submit to the congressional defense committees an update of the report on the campaign plan for Iraq or the campaign plan for Afghanistan required under subsection (a) whenever the campaign plan for Iraq or the campaign plan for Afghanistan, as the case may be, is substantially updated or altered.*

*(d) EXCEPTION.—If the Comptroller General determines that a report submitted to Congress by the Comptroller General before the date of the enactment of this Act substantially meets the requirements of subsection (a) for the submission of a report on the campaign plan for Iraq or the campaign plan for Afghanistan, the Comptroller General shall so notify the congressional defense committees in writing, but shall provide an update of the report as required under subsection (c).*

*(e) TERMINATION.—*

*(1) REPORTS ON IRAQ.—The requirement to submit updates of reports on the campaign plan for Iraq under subsection (c) shall terminate on December 31, 2011.*

*(2) REPORTS ON AFGHANISTAN.—The requirement to submit updates of reports on the campaign plan for Afghanistan under subsection (c) shall terminate on September 30, 2012.*

***SEC. 1227. REPORT ON RESPONSIBLE REDEPLOYMENT OF UNITED STATES ARMED FORCES FROM IRAQ.***

*(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, or December 31, 2009, whichever occurs later, and every 90 days thereafter, the Secretary of Defense shall submit to the appropriate congressional committees a report concerning the responsible redeployment of United States Armed Forces from Iraq in accordance with the policy announced by the President on February 27, 2009, and the Agreement Between the United States of America and the Republic of Iraq On the Withdrawal of United States Forces From Iraq and the Organization of Their Activities During Their Temporary Presence in Iraq.*

*(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:*

*(1) The number of United States military personnel in Iraq by service and component for each month of the preceding 90-day period and an estimate of the personnel levels in Iraq for the 90-day period following submission of the report.*

*(2) The number and type of military installations in Iraq occupied by 100 or more United States military personnel and the number of such military installations closed, consolidated, or transferred to the Government of Iraq in the preceding 90-day period.*

*(3) An estimate of the number of military vehicles, containers of equipment, tons of ammunition, or other significant items belonging to the Department of Defense removed from Iraq during the preceding 90-day period, an estimate of the remaining amount of such items belonging to the Department of Defense, and an assessment of the likelihood of successfully removing, demilitarizing, or otherwise transferring all items belonging to the Department of Defense from Iraq on or before December 31, 2011.*

*(4) An assessment of United States detainee operations and releases. Such assessment should include the total number of detainees held by the United States in Iraq, the number of detainees in each threat level category, the number of detainees who are not nationals of Iraq, the number of detainees transferred to Iraqi authorities, the number of detainees who were released from United States custody and the reasons for their release, and the number of detainees who having been released in the past were recaptured or had their remains identified planning or after carrying out attacks on United States or Coalition forces.*

*(5) A listing of the objective and subjective factors utilized by the commander of Multi-National Force–Iraq, including any changes to that list in the case of an update to the report, to determine risk levels associated with the drawdown of United States Armed Forces, and the process and timing that will be utilized by the commander of Multi-National Force–Iraq and the Secretary of Defense to assess risk and make recommendations to the President about either continuing the redeployment of United States Armed Forces from Iraq in accordance with the schedule announced by the President or modifying the pace or timing of that redeployment.*

*(c) INCLUSION IN OTHER REPORTS.—The report required under subsection (a) and any updates to the report may be included in any other required report on Iraq submitted to Congress by the Secretary of Defense.*

*(d) FORM.—The report required under subsection (a), whether or not included in another report on Iraq submitted to Congress by the Secretary of Defense, may include a classified annex.*

*(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and*

*(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.*

***SEC. 1228. REPORT ON COMMUNITY-BASED SECURITY PROGRAMS IN AFGHANISTAN.***

*(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Afghan Public Protection Program and other similar programs for community-based security forces in Afghanistan (in this section collectively referred to as the ''programs'').*

*(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following elements:*

*(1) An assessment of the programs in Afghanistan, including, at a minimum, the following elements:*

*(A) A listing and short description of the programs, including major elements of each program.*

*(B) An evaluation of the changes in security conditions in the districts in which each program is located, from each program's inception to the date of the report.*

*(C) The extent to which the forces developed under the programs are generally representative of the ethnic groups in the respective districts in which the programs are located.*

*(D) If the forces developed under the programs are appropriately representative of the geographic area of responsibility.*

*(E) An assessment of the effectiveness of each program, including, to the extent practicable, the views of the local communities and Afghan national, provincial, and district governmental officials and leaders of the local communities.*

*(F) Any formal reviews of the programs that are planned for the future and the timelines on which the reviews would be conducted, by whom the reviews would be conducted, and the criteria that would be used.*

*(G) The selection criteria that were used to select members of the program in the initial pilot districts and how the members were vetted.*

*(H) The costs to the Department of Defense to support the program in the initial pilot districts, to include any Commanders' Emergency Response Program funds spent as formal or informal incentives.*

*(I) The roles of the Afghanistan National Security Forces (ANSF) in supporting and training forces under each program.*

*(J) Any other criteria used to evaluate the programs by the Commander of United States Forces–Afghanistan.*

*(2) An assessment of the future of the programs, including, at a minimum, the following elements:*

*(A) A description of the goals and objectives expected to be met by the expansion of the programs or the establishment of similar programs.*

*(B) A description of how such expansions would support the functions of the Afghan National Police.*

*(C) A description of how districts or provinces will be chosen to participate in the programs, including an explanation of the following:*

*(i) What mechanisms the Government of Afghanistan will use to select additional districts or provinces, including participants in the decision process and the criteria used.*

*(ii) How the views of relevant United States Government departments and agencies and of the North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF) will be taken into account by the Government of Afghanistan when choosing districts or provinces to participate in the programs.*

*(iii) What process will be used to evaluate any changes to the programs as executed in the past to account for different or unique circumstances in additional areas of expansion.*

*(D) An assessment of personnel, assets, or funding of the Department of Defense that would likely be required to support any expansion of the programs.*

*(E) A description of the formal process, led by the Government of Afghanistan, that will be used to evaluate the programs, including a description of the following:*

*(i) A listing of the criteria that are expected to be considered in the process.*

*(ii) The roles in the process of—*

*(I) the Government of Afghanistan;*

*(II) relevant United States Government departments and agencies;*

*(III) NATO-ISAF;*

*(IV) nongovernmental representatives of the people of Afghanistan; and*

*(V) any other appropriate individuals and entities.*

*(F) A description of whether members of the forces developed under the programs will be transitioned to the ANSF or to other employment in the future, including a description of—*

*(i) the process that will be used to transition the forces;*

*(ii) additional training that may be required; and*

*(iii) how decisions will be made to transition the forces to the ANSF or other employment.*

*(G) The Afghan chain of command that will be used to implement the programs and provide command and control over the units created by the programs.*

***SEC. 1229. UPDATES OF REPORT ON COMMAND AND CONTROL STRUCTURE FOR MILITARY FORCES OPERATING IN AFGHANISTAN.***

*Section 1216(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4634) is amended by adding at the end the following new sentence: ''Any update of the report required under subsection (c) may be included in the report required under section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385).''.*

***SEC. 1230. REPORT ON FEASIBILITY AND DESIRABILITY OF ESTABLISHING GENERAL UNIFORM PROCEDURES AND GUIDELINES FOR THE PROVISION OF MONETARY ASSISTANCE BY THE UNITED STATES TO CIVILIAN FOREIGN NATIONALS FOR LOSSES INCIDENT TO COMBAT ACTIVITIES OF THE ARMED FORCES.***

*(a) REPORT.—The Secretary of Defense shall submit to Congress a report on the feasibility and the desirability of establishing general uniform procedures and guidelines for the provision by the United States of monetary assistance to civilian foreign nationals for losses, injuries, or death (hereafter ''harm'') incident to combat activities of the United States Armed Forces.*

*(b) MATTERS TO BE INCLUDED IN REPORT.—The Secretary shall include in the report the following:*

*(1) A description of the authorities under laws in effect as of the date of the enactment of this Act for the United States to provide compensation, monetary payments, or other assistance to civilians who incur harm due directly or indirectly to the combat activities of the United States Armed Forces.*

*(2) A description of the practices in effect as of the date of enactment of this Act for the United States to provide ex gratia, solatia, or other types of condolence payments to civilians who incur harm due directly or indirectly to the combat activities of the United States Armed Forces.*

*(3) A discussion of the historic practice of the United States to provide compensation, other*

*monetary payments, or other assistance to civilian foreign nationals who incur harm due directly or indirectly to combat activities of the United States Armed Forces.*

*(4) A discussion of the practice of the United States in Operation Enduring Freedom and Operation Iraqi Freedom to provide compensation, other monetary payments, or other assistance to civilian foreign nationals who incur harm due directly or indirectly to the combat activities of the United States Armed Forces, including the procedures and guidelines used and an assessment of its effectiveness. This discussion will also include estimates of the total amount of funds disbursed to civilian foreign nationals who have incurred harm since the inception of Operation Iraqi Freedom and Operation Enduring Freedom. This discussion will also include how such procedures and guidelines compare to the processing of claims filed under the Foreign Claims Act.*

*(5) A discussion of the positive and negative effects of using different authorities, procedures, and guidelines to provide monetary assistance to civilian foreign nationals, based upon the culture and economic circumstances of the local populace and the operational impact on the military mission. This discussion will also include whether the use of different authorities, procedures, and guidelines has resulted in disparate monetary assistance to civilian foreign nationals who have incurred substantially similar harm, and if so, the frequency and effect of such results.*

*(6) A discussion of the positive and negative effects of establishing general uniform procedures and guidelines for the provision of such assistance, based upon the goals of timely commencement of a program of monetary assistance, efficient and effective implementation of such program, and consistency in the amount of assistance in relation to the harm incurred. This discussion will also include whether the implementation of general uniform procedures and guidelines would create a legally enforceable entitlement to ''compensation'' and, if so, any potential significant operational impact arising from such an entitlement.*

*(7) Assuming general uniform procedures and guidelines were to be established, a discussion of the following:*

*(A) Whether such assistance should be limited to specified types of combat activities or operations, e.g., such as during counterinsurgency operations.*

*(B) Whether such assistance should be contingent upon a formal determination that a particular combat activity/operation is a qualifying activity, and the criteria, if any, for such a determination.*

*(C) Whether a time limit from the date of loss for providing such assistance should be prescribed.*

*(D) Whether only monetary or other types of assistance should be authorized, and what types of nonmonetary assistance, if any, should be authorized.*

*(E) Whether monetary value limits should be placed on the assistance that may be provided, or whether the determination to provide assistance and, if so, the monetary value of such assistance, should be based, in whole or in part, on a legal advisor's assessment of the facts.*

*(F) Whether a written record of the determination to provide or to not provide such assistance should be maintained and a copy made available to the civilian foreign national.*

*(G) Whether in the event of a determination to not provide such assistance the civilian foreign national should be afforded the option of a review of the determination by a higher ranking authority.*

*(c) RECOMMENDATIONS.—The Secretary shall include in the report such recommendations as the Secretary considers appropriate for legislative or administrative action with respect to the matters discussed in the report.*

*(d) SUBMISSION OF REPORT.—The report shall be submitted not later than 180 days after the date of the enactment of this Act. The report shall be submitted in unclassified form, but may include a classified annex.*

***SEC. 1231. ASSESSMENT AND REPORT ON UNITED STATES-PAKISTAN MILITARY RELATIONS AND COOPERATION.***

*(a) ASSESSMENT REQUIRED.—The Secretary of Defense, in consultation with the Secretary of State, shall conduct an assessment of possible alternatives to reimbursements to Pakistan for logistical, military, or other support provided by Pakistan to or in connection with United States military operations, which could encourage the Pakistani military to undertake counterterrorism and counterinsurgency operations and achieve the goals and objectives for long-term United States-Pakistan military relations and cooperation.*

*(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the assessment required under subsection (a).*

*(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex if necessary.*

*(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.*

***SEC. 1232. REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN PAKISTAN.***

*(a) REPORT REQUIRED.—The President shall submit to Congress a report on the progress toward long-term security and stability in Pakistan. The report required under this subsection shall be submitted concurrent with the submission of each report under section 1232 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 392), as amended by section 1217 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4634), on or after the date of the enactment of this Act.*

*(b) ELEMENTS.—The report required under subsection (a) shall address, at a minimum, the following elements:*

*(1) The effectiveness of efforts to achieve the following strategic goals:*

*(A) To disrupt, dismantle, and defeat al Qa'ida, its affiliated networks, and other extremist forces in Pakistan.*

*(B) To eliminate the safe havens for such forces in Pakistan.*

*(C) To prevent the return of such forces to Pakistan or Afghanistan.*

*(2) The effectiveness of United States security assistance to Pakistan to achieve the strategic goals described in paragraph (1).*

*(3) For any strategic goal addressed under this subsection, a description of any additional goals and objectives, and the timelines for meeting such goals and objectives.*

*(4) A description of the metrics used to assess progress toward each goal and objective and along each timeline described in paragraph (3).*

*(c) FORM.—The report required under subsection (a) shall be transmitted in unclassified form, but may contain a classified annex if necessary.*

***SEC. 1233. REPEAL OF GAO WAR-RELATED REPORTING REQUIREMENT.***

*Section 1221(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3462) is amended by striking the following: ''Based on these reports, the Comptroller General shall provide to Congress quarterly updates on the costs of Operation Iraqi Freedom and Operation Enduring Freedom.''.*

***SEC. 1234. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF IRAQ AND AFGHANISTAN.***

*(a) AUTHORITY.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to transfer defense articles from the stocks of the Department of Defense, without reimbursement from the Government of Iraq or the Government of Afghanistan, and to provide defense services in connection with the transfer of such defense articles, to—*

*(1) the military and security forces of Iraq to support the efforts of those forces to restore and maintain peace and security in that country; and*

*(2) the military and security forces of Afghanistan to support the efforts of those forces to restore and maintain peace and security in that country.*

*(b) LIMITATIONS.—*

*(1) VALUE.—The aggregate replacement value of all defense articles transferred and defense services provided under subsection (a) may not exceed $750,000,000.*

*(2) SOURCE OF TRANSFERRED DEFENSE ARTICLES.—The authority under subsection (a) may only be used for defense articles that—*

*(A)(i) were present in Iraq as of the date of the enactment of this Act;*

*(ii) immediately before the transfer were in use to support operations in Iraq; and*

*(iii) are no longer required by United States forces in Iraq; or*

*(B)(i) were present in Kuwait as of the date of enactment of this Act;*

*(ii) prior to being transferred to Kuwait were in use to support operations in Iraq; and*

*(iii) are no longer required by United States forces in Iraq or Kuwait (as the case may be).*

*(c) APPLICABLE LAW.—Any defense articles transferred or defense services provided to Iraq or Afghanistan under the authority of subsection (a) shall be subject to the authorities and limitations applicable to excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), other than the authorities and limitations contained in subsections (b)(1)(B), (e), (f), and (g) of such section.*

*(d) REPORT.—*

*(1) IN GENERAL.—The Secretary of Defense may not exercise the authority under subsection (a) until 30 days after the Secretary of Defense, with the concurrence of the Secretary of State, provides the appropriate congressional committees a report on the plan for the disposition of equipment and other property of the Department of Defense in Iraq or Kuwait (as the case may be).*

*(2) ELEMENTS OF REPORT.—The report required under paragraph (1) shall include the following elements:*

*(A) An assessment of—*

*(i) the types and quantities of defense articles required by the military and security forces of Iraq to support the efforts of those military and security forces to restore and maintain peace and security in Iraq; and*

*(ii) the types and quantities of defense articles required by the military and security forces of Afghanistan to support the efforts of those military and security forces to restore and maintain peace and security in Afghanistan.*

*(B) A description of the authorities available for addressing the requirements identified in subparagraph (A).*

*(C) A description of the process for inventorying equipment and property, including defense articles, in Iraq or Kuwait owned by the Department of Defense, including equipment and property owned by the Department of Defense and under the control of contractors in Iraq.*

*(D) A description of the types of defense articles that the Department of Defense intends to transfer to the military and security forces of*

*Iraq and an estimate of the quantity of such defense articles to be transferred.*

*(E) A description of the types of defense articles that the Department of Defense intends to transfer to the military and security forces of Afghanistan and an estimate of the quantity of such defense articles to be transferred.*

*(F) A description of the process by which potential requirements, including requirements related to responding to natural disasters and other domestic emergencies in the continental United States, for defense articles to be transferred under the authority provided in subsection (a), other than the requirements of the security forces of Iraq or Afghanistan, are identified and the mechanism for resolving any potential conflicting requirements for such defense articles.*

*(G) A description of the plan, if any, for reimbursing military departments from which non-excess defense articles are transferred under the authority provided in subsection (a).*

*(H) An assessment of the efforts by the Government of Iraq to identify the requirements of the military and security forces of Iraq for defense articles to support the efforts of those forces to restore and maintain peace and security in that country.*

*(I) An assessment of the ability of the Governments of Iraq and Afghanistan to absorb the costs associated with possessing and using the defense articles to be transferred.*

*(J) A description of the steps taken by the Government of Iraq to procure or acquire defense articles to meet the requirements of the military and security forces of Iraq, including through military sales from the United States.*

*(e) NOTIFICATION.—*

*(1) IN GENERAL.—The Secretary of Defense may not transfer defense articles or provide defense services under subsection (a) until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, has provided notice of the proposed transfer of defense articles or provision of defense services to the appropriate congressional committees.*

*(2) CONTENTS.—Such notification shall include—*

*(A) a description of the amount and type of each defense article to be transferred or defense services to be provided;*

*(B) a statement describing the current value of such article and the estimated replacement value of such article;*

*(C) a description of whether the article is considered to be an excess defense article or a non-excess defense article;*

*(D) an identification of the military department from which the defense articles being transferred are drawn;*

*(E) an identification of the element of the military or security force that is the proposed recipient of each defense article to be transferred or defense service to be provided; and*

*(F) a certification and determination by the Secretary of Defense that—*

*(i) the defense articles to be transferred are required by the military and security forces of Iraq or the military and security forces of Afghanistan, as applicable, to build their capacity to restore and maintain peace and security in their country;*

*(ii) the government of the recipient country has agreed to accept and take possession of the defense articles to be transferred and to receive the defense services in connection with that transfer; and*

*(iii) the proposed transfer of such defense articles and the provision of defense services in connection with such transfer is in the national interest of the United States.*

*(f) QUARTERLY REPORT.—*

*(1) IN GENERAL.—Not later than 90 days after the date of the report provided under subsection (d), and every 90 days thereafter during fiscal year 2010, the Secretary of Defense shall report to the appropriate congressional committees on the implementation of the authority under subsection (a). The report shall include the replacement value of defense articles transferred pursuant to subsection (a), both in the aggregate and by military department, and services provided to Iraq and Afghanistan during the previous 90 days.*

*(2) INCLUSION IN OTHER REPORT.—The report required under paragraph (1) may be included in the report required under section 9204 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2410) or any follow on report to such other report.*

*(g) DEFINITIONS.—In this section:*

*(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—*

*(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and*

*(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.*

*(2) DEFENSE ARTICLES.—The term ''defense articles'' has the meaning given the term in section 644(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(d)).*

*(3) DEFENSE SERVICES.—The term ''defense services'' has the meaning given the term in section 644(f) of such Act (22 U.S.C. 2403(f)).*

*(4) MILITARY AND SECURITY FORCES.—The term ''military and security forces'' means national armies, national air forces, national navies, national guard forces, police forces and border security forces, but does not include non-governmental or irregular forces (such as private militias).*

*(h) EXPIRATION.—The authority provided under subsection (a) may not be exercised after September 30, 2010.*

*(i) EXCESS DEFENSE ARTICLES.—*

*(1) ADDITIONAL AUTHORITY.—The authority provided by subsection (a) is in addition to the authority provided by section 516 of the Foreign Assistance Act of 1961.*

*(2) AGGREGATE VALUE.—The value of excess defense articles transferred to Iraq or Afghanistan during fiscal year 2010 pursuant to section 516 of the Foreign Assistance Act of 1961 shall not be counted against the limitation on the aggregate value of excess defense articles transferred contained in subsection (g) of such Act or against the limitation on the aggregate value of defense articles transferred contained in subsection (b)(1) of this section.*

*(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as to provide the authority to refurbish, transport, or otherwise assist in the transfer to Iraq or Afghanistan of excess defense articles outside of Iraq or Kuwait as of the date of the enactment of this Act.*

***SEC. 1235. ANALYSIS OF REQUIRED FORCE LEVELS AND TYPES OF FORCES NEEDED TO SECURE SOUTHERN AND EASTERN REGIONS OF AFGHANISTAN.***

*(a) STUDY REQUIRED.—The Secretary of Defense may, in support of the Commander of United States Forces for Afghanistan (USFOR-A), enter into a contract with a Federally Funded Research Development Center (FFRDC) to provide an analysis of the required force levels and types of forces needed to implement the Commander's strategic objectives in Afghanistan, including securing the southern and eastern regions of Afghanistan in order to provide a space for the Government of Afghanistan to establish effective government control and provide the Afghan security forces with the required training and mentoring.*

*(b) FUNDING.—From funds made available for the Department of Defense by section 301(5) for operation and maintenance, Defense-wide activities, $3,000,000 may be used to carry out subsection (a).*

***SEC. 1236. MODIFICATION OF REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN.***

*(a) REPORT REQUIRED.—Subsection (a) of section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385) is amended by striking ''2010'' and inserting ''2011''.*

*(b) MATTERS TO BE INCLUDED: STRATEGIC DIRECTION OF UNITED STATES ACTIVITIES RELATING TO SECURITY AND STABILITY IN AFGHANISTAN.—Subsection (c) of such section is amended—*

*(1) in paragraph (1)—*

*(A) by redesignating subparagraph (B) as subparagraph (C); and*

*(B) by inserting after subparagraph (A) the following new subparagraph:*

*''(B) A description of commitments or agreements by NATO ISAF countries regarding the following:*

*''(i) Mutually agreed upon goals.*

*''(ii) Strategies to achieve such goals.*

*''(iii) Resource and force requirements.*

*''(iv) Commitments and pledges of support regarding troops and resource levels.'';*

*(2) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and*

*(3) by inserting after paragraph (1) the following new paragraph:*

*''(2) NON-NATO ISAF TROOP-CONTRIBUTING COUNTRIES.—A description of commitments or agreements with non-NATO ISAF troop-contributing countries regarding the following:*

*''(A) Mutually agreed upon goals.*

*''(B) Strategies to achieve such goals.*

*''(C) Resource and force requirements.*

*''(D) Commitments and pledges of support regarding troops and resource levels.''.*

*(c) MATTERS TO BE INCLUDED: PERFORMANCE INDICATORS AND MEASURES OF PROGRESS TOWARD SUSTAINABLE LONG-TERM SECURITY AND STABILITY IN AFGHANISTAN.—Subsection (d)(2) of such section is amended—*

*(1) in subparagraph (A), by striking ''individual NATO ISAF countries'' and inserting ''each individual NATO ISAF country'';*

*(2) by redesignating subparagraphs (C) through (K) as subparagraphs (D) through (L), respectively;*

*(3) by inserting after subparagraph (B) the following new subparagraph:*

*''(C) With respect to non-NATO ISAF troop-contributing countries, a listing of contributions from each individual country, including levels of troops and equipment, the effect of contributions on operations, and unfulfilled commitments.'';*

*(4) by redesignating subparagraphs (F) through (L) (as redesignated) as subparagraphs (G) through (M), respectively;*

*(5) by inserting after subparagraph (E) (as redesignated) the following new subparagraph:*

*''(F) An assessment of progress in ending the ability of the insurgency (including the Taliban, Al Qaeda, and other anti-government elements), to establish control over the population of Afghanistan or regions of Afghanistan and establish safe havens in Afghanistan, and to conduct attacks inside or outside Afghanistan from such safe havens.''; and*

*(6) in subparagraph (J) (as redesignated)—*

*(A) by redesignating clause (ii) as clause (iv); and*

*(B) by inserting after clause (i) the following:*

*''(ii) The coordination of reconstruction and development activities in Afghanistan, including—*

*''(I) the roles of members of the Armed Forces and non-Armed Forces personnel within the staffing of United States-led Provincial Reconstruction Teams;*

*''(II) the use of members of the Armed Forces for reconstruction, development, and capacity building programs outside the jurisdiction of the Department of Defense; and*

*''(III) the coordination between United States-led and other international-led programs to develop the capacity of national, provincial, and local government and other civil institutions as well as reconstruction and development activities in Afghanistan.*

''(iii) Unfilled staffing and resource requirements for United States reconstruction, development, and civil institution capacity building programs.''.

(d) CONFORMING AMENDMENT.—Subsection (d)(2) of such section, as amended, is further amended in subparagraph (K) (as redesignated) by striking ''subsection (c)(4)'' and inserting ''subsection (c)(5)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any report required to be submitted under section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385) after December 31, 2009.

**SEC. 1237. NO PERMANENT MILITARY BASES IN AFGHANISTAN.**

None of the funds authorized to be appropriated by this Act may be obligated or expended by the United States Government to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

**Subtitle C—Other Matters**

**SEC. 1241. REPORT ON UNITED STATES ENGAGEMENT WITH IRAN.**

(a) IN GENERAL.—Not later than January 31, 2010, the President shall submit to Congress a report on United States engagement with Iran.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) DIPLOMATIC ENGAGEMENT.—With respect to diplomatic engagement, the following:

(A) A description of areas of mutual interest to the Government of the United States and the Government of the Islamic Republic of Iran in which cooperation and discussion could be of mutual interest.

(B) A discussion and assessment of the commitment of the Government of the Islamic Republic of Iran to engage in good-faith discussions with the United States to resolve matters of concern through negotiation.

(C) An assessment of direct contacts between the Government of the United States and the Government of the Islamic Republic of Iran, including any direct discussions, exchange of letters, or other activities.

(2) SUPPORT FOR TERRORISM.—An assessment of the types and amount of support provided by Iran to groups designated by the United States as foreign terrorist organizations and regional militant groups, including organizations and groups present in Iraq and Afghanistan.

(3) NUCLEAR ACTIVITIES.—With respect to nuclear activities, an assessment of the extent to which the Government of the Islamic Republic of Iran has complied with United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), and 1835 (2008), and with any other applicable resolutions adopted by the United Nations Security Council as of the date of the report.

(4) MISSILE ACTIVITIES.—With respect to missile activities, an assessment of the extent to which the Government of the Islamic Republic of Iran has continued development of its ballistic missile program, including participation in any imports or exports of any items, materials, goods, and technologies related to that program and has complied with applicable United Nations Security Council Resolutions.

(5) SUPPORT TO NARCOTICS NETWORK IN AFGHANISTAN.—With respect to support to the narcotics network in Afghanistan, an assessment of the extent to which the Government of the Islamic Republic of Iran, or agencies under that government, has or have supported or facilitated the narcotics trade in Afghanistan.

(6) SANCTIONS AGAINST IRAN.—With regard to sanctions against Iran—

(A) a list of all current United States bilateral and multilateral sanctions against Iran;

(B) a description and discussion of United States diplomatic efforts to enforce bilateral and multilateral sanctions against Iran and to strengthen international efforts to enforce such sanctions;

(C) an assessment of the impact and effectiveness of existing bilateral and multilateral sanctions against Iran in achieving United States goals;

(D) a list of all United States and foreign registered entities that the Secretary of State has determined to be engaged in activities in violation of existing United States bilateral or multilateral sanctions against Iran; and

(E) a summary of United States efforts to enforce sanctions against Iran, including—

(i) a list of all investigations initiated in the 18-month period ending on the date of the enactment of this Act that have resulted in a determination that activities subject to sanctions have occurred; and

(ii) a description of the actions taken by the United States Government pursuant to each such determination.

(c) SUBMITTAL OF SIMILAR REPORTS AND MATERIALS.—If any report or other material, whether required by law or not, submitted to Congress or any committee of Congress substantially responds to any requirement contained in this section, such requirement shall be considered to have been satisfied by including in the report required by subsection (a) a listing the title and date of the other such report or material so submitted.

(d) SUBMITTAL IN CLASSIFIED FORM.—The report required by subsection (a), or any part of such report, may be submitted in classified form if the President considers it appropriate.

**SEC. 1242. ANNUAL COUNTERTERRORISM STATUS REPORTS.**

(a) SHORT TITLE.—This section may be cited as the ''Success in Countering Al Qaeda Reporting Requirements Act of 2009''.

(b) ANNUAL COUNTERTERRORISM STATUS REPORTS.—

(1) IN GENERAL.—Not later than September 30, 2010, and every September 30 thereafter until September 30, 2012, the President shall submit to Congress a report that contains, for the most recent 12-month period, a review of the counterterrorism strategy of the United States Government, including—

(A) a detailed assessment of the scope, status, and progress of United States counterterrorism efforts in fighting Al Qaeda and its related affiliates and undermining long-term support for violent extremism;

(B) a judgment on the adequacy of interagency integration of the counterterrorism programs and activities of the Department of Defense, the Central Intelligence Agency, the Department of State, the Department of the Treasury, the Department of Homeland Security, the Department of Justice, and other Federal departments and agencies and the balance of resource commitments among such departments and agencies;

(C) a delineation of the boundaries and integration between—

(i) the strategic operational planning role of the National Counterterrorism Center (NCTC) for counterterrorism;

(ii) the operational planning role of the Department of Defense and, if applicable, the Central Intelligence Agency, for counterinsurgency and foreign internal defense;

(iii) the operational planning role of the Department of State and other Federal departments and agencies for diplomacy and foreign assistance to promote stability, human rights, prosperity, and other general United States foreign policy goals; and

(iv) the role of the President's National Security Council staff to coordinate the national security interagency process;

(D) a determination of whether the NCTC exercises the authority and has the resources and expertise required to fulfill the interagency strategic and operational planning role described in section 119(j) of the National Security Act of 1947 (50 U.S.C. 404o), as added by section 1012 of the National Security Intelligence Reform Act of 2004 (title I of Public Law 108–458);

(E) a description of the efforts of the United States Government to combat Al Qaeda and its related affiliates and undermine violent extremist ideology, which shall include—

(i) a specific list of the President's highest global counterterrorism priorities;

(ii) a description of the most challenging areas for progress, in meeting the priorities described in clause (i); and

(iii) efforts in those countries in which the President determines that—

(I) Al Qaeda and its related affiliates have a presence; or

(II) acts of international terrorism have been perpetrated by Al Qaeda and its related affiliates;

(F) a specific list of United States counterterrorism efforts, and the specific status and achievements of such efforts, through integrated military, financial, political, intelligence, paramilitary, economic, and law enforcement elements, relating to—

(i) bilateral security and training programs;

(ii) law enforcement and border security;

(iii) the disruption of terrorist networks; and

(iv) the denial of terrorist safe havens and sanctuaries;

(G) a description of United States Government activities to counter terrorist recruitment and radicalization, including coordinated interagency—

(i) strategic communications;

(ii) public diplomacy;

(iii) support for economic development and political reform; and

(iv) other efforts aimed at influencing public opinion;

(H) United States Government initiatives to eliminate direct and indirect international financial support for the activities of terrorist groups;

(I) activities by foreign governments to combat Al Qaeda and its related affiliates and undermine violent extremism, and the extent of their cooperation with the United States Government;

(J) an analysis of the extent to which specific Federal appropriations—

(i) have been mapped to agency tasks as directed in the NCTC's National Implementation Plan;

(ii) have produced tangible, calculable results in efforts to combat and defeat Al Qaeda, its related affiliates, and its violent ideology; or

(iii) contribute to investments that have expected payoffs in the medium- to long-term;

(K) statistical assessments, including those developed by the National Counterterrorism Center, on the number of individuals belonging to Al Qaeda and its related affiliates that have been killed, injured, or taken into custody as a result of United States and foreign government counterterrorism efforts as compared to estimates of the total number of personnel belonging to Al Qaeda and its related affiliates; and

(L) a concise summary of the methods used by all elements of the United States Government to assess and evaluate progress in the Nation's overall counterterrorism efforts, including the use of specific measures, metrics, and indices.

(2) INTERAGENCY COOPERATION.—In preparing a report under this subsection, the President shall include relevant information maintained by—

(A) the National Counterterrorism Center and the National Counterproliferation Center;

(B) the Department of Justice, including the Federal Bureau of Investigation;

(C) the Department of State;

(D) the Department of Defense;

(E) the Department of Homeland Security;

(F) the Department of the Treasury;

(G) the Office of the Director of National Intelligence, including the Central Intelligence Agency;

(H) the Office of Management and Budget;

(I) the United States Agency for International Development; and

*(J) any other Federal department that maintains relevant information.*

*(3) REPORT CLASSIFICATION.—Each report required under this subsection shall be submitted in an unclassified form, to the maximum extent practicable, and accompanied by a classified appendix, as appropriate.*

**SEC. 1243. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.**

*Section 1225 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2424) is amended—*

*(1) in subsection (a), by striking ''until December 31, 2010, the President shall submit'' and inserting ''until September 30, 2011, the Director of the Office of Management and Budget shall submit''; and*

*(2) by adding at the end the following:*

*''(c) PUBLIC AVAILABILITY OF INFORMATION.—The Director of the Office of Management and Budget shall post a public version of each report submitted under subsection (a) on a text-based searchable and publicly available Internet Web site.''.*

**SEC. 1244. NATO SPECIAL OPERATIONS COORDINATION CENTER.**

*(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for fiscal year 2010 pursuant to section 301(1) for operation and maintenance for the Army, to be derived from amounts made available for support of North Atlantic Treaty Organization (hereinafter in this section referred to as ''NATO'') operations, the Secretary of Defense is authorized to use up to $30,000,000 for the purposes set forth in subsection (b).*

*(b) PURPOSES.—The Secretary shall provide funds for the NATO Special Operations Coordination Center (hereinafter in this section referred to as the ''NSCC'') to—*

*(1) improve coordination and cooperation between the special operations forces of NATO nations;*

*(2) facilitate joint operations by the special operations forces of NATO nations;*

*(3) support special operations forces peculiar command, control, and communications capabilities;*

*(4) promote special operations forces intelligence and informational requirements within the NATO structure; and*

*(5) promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of a multinational education and training program.*

*(c) CERTIFICATION.—Not less than 180 days after the date of enactment of this Act, the Secretary shall certify to the Committees on Armed Services of the Senate and House of Representatives that the Secretary of Defense has assigned executive agent responsibility for the NSCC to an appropriate organization within the Department of Defense, and detail the steps being undertaken by the Department of Defense to strengthen the role of the NSCC in fostering special operations capabilities within NATO.*

**SEC. 1245. ANNUAL REPORT ON MILITARY POWER OF IRAN.**

*(a) ANNUAL REPORT.—Not later than January 30 of each year, the Secretary of Defense shall submit to Congress a report, in both classified and unclassified form, on the current and future military strategy of Iran.*

*(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include a description of the security posture of Iran, including at least the following:*

*(1) A description and assessment of Iranian grand strategy, security strategy, and military strategy, including—*

*(A) the goals of Iran's grand strategy, security strategy, and military strategy.*

*(B) trends in Iran's strategy that would be designed to establish Iran as the leading power in the Middle East and to enhance the influence of Iran in other regions of the world; and*

*(C) Iranian strategy regarding other countries in the region, including other specified countries.*

*(2) An assessment of the capabilities of Iran's conventional forces, including—*

*(A) the size and capabilities of Iran's conventional forces;*

*(B) an analysis of the effectiveness of Iran's conventional forces when facing United States forces in the region and other specified countries;*

*(C) a description of Iranian military doctrine; and*

*(D) an estimate of the funding provided for each branch of Iran's conventional forces.*

*(3) An assessment of Iran's unconventional forces and related activities, including—*

*(A) the size and capability of Iranian special operations units, including the Iranian Revolutionary Guard Corps–Quds Force;*

*(B) the types and amount of support, including funding, lethal and non-lethal supplies, and training, provided to groups designated by the United States as foreign terrorist organizations and regional militant groups, including Hezbollah, Hamas, and the Special Groups in Iraq, in particular those forces as having been assessed as to be willing to carry out terrorist operations on behalf of Iran or in response to a military attack by another country on Iran;*

*(C) an analysis of the effectiveness of Iran's unconventional forces when facing United States forces in the region and other specified countries in the region; and*

*(D) an estimate of the amount of funds spent by Iran to develop and support special operations forces and terrorist groups.*

*(4) An assessment of Iranian capabilities related to nuclear and missile forces, including—*

*(A) a summary of nuclear weapons capabilities and developments in the preceding year;*

*(B) a summary of the capabilities of Iran's ballistic missile forces, including developments in the preceding year, the size of Iran's ballistic missile forces and Iran's cruise missile forces, and the locations of missile launch sites;*

*(C) a detailed analysis of the effectiveness of Iran's ballistic missile forces and Iran's cruise missile forces when facing United States forces in the region and other specified countries; and*

*(D) an estimate of the amount of funding expended by Iran since 2004 on programs to develop a capability to build nuclear weapons or to enhance Iran's ballistic missile forces.*

*(c) DEFINITIONS.—In this section:*

*(1) IRAN'S CONVENTIONAL FORCES.—The term ''Iran's conventional forces''—*

*(A) means military forces of the Islamic Republic of Iran designed to conduct operations on sea, air, or land, other than Iran's unconventional forces and Iran's ballistic missile forces and Iran's cruise missile forces; and*

*(B) includes Iran's Army, Iran's Air Force, Iran's Navy, and elements of the Iranian Revolutionary Guard Corps, other than the Iranian Revolutionary Guard Corps–Quds Force.*

*(2) IRAN'S UNCONVENTIONAL FORCES.—The term ''Iran's unconventional forces''—*

*(A) means forces of the Islamic Republic of Iran that carry out missions typically associated with special operations forces; and*

*(B) includes—*

*(i) the Iranian Revolutionary Guard Corps–Quds Force; and*

*(ii) any organization that—*

*(I) has been designated a terrorist organization by the United States;*

*(II) receives assistance from Iran; and*

*(III)(aa) is assessed as being willing in some or all cases of carrying out attacks on behalf of Iran; or*

*(bb) is assessed as likely to carry out attacks in response to a military attack by another country on Iran.*

*(3) IRAN'S BALLISTIC MISSILE FORCES.—The term ''Iran's ballistic missile forces'' means those elements of the military forces of Iran that employ ballistic missiles.*

*(4) IRAN'S CRUISE MISSILE FORCES.—The term ''Iran's cruise missile forces'' means those elements of the military forces of Iran that employ cruise missiles capable of flights less than 500 kilometers.*

*(5) SPECIFIED COUNTRIES.—The term ''specified countries'' means the countries in the same geographic region as Iran, including Israel, Lebanon, Syria, Jordan, Iraq, Afghanistan, Saudi Arabia, Turkey, Bahrain, Kuwait, the United Arab Emirates, Armenia, and Azerbaijan.*

*(d) TERMINATION.—The requirement to submit the report required under subsection (a) shall terminate on December 31, 2014.*

**SEC. 1246. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.**

*(a) ANNUAL REPORT.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended—*

*(1) in the first sentence, by striking ''on the current and future military strategy of the People's Republic of China'' and inserting ''on military and security developments involving the People's Republic of China'';*

*(2) in the second sentence—*

*(A) by striking ''on the People's Liberation Army'' and inserting ''of the People's Liberation Army''; and*

*(B) by striking ''Chinese grand strategy, security strategy,'' and inserting ''Chinese security strategy''; and*

*(3) by adding at the end the following new sentence: ''The report shall also address United States-China engagement and cooperation on security matters during the period covered by the report, including through United States-China military-to-military contacts, and the United States strategy for such engagement and cooperation in the future.''.*

*(b) MATTERS TO BE INCLUDED.—Subsection (b) of such section, as amended by section 1263 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 407), is further amended—*

*(1) in paragraph (1)—*

*(A) by striking ''goals of'' inserting ''goals and factors shaping''; and*

*(B) by striking ''Chinese grand strategy, security strategy,'' and inserting ''Chinese security strategy'';*

*(2) by amending paragraph (2) to read as follows:*

*''(2) Trends in Chinese security and military behavior that would be designed to achieve, or that are inconsistent with, the goals described in paragraph (1).'';*

*(3) in paragraph (6)—*

*(A) by inserting ''and training'' after ''military doctrine''; and*

*(B) by striking '', focusing on (but not limited to) efforts to exploit a transformation in military affairs or to conduct preemptive strikes''; and*

*(4) by adding at the end the following new paragraphs:*

*''(10) In consultation with the Secretary of Energy and the Secretary of State, developments regarding United States-China engagement and cooperation on security matters.*

*''(11) The current state of United States military-to-military contacts with the People's Liberation Army, which shall include the following:*

*''(A) A comprehensive and coordinated strategy for such military-to-military contacts and updates to the strategy.*

*''(B) A summary of all such military-to-military contacts during the period covered by the report, including a summary of topics discussed and questions asked by the Chinese participants in those contacts.*

*''(C) A description of such military-to-military contacts scheduled for the 12-month period following the period covered by the report and the plan for future contacts.*

''(D) The Secretary's assessment of the benefits the Chinese expect to gain from such military-to-military contacts.

''(E) The Secretary's assessment of the benefits the Department of Defense expects to gain from such military-to-military contacts, and any concerns regarding such contacts.

''(F) The Secretary's assessment of how such military-to-military contacts fit into the larger security relationship between the United States and the People's Republic of China.

''(12) Other military and security developments involving the People's Republic of China that the Secretary of Defense considers relevant to United States national security.''.

(c) CONFORMING AMENDMENT.—Such section is further amended in the heading by striking ''**MILITARY POWER OF**'' and inserting ''**MILITARY AND SECURITY DEVELOPMENTS INVOLVING**''.

(d) REPEALS.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 779; 10 U.S.C. 168 note) is amended by striking subsections (e) and (f).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000, as so amended, on or after that date.

(2) STRATEGY AND UPDATES FOR MILITARY-TO-MILITARY CONTACTS WITH PEOPLE'S LIBERATION ARMY.—The requirement to include the strategy described in paragraph (11)(A) of section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000, as so amended, in the report required to be submitted under section 1202(a) of such Act, as so amended, shall apply with respect to the first report required to be submitted under section 1202(a) of such Act on or after the date of the enactment of this Act. The requirement to include updates to such strategy shall apply with respect to each subsequent report required to be submitted under section 1202(a) of such Act on or after the date of the enactment of this Act.

**SEC. 1247. REPORT ON IMPACTS OF DRAWDOWN AUTHORITIES ON THE DEPARTMENT OF DEFENSE.**

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate an annual report, in unclassified form but with a classified annex if necessary, on the impacts of drawdown authorities on the Department of Defense. The report required under this subsection shall be submitted concurrent with the budget submitted to Congress by the President pursuant to section 1105(a) of title 31, United States Code.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall contain the following elements:

(1) A list of each drawdown for which a presidential determination was issued in the preceding year.

(2) A summary of the types and quantities of equipment that was provided under each drawdown in the preceding year.

(3) The cost to the Department of Defense to replace any equipment transferred as part of each drawdown, not including any depreciation, in the preceding year.

(4) The cost to the Department of Defense of any other item, including fuel or services, transferred as part of each drawdown in the preceding year.

(5) The total amount of funds transferred under each drawdown in the preceding year.

(6) An assessment by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff of the impact of transfers carried out as part of drawdowns in the previous year on—

(A) the ability of the Armed Forces to meet the requirements of ongoing overseas contingency operations;

(B) the level of risk associated with the ability of the Armed Forces to execute the missions called for under the National Military Strategy as described in section 153(b) of title 10, United States Code;

(C) the ability of the Armed Forces to reset from current contingency operations;

(D) the ability of both the active and Reserve forces to conduct necessary training; and

(E) the ability of the Reserve forces to respond to domestic emergencies.

(c) DEFINITIONS.—In this section:

(1) DRAWDOWN.—The term ''drawdown'' means any transfer or package of transfers of equipment, services, fuel, funds or any other items carried out pursuant to a presidential determination issued under a drawdown authority.

(2) DRAWDOWN AUTHORITY.—The term ''drawdown authority''—

(A) means an authority under—

(i) section 506(a) (1) or (2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a) (1) or (2));

(ii) section 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)(2)); or

(iii) any other substantially similar provision of law; but

(B) does not include the authority provided under section 1234 (relating to authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan).

(d) TERMINATION.—The requirement to submit the report required under subsection (a) shall terminate on December 31, 2013.

**SEC. 1248. RISK ASSESSMENT OF UNITED STATES SPACE EXPORT CONTROL POLICY.**

(a) ASSESSMENT REQUIRED.—The Secretary of Defense and the Secretary of State shall carry out an assessment of the national security risks of removing satellites and related components from the United States Munitions List.

(b) MATTERS TO BE INCLUDED.—The assessment required under subsection (a) shall included the following matters:

(1) A review of the space and space-related technologies currently on the United States Munitions List, to include satellite systems, dedicated subsystems, and components.

(2) An assessment of the national security risks of removing certain space and space-related technologies identified under paragraph (1) from the United States Munitions List.

(3) An examination of the degree to which other nations' export control policies control or limit the export of space and space-related technologies for national security reasons.

(4) Recommendations for—

(A) the space and space-related technologies that should remain on, or may be candidates for removal from, the United States Munitions List based on the national security risk assessment required paragraph (2);

(B) the safeguards and verifications necessary to—

(i) prevent the proliferation and diversion of such space and space-related technologies;

(ii) confirm appropriate end use and end users; and

(iii) minimize the risk that such space and space-related technologies could be used in foreign missile, space, or other applications that may pose a threat to the security of the United States; and

(C) improvements to the space export control policy and processes of the United States that do not adversely affect national security.

(c) CONSULTATION.—In conducting the assessment required under subsection (a), the Secretary of Defense and the Secretary of State may consult with the heads of other relevant departments and agencies of the United States Government as the Secretaries determine is necessary.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the assessment required under subsection (a). The report shall be in unclassified form but may include a classified annex.

(e) DEFINITION.—In this section, the term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

**SEC. 1249. PATRIOT AIR AND MISSILE DEFENSE BATTERY IN POLAND.**

(a) FINDINGS.—Congress makes the following findings:

(1) On August 20, 2008, representatives of the governments of the United States and Poland signed the ''Declaration on Strategic Cooperation between the United States of America and the Republic of Poland''.

(2) The Declaration on Strategic Cooperation states, among other things, that the ''United States and Poland intend to expand air and missile defense cooperation. In this regard, we have agreed on an important new area of such cooperation involving the deployment of a U.S. Army Patriot air and missile defense battery in Poland. We intend to begin this cooperation next year and to expand it with the aim of establishing by 2012 a garrison to support the U.S. Army Patriot battery. The Government of Poland intends to provide an appropriate site, infrastructure, and facilities for this garrison acceptable to both parties. Our cooperation in this area will include joint training opportunities that will enhance Polish air defense capabilities. In the coming months, we intend to reach agreement on the specific arrangements that will enable this cooperation to begin. These steps reflect the commitment of the United States to an expanded defense relationship with Poland.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States and Poland should seek to implement the terms of the Declaration on Strategic Cooperation, including cooperation on the deployment of a United States Army Patriot air and missile defense battery in Poland.

(c) REPORT.—Not later than 180 days after the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the status of cooperation on the deployment of a United States Army Patriot air and missile defense battery in Poland. The report shall be in unclassified form, but may include a classified annex.

**SEC. 1250. REPORT ON POTENTIAL FOREIGN MILITARY SALES OF THE F–22A FIGHTER AIRCRAFT.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State and in consultation with the Secretary of the Air Force, submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on potential foreign military sales of the F–22A fighter aircraft.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An estimate of the costs to the United States Government, industry, and any foreign military sales customer of developing an exportable version of the F–22A fighter aircraft.

(2) An assessment whether an exportable version of the F–22A fighter aircraft is technically feasible and executable, and, if so, a timeline for achieving an exportable version of the aircraft.

(3) An assessment of the potential strategic implications of permitting foreign military sales of the F-22A fighter aircraft.

(4) An identification of any modifications to current law that are required to authorize foreign military sales of the F–22A fighter aircraft.

(c) ADDITIONAL REPORT REQUIRED.—The Secretary of Defense shall enter into an agreement

*with a federally funded research and development center to submit, not later than 180 days after the date of the enactment of this Act, to the committees identified in subsection (a), through the Secretary of Defense, a report on the impact of foreign military sales of the F-22A fighter aircraft on the United States aerospace and aviation industry, and the advantages and disadvantages of such sales for sustaining that industry.*

**SEC. 1251. REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, AND DELIVERY PLATFORMS AND SENSE OF CONGRESS ON FOLLOW-ON NEGOTIATIONS TO START TREATY.**

*(a) REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, AND DELIVERY PLATFORMS.—*

*(1) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act or at the time a follow-on treaty to the Strategic Arms Reduction Treaty (START Treaty) is submitted by the President to the Senate for its advice and consent, whichever is later, the President shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the plan to—*

*(A) enhance the safety, security, and reliability of the nuclear weapons stockpile of the United States;*

*(B) modernize the nuclear weapons complex; and*

*(C) maintain the delivery platforms for nuclear weapons.*

*(2) ELEMENTS.—The report required under paragraph (1) shall include the following:*

*(A) A description of the plan to enhance the safety, security, and reliability of the nuclear weapons stockpile of the United States.*

*(B) A description of the plan to modernize the nuclear weapons complex, including improving the safety of facilities, modernizing the infrastructure, and maintaining the key capabilities and competencies of the nuclear weapons workforce, including designers and technicians.*

*(C) A description of the plan to maintain delivery platforms for nuclear weapons.*

*(D) An estimate of budget requirements, including the costs associated with the plans outlined under subparagraphs (A) through (C), over a 10-year period.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) the President should maintain the stated position of the United States that the follow-on treaty to the START Treaty not include any limitations on the ballistic missile defense systems, space capabilities, or advanced conventional weapons systems of the United States;*

*(2) the enhanced safety, security, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of the nuclear delivery systems are key to enabling further reductions in the nuclear forces of the United States; and*

*(3) the President should submit budget requests for fiscal year 2011 and subsequent fiscal years for the programs of the National Nuclear Security Administration of the Department of Energy that are adequate to sustain the needed capabilities to support the long-term maintenance of the nuclear stockpile of the United States.*

**SEC. 1252. MAP OF MINERAL-RICH ZONES AND AREAS UNDER THE CONTROL OF ARMED GROUPS IN THE DEMOCRATIC REPUBLIC OF THE CONGO.**

*(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, should, consistent with the recommendation from the United Nations Group of Experts on the Democratic Republic of the Congo in their December 2008 report, work with other member states of the United Nations and local and international nongovernmental organizations—*

*(1) to produce a map of mineral-rich zones and areas under the control of armed groups in the Democratic Republic of the Congo;*

*(2) to make such map available to the public; and*

*(3) to provide to the appropriate congressional committees, in classified form if necessary, an explanatory note describing in general terms the sources of information on which the map is based, the definition of the term ''control of armed groups'' utilized (for example, physical control of mines or forced labor of civilians, control of trade routes, and taxation or extortion of goods in transit), and the identification where possible of the armed groups or other forces in control of the mines depicted.*

*(b) UPDATES.—The Secretary of State should continue cooperation with the international community and sustain the intent of the report of the United Nations Group of Experts on the Democratic Republic of the Congo by assisting in the regular updating of the map required by subsection (a).*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

**SEC. 1253. SENSE OF CONGRESS RELATING TO ISRAEL.**

*It is the sense of Congress that—*

*(1) Israel is one of the strongest allies of the United States;*

*(2) the United States remains vigorously committed to supporting Israel's welfare, security, and survival as a democratic state;*

*(3) Israel and the United States face common enemies; and*

*(4) the United States should continue to provide critical security assistance needed to address existential threats.*

**SEC. 1254. SENSE OF CONGRESS ON IMPOSING SANCTIONS WITH RESPECT TO IRAN.**

*It is the sense of Congress that—*

*(1) the Government of Iran should—*

*(A) seize the historic offer put forward by President Barack Obama to engage in direct diplomacy with the United States;*

*(B) suspend all enrichment-related and reprocessing activities, as directed by the United Nations Security Council; and*

*(C) come into full compliance with Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty''), including the additional protocol to the Treaty; and*

*(2) the President should consider the imposition of additional, more restrictive sanctions on Iran if—*

*(A) the Government of Iran fails to enter into good faith talks which result in progress toward compliance with applicable United Nations Security Council resolutions; and*

*(B) the United Nations Security Council has failed to adopt significant and meaningful additional sanctions on the Government of Iran.*

**SEC. 1255. REPORT AND SENSE OF CONGRESS ON NORTH KOREA.**

*(a) REPORT ON CONDUCT OF NORTH KOREA.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a detailed report examining the conduct of the Government of North Korea since June 26, 2008, based on all available information, to determine whether North Korea meets the statutory criteria for listing as a state sponsor of terrorism. The report shall—*

*(1) present any credible evidence of support by the Government of North Korea for acts of terrorism, terrorists, or terrorist organizations;*

*(2) examine what steps the Government of North Korea has taken to fulfill its June 10, 2008, pledge to prevent weapons of mass destruction from falling into the hands of terrorists; and*

*(3) if North Korea does not meet the statutory criteria for being listed as a state sponsor of terrorism, examine whether re-listing North Korea as a state sponsor of terrorism would undermine the effectiveness of the state sponsor of terrorism designation in general and undermine United States efforts regarding existing state sponsors of terrorism.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) the United States should—*

*(A) vigorously enforce United Nations Security Council Resolutions 1718 (2006) and 1874 (2009) and other sanctions in place with respect to North Korea under United States law;*

*(B) urge all member states of the United Nations to fully implement the sanctions imposed by United Nations Security Council Resolutions 1718 and 1874; and*

*(C) explore the imposition of additional unilateral and multilateral sanctions against North Korea in furtherance of United States national security;*

*(2) the conduct of North Korea constitutes a threat to the northeast Asian region and to international peace and security; and*

*(3) if the United States determines that the Government of North Korea has provided assistance to terrorists or engaged in state sponsored acts of terrorism, the Secretary of State should immediately list North Korea as a state sponsor of terrorism.*

*(c) STATE SPONSOR OF TERRORISM DEFINED.—For purposes of this section, the term ''state sponsor of terrorism'' means a country that has repeatedly provided support for acts of international terrorism for purposes of—*

*(1) section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));*

*(2) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or*

*(3) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).*

**SEC. 1256. REPORT ON POTENTIAL MISSILE DEFENSE COOPERATION WITH RUSSIA.**

*(a) REPORT REQUIRED.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report setting forth potential options for cooperation among or between the United States, the North Atlantic Treaty Organization, and the Russian Federation on ballistic missile defense.*

*(2) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.*

*(b) ELEMENTS.—The report required by subsection (a) shall include the following:*

*(1) A description of proposals made by the United States, the North Atlantic Treaty Organization, or the Russian Federation since January 1, 2007, for potential missile defense cooperation among or between such countries and that organization, including data sharing, cooperative regional missile defense architectures, joint exercises, and transparency and confidence building measures.*

*(2) A description of options for the sharing by such countries and that organization of ballistic missile surveillance or early warning data, including data from the Russian early warning radars at Gabala in Azerbaijan and Armavir in southern Russia or other radars.*

*(3) An assessment of the potential for implementation of the agreement between the United States and the Russian Federation on the establishment of a Joint Data Exchange Center.*

*(4) An assessment of whether there is mutual interest in modifying the agreement on the establishment of the Joint Data Exchange Center to encompass other forms of cooperation.*

*(5) An assessment of the potential for missile defense cooperation between the Russian Federation and the North Atlantic Treaty Organization, including through the NATO-Russia Council.*

*(6) An assessment of the potential security benefits to the United States, Russia, and the North Atlantic Treaty Organization of the cooperation described in paragraph (5).*

*(7) Such other matters as the Secretary considers appropriate.*

### *Subtitle D—VOICE Act*

**SEC. 1261. SHORT TITLE.**

*This subtitle may be cited as the ''Victims of Iranian Censorship Act''or the ''VOICE Act''.*

**SEC. 1262. AUTHORIZATION OF APPROPRIATIONS.**

*(a) INTERNATIONAL BROADCASTING OPERATIONS FUND.—In addition to amounts otherwise authorized for the Broadcasting Board of Governors' International Broadcasting Operations Fund, there is authorized to be appropriated $15,000,000 to expand Farsi language programming and to provide for the dissemination of accurate and independent information to the Iranian people through radio, television, Internet, cellular telephone, short message service, and other communications.*

*(b) BROADCASTING CAPITAL IMPROVEMENTS FUND.—In addition to amounts otherwise authorized for the Broadcasting Board of Governors' Broadcasting Capital Improvements Fund, there is authorized to be appropriated $15,000,000 to expand transmissions of Farsi language programs to Iran.*

*(c) USE OF AMOUNTS.—In pursuit of the objectives described in subsections (a) and (b), amounts in the International Broadcasting Operations Fund and the Capital Improvements Fund may be used to—*

*(1) develop additional transmission capability for Radio Farda and the Persian News Network to counter ongoing efforts to jam transmissions, including through additional shortwave and medium wave transmissions, satellite, and Internet mechanisms;*

*(2) develop additional proxy server capability and anti-censorship software to counter efforts to block Radio Farda and Persian News Network Web sites;*

*(3) develop technologies to counter efforts to block SMS text message exchange over cellular phone networks;*

*(4) expand program coverage and analysis by Radio Farda and the Persian News Network, including the development of broadcast platforms and programs, on the television, radio and Internet, for enhanced interactivity with and among the people of Iran;*

*(5) hire, on a permanent or short-term basis, additional staff for Radio Farda and the Persian News Network; and*

*(6) develop additional Internet-based, Farsi-language television programming, including a Farsi-language, Internet-based news channel.*

**SEC. 1263. IRANIAN ELECTRONIC EDUCATION, EXCHANGE, AND MEDIA FUND.**

*(a) ESTABLISHMENT.—There is established in the Treasury of the United States the Iranian Electronic Education, Exchange, and Media Fund (referred to in this section as the ''Fund''), consisting of amounts appropriated to the Fund pursuant to subsection (f).*

*(b) ADMINISTRATION.—The Fund shall be administered by the Secretary of State.*

*(c) OBJECTIVE.—The objective of the Fund shall be to support the development of technologies, including Internet Web sites, that will aid the ability of the Iranian people to—*

*(1) gain access to and share information;*

*(2) exercise freedom of speech, freedom of expression, and freedom of assembly through the Internet and other electronic media;*

*(3) engage in Internet-based education programs and other exchanges between Americans and Iranians; and*

*(4) counter efforts—*

*(A) to block, censor, and monitor the Internet; and*

*(B) to disrupt or monitor cellular phone networks or SMS text exchanges.*

*(d) USE OF AMOUNTS.—In pursuit of the objective described in subsection (c), amounts in the Fund may be used for grants to United States or foreign universities, nonprofit organizations, or companies for targeted projects that advance the purpose of the Fund, including projects that—*

*(1) develop Farsi-language versions of existing social-networking Web sites;*

*(2) develop technologies, including Internet-based applications, to counter efforts—*

*(A) to block, censor, and monitor the Internet; and*

*(B) to disrupt or monitor cellular phone networks or SMS text message exchanges;*

*(3) develop Internet-based, distance learning programs for Iranian students at United States universities; and*

*(4) promote Internet-based, people-to-people educational, professional, religious, or cultural exchanges and dialogues between United States citizens and Iranians.*

*(e) TRANSFERS.—Amounts in the Fund may be transferred to the United States Agency for International Development, the Broadcasting Board of Governors, or any other agency of the Federal Government to the extent that such amounts are used to carry out activities that will further the objective described in subsection (c).*

*(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $20,000,000 to the Fund.*

**SEC. 1264. ANNUAL REPORT.**

*(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the President shall submit a report to Congress that provides a detailed description of—*

*(1) United States-funded international broadcasting efforts in Iran;*

*(2) efforts by the Government of Iran to block broadcasts sponsored by the United States or other non-Iranian entities;*

*(3) efforts by the Government of Iran to monitor or block Internet access, and gather information about individuals;*

*(4) plans by the Broadcasting Board of Governors for the use of the amounts appropriated pursuant to section 1244, including—*

*(A) the identification of specific programs and platforms to be expanded or created; and*

*(B) satellite, radio, or Internet-based transmission capacity to be expanded or created;*

*(5) plans for the use of the Iranian Electronic Education, Exchange, and Media Fund;*

*(6) a detailed breakdown of amounts obligated and disbursed from the Iranian Electronic Media Fund and an assessment of the impact of such amounts;*

*(7) the percentage of the Iranian population and of Iranian territory reached by shortwave and medium-wave radio broadcasts by Radio Farda and Voice of America and any other relevant demographic information that can be ascertained about the audience for such broadcasts;*

*(8) the Internet traffic from Iran to Radio Farda and Voice of America Web sites; and*

*(9) the Internet traffic to proxy servers sponsored by the Broadcasting Board of Governors, and the provisioning of surge capacity.*

*(b) CLASSIFIED ANNEX.—The report submitted under subsection (a) may include a classified annex.*

**SEC. 1265. REPORT ON ACTIONS BY NON-IRANIAN COMPANIES.**

*(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report on non-Iranian persons, including corporations with United States subsidiaries, that, after the date of the enactment of this Act, have knowingly or negligently provided hardware, software, or other forms of assistance to the Government of Iran that has furthered Iran's efforts to—*

*(1) filter online political content;*

*(2) disrupt cell phone and Internet communications; and*

*(3) monitor the online activities of Iranian citizens.*

*(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex if necessary.*

**SEC. 1266. HUMAN RIGHTS DOCUMENTATION.**

*There are authorized to be appropriated $5,000,000 to the Secretary of State to document, collect, and disseminate information about human rights in Iran, including abuses of human rights that have taken place since the Iranian presidential election conducted on June 12, 2009.*

## *TITLE XIII—COOPERATIVE THREAT REDUCTION*

*Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.*
*Sec. 1302. Funding allocations.*
*Sec. 1303. Utilization of contributions to the Cooperative Threat Reduction Program.*
*Sec. 1304. Metrics for the Cooperative Threat Reduction Program.*
*Sec. 1305. Cooperative Threat Reduction Program authority for urgent threat reduction activities.*
*Sec. 1306. Cooperative Threat Reduction Defense and Military Contacts Program.*

**SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.**

*(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).*

*(b) FISCAL YEAR 2010 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2010 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.*

*(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2010, 2011, and 2012.*

**SEC. 1302. FUNDING ALLOCATIONS.**

*(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $424,093,000 authorized to be appropriated to the Department of Defense for fiscal year 2010 in section 301(20) for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:*

*(1) For strategic offensive arms elimination in Russia, $66,385,000.*

*(2) For strategic nuclear arms elimination in Ukraine, $6,800,000.*

*(3) For nuclear weapons storage security in Russia, $15,090,000.*

*(4) For nuclear weapons transportation security in Russia, $46,400,000.*

*(5) For weapons of mass destruction proliferation prevention in the states of the former Soviet Union, $90,886,000.*

*(6) For biological threat reduction in the former Soviet Union, $152,132,000.*

*(7) For chemical weapons destruction, $3,000,000.*

*(8) For defense and military contacts, $5,000,000.*

*(9) For new Cooperative Threat Reduction initiatives, $17,000,000.*

*(10) For activities designated as Other Assessments/Administrative Costs, $21,400,000.*

*(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year*

*2010 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (10) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2010 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.*

*(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—*

*(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2010 for a purpose listed in paragraphs (1) through (10) of subsection (a) in excess of the specific amount authorized for that purpose.*

*(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (10) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—*

*(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and*

*(B) 15 days have elapsed following the date of the notification.*

***SEC. 1303. UTILIZATION OF CONTRIBUTIONS TO THE COOPERATIVE THREAT REDUCTION PROGRAM.***

*(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may enter into one or more agreements with any person (including a foreign government, international organization, multinational entity, or any other entity) that the Secretary of Defense considers appropriate under which the person contributes funds for activities conducted under the Cooperative Threat Reduction Program of the Department of Defense.*

*(b) RETENTION AND USE OF AMOUNTS.—Notwithstanding section 3302 of title 31, United States Code, and subject to subsections (c) and (d), the Secretary of Defense may retain and obligate or expend amounts contributed pursuant to subsection (a) for purposes of the Cooperative Threat Reduction Program of the Department of Defense. Amounts so contributed shall be retained in a separate fund established in the Treasury for such purposes and shall be available to be obligated or expended without further appropriation.*

*(c) RETURN OF AMOUNTS NOT OBLIGATED OR EXPENDED WITHIN THREE YEARS.—If the Secretary of Defense does not obligate or expend an amount contributed pursuant to subsection (a) by the date that is three years after the date on which the contribution was made, the Secretary shall return the amount to the person who made the contribution.*

*(d) NOTICE TO CONGRESSIONAL DEFENSE COMMITTEES.—*

*(1) IN GENERAL.—Not later than 30 days after receiving an amount contributed pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees a notice—*

*(A) specifying the value of the contribution and the purpose for which the contribution was made; and*

*(B) identifying the person who made the contribution.*

*(2) LIMITATION ON USE OF AMOUNTS.—The Secretary may not obligate or expend an amount contributed pursuant to subsection (a) until the date that is 15 days after the date on which the Secretary submits the notice required by paragraph (1).*

*(e) ANNUAL REPORT.—Not later than October 31 each year, the Secretary of Defense shall submit to the appropriate congressional committees a report on amounts contributed pursuant to subsection (a) during the preceding fiscal year. Each such report shall include, for the fiscal year covered by the report, the following:*

*(1) A statement of any amounts contributed pursuant to subsection (a), including, for each such amount, the value of the contribution and the identity of the person who made the contribution.*

*(2) A statement of any amounts so contributed that were obligated or expended by the Secretary, including, for each such amount, the purposes for which the amount was obligated or expended.*

*(3) A statement of any amounts so contributed that were retained but not obligated or expended, including, for each such amount, the purposes (if known) for which the Secretary intends to obligate or expend the amount.*

*(f) IMPLEMENTATION PLAN.—The Secretary of Defense shall submit to the appropriate congressional committees an implementation plan for the authority provided under this section prior to obligating or expending any amounts contributed pursuant to subsection (a). The Secretary shall submit updates to such plan as needed.*

*(g) TERMINATION.—The authority provided under this section shall terminate on December 31, 2015.*

*(h) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.*

***SEC. 1304. METRICS FOR THE COOPERATIVE THREAT REDUCTION PROGRAM.***

*(a) METRICS REQUIRED.—The Secretary of Defense shall develop and implement metrics to measure the impact and effectiveness of activities of the Cooperative Threat Reduction Program of the Department of Defense to address threats arising from the proliferation of chemical, nuclear, and biological weapons and weapons-related materials, technologies, and expertise.*

*(b) SECRETARY OF DEFENSE REPORT ON METRICS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report describing the metrics developed and implemented under subsection (a).*

*(c) NATIONAL ACADEMY OF SCIENCES ASSESSMENT AND REPORT ON METRICS.—*

*(1) ASSESSMENT.—Not later than 30 days after the date on which the report is submitted by the Secretary of Defense under subsection (b), the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall carry out an assessment to review the metrics developed and implemented under subsection (a) and identify possible additional or alternative metrics, if necessary.*

*(2) REPORT.—The National Academy of Sciences shall submit to the appropriate congressional committees and the Secretary of Defense a report on the results of the assessment carried out under paragraph (1).*

*(3) SECRETARY OF DEFENSE REPORT.—*

*(A) Not later than 90 days after receipt of the report required by paragraph (2), the Secretary shall submit to the appropriate congressional committees a report on the assessment carried out by the National Academy of Sciences.*

*(B) The report under subparagraph (A) shall include the following:*

*(i) A summary of the results of the assessment carried out under paragraph (1).*

*(ii) An evaluation by the Secretary of the assessment.*

*(iii) A statement of the actions, if any, to be undertaken by the Secretary to implement any recommendations in the assessment.*

*(C) The report under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.*

*(d) FUNDING.—Of the amounts appropriated pursuant to the authorization of appropriations in section 301(20) or otherwise made available for Cooperative Threat Reduction Programs for fiscal year 2010, not more than $1,000,000 may be obligated or expended to carry out paragraphs (1) and (2) of subsection (c).*

*(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.*

***SEC. 1305. COOPERATIVE THREAT REDUCTION PROGRAM AUTHORITY FOR URGENT THREAT REDUCTION ACTIVITIES.***

*(a) IN GENERAL.—Subject to the notification requirement under subsection (b), not more than 10 percent of the total amounts appropriated or otherwise made available in any fiscal year for the Cooperative Threat Reduction Program of the Department of Defense may be expended, notwithstanding any other law, for activities described under subsection (b)(1)(B).*

*(b) DETERMINATION AND NOTICE.—*

*(1) DETERMINATION.—The Secretary of Defense, with the concurrence of the Secretary of State and the Secretary of Energy, may make a written determination that—*

*(A) threats arising from the proliferation of chemical, nuclear, and biological weapons or weapons-related materials, technologies, and expertise must be addressed urgently;*

*(B) certain provisions of law would unnecessarily impede the Secretary's ability to carry out activities of the Cooperative Threat Reduction Program of the Department of Defense to address such threats; and*

*(C) it is necessary to expend amounts described in subsection (a) to carry out such activities.*

*(2) NOTICE REQUIRED.—Not later than 15 days before obligating or expending funds under the authority provided in subsection (a), the Secretary of Defense shall notify the appropriate congressional committees of the determination made under paragraph (1). The notice shall include—*

*(A) the determination;*

*(B) the activities to be undertaken by the Cooperative Threat Reduction Program;*

*(C) the expected time frame for such activities; and*

*(D) the expected costs of such activities.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and*

*(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.*

***SEC. 1306. COOPERATIVE THREAT REDUCTION DEFENSE AND MILITARY CONTACTS PROGRAM.***

*(a) IN GENERAL.—The Secretary of Defense shall ensure that the Defense and Military Contacts Program under the Cooperative Threat Reduction Program of the Department of Defense—*

*(1) is executed pursuant to a well-developed strategy for advancing the mission of the Cooperative Threat Reduction Program;*

*(2) is focused and expanded to support specific relationship-building opportunities, which could lead to Cooperative Threat Reduction Program development in new geographic areas and achieve other Cooperative Threat Reduction Program benefits;*

*(3) is directly administered as part of the Cooperative Threat Reduction Program; and*

*(4) includes cooperation and coordination with—*

*(A) the unified combatant commands that operate in areas in which Cooperative Threat Reduction activities are carried out; and*

*(B) related diplomatic efforts.*

*(b) COOPERATIVE THREAT REDUCTION ANNUAL REPORT.—Paragraph (8) of section 1308(c) of the Floyd D. Spence National Defense Authorization Act for fiscal year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–341; 22 U.S.C. 5959) is amended—*

*(1) by inserting '', including under the Defense and Military Contacts program,'' after ''programs''; and*

*(2) in subparagraph (B), by striking ''the purposes'' and inserting ''the strategy''.*

***TITLE XIV—OTHER AUTHORIZATIONS***

*Subtitle A—Military Programs*

*Sec. 1401. Working capital funds.*
*Sec. 1402. National Defense Sealift Fund.*
*Sec. 1403. Chemical agents and munitions destruction, defense.*
*Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.*
*Sec. 1405. Defense Inspector General.*
*Sec. 1406. Defense Health Program.*
*Sec. 1407. Relation to funding table.*

*Subtitle B—National Defense Stockpile*

*Sec. 1411. Authorized uses of National Defense Stockpile funds.*
*Sec. 1412. Extension of previously authorized disposal of cobalt from National Defense Stockpile.*
*Sec. 1413. Report on implementation of reconfiguration of the National Defense Stockpile.*

*Subtitle C—Armed Forces Retirement Home*

*Sec. 1421. Authorization of appropriations for Armed Forces Retirement Home.*

***Subtitle A—Military Programs***

***SEC. 1401. WORKING CAPITAL FUNDS.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:*

*(1) For the Defense Working Capital Funds, $141,388,00.*

*(2) For the Defense Working Capital Fund, Defense Commissary, $1,313,616,000.*

***SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.***

*Funds are hereby authorized to be appropriated for the fiscal year 2010 for the National Defense Sealift Fund in the amount of $1,642,758,000.*

***SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.***

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of $1,560,760,000, of which—*

*(1) $1,146,802,000 is for Operation and Maintenance;*

*(2) $401,269,000 is for Research, Development, Test, and Evaluation; and*

*(3) $12,689,000 is for Procurement.*

*(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—*

*(1) the destruction 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*

*(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.*

***SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.***

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, in the amount of $1,054,234,000.*

***SEC. 1405. DEFENSE INSPECTOR GENERAL.***

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, in the amount of $288,100,000, of which—*

*(1) $287,100,000 is for Operation and Maintenance; and*

*(2) $1,000,000 is for Procurement.*

***SEC. 1406. DEFENSE HEALTH PROGRAM.***

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of $28,033,093,000, of which—*

*(1) $27,094,849,000 is for Operation and Maintenance;*

*(2) $616,102,000 is for Research, Development, Test, and Evaluation; and*

*(3) $322,142,000 is for Procurement.*

***SEC. 1407. RELATION TO FUNDING TABLE.***

*The amounts authorized to be appropriated by sections 1401, 1402, 1403, 1404, 1405, and 1406 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4401.*

***Subtitle B—National Defense Stockpile***

***SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.***

*(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2010, the National Defense Stockpile Manager may obligate up to $41,179,000 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.*

*(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.*

*(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.*

***SEC. 1412. EXTENSION OF PREVIOUSLY AUTHORIZED DISPOSAL OF COBALT FROM NATIONAL DEFENSE STOCKPILE.***

*Section 3305(a)(5) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. 98d note), as most recently amended by section 1412(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4648), is further amended by striking ''during fiscal year 2009'' and inserting ''by the end of fiscal year 2011''.*

***SEC. 1413. REPORT ON IMPLEMENTATION OF RECONFIGURATION OF THE NATIONAL DEFENSE STOCKPILE.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on any actions the Secretary plans to take in response to the recommendations contained in the report entitled ''Reconfiguration of the National Defense Stockpile Report to Congress'' dated April 2009 and submitted by the Under Secretary of Defense for Acquisition, Logistics, and Technology, as required by House Report 109–89, House Report 109–452, and Senate Report 110–115.*

*(b) CONTENTS OF REPORT.—The report required by subsection (a) shall include the Secretary's recommendations for changes, based on the findings of the April 2009 report, to statutes, regulations, and policies, which the Secretary determines are necessary to enable the implementation of the recommendations contained in the April 2009 report or to improve Federal Government management of the National Defense Stockpile in the interest of the National Security Strategy.*

*(c) CONGRESSIONAL NOTIFICATION.—The Secretary may not take any action regarding the implementation of any initiative recommended in the report required by subsection (a) until 45 days after the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives such report.*

***Subtitle C—Armed Forces Retirement Home***

***SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.***

*There is authorized to be appropriated for fiscal year 2010 from the Armed Forces Retirement Home Trust Fund the sum of $134,000,000 for the operation of the Armed Forces Retirement Home.*

***TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS***

*Sec. 1501. Purpose.*
*Sec. 1502. Army procurement.*
*Sec. 1503. Joint Improvised Explosive Device Defeat Fund.*
*Sec. 1504. Navy and Marine Corps procurement.*
*Sec. 1505. Air Force procurement.*
*Sec. 1506. Mine Resistant Ambush Protected Vehicle Fund.*
*Sec. 1507. Defense-wide activities procurement.*
*Sec. 1508. Research, development, test, and evaluation.*
*Sec. 1509. Operation and maintenance.*
*Sec. 1510. Limitations on availability of funds in Afghanistan Security Forces Fund.*
*Sec. 1511. Limitations on Iraq Security Forces Fund.*
*Sec. 1512. Military personnel.*
*Sec. 1513. Working capital funds.*
*Sec. 1514. Defense Health Program.*
*Sec. 1515. Drug Interdiction and Counter-Drug Activities, Defense-wide.*
*Sec. 1516. Defense Inspector General.*
*Sec. 1517. Relation to funding tables.*
*Sec. 1518. Continuation of prohibition on use of United States funds for certain facilities projects in Iraq.*
*Sec. 1519. Treatment as additional authorizations.*
*Sec. 1520. Special transfer authority.*

***SEC. 1501. PURPOSE.***

*The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2010 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.*

***SEC. 1502. ARMY PROCUREMENT.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts of the Army in amounts as follows:*

*(1) For aircraft procurement, $1,636,229,000.*

*(2) For missile procurement, $481,570,000.*

*(3) For weapons and tracked combat vehicles procurement, $759,466,000.*

*(4) For ammunition procurement, $370,635,000.*

*(5) For other procurement, $5,600,326,000.*

***SEC. 1503. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.***

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2010 for the Joint Improvised Explosive Device Defeat Fund in the amount of $2,099,850,000.*

*(b) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John*

*Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as amended by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds appropriated pursuant to the authorization of appropriations in subsection (a) and made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund.*

*(c) MONTHLY OBLIGATIONS AND EXPENDITURE REPORTS.—Not later than 15 days after the end of each month of fiscal year 2010, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining monthly commitments, obligations, and expenditures by line of action.*

*(d) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as amended by section 1503(e) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4650), is amended by striking subsection (e).*

***SEC. 1504. NAVY AND MARINE CORPS PROCUREMENT.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts of the Navy and Marine Corps in amounts as follows:*

*(1) For aircraft procurement, Navy, $903,197,000.*

*(2) For weapons procurement, Navy, $50,700,000.*

*(3) For ammunition procurement, Navy and Marine Corps, $681,957,000.*

*(4) For other procurement, Navy, $293,018,000.*

*(5) For procurement, Marine Corps, $1,060,268,000.*

***SEC. 1505. AIR FORCE PROCUREMENT.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts of the Air Force in amounts as follows:*

*(1) For aircraft procurement, $780,441,000.*

*(2) For ammunition procurement, $256,819,000.*

*(3) For missile procurement, $36,625,000.*

*(4) For other procurement, $2,321,549,000.*

***SEC. 1506. MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the Mine Resistant Ambush Protected Vehicle Fund in the amount of $6,056,000,000.*

***SEC. 1507. DEFENSE-WIDE ACTIVITIES PROCUREMENT.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the procurement account for Defense-wide activities in the amount of $489,980,000.*

***SEC. 1508. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Department of Defense for research, development, test, and evaluation as follows:*

*(1) For the Army, $57,962,000.*

*(2) For the Navy, $90,180,000.*

*(3) For the Air Force, $29,286,000.*

*(4) For Defense-wide activities, $115,826,000.*

***SEC. 1509. OPERATION AND MAINTENANCE.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:*

*(1) For the Army, $52,166,761,000.*

*(2) For the Navy, $6,219,583,000.*

*(3) For the Marine Corps, $3,701,600,000.*

*(4) For the Air Force, $10,026,868,000.*

*(5) For Defense-wide activities, $7,583,400,000.*

*(6) For the Army Reserve, $204,326,000.*

*(7) For the Navy Reserve, $68,059,000.*

*(8) For the Marine Corps Reserve, $86,667,000.*

*(9) For the Air Force Reserve, $125,925,000.*

*(10) For the Army National Guard, $321,646,000.*

*(11) For the Air National Guard, $289,862,000.*

*(12) For the Afghanistan Security Forces Fund, $7,462,769,000.*

***SEC. 1510. LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.***

*Funds appropriated pursuant to the authorization of appropriations for the Afghanistan Security Forces Fund in section 1509(12) shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428).*

***SEC. 1511. LIMITATIONS ON IRAQ SECURITY FORCES FUND.***

*Funds made available to the Department of Defense for the Iraq Security Forces Fund for fiscal year 2010 shall be subject to the conditions contained in subsections (b) through (g) of section 1512 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 426).*

***SEC. 1512. MILITARY PERSONNEL.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 to the Department of Defense for military personnel accounts in the total amount of $14,146,341,000.*

***SEC. 1513. WORKING CAPITAL FUNDS.***

*Funds are hereby authorized to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in the amount of $396,915,000.*

***SEC. 1514. DEFENSE HEALTH PROGRAM.***

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Defense Health Program in the amount of $1,256,675,000 for operation and maintenance.*

***SEC. 1515. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.***

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide in the amount of $356,603,000.*

***SEC. 1516. DEFENSE INSPECTOR GENERAL.***

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2010 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense in the amount of $8,876,000.*

***SEC. 1517. RELATION TO FUNDING TABLES.***

*(a) AMOUNTS FOR PROCUREMENT.—The amounts authorized to be appropriated by sections 1502, 1503, 1504, 1505, 1506, and 1507 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4102.*

*(b) AMOUNTS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—The amounts authorized to be appropriated by section 1508 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4202.*

*(c) AMOUNTS FOR OPERATION AND MAINTENANCE.—The amounts authorized to be appropriated by section 1509 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4302.*

*(d) OTHER AMOUNTS.—The amounts authorized to be appropriated by sections 1513, 1514, 1515, and 1516 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4402.*

***SEC. 1518. CONTINUATION OF PROHIBITION ON USE OF UNITED STATES FUNDS FOR CERTAIN FACILITIES PROJECTS IN IRAQ.***

*Section 1508(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4651) shall apply to funds authorized to be appropriated by this title.*

***SEC. 1519. TREATMENT AS ADDITIONAL AUTHORIZATIONS.***

*The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.*

***SEC. 1520. SPECIAL TRANSFER AUTHORITY.***

*(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

*(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2010 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.*

*(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,000,000,000.*

*(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.*

*(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.*

***TITLE XVII—DEPARTMENT OF DEFENSE–DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION PROJECT***

*Sec. 1701. Demonstration project authority.*
*Sec. 1702. Transfer of property.*
*Sec. 1703. Transfer of civilian personnel of the Department of Defense.*
*Sec. 1704. Joint funding authority.*
*Sec. 1705. Eligibility of members of the uniformed services for care and services.*
*Sec. 1706. Extension of DOD–VA Health Care Sharing Incentive Fund.*

***SEC. 1701. DEMONSTRATION PROJECT AUTHORITY.***

*(a) EXECUTIVE AGREEMENT AUTHORIZED.—Subject to subsection (b), the Secretary of Defense, in consultation with the Secretary of the Navy, and the Secretary of Veterans Affairs may execute a signed executive agreement pursuant to section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 455) for the joint use by the Department of Defense and the Department of Veterans Affairs of the following:*

*(1) A new Navy ambulatory care center (on which construction commenced in July 2008), parking structure, and supporting structures and facilities in North Chicago, Illinois, and Great Lakes, Illinois.*

*(2) Medical personal property and equipment relating to the center, structures, and facilities described in paragraph (1).*

*(b) DEADLINE FOR ENTRY INTO AGREEMENT.—The executive agreement authorized by subsection (a) shall be entered into, if at all, by not later than 180 days after the date of the enactment of this Act.*

*(c) SCOPE.—The executive agreement under subsection (a) shall—*

*(1) be a binding operational agreement on matters under the areas specified in section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009; and*

*(2) contain additional terms and conditions as required by the provisions of this title.*

*(d) REPORTS.—*

*(1) NOTICE ON AGREEMENT.—Not later than seven days before executing an executive agreement under subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report setting forth a copy of the proposed executive agreement.*

*(2) FINAL REPORT.—Not later than 180 days after the fifth anniversary of the date of the execution of the executive agreement under subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the exercise of the authorities in this title at the facility (as defined in section 1702(a)(1)). The report shall include the following:*

*(A) A comprehensive description and assessment of the exercise of the authorities in this title.*

*(B) The recommendation of the Secretaries as to whether the exercise of the authorities in this title should continue.*

*(3) REPORT ON ADDITIONAL LOCATIONS FOR SIMILAR AGREEMENTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report setting forth such recommendations as the Secretaries jointly consider appropriate for additional locations, if any, at which executive agreements like the executive agreement under subsection (a) would be advisable.*

*(e) COMPTROLLER GENERAL REVIEWS.—*

*(1) IN GENERAL.—Not later than one year after the execution of an executive agreement under subsection (a), and annually thereafter, the Comptroller General shall conduct a review and assessment of the following:*

*(A) The progress made in implementing the agreement.*

*(B) The effects of the agreement on the provision of care and operation of the facility (as so defined).*

*(2) REPORTS.—Not later than 90 days after the commencement of each review and assessment conducted under paragraph (1), the Comptroller General shall submit to the appropriate committees of Congress a report on such review and assessment. Each report shall set forth the following:*

*(A) The results of such review and assessment.*

*(B) Such recommendations for modifications of the executive agreement, or the authorities in this title, as the Comptroller General considers appropriate in light of the results of such review and assessment.*

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

*(1) the Committees on Armed Services and Veterans' Affairs of the Senate; and*

*(2) the Committees on Armed Services and Veterans' Affairs of the House of Representatives.*

***SEC. 1702. TRANSFER OF PROPERTY.***

*(a) TRANSFER.—*

*(1) TRANSFER AUTHORIZED.—The Secretary of Defense, acting through the Administrator of General Services, may transfer, without reimbursement, to the Secretary of Veterans Affairs jurisdiction, custody, and control over the center, structures, facilities, and property and equipment covered by the executive agreement under section 1701 (hereafter in this title referred to as the ''facility'').*

*(2) DATE OF TRANSFER.—The transfer authorized by paragraph (1) may not occur before the earlier of—*

*(A) the date that is five years after the date of the execution under section 1701 of the executive agreement under that section; or*

*(B) the date of the completion of such specific benchmarks relating to the joint use by the Department of Defense and the Department of Veterans Affairs of the Navy ambulatory care center described in section 1701(a)(1) as the Secretary of Defense (in consultation with the Secretary of the Navy) and Secretary of the Department of Veterans Affairs shall jointly establish for purposes of this section not later than 180 days after the date of the enactment of this Act.*

*(3) DELAY OF TRANSFER FOR COMPLETION OF CONSTRUCTION.—If construction on the center, structures, and facilities described in paragraph (1) is not complete as of the date specified in subparagraph (A) or (B) of paragraph (2), as applicable, the transfer of the center, structures, and facilities under that paragraph may occur thereafter upon completion of the construction.*

*(4) DISCHARGE OF TRANSFER.—The Administrator of General Services shall complete the transfer as authorized by this subsection not later than 30 days after receipt of the request for the transfer.*

*(b) REVERSION.—*

*(1) IN GENERAL.—If any of the real and related personal property transferred pursuant to subsection (a) is subsequently used for purposes other than those specified in the executive agreement under section 1701, or is otherwise jointly determined by the Secretary of Defense and the Secretary of Veterans Affairs to be excess to the needs of the facility, the Secretary of Veterans Affairs shall offer to transfer jurisdiction, custody, and control over such property, without reimbursement, to the Secretary of Defense. Any such transfer shall be carried out by the Administrator of General Services not later than one year after the acceptance of the offer of such transfer, plus such additional time as the Administrator may require to complete such transfer.*

*(2) REVERSION IN EVENT OF LACK OF FACILITIES INTEGRATION.—*

*(A) WITHIN INITIAL PERIOD.—During the five-year period beginning on the date of the transfer of real and related personal property pursuant to subsection (a), if the Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Navy jointly determine that the integration of the facilities transferred pursuant to that subsection should not continue, jurisdiction, custody, and control over such real and related personal property shall be transferred, without reimbursement, to the Secretary of Defense. The transfer under this subparagraph shall be carried out by the Administrator of General Services not later than 180 days after the date of the determination by the Secretaries, plus such additional time as the Administrator may require to complete such transfer.*

*(B) AFTER INITIAL PERIOD.—After the end of the five-year period described in subparagraph (A), if the Secretary of Veterans Affairs or the Secretary of Defense determines that the integration of the facilities transferred pursuant to subsection (a) should not continue, the Secretary of Veterans Affairs shall transfer, without reimbursement, to the Secretary of Defense jurisdiction, custody, and control over the real and related personal property described in subparagraph (A). Any transfer under this subparagraph shall be carried out by the Administrator of General Services not later than one year after the date of the determination by the applicable Secretary, plus such additional time as the Administrator may require to complete such transfer.*

*(C) REVERSION PROCEDURES.—The executive agreement under section 1701 shall provide the following:*

*(i) Specific procedures for the reversion of real and related personal property, as appropriate, transferred pursuant to subsection (a) to ensure the continuing accomplishment by the Department of Defense and the Department of Veterans Affairs of their missions in the event that the integration of facilities described transferred pursuant to that subsection (a) is not completed or a reversion of property occurs under subparagraph (A) or (B).*

*(ii) In the event of a reversion under this paragraph, the transfer from the Department of Veterans Affairs to the Department of Defense of associated functions including appropriate resources, civilian positions, and personnel, in a manner that will not result in adverse impact to the missions of Department of Defense or the Department of Veterans Affairs.*

***SEC. 1703. TRANSFER OF CIVILIAN PERSONNEL OF THE DEPARTMENT OF DEFENSE.***

*(a) TRANSFER OF FUNCTIONS.—The Secretary of Defense and the Secretary of the Navy may transfer to the Secretary of Veterans Affairs functions necessary for the effective operation of the facility. The Secretary of Veterans Affairs may accept any functions so transferred.*

*(b) TERMS.—*

*(1) EXECUTIVE AGREEMENT.—Any transfer of functions under subsection (a) shall be carried out as provided in the executive agreement under section 1701. The functions to be so transferred shall be identified utilizing the provisions of section 3503 of title 5, United States Code.*

*(2) ELEMENTS.—In providing for the transfer of functions under subsection (a), the executive agreement under section 1701 shall provide for the following:*

*(A) The transfer of civilian employee positions of the Department of Defense identified in the executive agreement to the Department of Veterans Affairs, and of the incumbent civilian employees in such positions, and the transition of the employees so transferred to the pay, benefits, and personnel systems that apply to employees of the Department of Veterans Affairs (to the extent that different systems apply).*

*(B) The transition of employees so transferred to the pay systems of the Department of Veterans Affairs in a manner which will not result in any reduction in an employee's regular rate of compensation (including basic pay, locality pay, any physician comparability allowance, and any other fixed and recurring pay supplement) at the time of transition.*

*(C) The continuation after transfer of the same employment status for employees so transferred who have already successfully completed or are in the process of completing a one-year probationary period under title 5, United States Code, notwithstanding the provisions of section 7403(b)(1) of title 38, United States Code.*

*(D) The extension of collective bargaining rights under title 5, United States Code, to employees so transferred in positions listed in subsection 7421(b) of title 38, United States Code, notwithstanding the provisions of section 7422 of title 38, United States Code, for a two-year period beginning on the effective date of the executive agreement.*

*(E) At the end of the two-year period beginning on the effective date of the executive agreement, for the following actions by the Secretary of Veterans Affairs with respect to the extension of collective bargaining rights under subparagraph (D):*

*(i) Consideration of the impact of the extension of such rights.*

*(ii) Consultation with exclusive employee representatives of the transferred employees about such impact.*

*(iii) Determination, after consultation with the Secretary of Defense and the Secretary of the Navy, whether the extension of such rights should be terminated, modified, or kept in effect.*

*(iv) Submittal to Congress of a notice regarding the determination made under clause (iii).*

*(F) The recognition after transfer of each transferred physician's and dentist's total number of years of service as a physician or dentist in the Department of Defense for purposes of calculating such employee's rate of base pay, notwithstanding the provisions of section 7431(b)(3) of title 38, United States Code.*

*(G) The preservation of the seniority of the employees so transferred for all pay purposes.*

*(c) RETENTION OF DEPARTMENT OF DEFENSE EMPLOYMENT AUTHORITY.—Notwithstanding subsections (a) and (b), the Department of Defense may employ civilian personnel at the facility if the Secretary of the Navy, or a designee of*

*the Secretary, determines it is necessary and appropriate to meet mission requirements of the Department of the Navy.*

**SEC. 1704. JOINT FUNDING AUTHORITY.**

*(a) JOINT MEDICAL FACILITY DEMONSTRATION FUND.—*

*(1) ESTABLISHMENT.—There is established on the books of the Treasury under the Department of Veterans Affairs a fund to be known as the ''Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund'' (in this section referred to as the ''Fund'').*

*(2) ELEMENTS.—The Fund shall consist of the following:*

*(A) Amounts transferred to the Fund by the Secretary of Defense, in consultation with the Secretary of the Navy, from amounts authorized and appropriated for the Department of Defense specifically for that purpose.*

*(B) Amounts transferred to the Fund by the Secretary of Veterans Affairs from amounts authorized and appropriated for the Department of Veterans Affairs specifically for that purpose.*

*(C) Amounts transferred to the Fund from medical care collections under paragraph (4).*

*(3) DETERMINATION OF AMOUNTS TRANSFERRED GENERALLY.—The amount transferred to the Fund by each of the Secretary of Defense and the Secretary of Veterans Affairs under subparagraphs (A) and (B), as applicable, of paragraph (2) each fiscal year shall be such amount, as determined by a methodology jointly established by the Secretary of Defense and the Secretary of Veterans Affairs for purposes of this subsection, that reflects the mission-specific activities, workload, and costs of provision of health care at the facility of the Department of Defense and the Department of Veterans Affairs, respectively.*

*(4) TRANSFERS FROM MEDICAL CARE COLLECTIONS.—*

*(A) IN GENERAL.—Amounts collected under the authorities specified in subparagraph (B) for health care provided at the facility may be transferred to the Fund under paragraph (2)(C).*

*(B) AUTHORITIES.—The authorities specified in this subparagraph are the following:*

*(i) Section 1095 of title 10, United States Code.*

*(ii) Section 1729 of title 38, United States Code.*

*(iii) Public Law 87–693, popularly known as the ''Federal Medical Care Recovery Act'' (42 U.S.C. 2651 et seq.).*

*(5) ADMINISTRATION.—The Fund shall be administered in accordance with such provisions of the executive agreement under section 1701 as the Secretary of Defense and the Secretary of Veterans Affairs shall jointly include in the executive agreement. Such provisions shall provide for an independent review of the methodology established under paragraph (3).*

*(b) AVAILABILITY.—*

*(1) IN GENERAL.—Funds transferred to the Fund under subsection (a) shall be available to fund the operations of the facility, including capital equipment, real property maintenance, and minor construction projects that are not required to be specifically authorized by law under section 2805 of title 10, United States Code, or section 8104 of title 38, United States Code.*

*(2) LIMITATION.—The availability of funds transferred to the Fund under subsection (a)(2)(C) shall be subject to the provisions of section 1729A of title 38, United States Code.*

*(3) PERIOD OF AVAILABILITY.—*

*(A) IN GENERAL.—Except as provided in subparagraph (B), funds transferred to the Fund under subsection (a) shall be available under paragraph (1) for one fiscal year after transfer.*

*(B) EXCEPTION.—Of an amount transferred to the Fund under subsection (a), an amount not to exceed two percent of such amount shall be available under paragraph (1) for two fiscal years after transfer.*

*(c) FINANCIAL RECONCILIATION.—The executive agreement under section 1701 shall provide for the development and implementation of an integrated financial reconciliation process that meets the fiscal reconciliation requirements of the Department of Defense, the Department of the Navy, and the Department of Veterans Affairs. The process shall permit each of the Department of Defense, the Department of Navy, and the Department of Veterans Affairs to identify their fiscal contributions to the Fund, taking into consideration accounting, workload, and financial management differences.*

*(d) ANNUAL REPORT.—The Secretary of Defense, in consultation with the Secretary of the Navy, and the Secretary of Veterans Affairs shall jointly provide for an annual independent review of the Fund for at least three years after the date of the enactment of this Act. Such review shall include detailed statements of the uses of amounts of the Fund and an evaluation of the adequacy of the proportional share contributed to the Fund by each of the Secretary of Defense and the Secretary of Veterans Affairs.*

*(e) TERMINATION.—The authorities in this section shall terminate on September 30, 2015.*

**SEC. 1705. ELIGIBILITY OF MEMBERS OF THE UNIFORMED SERVICES FOR CARE AND SERVICES.**

*(a) IN GENERAL.—For purposes of eligibility for health care under chapter 55 of title 10, United States Code, the facility may be treated as a facility of the uniformed services to the extent provided in the executive agreement under section 1701.*

*(b) PRIORITY OF TREATMENT.—The executive agreement under section 1701 shall provide an integrated priority list for access to health care at the facility, which list shall—*

*(1) integrate the respective health care priority lists of the Secretary of Defense and the Secretary of Veterans Affairs, giving first priority of care to members of the Armed Forces on active duty; and*

*(2) take into account categories of beneficiaries, enrollment program status, and such other matters as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate.*

*(c) ADDITIONAL ELEMENTS.—The executive agreement under section 1701 may include provisions as follows:*

*(1) To incorporate any resource-related limitations for access to health care at the facility that the Secretary of Defense may establish for purposes of administering space-available eligibility for care in facilities of the uniformed services under chapter 55 of title 10, United States Code.*

*(2) To waive the applicability to the facility of any provision of section 8111(e) of title 38, United States Code, that the Secretary of Defense and the Secretary of Veterans Affairs shall jointly specify.*

*(3) To allocate financial responsibility for care provided at the facility for individuals who are eligible for care under both chapter 55 of title 10, United States Code, and title 38, United States Code.*

**SEC. 1706. EXTENSION OF DOD–VA HEALTH CARE SHARING INCENTIVE FUND.**

*Section 8111(d)(3) of title 38, United States Code, is amended by striking ''September 30, 2010'' and inserting ''September 30, 2015''.*

## TITLE XVIII—MILITARY COMMISSIONS

*Sec. 1801. Short title.*
*Sec. 1802. Military commissions.*
*Sec. 1803. Conforming amendments.*
*Sec. 1804. Proceedings under prior statute.*
*Sec. 1805. Submittal to Congress of revised rules for military commissions.*
*Sec. 1806. Annual reports to Congress on trials by military commission.*
*Sec. 1807. Sense of Congress on military commission system.*

**SEC. 1801. SHORT TITLE.**

*This title may be cited as the ''Military Commissions Act of 2009''.*

**SEC. 1802. MILITARY COMMISSIONS.**

*Chapter 47A of title 10, United States Code, is amended to read as follows:*

**''CHAPTER 47A—MILITARY COMMISSIONS**

''SUBCHAPTER Sec.
''I. General Provisions ..... 948a.
''II. Composition of Military Commissions ..... 948h.
''III. Pre-Trial Procedure ..... 948q.
''IV. Trial Procedure ..... 949a.
''V. Classified Information Procedures .. 949p–1.
''VI. Sentences ..... 949s.
''VII. Post-Trial Procedures and Review of Military Commissions ..... 950a.
''VIII. Punitive Matters ..... 950p.

''SUBCHAPTER I—GENERAL PROVISIONS

''Sec.
''948a. Definitions.
''948b. Military commissions generally.
''948c. Persons subject to military commissions.
''948d. Jurisdiction of military commissions.

**''§ 948a. Definitions**

*''In this chapter:*

*''(1) ALIEN.—The term 'alien' means an individual who is not a citizen of the United States.*

*''(2) CLASSIFIED INFORMATION.—The term 'classified information' means the following:*

*''(A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.*

*''(B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).*

*''(3) COALITION PARTNER.—The term 'coalition partner', with respect to hostilities engaged in by the United States, means any State or armed force directly engaged along with the United States in such hostilities or providing direct operational support to the United States in connection with such hostilities.*

*''(4) GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR.—The term 'Geneva Convention Relative to the Treatment of Prisoners of War' means the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316).*

*''(5) GENEVA CONVENTIONS.—The term 'Geneva Conventions' means the international conventions signed at Geneva on August 12, 1949.*

*''(6) PRIVILEGED BELLIGERENT.—The term 'privileged belligerent' means an individual belonging to one of the eight categories enumerated in Article 4 of the Geneva Convention Relative to the Treatment of Prisoners of War.*

*''(7) UNPRIVILEGED ENEMY BELLIGERENT.—The term 'unprivileged enemy belligerent' means an individual (other than a privileged belligerent) who—*

*''(A) has engaged in hostilities against the United States or its coalition partners;*

*''(B) has purposefully and materially supported hostilities against the United States or its coalition partners; or*

*''(C) was a part of al Qaeda at the time of the alleged offense under this chapter.*

*''(8) NATIONAL SECURITY.—The term 'national security' means the national defense and foreign relations of the United States.*

*''(9) HOSTILITIES.—The term 'hostilities' means any conflict subject to the laws of war.*

**''§ 948b. Military commissions generally**

*''(a) PURPOSE.—This chapter establishes procedures governing the use of military commissions to try alien unprivileged enemy belligerents for violations of the law of war and other offenses triable by military commission.*

*''(b) AUTHORITY FOR MILITARY COMMISSIONS UNDER THIS CHAPTER.—The President is authorized to establish military commissions under this chapter for offenses triable by military commission as provided in this chapter.*

*''(c) CONSTRUCTION OF PROVISIONS.—The procedures for military commissions set forth in this chapter are based upon the procedures for trial by general courts-martial under chapter 47 of this title (the Uniform Code of Military Justice).*

*Chapter 47 of this title does not, by its terms, apply to trial by military commission except as specifically provided therein or in this chapter, and many of the provisions of chapter 47 of this title are by their terms inapplicable to military commissions. The judicial construction and application of chapter 47 of this title, while instructive, is therefore not of its own force binding on military commissions established under this chapter.*

*''(d) INAPPLICABILITY OF CERTAIN PROVISIONS.—(1) The following provisions of this title shall not apply to trial by military commission under this chapter:*

*''(A) Section 810 (article 10 of the Uniform Code of Military Justice), relating to speedy trial, including any rule of courts-martial relating to speedy trial.*

*''(B) Sections 831(a), (b), and (d) (articles 31(a), (b), and (d) of the Uniform Code of Military Justice), relating to compulsory self-incrimination.*

*''(C) Section 832 (article 32 of the Uniform Code of Military Justice), relating to pretrial investigation.*

*''(2) Other provisions of chapter 47 of this title shall apply to trial by military commission under this chapter only to the extent provided by the terms of such provisions or by this chapter.*

*''(e) GENEVA CONVENTIONS NOT ESTABLISHING PRIVATE RIGHT OF ACTION.—No alien unprivileged enemy belligerent subject to trial by military commission under this chapter may invoke the Geneva Conventions as a basis for a private right of action.*

***''§ 948c. Persons subject to military commissions***

*''Any alien unprivileged enemy belligerent is subject to trial by military commission as set forth in this chapter.*

***''§ 948d. Jurisdiction of military commissions***

*''A military commission under this chapter shall have jurisdiction to try persons subject to this chapter for any offense made punishable by this chapter, sections 904 and 906 of this title (articles 104 and 106 of the Uniform Code of Military Justice), or the law of war, whether such offense was committed before, on, or after September 11, 2001, and may, under such limitations as the President may prescribe, adjudge any punishment not forbidden by this chapter, including the penalty of death when specifically authorized under this chapter. A military commission is a competent tribunal to make a finding sufficient for jurisdiction.*

*''SUBCHAPTER II—COMPOSITION OF MILITARY COMMISSIONS*

*''Sec.*
*''948h. Who may convene military commissions.*
*''948i. Who may serve on military commissions.*
*''948j. Military judge of a military commission.*
*''948k. Detail of trial counsel and defense counsel.*
*''948l. Detail or employment of reporters and interpreters.*
*''948m. Number of members; excuse of members; absent and additional members.*

***''§ 948h. Who may convene military commissions***

*''Military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose.*

***''§ 948i. Who may serve on military commissions***

*''(a) IN GENERAL.—Any commissioned officer of the armed forces on active duty is eligible to serve on a military commission under this chapter, including commissioned officers of the reserve components of the armed forces on active duty, commissioned officers of the National Guard on active duty in Federal service, or retired commissioned officers recalled to active duty.*

*''(b) DETAIL OF MEMBERS.—When convening a military commission under this chapter, the convening authority shall detail as members thereof such members of the armed forces eligible under subsection (a) who, in the opinion of the convening authority, are best qualified for the duty by reason of age, education, training, experience, length of service, and judicial temperament. No member of an armed force is eligible to serve as a member of a military commission when such member is the accuser or a witness for the prosecution or has acted as an investigator or counsel in the same case.*

*''(c) EXCUSE OF MEMBERS.—Before a military commission under this chapter is assembled for the trial of a case, the convening authority may excuse a member from participating in the case.*

***''§ 948j. Military judge of a military commission***

*''(a) DETAIL OF MILITARY JUDGE.—A military judge shall be detailed to each military commission under this chapter. The Secretary of Defense shall prescribe regulations providing for the manner in which military judges are so detailed to military commissions. The military judge shall preside over each military commission to which such military judge has been detailed.*

*''(b) ELIGIBILITY.—A military judge shall be a commissioned officer of the armed forces who is a member of the bar of a Federal court, or a member of the bar of the highest court of a State, and who is certified to be qualified for duty under section 826 of this title (article 26 of the Uniform Code of Military Justice) as a military judge of general courts-martial by the Judge Advocate General of the armed force of which such military judge is a member.*

*''(c) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person is eligible to act as military judge in a case of a military commission under this chapter if such person is the accuser or a witness or has acted as investigator or a counsel in the same case.*

*''(d) CONSULTATION WITH MEMBERS; INELIGIBILITY TO VOTE.—A military judge detailed to a military commission under this chapter may not consult with the members except in the presence of the accused (except as otherwise provided in section 949d of this title), trial counsel, and defense counsel, nor may such military judge vote with the members.*

*''(e) OTHER DUTIES.—A commissioned officer who is certified to be qualified for duty as a military judge of a military commission under this chapter may perform such other duties as are assigned to such officer by or with the approval of the Judge Advocate General of the armed force of which such officer is a member or the designee of such Judge Advocate General.*

*''(f) PROHIBITION ON EVALUATION OF FITNESS BY CONVENING AUTHORITY.—The convening authority of a military commission under this chapter may not prepare or review any report concerning the effectiveness, fitness, or efficiency of a military judge detailed to the military commission which relates to such judge's performance of duty as a military judge on the military commission.*

***''§ 948k. Detail of trial counsel and defense counsel***

*''(a) DETAIL OF COUNSEL GENERALLY.—(1) Trial counsel and military defense counsel shall be detailed for each military commission under this chapter.*

*''(2) Assistant trial counsel and assistant and associate defense counsel may be detailed for a military commission under this chapter.*

*''(3) Military defense counsel for a military commission under this chapter shall be detailed as soon as practicable.*

*''(4) The Secretary of Defense shall prescribe regulations providing for the manner in which trial counsel and military defense counsel are detailed for military commissions under this chapter and for the persons who are authorized to detail such counsel for such military commissions.*

*''(b) TRIAL COUNSEL.—Subject to subsection (e), a trial counsel detailed for a military commission under this chapter shall be—*

*''(1) a judge advocate (as that term is defined in section 801 of this title (article 1 of the Uniform Code of Military Justice)) who is—*

*''(A) a graduate of an accredited law school or a member of the bar of a Federal court or of the highest court of a State; and*

*''(B) certified as competent to perform duties as trial counsel before general courts-martial by the Judge Advocate General of the armed force of which such judge advocate is a member; or*

*''(2) a civilian who is—*

*''(A) a member of the bar of a Federal court or of the highest court of a State; and*

*''(B) otherwise qualified to practice before the military commission pursuant to regulations prescribed by the Secretary of Defense.*

*''(c) DEFENSE COUNSEL.—(1) Subject to subsection (e), a military defense counsel detailed for a military commission under this chapter shall be a judge advocate (as so defined) who is—*

*''(A) a graduate of an accredited law school or a member of the bar of a Federal court or of the highest court of a State; and*

*''(B) certified as competent to perform duties as defense counsel before general courts-martial by the Judge Advocate General of the armed force of which such judge advocate is a member.*

*''(2) The Secretary of Defense shall prescribe regulations for the appointment and performance of defense counsel in capital cases under this chapter.*

*''(d) CHIEF PROSECUTOR; CHIEF DEFENSE COUNSEL.—(1) The Chief Prosecutor in a military commission under this chapter shall meet the requirements set forth in subsection (b)(1).*

*''(2) The Chief Defense Counsel in a military commission under this chapter shall meet the requirements set forth in subsection (c)(1).*

*''(e) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person who has acted as an investigator, military judge, or member of a military commission under this chapter in any case may act later as trial counsel or military defense counsel in the same case. No person who has acted for the prosecution before a military commission under this chapter may act later in the same case for the defense, nor may any person who has acted for the defense before a military commission under this chapter may act later in the same case for the defense, nor may any person who has acted for the defense before a military commission under this chapter act later in the same case for the prosecution.*

***''§ 948l. Detail or employment of reporters and interpreters***

*''(a) COURT REPORTERS.—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter shall detail to or employ for the military commission qualified court reporters, who shall prepare a verbatim record of the proceedings of and testimony taken before the military commission.*

*''(b) INTERPRETERS.—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter may detail to or employ for the military commission interpreters who shall interpret for the military commission, and, as necessary, for trial counsel and defense counsel for the military commission, and for the accused.*

*''(c) TRANSCRIPT; RECORD.—The transcript of a military commission under this chapter shall be under the control of the convening authority of the military commission, who shall also be responsible for preparing the record of the proceedings of the military commission.*

***"§ 948m. Number of members; excuse of members; absent and additional members***

*''(a) NUMBER OF MEMBERS.—(1) Except as provided in paragraph (2), a military commission under this chapter shall have at least five members.*

*''(2) In a case in which the accused before a military commission under this chapter may be sentenced to a penalty of death, the military commission shall have the number of members prescribed by section 949m(c) of this title.*

*''(b) EXCUSE OF MEMBERS.—No member of a military commission under this chapter may be absent or excused after the military commission has been assembled for the trial of a case unless excused—*

*''(1) as a result of challenge;*

*''(2) by the military judge for physical disability or other good cause; or*

*''(3) by order of the convening authority for good cause.*

*''(c) ABSENT AND ADDITIONAL MEMBERS.—Whenever a military commission under this chapter is reduced below the number of members required by subsection (a), the trial may not proceed unless the convening authority details new members sufficient to provide not less than such number. The trial may proceed with the new members present after the recorded evidence previously introduced before the members has been read to the military commission in the presence of the military judge, the accused (except as provided in section 949d of this title), and counsel for both sides.*

*''SUBCHAPTER III—PRE-TRIAL PROCEDURE*

*''Sec.*
*''948q. Charges and specifications.*
*''948r. Exclusion of statements obtained by torture or cruel, inhuman, or degrading treatment; prohibition of self-incrimination; admission of other statements of the accused.*
*''948s. Service of charges.*

***"§ 948q. Charges and specifications***

*''(a) CHARGES AND SPECIFICATIONS.—Charges and specifications against an accused in a military commission under this chapter shall be signed by a person subject to chapter 47 of this title under oath before a commissioned officer of the armed forces authorized to administer oaths and shall state—*

*''(1) that the signer has personal knowledge of, or reason to believe, the matters set forth therein; and*

*''(2) that such matters are true in fact to the best of the signer's knowledge and belief.*

*''(b) NOTICE TO ACCUSED.—Upon the swearing of the charges and specifications in accordance with subsection (a), the accused shall be informed of the charges and specifications against the accused as soon as practicable.*

***"§ 948r. Exclusion of statements obtained by torture or cruel, inhuman, or degrading treatment; prohibition of self-incrimination; admission of other statements of the accused***

*''(a) EXCLUSION OF STATEMENTS OBTAIN BY TORTURE OR CRUEL, INHUMAN, OR DEGRADING TREATMENT.—No statement obtained by the use of torture or by cruel, inhuman, or degrading treatment (as defined by section 1003 of the Detainee Treatment Act of 2005 (42 U.S.C. 2000dd)), whether or not under color of law, shall be admissible in a military commission under this chapter, except against a person accused of torture or such treatment as evidence that the statement was made.*

*''(b) SELF-INCRIMINATION PROHIBITED.—No person shall be required to testify against himself or herself at a proceeding of a military commission under this chapter.*

*''(c) OTHER STATEMENTS OF THE ACCUSED.—A statement of the accused may be admitted in evidence in a military commission under this chapter only if the military judge finds—*

*''(1) that the totality of the circumstances renders the statement reliable and possessing sufficient probative value; and*

*''(2) that—*

*''(A) the statement was made incident to lawful conduct during military operations at the point of capture or during closely related active combat engagement, and the interests of justice would best be served by admission of the statement into evidence; or*

*''(B) the statement was voluntarily given.*

*''(d) DETERMINATION OF VOLUNTARINESS.—In determining for purposes of subsection (c)(2)(B) whether a statement was voluntarily given, the military judge shall consider the totality of the circumstances, including, as appropriate, the following:*

*''(1) The details of the taking of the statement, accounting for the circumstances of the conduct of military and intelligence operations during hostilities.*

*''(2) The characteristics of the accused, such as military training, age, and education level.*

*''(3) The lapse of time, change of place, or change in identity of the questioners between the statement sought to be admitted and any prior questioning of the accused.*

***"§ 948s. Service of charges***

*''The trial counsel assigned to a case before a military commission under this chapter shall cause to be served upon the accused and military defense counsel a copy of the charges upon which trial is to be had in English and, if appropriate, in another language that the accused understands, sufficiently in advance of trial to prepare a defense.*

*''SUBCHAPTER IV—TRIAL PROCEDURE*

*''Sec.*
*''949a. Rules.*
*''949b. Unlawfully influencing action of military commission and United States Court of Military Commission Review.*
*''949c. Duties of trial counsel and defense counsel.*
*''949d. Sessions.*
*''949e. Continuances.*
*''949f. Challenges.*
*''949g. Oaths.*
*''949h. Former jeopardy.*
*''949i. Pleas of the accused.*
*''949j. Opportunity to obtain witnesses and other evidence.*
*''949k. Defense of lack of mental responsibility.*
*''949l. Voting and rulings.*
*''949m. Number of votes required.*
*''949n. Military commission to announce action.*
*''949o. Record of trial.*

***"§ 949a. Rules***

*''(a) PROCEDURES AND RULES OF EVIDENCE.—Pretrial, trial, and post-trial procedures, including elements and modes of proof, for cases triable by military commission under this chapter may be prescribed by the Secretary of Defense. Such procedures may not be contrary to or inconsistent with this chapter. Except as otherwise provided in this chapter or chapter 47 of this title, the procedures and rules of evidence applicable in trials by general courts-martial of the United States shall apply in trials by military commission under this chapter.*

*''(b) EXCEPTIONS.—(1) In trials by military commission under this chapter, the Secretary of Defense, in consultation with the Attorney General, may make such exceptions in the applicability of the procedures and rules of evidence otherwise applicable in general courts-martial as may be required by the unique circumstances of the conduct of military and intelligence operations during hostilities or by other practical need consistent with this chapter.*

*''(2) Notwithstanding any exceptions authorized by paragraph (1), the procedures and rules of evidence in trials by military commission under this chapter shall include, at a minimum, the following rights of the accused:*

*''(A) To present evidence in the accused's defense, to cross-examine the witnesses who testify against the accused, and to examine and respond to all evidence admitted against the accused on the issue of guilt or innocence and for sentencing, as provided for by this chapter.*

*''(B) To be present at all sessions of the military commission (other than those for deliberations or voting), except when excluded under section 949d of this title.*

*''(C)(i) When none of the charges preferred against the accused are capital, to be represented before a military commission by civilian counsel if provided at no expense to the Government, and by either the defense counsel detailed or the military counsel of the accused's own selection, if reasonably available.*

*''(ii) When any of the charges preferred against the accused are capital, to be represented before a military commission in accordance with clause (i) and, to the greatest extent practicable, by at least one additional counsel who is learned in applicable law relating to capital cases and who, if necessary, may be a civilian and compensated in accordance with regulations prescribed by the Secretary of Defense.*

*''(D) To self-representation, if the accused knowingly and competently waives the assistance of counsel, subject to the provisions of paragraph (4).*

*''(E) To the suppression of evidence that is not reliable or probative.*

*''(F) To the suppression of evidence the probative value of which is substantially outweighed by—*

*''(i) the danger of unfair prejudice, confusion of the issues, or misleading the members; or*

*''(ii) considerations of undue delay, waste of time, or needless presentation of cumulative evidence.*

*''(3) In making exceptions in the applicability in trials by military commission under this chapter from the procedures and rules otherwise applicable in general courts-martial, the Secretary of Defense may provide the following:*

*''(A) Evidence seized outside the United States shall not be excluded from trial by military commission on the grounds that the evidence was not seized pursuant to a search warrant or authorization.*

*''(B) A statement of the accused that is otherwise admissible shall not be excluded from trial by military commission on grounds of alleged coercion or compulsory self-incrimination so long as the evidence complies with the provisions of section 948r of this title.*

*''(C) Evidence shall be admitted as authentic so long as—*

*''(i) the military judge of the military commission determines that there is sufficient evidence that the evidence is what it is claimed to be; and*

*''(ii) the military judge instructs the members that they may consider any issue as to authentication or identification of evidence in determining the weight, if any, to be given to the evidence.*

*''(D) Hearsay evidence not otherwise admissible under the rules of evidence applicable in trial by general courts-martial may be admitted in a trial by military commission only if—*

*''(i) the proponent of the evidence makes known to the adverse party, sufficiently in advance to provide the adverse party with a fair opportunity to meet the evidence, the proponent's intention to offer the evidence, and the particulars of the evidence (including information on the circumstances under which the evidence was obtained); and*

*''(ii) the military judge, after taking into account all of the circumstances surrounding the taking of the statement, including the degree to which the statement is corroborated, the indicia of reliability within the statement itself, and whether the will of the declarant was overborne, determines that—*

*''(I) the statement is offered as evidence of a material fact;*

*''(II) the statement is probative on the point for which it is offered;*

''(III) direct testimony from the witness is not available as a practical matter, taking into consideration the physical location of the witness, the unique circumstances of military and intelligence operations during hostilities, and the adverse impacts on military or intelligence operations that would likely result from the production of the witness; and

''(IV) the general purposes of the rules of evidence and the interests of justice will best be served by admission of the statement into evidence.

''(4)(A) The accused in a military commission under this chapter who exercises the right to self-representation under paragraph (2)(D) shall conform the accused's deportment and the conduct of the defense to the rules of evidence, procedure, and decorum applicable to trials by military commission.

''(B) Failure of the accused to conform to the rules described in subparagraph (A) may result in a partial or total revocation by the military judge of the right of self-representation under paragraph (2)(D). In such case, the military counsel of the accused or an appropriately authorized civilian counsel shall perform the functions necessary for the defense.

''(c) DELEGATION OF AUTHORITY TO PRESCRIBE REGULATIONS.—The Secretary of Defense may delegate the authority of the Secretary to prescribe regulations under this chapter.

''(d) NOTICE TO CONGRESS OF MODIFICATION OF RULES.—Not later than 60 days before the date on which any proposed modification of the rules in effect for military commissions under this chapter goes into effect, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing the proposed modification.

**''§ 949b. Unlawfully influencing action of military commission and United States Court of Military Commission Review**

''(a) MILITARY COMMISSIONS.—(1) No authority convening a military commission under this chapter may censure, reprimand, or admonish the military commission, or any member, military judge, or counsel thereof, with respect to the findings or sentence adjudged by the military commission, or with respect to any other exercises of its or their functions in the conduct of the proceedings.

''(2) No person may attempt to coerce or, by any unauthorized means, influence—

''(A) the action of a military commission under this chapter, or any member thereof, in reaching the findings or sentence in any case;

''(B) the action of any convening, approving, or reviewing authority with respect to their judicial acts; or

''(C) the exercise of professional judgment by trial counsel or defense counsel.

''(3) The provisions of this subsection shall not apply with respect to—

''(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or

''(B) statements and instructions given in open proceedings by a military judge or counsel.

''(b) UNITED STATES COURT OF MILITARY COMMISSION REVIEW.—(1) No person may attempt to coerce or, by any unauthorized means, influence—

''(A) the action of a military appellate judge or other duly appointed judge under this chapter on the United States Court of Military Commissions Review in reaching a decision on the findings or sentence on appeal in any case; or

''(B) the exercise of professional judgment by trial counsel or defense counsel appearing before the United States Court of Military Commission Review.

''(2) No person may censure, reprimand, or admonish a military appellate judge on the United States Court of Military Commission Review, or counsel thereof, with respect to any exercise of their functions in the conduct of proceedings under this chapter.

''(3) The provisions of this subsection shall not apply with respect to—

''(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or

''(B) statements and instructions given in open proceedings by an appellate military judge or a duly appointed appellate judge on the United States Court of Military Commission Review, or counsel.

''(4) No appellate military judge on the United States Court of Military Commission Review may be reassigned to other duties, except under circumstances as follows:

''(A) The appellate military judge voluntarily requests to be reassigned to other duties and the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, approves such reassignment.

''(B) The appellate military judge retires or otherwise separates from the armed forces.

''(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).

''(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).

''(c) PROHIBITION ON CONSIDERATION OF ACTIONS ON COMMISSION IN EVALUATION OF FITNESS.—In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a commissioned officer of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of any such officer or whether any such officer should be retained on active duty, no person may—

''(1) consider or evaluate the performance of duty of any member of a military commission under this chapter; or

''(2) give a less favorable rating or evaluation to any commissioned officer because of the zeal with which such officer, in acting as counsel, represented any accused before a military commission under this chapter.

**''§ 949c. Duties of trial counsel and defense counsel**

''(a) TRIAL COUNSEL.—The trial counsel of a military commission under this chapter shall prosecute in the name of the United States.

''(b) DEFENSE COUNSEL.—(1) The accused shall be represented in the accused's defense before a military commission under this chapter as provided in this subsection.

''(2) The accused may be represented by military counsel detailed under section 948k of this title or by military counsel of the accused's own selection, if reasonably available.

''(3) The accused may be represented by civilian counsel if retained by the accused, provided that such civilian counsel—

''(A) is a United States citizen;

''(B) is admitted to the practice of law in a State, district, or possession of the United States, or before a Federal court;

''(C) has not been the subject of any sanction of disciplinary action by any court, bar, or other competent governmental authority for relevant misconduct;

''(D) has been determined to be eligible for access to information classified at the level Secret or higher; and

''(E) has signed a written agreement to comply with all applicable regulations or instructions for counsel, including any rules of court for conduct during the proceedings.

''(4) If the accused is represented by civilian counsel, military counsel shall act as associate counsel.

''(5) The accused is not entitled to be represented by more than one military counsel. However, the person authorized under regulations prescribed under section 948k of this title to detail counsel, in such person's sole discretion, may detail additional military counsel to represent the accused.

''(6) Defense counsel may cross-examine each witness for the prosecution who testifies before a military commission under this chapter.

''(7) Civilian defense counsel shall protect any classified information received during the course of representation of the accused in accordance with all applicable law governing the protection of classified information, and may not divulge such information to any person not authorized to receive it.

**''§ 949d. Sessions**

''(a) SESSIONS WITHOUT PRESENCE OF MEMBERS.—(1) At any time after the service of charges which have been referred for trial by military commission under this chapter, the military judge may call the military commission into session without the presence of the members for the purpose of—

''(A) hearing and determining motions raising defenses or objections which are capable of determination without trial of the issues raised by a plea of not guilty;

''(B) hearing and ruling upon any matter which may be ruled upon by the military judge under this chapter, whether or not the matter is appropriate for later consideration or decision by the members;

''(C) if permitted by regulations prescribed by the Secretary of Defense, receiving the pleas of the accused; and

''(D) performing any other procedural function which may be performed by the military judge under this chapter or under rules prescribed pursuant to section 949a of this title and which does not require the presence of the members.

''(2) Except as provided in subsections (b), (c), and (d), any proceedings under paragraph (1) shall be conducted in the presence of the accused, defense counsel, and trial counsel, and shall be made part of the record.

''(b) DELIBERATION OR VOTE OF MEMBERS.—When the members of a military commission under this chapter deliberate or vote, only the members may be present.

''(c) CLOSURE OF PROCEEDINGS.—(1) The military judge may close to the public all or part of the proceedings of a military commission under this chapter.

''(2) The military judge may close to the public all or a portion of the proceedings under paragraph (1) only upon making a specific finding that such closure is necessary to—

''(A) protect information the disclosure of which could reasonably be expected to cause damage to the national security, including intelligence or law enforcement sources, methods, or activities; or

''(B) ensure the physical safety of individuals.

''(3) A finding under paragraph (2) may be based upon a presentation, including a presentation ex parte or in camera, by either trial counsel or defense counsel.

''(d) EXCLUSION OF ACCUSED FROM CERTAIN PROCEEDINGS.—The military judge may exclude the accused from any portion of a proceeding upon a determination that, after being warned by the military judge, the accused persists in conduct that justifies exclusion from the courtroom—

''(1) to ensure the physical safety of individuals; or

''(2) to prevent disruption of the proceedings by the accused.

**''§ 949e. Continuances**

''The military judge in a military commission under this chapter may, for reasonable cause, grant a continuance to any party for such time, and as often, as may appear to be just.

**''§ 949f. Challenges**

''(a) CHALLENGES AUTHORIZED.—The military judge and members of a military commission under this chapter may be challenged by the accused or trial counsel for cause stated to the military commission. The military judge shall determine the relevance and validity of challenges for cause, and may not receive a challenge to more than one person at a time. Challenges by trial counsel shall ordinarily be presented and decided before those by the accused are offered.

''(b) PEREMPTORY CHALLENGES.—The accused and trial counsel are each entitled to one peremptory challenge, but the military judge may not be challenged except for cause.

''(c) CHALLENGES AGAINST ADDITIONAL MEMBERS.—Whenever additional members are detailed to a military commission under this chapter, and after any challenges for cause against such additional members are presented and decided, the accused and trial counsel are each entitled to one peremptory challenge against members not previously subject to peremptory challenge.

**''§ 949g. Oaths**

''(a) IN GENERAL.—(1) Before performing their respective duties in a military commission under this chapter, military judges, members, trial counsel, defense counsel, reporters, and interpreters shall take an oath to perform their duties faithfully.

''(2) The form of the oath required by paragraph (1), the time and place of the taking thereof, the manner of recording thereof, and whether the oath shall be taken for all cases in which duties are to be performed or for a particular case, shall be as provided in regulations prescribed by the Secretary of Defense. The regulations may provide that—

''(A) an oath to perform faithfully duties as a military judge, trial counsel, or defense counsel may be taken at any time by any judge advocate or other person certified to be qualified or competent for the duty; and

''(B) if such an oath is taken, such oath need not again be taken at the time the judge advocate or other person is detailed to that duty.

''(b) WITNESSES.—Each witness before a military commission under this chapter shall be examined on oath.

''(c) OATH DEFINED.—In this section, the term 'oath' includes an affirmation.

**''§ 949h. Former jeopardy**

''(a) IN GENERAL.—No person may, without the person's consent, be tried by a military commission under this chapter a second time for the same offense.

''(b) SCOPE OF TRIAL.—No proceeding in which the accused has been found guilty by military commission under this chapter upon any charge or specification is a trial in the sense of this section until the finding of guilty has become final after review of the case has been fully completed.

**''§ 949i. Pleas of the accused**

''(a) PLEA OF NOT GUILTY.—If an accused in a military commission under this chapter after a plea of guilty sets up matter inconsistent with the plea, or if it appears that the accused has entered the plea of guilty through lack of understanding of its meaning and effect, or if the accused fails or refuses to plead, a plea of not guilty shall be entered in the record, and the military commission shall proceed as though the accused had pleaded not guilty.

''(b) FINDING OF GUILT AFTER GUILTY PLEA.—With respect to any charge or specification to which a plea of guilty has been made by the accused in a military commission under this chapter and accepted by the military judge, a finding of guilty of the charge or specification may be entered immediately without a vote. The finding shall constitute the finding of the military commission unless the plea of guilty is withdrawn prior to announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty.

**''§ 949j. Opportunity to obtain witnesses and other evidence**

''(a) IN GENERAL.—(1) Defense counsel in a military commission under this chapter shall have a reasonable opportunity to obtain witnesses and other evidence as provided in regulations prescribed by the Secretary of Defense. The opportunity to obtain witnesses and evidence shall be comparable to the opportunity available to a criminal defendant in a court of the United States under article III of the Constitution.

''(2) Process issued in military commissions under this chapter to compel witnesses to appear and testify and to compel the production of other evidence—

''(A) shall be similar to that which courts of the United States having criminal jurisdiction may lawfully issue; and

''(B) shall run to any place where the United States shall have jurisdiction thereof.

''(b) DISCLOSURE OF EXCULPATORY EVIDENCE.—(1) As soon as practicable, trial counsel in a military commission under this chapter shall disclose to the defense the existence of any evidence that reasonably tends to—

''(A) negate the guilt of the accused of an offense charged; or

''(B) reduce the degree of guilt of the accused with respect to an offense charged.

''(2) The trial counsel shall, as soon as practicable, disclose to the defense the existence of evidence that reasonably tends to impeach the credibility of a witness whom the government intends to call at trial.

''(3) The trial counsel shall, as soon as practicable upon a finding of guilt, disclose to the defense the existence of evidence that is not subject to paragraph (1) or paragraph (2) but that reasonably may be viewed as mitigation evidence at sentencing.

''(4) The disclosure obligations under this subsection encompass evidence that is known or reasonably should be known to any government officials who participated in the investigation and prosecution of the case against the defendant.

**''§ 949k. Defense of lack of mental responsibility**

''(a) AFFIRMATIVE DEFENSE.—It is an affirmative defense in a trial by military commission under this chapter that, at the time of the commission of the acts constituting the offense, the accused, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of the acts. Mental disease or defect does not otherwise constitute a defense.

''(b) BURDEN OF PROOF.—The accused in a military commission under this chapter has the burden of proving the defense of lack of mental responsibility by clear and convincing evidence.

''(c) FINDINGS FOLLOWING ASSERTION OF DEFENSE.—Whenever lack of mental responsibility of the accused with respect to an offense is properly at issue in a military commission under this chapter, the military judge shall instruct the members as to the defense of lack of mental responsibility under this section and shall charge the members to find the accused—

''(1) guilty;

''(2) not guilty; or

''(3) subject to subsection (d), not guilty by reason of lack of mental responsibility.

''(d) MAJORITY VOTE REQUIRED FOR FINDING.—The accused shall be found not guilty by reason of lack of mental responsibility under subsection (c)(3) only if a majority of the members present at the time the vote is taken determines that the defense of lack of mental responsibility has been established.

**''§ 949l. Voting and rulings**

''(a) VOTE BY SECRET WRITTEN BALLOT.—Voting by members of a military commission under this chapter on the findings and on the sentence shall be by secret written ballot.

''(b) RULINGS.—(1) The military judge in a military commission under this chapter shall rule upon all questions of law, including the admissibility of evidence and all interlocutory questions arising during the proceedings.

''(2) Any ruling made by the military judge upon a question of law or an interlocutory question (other than the factual issue of mental responsibility of the accused) is conclusive and constitutes the ruling of the military commission. However, a military judge may change such a ruling at any time during the trial.

''(c) INSTRUCTIONS PRIOR TO VOTE.—Before a vote is taken of the findings of a military commission under this chapter, the military judge shall, in the presence of the accused and counsel, instruct the members as to the elements of the offense and charge the members—

''(1) that the accused must be presumed to be innocent until the accused's guilt is established by legal and competent evidence beyond a reasonable doubt;

''(2) that in the case being considered, if there is a reasonable doubt as to the guilt of the accused, the doubt must be resolved in favor of the accused and the accused must be acquitted;

''(3) that, if there is reasonable doubt as to the degree of guilt, the finding must be in a lower degree as to which there is no reasonable doubt; and

''(4) that the burden of proof to establish the guilt of the accused beyond a reasonable doubt is upon the United States.

**''§ 949m. Number of votes required**

''(a) CONVICTION.—No person may be convicted by a military commission under this chapter of any offense, except as provided in section 949i(b) of this title or by concurrence of two-thirds of the members present at the time the vote is taken.

''(b) SENTENCES.—(1) Except as provided in paragraphs (2) and (3), sentences shall be determined by a military commission by the concurrence of two-thirds of the members present at the time the vote is taken.

''(2) No person may be sentenced to death by a military commission, except insofar as—

''(A) the penalty of death has been expressly authorized under this chapter, chapter 47 of this title, or the law of war for an offense of which the accused has been found guilty;

''(B) trial counsel expressly sought the penalty of death by filing an appropriate notice in advance of trial;

''(C) the accused was convicted of the offense by the concurrence of all the members present at the time the vote is taken; and

''(D) all members present at the time the vote was taken concurred in the sentence of death.

''(3) No person may be sentenced to life imprisonment, or to confinement for more than 10 years, by a military commission under this chapter except by the concurrence of three-fourths of the members present at the time the vote is taken.

''(c) NUMBER OF MEMBERS REQUIRED FOR PENALTY OF DEATH.—(1) Except as provided in paragraph (2), in a case in which the penalty of death is sought, the number of members of the military commission under this chapter shall be not less than 12 members.

''(2) In any case described in paragraph (1) in which 12 members are not reasonably available for a military commission because of physical conditions or military exigencies, the convening authority shall specify a lesser number of members for the military commission (but not fewer

*than 9 members), and the military commission may be assembled, and the trial held, with not less than the number of members so specified. In any such case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.*

***"§ 949n. Military commission to announce action***

*''A military commission under this chapter shall announce its findings and sentence to the parties as soon as determined.*

***"§ 949o. Record of trial***

*''(a) RECORD; AUTHENTICATION.—Each military commission under this chapter shall keep a separate, verbatim, record of the proceedings in each case brought before it, and the record shall be authenticated by the signature of the military judge. If the record cannot be authenticated by the military judge by reason of death, disability, or absence, it shall be authenticated by the signature of the trial counsel or by a member of the commission if the trial counsel is unable to authenticate it by reason of death, disability, or absence. Where appropriate, and as provided in regulations prescribed by the Secretary of Defense, the record of a military commission under this chapter may contain a classified annex.*

*''(b) COMPLETE RECORD REQUIRED.—A complete record of the proceedings and testimony shall be prepared in every military commission under this chapter.*

*''(c) PROVISION OF COPY TO ACCUSED.—A copy of the record of the proceedings of the military commission under this chapter shall be given the accused as soon as it is authenticated. If the record contains classified information, or a classified annex, the accused shall receive a redacted version of the record consistent with the requirements of subchapter V of this chapter. Defense counsel shall have access to the unredacted record, as provided in regulations prescribed by the Secretary of Defense.*

*''SUBCHAPTER V—CLASSIFIED INFORMATION PROCEDURES*

*''Sec.*
*''949p–1. Protection of classified information: applicability of subchapter.*
*''949p–2. Pretrial conference.*
*''949p–3. Protective orders.*
*''949p–4. Discovery of, and access to, classified information by the accused.*
*''949p–5. Notice by accused of intention to disclose classified information.*
*''949p–6. Procedure for cases involving classified information.*
*''949p–7. Introduction of classified information into evidence.*

***"§ 949p–1. Protection of classified information: applicability of subchapter***

*''(a) PROTECTION OF CLASSIFIED INFORMATION.—Classified information shall be protected and is privileged from disclosure if disclosure would be detrimental to the national security. Under no circumstances may a military judge order the release of classified information to any person not authorized to receive such information.*

*''(b) ACCESS TO EVIDENCE.—Any information admitted into evidence pursuant to any rule, procedure, or order by the military judge shall be provided to the accused.*

*''(c) DECLASSIFICATION.—Trial counsel shall work with the original classification authorities for evidence that may be used at trial to ensure that such evidence is declassified to the maximum extent possible, consistent with the requirements of national security. A decision not to declassify evidence under this section shall not be subject to review by a military commission or upon appeal.*

*''(d) CONSTRUCTION OF PROVISIONS.—The judicial construction of the Classified Information Procedures Act (18 U.S.C. App.) shall be authoritative in the interpretation of this subchapter, except to the extent that such construction is inconsistent with the specific requirements of this chapter.*

***"§ 949p–2. Pretrial conference***

*''(a) MOTION.—At any time after service of charges, any party may move for a pretrial conference to consider matters relating to classified information that may arise in connection with the prosecution.*

*''(b) CONFERENCE.—Following a motion under subsection (a), or sua sponte, the military judge shall promptly hold a pretrial conference. Upon request by either party, the court shall hold such conference ex parte to the extent necessary to protect classified information from disclosure, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.).*

*''(c) MATTERS TO BE ESTABLISHED AT PRETRIAL CONFERENCE.—*

*''(1) TIMING OF SUBSEQUENT ACTIONS.—At the pretrial conference, the military judge shall establish the timing of—*

*''(A) requests for discovery;*

*''(B) the provision of notice required by section 949p–5 of this title; and*

*''(C) the initiation of the procedure established by section 949p–6 of this title.*

*''(2) OTHER MATTERS.—At the pretrial conference, the military judge may also consider any matter—*

*''(A) which relates to classified information; or*

*''(B) which may promote a fair and expeditious trial.*

*''(d) EFFECT OF ADMISSIONS BY ACCUSED AT PRETRIAL CONFERENCE.—No admission made by the accused or by any counsel for the accused at a pretrial conference under this section may be used against the accused unless the admission is in writing and is signed by the accused and by the counsel for the accused.*

***"§ 949p–3. Protective orders***

*''Upon motion of the trial counsel, the military judge shall issue an order to protect against the disclosure of any classified information that has been disclosed by the United States to any accused in any military commission under this chapter or that has otherwise been provided to, or obtained by, any such accused in any such military commission.*

***"§ 949p–4. Discovery of, and access to, classified information by the accused***

*''(a) LIMITATIONS ON DISCOVERY OR ACCESS BY THE ACCUSED.—*

*''(1) DECLARATIONS BY THE UNITED STATES OF DAMAGE TO NATIONAL SECURITY.—In any case before a military commission in which the United States seeks to delete, withhold, or otherwise obtain other relief with respect to the discovery of or access to any classified information, the trial counsel shall submit a declaration invoking the United States' classified information privilege and setting forth the damage to the national security that the discovery of or access to such information reasonably could be expected to cause. The declaration shall be signed by a knowledgeable United States official possessing authority to classify information.*

*''(2) STANDARD FOR AUTHORIZATION OF DISCOVERY OR ACCESS.—Upon the submission of a declaration under paragraph (1), the military judge may not authorize the discovery of or access to such classified information unless the military judge determines that such classified information would be noncumulative, relevant, and helpful to a legally cognizable defense, rebuttal of the prosecution's case, or to sentencing, in accordance with standards generally applicable to discovery of or access to classified information in Federal criminal cases. If the discovery of or access to such classified information is authorized, it shall be addressed in accordance with the requirements of subsection (b).*

*''(b) DISCOVERY OF CLASSIFIED INFORMATION.—*

*''(1) SUBSTITUTIONS AND OTHER RELIEF.—The military judge, in assessing the accused's discovery of or access to classified information under this section, may authorize the United States—*

*''(A) to delete or withhold specified items of classified information;*

*''(B) to substitute a summary for classified information; or*

*''(C) to substitute a statement admitting relevant facts that the classified information or material would tend to prove.*

*''(2) EX PARTE PRESENTATIONS.—The military judge shall permit the trial counsel to make a request for an authorization under paragraph (1) in the form of an ex parte presentation to the extent necessary to protect classified information, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.). If the military judge enters an order granting relief following such an ex parte showing, the entire presentation (including the text of any written submission, verbatim transcript of the ex parte oral conference or hearing, and any exhibits received by the court as part of the ex parte presentation) shall be sealed and preserved in the records of the military commission to be made available to the appellate court in the event of an appeal.*

*''(3) ACTION BY MILITARY JUDGE.—The military judge shall grant the request of the trial counsel to substitute a summary or to substitute a statement admitting relevant facts, or to provide other relief in accordance with paragraph (1), if the military judge finds that the summary, statement, or other relief would provide the accused with substantially the same ability to make a defense as would discovery of or access to the specific classified information.*

*''(c) RECONSIDERATION.—An order of a military judge authorizing a request of the trial counsel to substitute, summarize, withhold, or prevent access to classified information under this section is not subject to a motion for reconsideration by the accused, if such order was entered pursuant to an ex parte showing under this section.*

***"§ 949p–5. Notice by accused of intention to disclose classified information***

*''(a) NOTICE BY ACCUSED.—*

*''(1) NOTIFICATION OF TRIAL COUNSEL AND MILITARY JUDGE.—If an accused reasonably expects to disclose, or to cause the disclosure of, classified information in any manner in connection with any trial or pretrial proceeding involving the prosecution of such accused, the accused shall, within the time specified by the military judge or, where no time is specified, within 30 days before trial, notify the trial counsel and the military judge in writing. Such notice shall include a brief description of the classified information. Whenever the accused learns of additional classified information the accused reasonably expects to disclose, or to cause the disclosure of, at any such proceeding, the accused shall notify trial counsel and the military judge in writing as soon as possible thereafter and shall include a brief description of the classified information.*

*''(2) LIMITATION ON DISCLOSURE BY ACCUSED.—No accused shall disclose, or cause the disclosure of, any information known or believed to be classified in connection with a trial or pretrial proceeding until—*

*''(A) notice has been given under paragraph (1); and*

*''(B) the United States has been afforded a reasonable opportunity to seek a determination pursuant to the procedure set forth in section 949p–6 of this title and the time for the United States to appeal such determination under section 950d of this title has expired or any appeal under that section by the United States is decided.*

''(b) FAILURE TO COMPLY.—If the accused fails to comply with the requirements of subsection (a), the military judge—

''(1) may preclude disclosure of any classified information not made the subject of notification; and

''(2) may prohibit the examination by the accused of any witness with respect to any such information.

**''§ 949p–6. Procedure for cases involving classified information**

''(a) MOTION FOR HEARING.—

''(1) REQUEST FOR HEARING.—Within the time specified by the military judge for the filing of a motion under this section, either party may request the military judge to conduct a hearing to make all determinations concerning the use, relevance, or admissibility of classified information that would otherwise be made during the trial or pretrial proceeding.

''(2) CONDUCT OF HEARING.—Upon a request by either party under paragraph (1), the military judge shall conduct such a hearing and shall rule prior to conducting any further proceedings.

''(3) IN CAMERA HEARING UPON DECLARATION TO COURT BY APPROPRIATE OFFICIAL OF RISK OF DISCLOSURE OF CLASSIFIED INFORMATION.—Any hearing held pursuant to this subsection (or any portion of such hearing specified in the request of a knowledgeable United States official) shall be held in camera if a knowledgeable United States official possessing authority to classify information submits to the military judge a declaration that a public proceeding may result in the disclosure of classified information. Classified information is not subject to disclosure under this section unless the information is relevant and necessary to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence.

''(4) MILITARY JUDGE TO MAKE DETERMINATIONS IN WRITING.—As to each item of classified information, the military judge shall set forth in writing the basis for the determination.

''(b) NOTICE AND USE OF CLASSIFIED INFORMATION BY THE GOVERNMENT.—

''(1) NOTICE TO ACCUSED.—Before any hearing is conducted pursuant to a request by the trial counsel under subsection (a), trial counsel shall provide the accused with notice of the classified information that is at issue. Such notice shall identify the specific classified information at issue whenever that information previously has been made available to the accused by the United States. When the United States has not previously made the information available to the accused in connection with the case the information may be described by generic category, in such forms as the military judge may approve, rather than by identification of the specific information of concern to the United States.

''(2) ORDER BY MILITARY JUDGE UPON REQUEST OF ACCUSED.—Whenever the trial counsel requests a hearing under subsection (a), the military judge, upon request of the accused, may order the trial counsel to provide the accused, prior to trial, such details as to the portion of the charge or specification at issue in the hearing as are needed to give the accused fair notice to prepare for the hearing.

''(c) SUBSTITUTIONS.—

''(1) IN CAMERA PRETRIAL HEARING.—Upon request of the trial counsel pursuant to the Military Commission Rules of Evidence, and in accordance with the security procedures established by the military judge, the military judge shall conduct a classified in camera pretrial hearing concerning the admissibility of classified information.

''(2) PROTECTION OF SOURCES, METHODS, AND ACTIVITIES BY WHICH EVIDENCE ACQUIRED.—When trial counsel seeks to introduce evidence before a military commission under this chapter and the Executive branch has classified the sources, methods, or activities by which the United States acquired the evidence, the military judge shall permit trial counsel to introduce the evidence, including a substituted evidentiary foundation pursuant to the procedures described in subsection (d), while protecting from disclosure information identifying those sources, methods, or activities, if—

''(A) the evidence is otherwise admissible; and

''(B) the military judge finds that—

''(i) the evidence is reliable; and

''(ii) the redaction is consistent with affording the accused a fair trial.

''(d) ALTERNATIVE PROCEDURE FOR DISCLOSURE OF CLASSIFIED INFORMATION.—

''(1) MOTION BY THE UNITED STATES.—Upon any determination by the military judge authorizing the disclosure of specific classified information under the procedures established by this section, the trial counsel may move that, in lieu of the disclosure of such specific classified information, the military judge order—

''(A) the substitution for such classified information of a statement admitting relevant facts that the specific classified information would tend to prove;

''(B) the substitution for such classified information of a summary of the specific classified information; or

''(C) any other procedure or redaction limiting the disclosure of specific classified information.

''(2) ACTION ON MOTION.—The military judge shall grant such a motion of the trial counsel if the military judge finds that the statement, summary, or other procedure or redaction will provide the defendant with substantially the same ability to make his defense as would disclosure of the specific classified information.

''(3) HEARING ON MOTION.—The military judge shall hold a hearing on any motion under this subsection. Any such hearing shall be held in camera at the request of a knowledgeable United States official possessing authority to classify information.

''(4) SUBMISSION OF STATEMENT OF DAMAGE TO NATIONAL SECURITY IF DISCLOSURE ORDERED.—The trial counsel may, in connection with a motion under paragraph (1), submit to the military judge a declaration signed by a knowledgeable United States official possessing authority to classify information certifying that disclosure of classified information would cause identifiable damage to the national security of the United States and explaining the basis for the classification of such information. If so requested by the trial counsel, the military judge shall examine such declaration during an ex parte presentation.

''(e) SEALING OF RECORDS OF IN CAMERA HEARINGS.—If at the close of an in camera hearing under this section (or any portion of a hearing under this section that is held in camera), the military judge determines that the classified information at issue may not be disclosed or elicited at the trial or pretrial proceeding, the record of such in camera hearing shall be sealed and preserved for use in the event of an appeal. The accused may seek reconsideration of the military judge's determination prior to or during trial.

''(f) PROHIBITION ON DISCLOSURE OF CLASSIFIED INFORMATION BY THE ACCUSED; RELIEF FOR ACCUSED WHEN THE UNITED STATES OPPOSES DISCLOSURE.—

''(1) ORDER TO PREVENT DISCLOSURE BY ACCUSED.—Whenever the military judge denies a motion by the trial counsel that the judge issue an order under subsection (a), (c), or (d) and the trial counsel files with the military judge a declaration signed by a knowledgeable United States official possessing authority to classify information objecting to disclosure of the classified information at issue, the military judge shall order that the accused not disclose or cause the disclosure of such information.

''(2) RESULT OF ORDER UNDER PARAGRAPH (1).—Whenever an accused is prevented by an order under paragraph (1) from disclosing or causing the disclosure of classified information, the military judge shall dismiss the case, except that, when the military judge determines that the interests of justice would not be served by dismissal of the case, the military judge shall order such other action, in lieu of dismissing the charge or specification, as the military judge determines is appropriate. Such action may include, but need not be limited to, the following:

''(A) Dismissing specified charges or specifications.

''(B) Finding against the United States on any issue as to which the excluded classified information relates.

''(C) Striking or precluding all or part of the testimony of a witness.

''(3) TIME FOR THE UNITED STATES TO SEEK INTERLOCUTORY APPEAL.—An order under paragraph (2) shall not take effect until the military judge has afforded the United States—

''(A) an opportunity to appeal such order under section 950d of this title; and

''(B) an opportunity thereafter to withdraw its objection to the disclosure of the classified information at issue.

''(g) RECIPROCITY.—

''(1) DISCLOSURE OF REBUTTAL INFORMATION.—Whenever the military judge determines that classified information may be disclosed in connection with a trial or pretrial proceeding, the military judge shall, unless the interests of fairness do not so require, order the United States to provide the accused with the information it expects to use to rebut the classified information. The military judge may place the United States under a continuing duty to disclose such rebuttal information.

''(2) SANCTION FOR FAILURE TO COMPLY.—If the United States fails to comply with its obligation under this subsection, the military judge—

''(A) may exclude any evidence not made the subject of a required disclosure; and

''(B) may prohibit the examination by the United States of any witness with respect to such information.

**''§ 949p–7. Introduction of classified information into evidence**

''(a) PRESERVATION OF CLASSIFICATION STATUS.—Writings, recordings, and photographs containing classified information may be admitted into evidence in proceedings of military commissions under this chapter without change in their classification status.

''(b) PRECAUTIONS BY MILITARY JUDGES.—

''(1) PRECAUTIONS IN ADMITTING CLASSIFIED INFORMATION INTO EVIDENCE.—The military judge in a trial by military commission, in order to prevent unnecessary disclosure of classified information, may order admission into evidence of only part of a writing, recording, or photograph, or may order admission into evidence of the whole writing, recording, or photograph with excision of some or all of the classified information contained therein, unless the whole ought in fairness be considered.

''(2) CLASSIFIED INFORMATION KEPT UNDER SEAL.—The military judge shall allow classified information offered or accepted into evidence to remain under seal during the trial, even if such evidence is disclosed in the military commission, and may, upon motion by the United States, seal exhibits containing classified information for any period after trial as necessary to prevent a disclosure of classified information when a knowledgeable United States official possessing authority to classify information submits to the military judge a declaration setting forth the damage to the national security that the disclosure of such information reasonably could be expected to cause.

''(c) TAKING OF TESTIMONY.—

''(1) OBJECTION BY TRIAL COUNSEL.—During the examination of a witness, trial counsel may object to any question or line of inquiry that may require the witness to disclose classified information not previously found to be admissible.

''(2) ACTION BY MILITARY JUDGE.—Following an objection under paragraph (1), the military judge shall take such suitable action to determine whether the response is admissible as will

*safeguard against the compromise of any classified information. Such action may include requiring trial counsel to provide the military judge with a proffer of the witness' response to the question or line of inquiry and requiring the accused to provide the military judge with a proffer of the nature of the information sought to be elicited by the accused. Upon request, the military judge may accept an ex parte proffer by trial counsel to the extent necessary to protect classified information from disclosure, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.).*

*''(d) DISCLOSURE AT TRIAL OF CERTAIN STATEMENTS PREVIOUSLY MADE BY A WITNESS.—*

*''(1) MOTION FOR PRODUCTION OF STATEMENTS IN POSSESSION OF THE UNITED STATES.—After a witness called by the trial counsel has testified on direct examination, the military judge, on motion of the accused, may order production of statements of the witness in the possession of the United States which relate to the subject matter as to which the witness has testified. This paragraph does not preclude discovery or assertion of a privilege otherwise authorized.*

*''(2) INVOCATION OF PRIVILEGE BY THE UNITED STATES.—If the United States invokes a privilege, the trial counsel may provide the prior statements of the witness to the military judge during an ex parte presentation to the extent necessary to protect classified information from disclosure, in accordance with the practice of the Federal courts under the Classified Information Procedures Act (18 U.S.C. App.).*

*''(3) ACTION BY MILITARY JUDGE ON MOTION.—If the military judge finds that disclosure of any portion of the statement identified by the United States as classified would be detrimental to the national security in the degree to warrant classification under the applicable Executive Order, statute, or regulation, that such portion of the statement is consistent with the testimony of the witness, and that the disclosure of such portion is not necessary to afford the accused a fair trial, the military judge shall excise that portion from the statement. If the military judge finds that such portion of the statement is inconsistent with the testimony of the witness or that its disclosure is necessary to afford the accused a fair trial, the military judge, shall, upon the request of the trial counsel, review alternatives to disclosure in accordance with section 949p–6(d) of this title.*

*''SUBCHAPTER VI—SENTENCES*

*''Sec.*
*''949s. Cruel or unusual punishments prohibited.*
*''949t. Maximum limits.*
*''949u. Execution of confinement.*

***''§ 949s. Cruel or unusual punishments prohibited***

*''Punishment by flogging, or by branding, marking, or tattooing on the body, or any other cruel or unusual punishment, may not be adjudged by a military commission under this chapter or inflicted under this chapter upon any person subject to this chapter. The use of irons, single or double, except for the purpose of safe custody, is prohibited under this chapter.*

***''§ 949t. Maximum limits***

*''The punishment which a military commission under this chapter may direct for an offense may not exceed such limits as the President or Secretary of Defense may prescribe for that offense.*

***''§ 949u. Execution of confinement***

*''(a) IN GENERAL.—Under such regulations as the Secretary of Defense may prescribe, a sentence of confinement adjudged by a military commission under this chapter may be carried into execution by confinement—*

*''(1) in any place of confinement under the control of any of the armed forces; or*

*''(2) in any penal or correctional institution under the control of the United States or its allies, or which the United States may be allowed to use.*

*''(b) TREATMENT DURING CONFINEMENT BY OTHER THAN THE ARMED FORCES.—Persons confined under subsection (a)(2) in a penal or correctional institution not under the control of an armed force are subject to the same discipline and treatment as persons confined or committed by the courts of the United States or of the State, District of Columbia, or place in which the institution is situated.*

*''SUBCHAPTER VII—POST-TRIAL PROCEDURE AND REVIEW OF MILITARY COMMISSIONS*

*''Sec.*
*''950a. Error of law; lesser included offense.*
*''950b. Review by the convening authority.*
*''950c. Appellate referral; waiver or withdrawal of appeal.*
*''950d. Interlocutory appeals by the United States.*
*''950e. Rehearings.*
*''950f. Review by United States Court of Military Commission Review.*
*''950g. Review by United States Court of Court of Appeals for the District of Columbia Circuit; writ of certiorari to Supreme Court.*
*''950h. Appellate counsel.*
*''950i. Execution of sentence; suspension of sentence.*
*''950j. Finality of proceedings, findings, and sentences.*

***''§ 950a. Error of law; lesser included offense***

*''(a) ERROR OF LAW.—A finding or sentence of a military commission under this chapter may not be held incorrect on the ground of an error of law unless the error materially prejudices the substantial rights of the accused.*

*''(b) LESSER INCLUDED OFFENSE.—Any reviewing authority with the power to approve or affirm a finding of guilty by a military commission under this chapter may approve or affirm, instead, so much of the finding as includes a lesser included offense.*

***''§ 950b. Review by the convening authority***

*''(a) NOTICE TO CONVENING AUTHORITY OF FINDINGS AND SENTENCE.—The findings and sentence of a military commission under this chapter shall be reported in writing promptly to the convening authority after the announcement of the sentence.*

*''(b) SUBMITTAL OF MATTERS BY ACCUSED TO CONVENING AUTHORITY.—(1) The accused may submit to the convening authority matters for consideration by the convening authority with respect to the findings and the sentence of the military commission under this chapter.*

*''(2)(A) Except as provided in subparagraph (B), a submittal under paragraph (1) shall be made in writing within 20 days after the accused has been give an authenticated record of trial under section 949o(c) of this title.*

*''(B) If the accused shows that additional time is required for the accused to make a submittal under paragraph (1), the convening authority may, for good cause, extend the applicable period under subparagraph (A) for not more than an additional 20 days.*

*''(3) The accused may waive the accused's right to make a submittal to the convening authority under paragraph (1). Such a waiver shall be made in writing, and may not be revoked. For the purposes of subsection (c)(2), the time within which the accused may make a submittal under this subsection shall be deemed to have expired upon the submittal of a waiver under this paragraph to the convening authority.*

*''(c) ACTION BY CONVENING AUTHORITY.—(1) The authority under this subsection to modify the findings and sentence of a military commission under this chapter is a matter of the sole discretion and prerogative of the convening authority.*

*''(2) The convening authority is not required to take action on the findings of a military commission under this chapter. If the convening authority takes action on the findings, the convening authority may, in the sole discretion of the convening authority, only—*

*''(A) dismiss any charge or specification by setting aside a finding of guilty thereto; or*

*''(B) change a finding of guilty to a charge to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge.*

*''(3)(A) The convening authority shall take action on the sentence of a military commission under this chapter.*

*''(B) Subject to regulations prescribed by the Secretary of Defense, action under this paragraph may be taken only after consideration of any matters submitted by the accused under subsection (b) or after the time for submitting such matters expires, whichever is earlier.*

*''(C) In taking action under this paragraph, the convening authority may, in the sole discretion of the convening authority, approve, disapprove, commute, or suspend the sentence in whole or in part. The convening authority may not increase a sentence beyond that which is found by the military commission.*

*''(4) The convening authority shall serve on the accused or on defense counsel notice of any action taken by the convening authority under this subsection.*

*''(d) ORDER OF REVISION OR REHEARING.—(1) Subject to paragraphs (2) and (3), the convening authority of a military commission under this chapter may, in the sole discretion of the convening authority, order a proceeding in revision or a rehearing.*

*''(2)(A) Except as provided in subparagraph (B), a proceeding in revision may be ordered by the convening authority if—*

*''(i) there is an apparent error or omission in the record; or*

*''(ii) the record shows improper or inconsistent action by the military commission with respect to the findings or sentence that can be rectified without material prejudice to the substantial rights of the accused.*

*''(B) In no case may a proceeding in revision—*

*''(i) reconsider a finding of not guilty of a specification or a ruling which amounts to a finding of not guilty;*

*''(ii) reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation; or*

*''(iii) increase the severity of the sentence unless the sentence prescribed for the offense is mandatory.*

*''(3) A rehearing may be ordered by the convening authority if the convening authority disapproves the findings and sentence and states the reasons for disapproval of the findings. If the convening authority disapproves the finding and sentence and does not order a rehearing, the convening authority shall dismiss the charges. A rehearing as to the findings may not be ordered by the convening authority when there is a lack of sufficient evidence in the record to support the findings. A rehearing as to the sentence may be ordered by the convening authority if the convening authority disapproves the sentence.*

***''§ 950c. Appellate referral; waiver or withdrawal of appeal***

*''(a) AUTOMATIC REFERRAL FOR APPELLATE REVIEW.—Except as provided in subsection (b), in each case in which the final decision of a military commission under this chapter (as approved by the convening authority) includes a finding of guilty, the convening authority shall refer the case to the United States Court of Military Commission Review. Any such referral shall be made in accordance with procedures prescribed under regulations of the Secretary.*

*''(b) WAIVER OF RIGHT OF REVIEW.—(1) Except in a case in which the sentence as approved under section 950b of this title extends to death, an accused may file with the convening authority a statement expressly waiving the right of*

*the accused to appellate review by the United States Court of Military Commission Review under section 950f of this title of the final decision of the military commission under this chapter.*

*''(2) A waiver under paragraph (1) shall be signed by both the accused and a defense counsel.*

*''(3) A waiver under paragraph (1) must be filed, if at all, within 10 days after notice of the action is served on the accused or on defense counsel under section 950b(c)(4) of this title. The convening authority, for good cause, may extend the period for such filing by not more than 30 days.*

*''(c) WITHDRAWAL OF APPEAL.—Except in a case in which the sentence as approved under section 950b of this title extends to death, the accused may withdraw an appeal at any time.*

*''(d) EFFECT OF WAIVER OR WITHDRAWAL.—A waiver of the right to appellate review or the withdrawal of an appeal under this section bars review under section 950f of this title.*

***''§ 950d. Interlocutory appeals by the United States***

*''(a) INTERLOCUTORY APPEAL.—Except as provided in subsection (b), in a trial by military commission under this chapter, the United States may take an interlocutory appeal to the United States Court of Military Commission Review of any order or ruling of the military judge—*

*''(1) that terminates proceedings of the military commission with respect to a charge or specification;*

*''(2) that excludes evidence that is substantial proof of a fact material in the proceeding;*

*''(3) that relates to a matter under subsection (c) or (d) of section 949d of this title; or*

*''(4) that, with respect to classified information—*

*''(A) authorizes the disclosure of such information;*

*''(B) imposes sanctions for nondisclosure of such information; or*

*''(C) refuses a protective order sought by the United States to prevent the disclosure of such information.*

*''(b) LIMITATION.—The United States may not appeal under subsection (a) an order or ruling that is, or amounts to, a finding of not guilty by the military commission with respect to a charge or specification.*

*''(c) SCOPE OF APPEAL RIGHT WITH RESPECT TO CLASSIFIED INFORMATION.—The United States has the right to appeal under paragraph (4) of subsection (a) whenever the military judge enters an order or ruling that would require the disclosure of classified information, without regard to whether the order or ruling appealed from was entered under this chapter, another provision of law, a rule, or otherwise. Any such appeal may embrace any preceding order, ruling, or reasoning constituting the basis of the order or ruling that would authorize such disclosure.*

*''(d) TIMING AND ACTION ON INTERLOCUTORY APPEALS RELATING TO CLASSIFIED INFORMATION.—*

*''(1) APPEAL TO BE EXPEDITED.—An appeal taken pursuant to paragraph (4) of subsection (a) shall be expedited by the United States Court of Military Commission Review.*

*''(2) APPEALS BEFORE TRIAL.—If such an appeal is taken before trial, the appeal shall be taken within 10 days after the order or ruling from which the appeal is made and the trial shall not commence until the appeal is decided.*

*''(3) APPEALS DURING TRIAL.—If such an appeal is taken during trial, the military judge shall adjourn the trial until the appeal is decided, and the court of appeals—*

*''(A) shall hear argument on such appeal within 4 days of the adjournment of the trial (excluding weekends and holidays);*

*''(B) may dispense with written briefs other than the supporting materials previously submitted to the military judge;*

*''(C) shall render its decision within four days of argument on appeal (excluding weekends and holidays); and*

*''(D) may dispense with the issuance of a written opinion in rendering its decision.*

*''(e) NOTICE AND TIMING OF OTHER APPEALS.—The United States shall take an appeal of an order or ruling under subsection (a), other than an appeal under paragraph (4) of that subsection, by filing a notice of appeal with the military judge within 5 days after the date of the order or ruling.*

*''(f) METHOD OF APPEAL.—An appeal under this section shall be forwarded, by means specified in regulations prescribed by the Secretary of Defense, directly to the United States Court of Military Commission Review.*

*''(g) APPEALS COURT TO ACT ONLY WITH RESPECT TO MATTER OF LAW.—In ruling on an appeal under paragraph (1), (2), or (3) of subsection (a), the appeals court may act only with respect to matters of law.*

*''(h) SUBSEQUENT APPEAL RIGHTS OF ACCUSED NOT AFFECTED.—An appeal under paragraph (4) of subsection (a), and a decision on such appeal, shall not affect the right of the accused, in a subsequent appeal from a judgment of conviction, to claim as error reversal by the military judge on remand of a ruling appealed from during trial.*

***''§ 950e. Rehearings***

*''(a) COMPOSITION OF MILITARY COMMISSION FOR REHEARING.—Each rehearing under this chapter shall take place before a military commission under this chapter composed of members who were not members of the military commission which first heard the case.*

*''(b) SCOPE OF REHEARING.—(1) Upon a rehearing—*

*''(A) the accused may not be tried for any offense of which the accused was found not guilty by the first military commission; and*

*''(B) no sentence in excess of or more than the original sentence may be imposed unless—*

*''(i) the sentence is based upon a finding of guilty of an offense not considered upon the merits in the original proceedings; or*

*''(ii) the sentence prescribed for the offense is mandatory.*

*''(2) Upon a rehearing, if the sentence approved after the first military commission was in accordance with a pretrial agreement and the accused at the rehearing changes his plea with respect to the charges or specifications upon which the pretrial agreement was based, or otherwise does not comply with pretrial agreement, the sentence as to those charges or specifications may include any punishment not in excess of that lawfully adjudged at the first military commission.*

***''§ 950f. Review by United States Court of Military Commission Review***

*''(a) ESTABLISHMENT.—There is a court of record to be known as the 'United States Court of Military Commission Review' (in this section referred to as the 'Court'). The Court shall consist of one or more panels, each composed of not less than three appellate military judges. For the purpose of reviewing decisions of military commissions under this chapter, the Court may sit in panels or as a whole, in accordance with rules prescribed by the Secretary of Defense.*

*''(b) JUDGES.—(1) Judges on the Court shall be assigned or appointed in a manner consistent with the provisions of this subsection.*

*''(2) The Secretary of Defense may assign persons who are appellate military judges to be judges on the Court. Any judge so assigned shall be a commissioned officer of the armed forces, and shall meet the qualifications for military judges prescribed by section 948j(b) of this title.*

*''(3) The President may appoint, by and with the advice and consent of the Senate, additional judges to the United States Court of Military Commission Review.*

*''(4) No person may serve as a judge on the Court in any case in which that person acted as a military judge, counsel, or reviewing official.*

*''(c) CASES TO BE REVIEWED.—The Court shall, in accordance with procedures prescribed under regulations of the Secretary, review the record in each case that is referred to the Court by the convening authority under section 950c of this title with respect to any matter properly raised by the accused.*

*''(d) STANDARD AND SCOPE OF REVIEW.—In a case reviewed by the Court under this section, the Court may act only with respect to the findings and sentence as approved by the convening authority. The Court may affirm only such findings of guilty, and the sentence or such part or amount of the sentence, as the Court finds correct in law and fact and determines, on the basis of the entire record, should be approved. In considering the record, the Court may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact, recognizing that the military commission saw and heard the witnesses.*

*''(e) REHEARINGS.—If the Court sets aside the findings or sentence, the Court may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If the Court sets aside the findings or sentence and does not order a rehearing, the Court shall order that the charges be dismissed.*

***''§ 950g. Review by United States Court of Appeals for the District of Columbia Circuit; writ of certiorari to Supreme Court***

*''(a) EXCLUSIVE APPELLATE JURISDICTION.—Except as provided in subsection (b), the United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction to determine the validity of a final judgment rendered by a military commission (as approved by the convening authority and, where applicable, the United States Court of Military Commission Review) under this chapter.*

*''(b) EXHAUSTION OF OTHER APPEALS.—The United States Court of Appeals for the District of Columbia Circuit may not review a final judgment described in subsection (a) until all other appeals under this chapter have been waived or exhausted.*

*''(c) TIME FOR SEEKING REVIEW.—A petition for review by the United States Court of Appeals for the District of Columbia Circuit must be filed by the accused in the Court of Appeals not later than 20 days after the date on which—*

*''(1) written notice of the final decision of the United States Court of Military Commission Review is served on the accused or on defense counsel; or*

*''(2) the accused submits, in the form prescribed by section 950c of this title, a written notice waiving the right of the accused to review by the United States Court of Military Commission Review.*

*''(d) SCOPE AND NATURE OF REVIEW.—The United States Court of Appeals for the District of Columbia Circuit may act under this section only with respect to the findings and sentence as approved by the convening authority and as affirmed or set aside as incorrect in law by the United States Court of Military Commission Review, and shall take action only with respect to matters of law, including the sufficiency of the evidence to support the verdict.*

*''(e) REVIEW BY SUPREME COURT.—The Supreme Court may review by writ of certiorari pursuant to section 1254 of title 28 the final judgment of the United States Court of Appeals for the District of Columbia Circuit under this section.*

***''§ 950h. Appellate counsel***

*''(a) APPOINTMENT.—The Secretary of Defense shall, by regulation, establish procedures for the appointment of appellate counsel for the United States and for the accused in military commissions under this chapter. Appellate counsel shall meet the qualifications of counsel for appearing before military commissions under this chapter.*

*''(b) REPRESENTATION OF UNITED STATES.—Appellate counsel appointed under subsection (a)—*

''(1) shall represent the United States in any appeal or review proceeding under this chapter before the United States Court of Military Commission Review; and

''(2) may, when requested to do so by the Attorney General in a case arising under this chapter, represent the United States before the United States Court of Appeals for the District of Columbia Circuit or the Supreme Court.

''(c) REPRESENTATION OF ACCUSED.—The accused shall be represented by appellate counsel appointed under subsection (a) before the United States Court of Military Commission Review, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court, and by civilian counsel if retained by the accused. Any such civilian counsel shall meet the qualifications under paragraph (3) of section 949c(b) of this title for civilian counsel appearing before military commissions under this chapter and shall be subject to the requirements of paragraph (7) of that section.

**''§ 950i. Execution of sentence; suspension of sentence**

''(a) IN GENERAL.—The Secretary of Defense is authorized to carry out a sentence imposed by a military commission under this chapter in accordance with such procedures as the Secretary may prescribe.

''(b) EXECUTION OF SENTENCE OF DEATH ONLY UPON APPROVAL BY THE PRESIDENT.—If the sentence of a military commission under this chapter extends to death, that part of the sentence providing for death may not be executed until approved by the President. In such a case, the President may commute, remit, or suspend the sentence, or any part thereof, as he sees fit.

''(c) EXECUTION OF SENTENCE OF DEATH ONLY UPON FINAL JUDGMENT OF LEGALITY OF PROCEEDINGS.—(1) If the sentence of a military commission under this chapter extends to death, the sentence may not be executed until there is a final judgment as to the legality of the proceedings (and with respect to death, approval under subsection (b)).

''(2) A judgment as to legality of proceedings is final for purposes of paragraph (1) when review is completed in accordance with the judgment of the United States Court of Military Commission Review and—

''(A) the time for the accused to file a petition for review by the United States Court of Appeals for the District of Columbia Circuit has expired, the accused has not filed a timely petition for such review, and the case is not otherwise under review by the Court of Appeals; or

''(B) review is completed in accordance with the judgment of the United States Court of Appeals for the District of Columbia Circuit and—

''(i) a petition for a writ of certiorari is not timely filed;

''(ii) such a petition is denied by the Supreme Court; or

''(iii) review is otherwise completed in accordance with the judgment of the Supreme Court.

''(d) SUSPENSION OF SENTENCE.—The Secretary of the Defense, or the convening authority acting on the case (if other than the Secretary), may suspend the execution of any sentence or part thereof in the case, except a sentence of death.

**''§ 950j. Finality of proceedings, findings, and sentences**

''The appellate review of records of trial provided by this chapter, and the proceedings, findings, and sentences of military commissions as approved, reviewed, or affirmed as required by this chapter, are final and conclusive. Orders publishing the proceedings of military commissions under this chapter are binding upon all departments, courts, agencies, and officers of the United States, subject only to action by the Secretary or the convening authority as provided in section 950i(c) of this title and the authority of the President.

''SUBCHAPTER VIII—PUNITIVE MATTERS

''Sec.

''950p. Definitions; construction of certain offenses; common circumstances.

''950q. Principals.

''950r. Accessory after the fact.

''950s. Conviction of lesser offenses.

''950t. Crimes triable by military commission.

**''§ 950p. Definitions; construction of certain offenses; common circumstances**

''(a) DEFINITIONS.—In this subchapter:

''(1) The term 'military objective' means combatants and those objects during hostilities which, by their nature, location, purpose, or use, effectively contribute to the war-fighting or war-sustaining capability of an opposing force and whose total or partial destruction, capture, or neutralization would constitute a definite military advantage to the attacker under the circumstances at the time of an attack.

''(2) The term 'protected person' means any person entitled to protection under one or more of the Geneva Conventions, including civilians not taking an active part in hostilities, military personnel placed out of combat by sickness, wounds, or detention, and military medical or religious personnel.

''(3) The term 'protected property' means any property specifically protected by the law of war, including buildings dedicated to religion, education, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, but only if and to the extent such property is not being used for military purposes or is not otherwise a military objective. The term includes objects properly identified by one of the distinctive emblems of the Geneva Conventions, but does not include civilian property that is a military objective.

''(b) CONSTRUCTION OF CERTAIN OFFENSES.—The intent required for offenses under paragraphs (1), (2), (3), (4), and (12) of section 950t of this title precludes the applicability of such offenses with regard to collateral damage or to death, damage, or injury incident to a lawful attack.

''(c) COMMON CIRCUMSTANCES.—An offense specified in this subchapter is triable by military commission under this chapter only if the offense is committed in the context of and associated with hostilities.

''(d) EFFECT.—The provisions of this subchapter codify offenses that have traditionally been triable by military commission. This chapter does not establish new crimes that did not exist before the date of the enactment of this subchapter, as amended by the National Defense Authorization Act for Fiscal Year 2010, but rather codifies those crimes for trial by military commission. Because the provisions of this subchapter codify offenses that have traditionally been triable under the law of war or otherwise triable by military commission, this subchapter does not preclude trial for offenses that occurred before the date of the enactment of this subchapter, as so amended.

**''§ 950q. Principals**

''Any person punishable under this chapter who—

''(1) commits an offense punishable by this chapter, or aids, abets, counsels, commands, or procures its commission;

''(2) causes an act to be done which if directly performed by him would be punishable by this chapter; or

''(3) is a superior commander who, with regard to acts punishable by this chapter, knew, had reason to know, or should have known, that a subordinate was about to commit such acts or had done so and who failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof, is a principal.

**''§ 950r. Accessory after the fact**

''Any person subject to this chapter who, knowing that an offense punishable by this chapter has been committed, receives, comforts, or assists the offender in order to hinder or prevent his apprehension, trial, or punishment shall be punished as a military commission under this chapter may direct.

**''§ 950s. Conviction of lesser offenses**

''An accused may be found guilty of an offense necessarily included in the offense charged or of an attempt to commit either the offense charged or an attempt to commit either the offense charged or an offense necessarily included therein.

**''§ 950t. Crimes triable by military commission**

''The following offenses shall be triable by military commission under this chapter at any time without limitation:

''(1) MURDER OF PROTECTED PERSONS.—Any person subject to this chapter who intentionally kills one or more protected persons shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(2) ATTACKING CIVILIANS.—Any person subject to this chapter who intentionally engages in an attack upon a civilian population as such, or individual civilians not taking active part in hostilities, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(3) ATTACKING CIVILIAN OBJECTS.—Any person subject to this chapter who intentionally engages in an attack upon a civilian object that is not a military objective shall be punished as a military commission under this chapter may direct.

''(4) ATTACKING PROTECTED PROPERTY.—Any person subject to this chapter who intentionally engages in an attack upon protected property shall be punished as a military commission under this chapter may direct.

''(5) PILLAGING.—Any person subject to this chapter who intentionally and in the absence of military necessity appropriates or seizes property for private or personal use, without the consent of a person with authority to permit such appropriation or seizure, shall be punished as a military commission under this chapter may direct.

''(6) DENYING QUARTER.—Any person subject to this chapter who, with effective command or control over subordinate groups, declares, orders, or otherwise indicates to those groups that there shall be no survivors or surrender accepted, with the intent to threaten an adversary or to conduct hostilities such that there would be no survivors or surrender accepted, shall be punished as a military commission under this chapter may direct.

''(7) TAKING HOSTAGES.—Any person subject to this chapter who, having knowingly seized or detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(8) EMPLOYING POISON OR SIMILAR WEAPONS.—Any person subject to this chapter who intentionally, as a method of warfare, employs a substance or weapon that releases a substance that causes death or serious and lasting damage to health in the ordinary course of events, through its asphyxiating, bacteriological, or toxic properties, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death

*does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(9) USING PROTECTED PERSONS AS A SHIELD.—Any person subject to this chapter who positions, or otherwise takes advantage of, a protected person with the intent to shield a military objective from attack. or to shield, favor, or impede military operations, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(10) USING PROTECTED PROPERTY AS A SHIELD.—Any person subject to this chapter who positions, or otherwise takes advantage of the location of, protected property with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished as a military commission under this chapter may direct.*

*''(11) TORTURE.—*

*''(A) OFFENSE.—Any person subject to this chapter who commits an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(B) SEVERE MENTAL PAIN OR SUFFERING DEFINED.—In this paragraph, the term 'severe mental pain or suffering' has the meaning given that term in section 2340(2) of title 18.*

*''(12) CRUEL OR INHUMAN TREATMENT.—Any person subject to this chapter who subjects another person in their custody or under their physical control, regardless of nationality or physical location, to cruel or inhuman treatment that constitutes a grave breach of common Article 3 of the Geneva Conventions shall be punished, if death results to the victim, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to the victim, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(13) INTENTIONALLY CAUSING SERIOUS BODILY INJURY.—*

*''(A) OFFENSE.—Any person subject to this chapter who intentionally causes serious bodily injury to one or more persons, including privileged belligerents, in violation of the law of war shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(B) SERIOUS BODILY INJURY DEFINED.—In this paragraph, the term 'serious bodily injury' means bodily injury which involves—*

*''(i) a substantial risk of death;*

*''(ii) extreme physical pain;*

*''(iii) protracted and obvious disfigurement; or*

*''(iv) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.*

*''(14) MUTILATING OR MAIMING.—Any person subject to this chapter who intentionally injures one or more protected persons by disfiguring the person or persons by any mutilation of the person or persons, or by permanently disabling any member, limb, or organ of the body of the person or persons, without any legitimate medical or dental purpose, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(15) MURDER IN VIOLATION OF THE LAW OF WAR.—Any person subject to this chapter who intentionally kills one or more persons, including privileged belligerents, in violation of the law of war shall be punished by death or such other punishment as a military commission under this chapter may direct.*

*''(16) DESTRUCTION OF PROPERTY IN VIOLATION OF THE LAW OF WAR.—Any person subject to this chapter who intentionally destroys property belonging to another person in violation of the law of war shall punished as a military commission under this chapter may direct.*

*''(17) USING TREACHERY OR PERFIDY.—Any person subject to this chapter who, after inviting the confidence or belief of one or more persons that they were entitled to, or obliged to accord, protection under the law of war, intentionally makes use of that confidence or belief in killing, injuring, or capturing such person or persons shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(18) IMPROPERLY USING A FLAG OF TRUCE.—Any person subject to this chapter who uses a flag of truce to feign an intention to negotiate, surrender, or otherwise suspend hostilities when there is no such intention shall be punished as a military commission under this chapter may direct.*

*''(19) IMPROPERLY USING A DISTINCTIVE EMBLEM.—Any person subject to this chapter who intentionally uses a distinctive emblem recognized by the law of war for combatant purposes in a manner prohibited by the law of war shall be punished as a military commission under this chapter may direct.*

*''(20) INTENTIONALLY MISTREATING A DEAD BODY.—Any person subject to this chapter who intentionally mistreats the body of a dead person, without justification by legitimate military necessary, shall be punished as a military commission under this chapter may direct.*

*''(21) RAPE.—Any person subject to this chapter who forcibly or with coercion or threat of force wrongfully invades the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object, shall be punished as a military commission under this chapter may direct.*

*''(22) SEXUAL ASSAULT OR ABUSE.—Any person subject to this chapter who forcibly or with coercion or threat of force engages in sexual contact with one or more persons, or causes one or more persons to engage in sexual contact, shall be punished as a military commission under this chapter may direct*

*''(23) HIJACKING OR HAZARDING A VESSEL OR AIRCRAFT.—Any person subject to this chapter who intentionally seizes, exercises unauthorized control over, or endangers the safe navigation of a vessel or aircraft that is not a legitimate military objective shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(24) TERRORISM.—Any person subject to this chapter who intentionally kills or inflicts great bodily harm on one or more protected persons, or intentionally engages in an act that evinces a wanton disregard for human life, in a manner calculated to influence or affect the conduct of government or civilian population by intimidation or coercion, or to retaliate against government conduct, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(25) PROVIDING MATERIAL SUPPORT FOR TERRORISM.—*

*''(A) OFFENSE.—Any person subject to this chapter who provides material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, an act of terrorism (as set forth in paragraph (24) of this section), or who intentionally provides material support or resources to an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism (as so set forth), shall be punished as a military commission under this chapter may direct.*

*''(B) MATERIAL SUPPORT OR RESOURCES DEFINED.—In this paragraph, the term 'material support or resources' has the meaning given that term in section 2339A(b) of title 18.*

*''(26) WRONGFULLY AIDING THE ENEMY.—Any person subject to this chapter who, in breach of an allegiance or duty to the United States, knowingly and intentionally aids an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished as a military commission under this chapter may direct.*

*''(27) SPYING.—Any person subject to this chapter who, in violation of the law of war and with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign power, collects or attempts to collect information by clandestine means or while acting under false pretenses, for the purpose of conveying such information to an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished by death or such other punishment as a military commission under this chapter may direct.*

*''(28) ATTEMPTS.—*

*''(A) IN GENERAL.—Any person subject to this chapter who attempts to commit any offense punishable by this chapter shall be punished as a military commission under this chapter may direct.*

*''(B) SCOPE OF OFFENSE.—An act, done with specific intent to commit an offense under this chapter, amounting to more than mere preparation and tending, even though failing, to effect its commission, is an attempt to commit that offense.*

*''(C) EFFECT OF CONSUMMATION.—Any person subject to this chapter may be convicted of an attempt to commit an offense although it appears on the trial that the offense was consummated.*

*''(29) CONSPIRACY.—Any person subject to this chapter who conspires to commit one or more substantive offenses triable by military commission under this subchapter, and who knowingly does any overt act to effect the object of the conspiracy, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.*

*''(30) SOLICITATION.—Any person subject to this chapter who solicits or advises another or others to commit one or more substantive offenses triable by military commission under this chapter shall, if the offense solicited or advised is attempted or committed, be punished with the punishment provided for the commission of the offense, but, if the offense solicited or advised is not committed or attempted, shall be punished as a military commission under this chapter may direct.*

*''(31) CONTEMPT.—A military commission under this chapter may punish for contempt any person who uses any menacing word, sign, or gesture in its presence, or who disturbs its proceedings by any riot or disorder.*

''(32) PERJURY AND OBSTRUCTION OF JUSTICE.—A military commission under this chapter may try offenses and impose such punishment as the military commission may direct for perjury, false testimony, or obstruction of justice related to the military commission.''.

**SEC. 1803. CONFORMING AMENDMENTS.**

(a) UNIFORM CODE OF MILITARY JUSTICE.—

(1) PERSONS SUBJECT TO UCMJ.—Paragraph (13) of section 802(a) of title 10, United States Code (article 2(a) of the Uniform Code of Military Justice), is amended to read as follows:

''(13) Individuals belonging to one of the eight categories enumerated in Article 4 of the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316), who violate the law of war.''.

(2) CONSTRUCTION OF MILITARY COMMISSIONS WITH COURTS-MARTIAL.—Section 839 of such title (article 39 of the Uniform Code of Military Justice) is amended by adding at the end the following new subsection:

''(d) The findings, holdings, interpretations, and other precedents of military commissions under chapter 47A of this title—

''(1) may not be introduced or considered in any hearing, trial, or other proceeding of a court-martial under this chapter; and

''(2) may not form the basis of any holding, decision, or other determination of a court-martial.''.

(b) APPELLATE REVIEW UNDER DETAINEE TREATMENT ACT OF 2005.—Section 1005(e) of the Detainee Treatment Act of 2005 (title X of Public Law 109–359; 10 U.S.C. 801 note) is amended by striking paragraph (3).

**SEC. 1804. PROCEEDINGS UNDER PRIOR STATUTE.**

(a) PRIOR CONVICTIONS.—The amendment made by section 1802 shall have no effect on the validity of any conviction pursuant to chapter 47A of title 10, United States Code (as such chapter was in effect on the day before the date of the enactment of this Act).

(b) COMPOSITION OF MILITARY COMMISSIONS.—Notwithstanding the amendment made by section 1802—

(1) any commission convened pursuant to chapter 47A of title 10, United States Code (as such chapter was in effect on the day before the date of the enactment of this Act), shall be deemed to have been convened pursuant to chapter 47A of title 10, United States Code (as amended by section 1802);

(2) any member of the Armed Forces detailed to serve on a commission pursuant to chapter 47A of title 10, United States Code (as in effect on the day before the date of the enactment of this Act), shall be deemed to have been detailed pursuant to chapter 47A of title 10, United States Code (as so amended);

(3) any military judge detailed to a commission pursuant to chapter 47A of title 10, United States Code (as in effect on the day before the date of the enactment of this Act), shall be deemed to have been detailed pursuant to chapter 47A of title 10, United States Code (as so amended);

(4) any trial counsel or defense counsel detailed for a commission pursuant to chapter 47A of title 10, United States Code (as in effect on the day before the date of the enactment of this Act), shall be deemed to have been detailed pursuant to chapter 47A of title 10, United States Code (as so amended);

(5) any court reporters detailed to or employed by a commission pursuant to chapter 47A of title 10, United States Code (as in effect on the day before the date of the enactment of this Act), shall be deemed to have been detailed or employed pursuant to chapter 47A of title 10, United States Code (as so amended); and

(6) any appellate military judge or other duly appointed appellate judge on the Court of Military Commission Review pursuant to chapter 47A of title 10, United States Code (as in effect on the day before the date of the enactment of this Act), shall be deemed to have been detailed or appointed to the United States Court of Military Commission Review pursuant to chapter 47A of title 10, United States Code (as so amended).

(c) CHARGES AND SPECIFICATIONS.—Notwithstanding the amendment made by section 1802—

(1) any charges or specifications sworn or referred pursuant to chapter 47A of title 10, United States Code (as such chapter was in effect on the day before the date of the enactment of this Act), shall be deemed to have been sworn or referred pursuant to chapter 47A of title 10, United States Code (as amended by section 1802); and

(2) any charges or specifications described in paragraph (1) may be amended, without prejudice, as needed to properly allege jurisdiction under chapter 47A of title 10, United States Code (as so amended), and crimes triable under such chapter.

(d) PROCEDURES AND REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in subsections (a) through (c) and subject to paragraph (2), any commission convened pursuant to chapter 47A of title 10, United States Code (as such chapter was in effect on the day before the date of the enactment of this Act), shall be conducted after the date of the enactment of this Act in accordance with the procedures and requirements of chapter 47A of title 10, United States Code (as amended by section 1802).

(2) TEMPORARY CONTINUATION OF PRIOR PROCEDURES AND REQUIREMENTS.—Any military commission described in paragraph (1) may be conducted in accordance with any procedures and requirements of chapter 47A of title 10, United States Code (as in effect on the day before the date of the enactment of this Act), that are not inconsistent with the provisions of chapter 47A of title 10, United States Code, (as so amended), until the earlier of—

(A) the date of the submittal to Congress under section 1805 of the revised rules for military commissions under chapter 47A of title 10, United States Code (as so amended); or

(B) the date that is 90 days after the date of the enactment of this Act.

**SEC. 1805. SUBMITTAL TO CONGRESS OF REVISED RULES FOR MILITARY COMMISSIONS.**

(a) DEADLINE FOR SUBMITTAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives the revised rules for military commissions prescribed by the Secretary for purposes of chapter 47A of title 10, United States Code (as amended by section 1802).

(b) TREATMENT OF REVISED RULES UNDER REQUIREMENT FOR NOTICE AND WAIT REGARDING MODIFICATION OF RULES.—The revised rules submitted to Congress under subsection (a) shall not be treated as a modification of the rules in effect for military commissions for purposes of section 949a(d) of title 10, United States Code (as so amended).

**SEC. 1806. ANNUAL REPORTS TO CONGRESS ON TRIALS BY MILITARY COMMISSION.**

(a) ANNUAL REPORTS REQUIRED.—Not later than January 31 of each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on any trials conducted by military commissions under chapter 47A of title 10, United States Code (as amended by section 1802), during the preceding year.

(b) FORM.—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1807. SENSE OF CONGRESS ON MILITARY COMMISSION SYSTEM.**

It is the sense of Congress that—

(1) the fairness and effectiveness of the military commissions system under chapter 47A of title 10, United States Code (as amended by section 1802), will depend to a significant degree on the adequacy of defense counsel and associated resources for individuals accused, particularly in the case of capital cases, under such chapter 47A; and

(2) defense counsel in military commission cases, particularly in capital cases, under such chapter 47A of title 10, United States Code (as so amended), should be fully resourced as provided in such chapter 47A.

## TITLE XIX—FEDERAL EMPLOYEE BENEFITS

Subtitle A—General Provisions

Sec. 1901. Credit for unused sick leave.
Sec. 1902. Limited expansion of the class of individuals eligible to receive an actuarially reduced annuity under the Civil Service Retirement System.
Sec. 1903. Computation of certain annuities based on part-time service.
Sec. 1904. Authority to deposit refunds under FERS.
Sec. 1905. Retirement credit for service of certain employees transferred from District of Columbia service to Federal service.

Subtitle B—Non-Foreign Area Retirement Equity Assurance

Sec. 1911. Short title.
Sec. 1912. Extension of locality pay.
Sec. 1913. Adjustment of special rates.
Sec. 1914. Transition schedule for locality-based comparability payments.
Sec. 1915. Savings provision.
Sec. 1916. Application to other eligible employees.
Sec. 1917. Election of additional basic pay for annuity computation by employees.
Sec. 1918. Regulations.
Sec. 1919. Effective dates.

### Subtitle A—General Provisions

**SEC. 1901. CREDIT FOR UNUSED SICK LEAVE.**

(a) IN GENERAL.—Section 8415 of title 5, United States Code, is amended—

(1) by redesignating the second subsection (k) and subsection (l) as subsections (l) and (m), respectively; and

(2) in subsection (l) (as so redesignated by paragraph (1))—

(A) by striking ''(l) In computing'' and inserting ''(l)(1) In computing''; and

(B) by adding at the end the following:

''(2)(A) Except as provided in paragraph (1), in computing an annuity under this subchapter, the total service of an employee who retires on an immediate annuity or who dies leaving a survivor or survivors entitled to annuity includes the applicable percentage of the days of unused sick leave to his credit under a formal leave system and for which days the employee has not received payment, except that these days will not be counted in determining average pay or annuity eligibility under this subchapter. For purposes of this subsection, in the case of any such employee who is excepted from subchapter I of chapter 63 under section 6301(2)(x) through (xiii), the days of unused sick leave to his credit include any unused sick leave standing to his credit when he was excepted from such subchapter.

''(B) For purposes of subparagraph (A), the term 'applicable percentage' means—

''(i) 50 percent in the case of an annuity, entitlement to which is based on a death or other separation occurring during the period beginning on the date of enactment of this paragraph and ending on December 31, 2013; and

''(ii) 100 percent in the case of an annuity, entitlement to which is based on a death or other separation occurring after December 31, 2013.''.

(b) EXCEPTION FROM DEPOSIT REQUIREMENT.—Section 8422(d)(2) of title 5, United States Code, is amended by striking ''section 8415(k)'' and inserting ''paragraph (1) or (2) of section 8415(l)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any annuity, entitlement to which is based on a

*death or other separation from service occurring on or after the date of enactment of this Act.*

***SEC. 1902. LIMITED EXPANSION OF THE CLASS OF INDIVIDUALS ELIGIBLE TO RECEIVE AN ACTUARIALLY REDUCED ANNUITY UNDER THE CIVIL SERVICE RETIREMENT SYSTEM.***

*(a) IN GENERAL.—Section 8334(d)(2)(A)(i) of title 5, United States Code, is amended by striking ''October 1, 1990'' each place it appears and inserting ''March 1, 1991''.*

*(b) APPLICABILITY.—The amendment made by subsection (a) shall be effective with respect to any annuity, entitlement to which is based on a separation from service occurring on or after the date of enactment of this Act.*

***SEC. 1903. COMPUTATION OF CERTAIN ANNUITIES BASED ON PART-TIME SERVICE.***

*(a) IN GENERAL.—Section 8339(p) of title 5, United States Code, is amended by adding at the end the following:*

*''(3) In the administration of paragraph (1)—*

*''(A) subparagraph (A) of such paragraph shall apply with respect to service performed before, on, or after April 7, 1986; and*

*''(B) subparagraph (B) of such paragraph—*

*''(i) shall apply with respect to that portion of any annuity which is attributable to service performed on or after April 7, 1986; and*

*''(ii) shall not apply with respect to that portion of any annuity which is attributable to service performed before April 7, 1986.''.*

*(b) APPLICABILITY.—The amendment made by subsection (a) shall be effective with respect to any annuity, entitlement to which is based on a separation from service occurring on or after the date of enactment of this Act.*

***SEC. 1904. AUTHORITY TO DEPOSIT REFUNDS UNDER FERS.***

*(a) DEPOSIT AUTHORITY.—Section 8422 of title 5, United States Code, is amended by adding at the end the following:*

*''(i)(1) Each employee or Member who has received a refund of retirement deductions under this or any other retirement system established for employees of the Government covering service for which such employee or Member may be allowed credit under this chapter may deposit the amount received, with interest. Credit may not be allowed for the service covered by the refund until the deposit is made.*

*''(2) Interest under this subsection shall be computed in accordance with paragraphs (2) and (3) of section 8334(e) and regulations prescribed by the Office. The option under the third sentence of section 8334(e)(2) to make a deposit in one or more installments shall apply to deposits under this subsection.*

*''(3) For the purpose of survivor annuities, deposits authorized by this subsection may also be made by a survivor of an employee or Member.''.*

*(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

*(1) DEFINITIONAL AMENDMENT.—Section 8401(19)(C) of title 5, United States Code, is amended by striking ''8411(f);'' and inserting ''8411(f) or 8422(i);''.*

*(2) CREDITING OF DEPOSITS.—Section 8422(c) of title 5, United States Code, is amended by adding at the end the following: ''Deposits made by an employee, Member, or survivor also shall be credited to the Fund.''.*

*(3) SECTION HEADING.—(A) The heading for section 8422 of title 5, United States Code, is amended to read as follows:*

***''§ 8422. Deductions from pay; contributions for other service; deposits''.***

*(B) The analysis for chapter 84 of title 5, United States Code, is amended by striking the item relating to section 8422 and inserting the following:*

*''8422. Deductions from pay; contributions for other service; deposits.''.*

*(4) RESTORATION OF ANNUITY RIGHTS.—The last sentence of section 8424(a) of title 5, United States Code, is amended by striking ''based.'' and inserting ''based, until the employee or Member is reemployed in the service subject to this chapter.''.*

***SEC. 1905. RETIREMENT CREDIT FOR SERVICE OF CERTAIN EMPLOYEES TRANSFERRED FROM DISTRICT OF COLUMBIA SERVICE TO FEDERAL SERVICE.***

*(a) RETIREMENT CREDIT.—*

*(1) IN GENERAL.—Any individual who is treated as an employee of the Federal Government for purposes of chapter 83 or chapter 84 of title 5, United States Code, on or after the date of enactment of this Act who performed qualifying District of Columbia service shall be entitled to have such service included in calculating the individual's creditable service under section 8332 or 8411 of title 5, United States Code, but only for purposes of the following provisions of such title:*

*(A) Sections 8333 and 8410 (relating to eligibility for annuity).*

*(B) Sections 8336 (other than subsections (d), (h), and (p) thereof) and 8412 (relating to immediate retirement).*

*(C) Sections 8338 and 8413 (relating to deferred retirement).*

*(D) Sections 8336(d), 8336(h), 8336(p), and 8414 (relating to early retirement).*

*(E) Section 8341 and subchapter IV of chapter 84 (relating to survivor annuities).*

*(F) Section 8337 and subchapter V of chapter 84 (relating to disability benefits).*

*(2) TREATMENT OF DETENTION OFFICER SERVICE AS LAW ENFORCEMENT OFFICER SERVICE.—Any portion of an individual's qualifying District of Columbia service which consisted of service as a detention officer under section 2604(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (sec. 1–626.04(2), D.C. Official Code) shall be treated as service as a law enforcement officer under sections 8331(20) or 8401(17) of title 5, United States Code, for purposes of applying paragraph (1) with respect to the individual.*

*(3) SERVICE NOT INCLUDED IN COMPUTING AMOUNT OF ANY ANNUITY.—Qualifying District of Columbia service shall not be taken into account for purposes of computing the amount of any benefit payable out of the Civil Service Retirement and Disability Fund.*

*(b) QUALIFYING DISTRICT OF COLUMBIA SERVICE DEFINED.—In this section, ''qualifying District of Columbia service'' means any of the following:*

*(1) Service performed by an individual as a nonjudicial employee of the District of Columbia courts—*

*(A) which was performed prior to the effective date of the amendments made by section 11246(b) of the Balanced Budget Act of 1997; and*

*(B) for which the individual did not ever receive credit under the provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code (other than by virtue of section 8331(1)(iv) of such title).*

*(2) Service performed by an individual as an employee of an entity of the District of Columbia government whose functions were transferred to the Pretrial Services, Parole, Adult Supervision, and Offender Supervision Trustee under section 11232 of the Balanced Budget Act of 1997—*

*(A) which was performed prior to the effective date of the individual's coverage as an employee of the Federal Government under section 11232(f) of such Act; and*

*(B) for which the individual did not ever receive credit under the provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code (other than by virtue of section 8331(1)(iv) of such title).*

*(3) Service performed by an individual as an employee of the District of Columbia Public Defender Service—*

*(A) which was performed prior to the effective date of the amendments made by section 7(e) of the District of Columbia Courts and Justice Technical Corrections Act of 1998; and*

*(B) for which the individual did not ever receive credit under the provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code (other than by virtue of section 8331(1)(iv) of such title).*

*(4) In the case of an individual who was an employee of the District of Columbia Department of Corrections who was separated from service as a result of the closing of the Lorton Correctional Complex and who was appointed to a position with the Bureau of Prisons, the District of Columbia courts, the Pretrial Services, Parole, Adult Supervision, and Offender Supervision Trustee, the United States Parole Commission, or the District of Columbia Public Defender Service, service performed by the individual as an employee of the District of Columbia Department of Corrections—*

*(A) which was performed prior to the effective date of the individual's coverage as an employee of the Federal Government; and*

*(B) for which the individual did not ever receive credit under the provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code (other than by virtue of section 8331(1)(iv) of such title).*

*(c) CERTIFICATION OF SERVICE.—The Office of Personnel Management shall accept the certification of the appropriate personnel official of the government of the District of Columbia or other independent employing entity concerning whether an individual performed qualifying District of Columbia service and the length of the period of such service the individual performed.*

***Subtitle B—Non-Foreign Area Retirement Equity Assurance***

***SEC. 1911. SHORT TITLE.***

*This subtitle may be cited as the ''Non-Foreign Area Retirement Equity Assurance Act of 2009'' or the ''Non-Foreign AREA Act of 2009''.*

***SEC. 1912. EXTENSION OF LOCALITY PAY.***

*(a) LOCALITY-BASED COMPARABILITY PAYMENTS.—Section 5304 of title 5, United States Code, is amended—*

*(1) in subsection (f)(1), by striking subparagraph (A) and inserting the following:*

*''(A) each General Schedule position in the United States, as defined under section 5921(4), and its territories and possessions, including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands, shall be included within a pay locality; and'';*

*(2) in subsection (g)—*

*(A) in paragraph (2)—*

*(i) by striking ''and'' at the end of subparagraph (A); and*

*(ii) by striking subparagraph (B) and inserting the following:*

*''(B) positions under subsection (h)(1)(C) not covered by appraisal systems certified under subsection 5307(d); and*

*''(C) any positions under subsection (h)(1)(D) as the President may determine.''; and*

*(B) by adding at the end the following:*

*''(3) The applicable maximum under this subsection shall be level II of the Executive Schedule for positions under subsection (h)(1)(C) covered by appraisal systems certified under section 5307(d).'';*

*(3) in subsection (h)(1)—*

*(A) in subparagraph (B), by striking ''and'' after the semicolon;*

*(B) by redesignating subparagraph (C) as subparagraph (D);*

*(C) by inserting after subparagraph (B) the following:*

*''(C) a Senior Executive Service position under section 3132 or 3151 or a senior level position under section 5376 stationed within the United States, but outside the 48 contiguous States and the District of Columbia in which the incumbent was an individual who on the day before the effective date of section 1912 of the Non-Foreign Area Retirement Equity Assurance Act of 2009 was eligible to receive a cost-of-living allowance under section 5941 and who thereafter has*

*served continuously in an area in which such an allowance was payable; and'';*

*(D) in clause (iv) (in the matter following subparagraph (D)), by inserting '', except for a position covered by subparagraph (C)'' before the semicolon;*

*(E) in clause (v) (in the matter following subparagraph (D)), by inserting '', except for a position covered by subparagraph (C)'' before the semicolon; and*

*(F) in clause (vii) (in the matter following subparagraph (D)), by inserting '', except for a position covered by subparagraph (C)'' before the period; and*

*(4) in subsection (h)(2)—*

*(A) in subparagraph (B)(i), by striking ''and (B)'' and inserting ''through (C)''; and*

*(B) in subparagraph (B)(ii), by striking ''(1)(C)'' and inserting ''(1)(D)''.*

*(b) ALLOWANCES BASED ON LIVING COSTS AND CONDITIONS OF ENVIRONMENT.—Section 5941 of title 5, United States Code, is amended—*

*(1) in subsection (a), by adding at the end the following: ''Notwithstanding any preceding provision of this subsection, the cost-of-living allowance rate based on paragraph (1) shall be the cost-of-living allowance rate in effect on the date of enactment of the Non-Foreign Area Retirement Equity Assurance Act of 2009, except as adjusted under subsection (c).'';*

*(2) by redesignating subsection (b) as subsection (d); and*

*(3) by inserting after subsection (a) the following:*

*''(b) This section shall apply only to areas that are designated as cost-of-living allowance areas as in effect on December 31, 2009.*

*''(c)(1) The cost-of-living allowance rate payable under this section shall be adjusted on the first day of the first applicable pay period beginning on or after—*

*''(A) January 1, 2010; and*

*''(B) January 1 of each calendar year in which a locality-based comparability adjustment takes effect under paragraphs (2) and (3), respectively, of section 1914 of the Non-Foreign Area Retirement Equity Assurance Act of 2009.*

*''(2)(A) In this paragraph, the term 'applicable locality-based comparability pay percentage' means, with respect to calendar year 2010 and each calendar year thereafter, the applicable percentage under paragraph (1), (2), or (3) of section 1914 of Non-Foreign Area Retirement Equity Assurance Act of 2009.*

*''(B) Each adjusted cost-of-living allowance rate under paragraph (1) shall be computed by—*

*''(i) subtracting 65 percent of the applicable locality-based comparability pay percentage from the cost-of-living allowance percentage rate in effect on December 31, 2009; and*

*''(ii) dividing the resulting percentage determined under clause (i) by the sum of—*

*''(I) one; and*

*''(II) the applicable locality-based comparability payment percentage expressed as a numeral.*

*''(3) No allowance rate computed under paragraph (2) may be less than zero.*

*''(4) Each allowance rate computed under paragraph (2) shall be paid as a percentage of basic pay (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law).''.*

***SEC. 1913. ADJUSTMENT OF SPECIAL RATES.***

*(a) IN GENERAL.—Each special rate of pay established under section 5305 of title 5, United States Code, and payable in an area designated as a cost-of-living allowance area under section 5941(a) of that title, shall be adjusted, on the dates prescribed by section 1914, in accordance with regulations prescribed by the Director of the Office of Personnel Management under section 1918.*

*(b) AGENCIES WITH STATUTORY AUTHORITY.—*

*(1) IN GENERAL.—Each special rate of pay established under an authority described under paragraph (2) and payable in a location designated as a cost-of-living allowance area under section 5941(a)(1) of title 5, United States Code, shall be adjusted in accordance with regulations prescribed by the applicable head of the agency that are consistent with the regulations issued by the Director of the Office of Personnel Management under subsection (a).*

*(2) STATUTORY AUTHORITY.—The authority referred to under paragraph (1), is any statutory authority that—*

*(A) is similar to the authority exercised under section 5305 of title 5, United States Code;*

*(B) is exercised by the head of an agency when the head of the agency determines it to be necessary in order to obtain or retain the services of persons specified by statute; and*

*(C) authorizes the head of the agency to increase the minimum, intermediate, or maximum rates of basic pay authorized under applicable statutes and regulations.*

*(c) TEMPORARY ADJUSTMENT.—Regulations issued under subsection (a) or (b) may provide that statutory limitations on the amount of such special rates may be temporarily raised to a higher level during the transition period described in section 1914 ending on the first day of the first pay period beginning on or after January 1, 2012, at which time any special rate of pay in excess of the applicable limitation shall be converted to a retained rate under section 5363 of title 5, United States Code.*

***SEC. 1914. TRANSITION SCHEDULE FOR LOCALITY-BASED COMPARABILITY PAYMENTS.***

*Notwithstanding any other provision of this subtitle or section 5304 or 5304a of title 5, United States Code, in implementing the amendments made by this subtitle, for each non-foreign area determined under section 5941(b) of such title, the applicable rate for the locality-based comparability adjustment that is used in the computation required under section 5941(c) of such title shall be adjusted, effective on the first day of the first pay period beginning on or after January 1—*

*(1) in calendar year 2010, by using 1/3 of the locality pay percentage for the rest of United States locality pay area;*

*(2) in calendar year 2011, by using 2/3 of the otherwise applicable comparability payment approved by the President for each non-foreign area; and*

*(3) in calendar year 2012 and each subsequent year, by using the full amount of the applicable comparability payment approved by the President for each non-foreign area.*

***SEC. 1915. SAVINGS PROVISION.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) the application of this subtitle to any employee should not result in a decrease in the take home pay of that employee;*

*(2) in calendar year 2012 and each subsequent year, no employee shall receive less than the Rest of the U.S. locality pay rate;*

*(3) concurrent with the surveys next conducted under the provisions of section 5304(d)(1)(A) of title 5, United States Code, beginning after the date of the enactment of this Act, the Bureau of Labor Statistics should conduct separate surveys to determine the extent of any pay disparity (as defined by section 5302 of that title) that may exist with respect to positions located in the State of Alaska, the State of Hawaii, and the United States territories, including American Samoa, Guam, Commonwealth of the Northern Mariana Islands, Commonwealth of Puerto Rico, and the United States Virgin Islands;*

*(4) if the surveys under paragraph (3) indicate that the pay disparity determined for the State of Alaska, the State of Hawaii, or any 1 of the United States territories including American Samoa, Guam, Commonwealth of the Northern Mariana Islands, Commonwealth of Puerto Rico, and the United States Virgin Islands exceeds the pay disparity determined for the locality which (for purposes of section 5304 of that title) is commonly known as the ''Rest of the United States'', the President's Pay Agent should take appropriate measures to provide that each such surveyed area be treated as a separate pay locality for purposes of that section; and*

*(5) the President's Pay Agent will establish 1 locality area for the entire State of Hawaii and 1 locality area for the entire State of Alaska.*

*(b) SAVINGS PROVISIONS.—*

*(1) IN GENERAL.—During the transition period described in section 1914 ending on the first day of the first pay period beginning on or after January 1, 2012, an employee paid a special rate under 5305 of title 5, United States Code, who the day before the date of enactment of this Act was eligible to receive a cost-of-living allowance under section 5941 of title 5, United States Code, and who continues to be officially stationed in an allowance area, shall receive an increase in the employee's special rate consistent with increases in the applicable special rate schedule. For employees in allowance areas, the minimum step rate for any grade of a special rate schedule shall be increased at the time of an increase in the applicable locality rate percentage for the allowance area by not less than the dollar increase in the locality-based comparability payment for a non-special rate employee at the same minimum step provided under section 1914 of this subtitle, and corresponding increases shall be provided for all step rates of the given pay range.*

*(2) CONTINUATION OF COST OF LIVING ALLOWANCE RATE.—If an employee, who the day before the date of enactment of this Act was eligible to receive a cost-of-living allowance under section 5941 of title 5, United States Code, would receive a rate of basic pay and applicable locality-based comparability payment which is in excess of the maximum rate limitation set under section 5304(g) of title 5, United States Code, for his position (but for that maximum rate limitation) due to the operation of this subtitle, the employee shall continue to receive the cost-of-living allowance rate in effect on December 31, 2009 without adjustment until—*

*(A) the employee leaves the allowance area or pay system; or*

*(B) the employee is entitled to receive basic pay (including any applicable locality-based comparability payment or similar supplement) at a higher rate,*

*but, when any such position becomes vacant, the pay of any subsequent appointee thereto shall be fixed in the manner provided by applicable law and regulation.*

*(3) LOCALITY-BASED COMPARABILITY PAYMENTS.—Any employee covered under paragraph (2) shall receive any applicable locality-based comparability payment extended under section 1914 of this subtitle which is not in excess of the maximum rate set under section 5304(g) of title 5, United States Code, for his position including any future increase to statutory pay limitations under 5318 of title 5, United States Code. Notwithstanding paragraph (2), to the extent that an employee covered under that paragraph receives any amount of locality-based comparability payment, the cost-of-living allowance rate under that paragraph shall be reduced accordingly, as provided under section 5941(c)(2)(B) of title 5, United States Code.*

***SEC. 1916. APPLICATION TO OTHER ELIGIBLE EMPLOYEES.***

*(a) IN GENERAL.—*

*(1) DEFINITION.—In this subsection, the term ''covered employee'' means—*

*(A) any employee who—*

*(i) on the day before the date of enactment of this Act—*

*(I) was eligible to be paid a cost-of-living allowance under 5941 of title 5, United States Code; and*

*(II) was not eligible to be paid locality-based comparability payments under 5304 or 5304a of that title; or*

*(ii) on or after the date of enactment of this Act becomes eligible to be paid a cost-of-living allowance under 5941 of title 5, United States Code; or*

*(B) any employee who—*

*(i) on the day before the date of enactment of this Act—*

*(I) was eligible to be paid an allowance under section 1603(b) of title 10, United States Code;*

*(II) was eligible to be paid an allowance under section 1005(b) of title 39, United States Code;*

*(III) was employed by the Transportation Security Administration of the Department of Homeland Security and was eligible to be paid an allowance based on section 5941 of title 5, United States Code; or*

*(IV) was eligible to be paid under any other authority a cost-of-living allowance that is equivalent to the cost-of-living allowance under section 5941 of title 5, United States Code; or*

*(ii) on or after the date of enactment of this Act—*

*(I) becomes eligible to be paid an allowance under section 1603(b) of title 10, United States Code;*

*(II) becomes eligible to be paid an allowance under section 1005(b) of title 39, United States Code;*

*(III) is employed by the Transportation Security Administration of the Department of Homeland Security and becomes eligible to be paid an allowance based on section 5941 of title 5, United States Code; or*

*(IV) becomes eligible to be paid under any other authority a cost-of-living allowance that is equivalent to the cost-of-living allowance under section 5941 of title 5, United States Code.*

*(2) APPLICATION TO COVERED EMPLOYEES.—*

*(A) IN GENERAL.—Notwithstanding any other provision of law, for purposes of this subtitle (including the amendments made by this subtitle) any covered employee shall be treated as an employee to whom section 5941 of title 5, United States Code (as amended by section 1912 of this subtitle), and section 1914 of this subtitle apply.*

*(B) PAY FIXED BY STATUTE.—Pay to covered employees under section 5304 or 5304a of title 5, United States Code, as a result of the application of this subtitle shall be considered to be fixed by statute.*

*(C) PERFORMANCE APPRAISAL SYSTEM.—With respect to a covered employee who is subject to a performance appraisal system no part of pay attributable to locality-based comparability payments as a result of the application of this subtitle including section 5941 of title 5, United States Code (as amended by section 1912 of this subtitle), may be reduced on the basis of the performance of that employee.*

*(b) POSTAL EMPLOYEES IN NON-FOREIGN AREAS.—*

*(1) IN GENERAL.—Section 1005(b) of title 39, United States Code, is amended—*

*(A) by inserting ''(1)'' after ''(b)'';*

*(B) by striking ''Section 5941,'' and inserting ''Except as provided under paragraph (2), section 5941'';*

*(C) by striking ''For purposes of such section,'' and inserting ''Except as provided under paragraph (2), for purposes of section 5941 of that title,''; and*

*(D) by adding at the end the following:*

*''(2) On and after the date of enactment of the Non-Foreign Area Retirement Equity Assurance Act of 2009—*

*''(A) the provisions of that Act and section 5941 of title 5 shall apply to officers and employees covered by section 1003 (b) and (c) whose duty station is in a nonforeign area; and*

*''(B) with respect to officers and employees of the Postal Service (other than those officers and employees described under subparagraph (A)) of section 1916(b)(2) of that Act shall apply.''.*

*(2) CONTINUATION OF COST OF LIVING ALLOWANCE.—*

*(A) IN GENERAL.—Notwithstanding any other provision of this subtitle, any employee of the Postal Service (other than an employee covered by section 1003 (b) and (c) of title 39, United States Code, whose duty station is in a nonforeign area) who is paid an allowance under section 1005(b) of that title shall be treated for all purposes as if the provisions of this subtitle (including the amendments made by this subtitle) had not been enacted, except that the cost-of-living allowance rate paid to that employee—*

*(i) may result in the allowance exceeding 25 percent of the rate of basic pay of that employee; and*

*(ii) shall be the greater of—*

*(I) the cost-of-living allowance rate in effect on December 31, 2009 for the applicable area; or*

*(II) the applicable locality-based comparability pay percentage under section 1914.*

*(B) RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed to—*

*(i) provide for an employee described under subparagraph (A) to be a covered employee as defined under subsection (a); or*

*(ii) authorize an employee described under subparagraph (A) to file an election under section 1917 of this subtitle.*

***SEC. 1917. ELECTION OF ADDITIONAL BASIC PAY FOR ANNUITY COMPUTATION BY EMPLOYEES.***

*(a) DEFINITION.—In this section the term ''covered employee'' means any employee—*

*(1) to whom section 1914 applies;*

*(2) who is separated from service by reason of retirement under chapter 83 or 84 of title 5, United States Code, during the period of January 1, 2010, through December 31, 2012; and*

*(3) who files an election with the Office of Personnel Management under subsection (b).*

*(b) ELECTION.—*

*(1) IN GENERAL.—An employee described under subsection (a) (1) and (2) may file an election with the Office of Personnel Management to be covered under this section.*

*(2) DEADLINE.—An election under this subsection may be filed not later than December 31, 2012.*

*(c) COMPUTATION OF ANNUITY.—*

*(1) IN GENERAL.—Except as provided under paragraph (2), for purposes of the computation of an annuity of a covered employee any cost-of-living allowance under section 5941 of title 5, United States Code, paid to that employee during the first applicable pay period beginning on or after January 1, 2010 through the first applicable pay period ending on or after December 31, 2012, shall be considered basic pay as defined under section 8331(3) or 8401(4) of that title.*

*(2) LIMITATION.—An employee's cost-of-living allowance may be considered basic pay under paragraph (1) only to the extent that, when added to the employee's locality-based comparability payments, the resulting sum does not exceed the amount of the locality-based comparability payments the employee would have received during that period for the applicable pay area if the limitation under section 1914 did not apply.*

*(d) CIVIL SERVICE RETIREMENT AND DISABILITY RETIREMENT FUND.—*

*(1) EMPLOYEE CONTRIBUTIONS.—A covered employee shall pay into the Civil Service Retirement and Disability Retirement Fund—*

*(A) an amount equal to the difference between—*

*(i) employee contributions that would have been deducted and withheld from pay under section 8334 or 8422 of title 5, United States Code, during the period described under subsection (c) of this section if the cost-of-living allowances described under that subsection had been treated as basic pay under section 8331(3) or 8401(4) of title 5, United States Code; and*

*(ii) employee contributions that were actually deducted and withheld from pay under section 8334 or 8422 of title 5, United States Code, during that period; and*

*(B) interest as prescribed under section 8334(e) of title 5, United States Code, based on the amount determined under subparagraph (A).*

*(2) AGENCY CONTRIBUTIONS.—*

*(A) IN GENERAL.—The employing agency of a covered employee shall pay into the Civil Service Retirement and Disability Retirement Fund an amount for applicable agency contributions based on payments made under paragraph (1).*

*(B) SOURCE.—Amounts paid under this paragraph shall be contributed from the appropriation or fund used to pay the employee.*

*(3) REGULATIONS.—The Office of Personnel Management may prescribe regulations to carry out this section.*

***SEC. 1918. REGULATIONS.***

*(a) IN GENERAL.—The Director of the Office of Personnel Management shall prescribe regulations to carry out this subtitle, including—*

*(1) rules for special rate employees described under section 1913;*

*(2) rules for adjusting rates of basic pay for employees in pay systems administered by the Office of Personnel Management when such employees are not entitled to locality-based comparability payments under section 5304 of title 5, United States Code, without regard to otherwise applicable statutory pay limitations during the transition period described in section 1914 ending on the first day of the first pay period beginning on or after January 1, 2012; and*

*(3) rules governing establishment and adjustment of saved or retained rates for any employee whose rate of pay exceeds applicable pay limitations on the first day of the first pay period beginning on or after January 1, 2012.*

*(b) OTHER PAY SYSTEMS.—With the concurrence of the Director of the Office of Personnel Management, the administrator of a pay system not administered by the Office of Personnel Management shall prescribe regulations to carry out this subtitle with respect to employees in such pay system, consistent with the regulations prescribed by the Office under subsection (a). With respect to employees not entitled to locality-based comparability payments under section 5304 of title 5, United States Code, regulations prescribed under this subsection may provide for special payments or adjustments for employees who were eligible to receive a cost-of-living allowance under section 5941 of that title on the date before the date of enactment of this Act.*

***SEC. 1919. EFFECTIVE DATES.***

*(a) IN GENERAL.—Except as provided by subsection (b), this subtitle (including the amendments made by this subtitle) shall take effect on the date of enactment of this Act.*

*(b) LOCALITY PAY AND SCHEDULE.—The amendments made by section 1912 and the provisions of section 1914 shall take effect on the first day of the first applicable pay period beginning on or after January 1, 2010.*

## *DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS*

***SEC. 2001. SHORT TITLE.***

*This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2010''.*

***SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.***

*(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—*

*(1) October 1, 2012; or*

*(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013.*

*(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the*

*North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—*

*(1) October 1, 2012; or*

*(2) the date of the enactment of an Act authorizing funds for fiscal year 2013 for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program.*

***SEC. 2003. RELATION TO FUNDING TABLES.***

*(a) MILITARY CONSTRUCTION, MILITARY FAMILY HOUSING, AND RELATED ACTIVITIES.—The amounts authorized to be appropriated by sections 2104, 2204, 2304, 2404, 2411, 2502, and 2606 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4501.*

*(b) BASE CLOSURE AND REALIGNMENT ACTIVITIES.—The amounts authorized to be appropriated by section 2703 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4502.*

*(c) OVERSEAS CONTINGENCY OPERATIONS.—The amounts authorized to be appropriated by sections 2901 and 2902 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4503.*

***SEC. 2004. GENERAL REDUCTION ACROSS DIVISION.***

*(a) REDUCTION.—Of the amounts provided in the authorizations of appropriations in this division, the overall authorization of appropriations in this division is reduced by $529,091,000.*

*(b) REPORT ON APPLICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing how the reduction required by subsection (a) is applied.*

***TITLE XXI—ARMY***

*Sec. 2101. Authorized Army construction and land acquisition projects.*
*Sec. 2102. Family housing.*
*Sec. 2103. Improvements to military family housing units.*
*Sec. 2104. Authorization of appropriations, Army.*
*Sec. 2105. Modification of authority to carry out certain fiscal year 2009 project.*
*Sec. 2106. Extension of authorizations of certain fiscal year 2006 projects.*

***SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:*

***Army: Inside the United States***

| State | Installation or Location | Amount |
|---|---|---|
| Alabama | Anniston Army Depot | $3,300,000 |
| | Redstone Arsenal | $3,550,000 |
| Alaska | Fort Richardson | $56,050,000 |
| | Fort Wainwright | $198,000,000 |
| Arizona | Fort Huachuca | $27,700,000 |
| Arkansas | Pine Bluff Arsenal | $25,000,000 |
| California | Fort Irwin | $9,500,000 |
| Colorado | Fort Carson | $240,950,000 |
| Florida | Eglin Air Force Base | $132,800,000 |
| Georgia | Fort Benning | $295,300,000 |
| | Fort Gillem | $10,800,000 |
| | Fort Stewart | $100,400,000 |
| Hawaii | Schofield Barracks | $184,000,000 |
| | Wheeler Army Air Field | $7,500,000 |
| Kansas | Fort Riley | $168,500,000 |
| Kentucky | Fort Campbell | $14,400,000 |
| | Fort Knox | $70,000,000 |
| Louisiana | Fort Polk | $55,400,000 |
| Maryland | Aberdeen Proving Ground | $15,500,000 |
| | Fort Detrick | $46,400,000 |
| | Fort Meade | $2,350,000 |
| Missouri | Fort Leonard Wood | $170,800,000 |
| New Jersey | Picatinny Arsenal | $10,200,000 |
| New York | Fort Drum | $92,700,000 |
| North Carolina | Fort Bragg | $114,600,000 |
| | Sunny Point Military Ocean Terminal | $28,900,000 |
| Oklahoma | Fort Sill | $90,500,000 |
| | McAlester Army Ammunition Plant | $12,500,000 |
| South Carolina | Charleston Naval Weapons Station | $21,800,000 |
| | Fort Jackson | $103,500,000 |
| Texas | Fort Bliss | $219,400,000 |
| | Fort Hood | $42,900,000 |
| | Fort Sam Houston | $19,800,000 |
| Utah | Dugway Proving Ground | $25,000,000 |
| Virginia | Fort A.P. Hill | $23,000,000 |
| | Fort Belvoir | $17,900,000 |
| | Fort Eustis | $8,900,000 |
| | Fort Lee | $5,000,000 |
| Washington | Fort Lewis | $18,700,000 |
| Various locations | Troop Trainee Housing | $350,000,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

***Army: Outside the United States***

| Country | Installation or Location | Amount |
|---|---|---|
| Afghanistan | Bagram Air Base | $87,100,000 |
| Belgium | Mons | $20,000,000 |
| Germany | Ansbach | $31,700,000 |
| | Kleber Kaserne | $20,000,000 |
| Japan | Okinawa | $6,000,000 |
| | Sagamihara | $6,000,000 |
| Korea | Camp Humphreys | $50,200,000 |
| Kuwait | Camp Arifjan | $82,000,000 |

**SEC. 2102. FAMILY HOUSING.**

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

**Army: Family Housing**

| Country | Installation or Location | Units | Amount |
|---|---|---|---|
| Germany | Baumholder | 38 | $18,000,000 |

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,936,000.

**SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $219,300,000.

**SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $4,516,073,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $2,752,500,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $303,000,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $25,000,000.

(4) For host nation support and architectural and engineering services and construction design under section 2807 of title 10, United States Code, $200,519,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $241,236,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $523,418,000.

(6) For the construction of increment 4 of a brigade complex at Fort Lewis, Washington, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2445), as amended by section 20814 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289), as added by section 2 of the Revised Continuing Resolution, 2007 (Public Law 110–5; 121 Stat 41) $102,000,000.

(7) For the construction of increment 3 of the United States Southern Command Headquarters at Miami Doral, Florida, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 504), $55,400,000.

(8) For the construction of increment 3 of the brigade complex operations support facility at Vicenza, Italy, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 505), $23,500,000.

(9) For the construction of increment 3 of the brigade complex barracks and community support facility at Vicenza, Italy, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 505), $22,500,000.

(10) For the construction of increment 2 of a barracks and dining complex at Fort Carson, Colorado, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4659), $60,000,000.

(11) For the construction of increment 2 of a barracks and dining complex at Fort Stewart, Georgia, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4659), $80,000,000.

(12) For the construction of increment 2 of the family housing replacement construction at Wiesbaden Air Base, Germany, authorized by section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4663), $10,000,000.

(13) For the construction of increment 2 of the family housing replacement construction at Wiesbaden Air Base, Germany, authorized by section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4663), $11,000,000.

(14) For the construction of increment 2 of the family housing replacement construction at Wiesbaden Air Base, Germany, authorized by section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4663), $11,000,000.

(15) For the construction of increment 1 of an Aviation Task Force Complex Phase 1 at Fort Wainwright, Alaska, authorized by section 2101(a), $95,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) $95,000,000 (the balance of the amount authorized under section 2101(a) for an aviation task force complex, Phase I at Fort Wainwright, Alaska).

(3) $25,000,000 (the balance of the amount authorized under section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 505) for construction of a brigade complex operations support facility at Vicenza, Italy.

(4) $26,000,000 (the balance of the amount authorized under section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 505) for construction of a brigade complex operations support facility at Vicenza, Italy.

(c) LIMITATION ON IMPLEMENTATION OF TROOP TRAINEE BARRACKS PROJECTS.—The Secretary of the Army may not enter into an award of a project for any troop trainee barracks authorized under section 2101(a) until the Secretary submits to the congressional defense committees a report that includes the following:

(1) Within the amounts authorized to be appropriated under subsection (a), a list of the proposed projects.

(2) A Military Construction Data Sheet for each project.

(3) A certification that the projects can be awarded in the year for which the appropriation of funds is made.

(4) A certification that the projects are listed in the current Future Years Defense Program for the Army.

**SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2009 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4659) for Fort Bragg, North Carolina, for construction of a chapel at the installation, the Secretary of the Army may construct up to a 22,600 square-feet (400 person) chapel consistent with the Army's standard square footage for chapel construction guidelines.

**SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3501), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (119 Stat. 3485) and extended by section 2107 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4665), shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army: Extension of 2006 Project Authorizations**

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Hawaii | Pohakuloa | Tactical Vehicle Wash Facility | $9,207,000 |
| | | Battle Area Complex | $33,660,000 |

**TITLE XXII—NAVY**

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Modification and extension of authority to carry out certain fiscal year 2006 project.

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:*

**Navy: Inside the United States**

| State | Installation or Location | Amount |
|---|---|---|
| Arizona | Marine Corps Air Station, Yuma | $28,770,000 |
| California | Mountain Warfare Training Center Bridgeport | $11,290,000 |
| | Marine Corps Base, Camp Pendleton | $775,162,000 |
| | Edwards Air Force Base | $3,007,000 |
| | Naval Station Monterey | $10,240,000 |
| | Marine Corps Base, Twentynine Palms | $513,680,000 |
| | Marine Corps Air Station, Miramar | $9,280,000 |
| | Point Loma Annex | $11,060,000 |
| | Naval Station, San Diego | $23,590,000 |
| Connecticut | Naval Submarine Base, New London | $6,570,000 |
| Florida | Blount Island Command | $3,760,000 |
| | Eglin Air Force Base | $26,287,000 |
| | Naval Air Station, Jacksonville | $5,917,000 |
| | Naval Station, Mayport | $102,345,000 |
| | Naval Air Station, Pensacola | $26,161,000 |
| | Naval Air Station, Whiting Field | $4,120,000 |
| Georgia | Marine Corps Logistics Base, Albany | $4,870,000 |
| Hawaii | Oahu | $5,380,000 |
| | Naval Station, Pearl Harbor | $60,252,000 |
| Indiana | Naval Support Activity | $13,710,000 |
| Maine | Portsmouth Naval Shipyard | $7,090,000 |
| Maryland | Naval Surface Warfare Center, Carderock | $6,520,000 |
| | Naval Air Station, Patuxent River | $11,043,000 |
| Nevada | Naval Air Station, Fallon | $10,670,000 |
| North Carolina | Marine Corps Base, Camp Lejeune | $673,570,000 |
| | Marine Corps Air Station, Cherry Point | $22,960,000 |
| | Marine Corps Air Station, New River | $107,090,000 |
| Rhode Island | Naval Station, Newport | $64,883,000 |
| South Carolina | Marine Corps Air Station, Beaufort | $1,280,000 |
| | Marine Corps Recruit Depot, Parris Island | $6,972,000 |
| Texas | Naval Air Station, Corpus Christi | $19,764,000 |
| | Naval Air Station, Kingsville | $4,470,000 |
| Virginia | Naval Amphibious Base, Little Creek | $13,095,000 |
| | Naval Station Norfolk | $18,139,000 |
| | Naval Special Weapons Center, Dahlgren | $3,660,000 |
| | Dam Neck | $14,170,000 |
| | Norfolk Naval Shipyard, Portsmouth | $226,969,000 |
| | Marine Corps Base, Quantico | $105,240,000 |
| Washington | Bremerton | $108,939,000 |
| | Naval Station, Everett | $3,810,000 |
| | Naval Magazine, Indian Island | $13,130,000 |
| | Spokane | $12,707,000 |
| West Virginia | Naval Security Group, Sugar Grove | $10,990,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:*

**Navy: Outside the United States**

| Country | Installation or Location | Amount |
|---|---|---|
| Bahrain | Southwest Asia | $41,526,000 |
| Djibouti | Camp Lemonier | $41,845,000 |
| Guam | Naval Activities, Guam | $575,006,000 |
| Spain | Naval Station, Rota | $26,278,000 |

**SEC. 2202. FAMILY HOUSING.**

*(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amount set forth in the following table:*

**Navy: Family Housing**

| Location | Installation or Location | Units | Amount |
|---|---|---|---|
| Korea | Pusan | Welcome center/ warehouse | $4,376,000 |
| Mariana Islands | Naval Activities, Guam | 30 | $20,730,000 |

*(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,771,000.*

**SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

*Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $118,692,000.*

**SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

*(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family*

*housing functions of the Department of the Navy in the total amount of $4,284,112,000, as follows:*

*(1) For military construction projects inside the United States authorized by section 2201(a), $2,746,704,000.*

*(2) For military construction projects outside the United States authorized by section 2201(b), $233,445,000.*

*(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $12,483,000.*

*(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $179,652,000.*

*(5) For military family housing functions:*

*(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $146,569,000.*

*(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $368,540,000.*

*(6) For the construction of increment 6 of a limited area production and storage complex at Bangor, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2106), $87,292,000.*

*(7) For the construction of increment 2 of enclave fencing at Naval Submarine Base, Bangor, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), as amended by section 2205 of this Act, $67,419,000.*

*(8) For the construction of increment 2 of a replacement maintenance pier at Bremerton, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 510), $69,064,000.*

*(9) For the construction of increment 3 of a submarine drive-in magazine silencing facility at Naval Base Pearl Harbor, Hawaii, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 510), $8,645,000.*

*(10) For the construction of the first increment of a ship repair pier replacement at Norfolk Naval Shipyard, Virginia, authorized by section 2201(a), $126,969,000.*

*(11) For the construction of the first increment of a wharves improvement, Apra Harbor, Guam, authorized by section 2201(b), $127,033,000.*

*(12) For the construction of the first increment of north ramp utilities, Andersen Air Force Base, Guam, authorized by section 2201(b), $21,500,000.*

*(13) For the construction of the first increment of north ramp parking, Andersen Air Force Base, Guam, authorized by section 2201(b), $88,797,000.*

*(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:*

*(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).*

*(2) $100,000,000 (the balance of the amount authorized under section 2201(a) for Ship Repair Pier Replacement at the Norfolk Naval Shipyard, Virginia).*

*(3) $40,000,000 (the balance of the amount authorized under section 2201(b) for wharves improvements, Apra Harbor, Guam).*

*(4) $41,520,000 (the balance of the amount authorized under section 2201(a) for Enclave Fencing/Parking at Bremerton, Washington).*

*(5) $94,100,000 (the balance of the amount authorized under section 2201(b) for north ramp parking at Andersen Air Force Base, Guam).*

*(6) $79,780,000 (the balance of the amount authorized under section 2201(b) for north ramp utilities at Andersen Air Force Base, Guam).*

***SEC. 2205. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2006 PROJECT.***

*(a) MODIFICATION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490) is amended in the item relating to Naval Submarine Base, Bangor, Washington, by striking ''$60,160,000'' and inserting ''$127,163,000''.*

*(b) CONFORMING AMENDMENT.—Section 2204(b) of that Act (119 Stat. 3492) is amended by adding at the end the following new paragraph:*

*''(11) $67,003,000 (the balance of the amount authorized under section 2201(a) for construction of a waterfront security enclave at Naval Submarine Base, Bangor, Washington).''.*

*(c) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3501), the authorization relating to enclave fencing/parking at Naval Submarine Base, Bangor, Washington (formerly referred to as a project at Naval Submarine Base, Bangor, Washington), as provided in section 2201 of that Act, shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.*

***TITLE XXIII—AIR FORCE***

*Sec. 2301. Authorized Air Force construction and land acquisition projects.*
*Sec. 2302. Family housing.*
*Sec. 2303. Improvements to military family housing units.*
*Sec. 2304. Authorization of appropriations, Air Force.*
*Sec. 2305. Termination of authority to carry out certain fiscal year 2009 Air Force project.*
*Sec. 2306. Extension of authorizations of certain fiscal year 2007 projects.*
*Sec. 2307. Extension of authorizations of certain fiscal year 2006 projects.*
*Sec. 2308. Conveyance to Indian tribes of certain housing units.*

***SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:*

***Air Force: Inside the United States***

| State | Installation or Location | Amount |
|---|---|---|
| Alaska | Clear Air Force Station | $24,300,000 |
| | Eielson Air Force Base | $13,350,000 |
| | Elmendorf Air Force Base | $15,700,000 |
| Arizona | Davis-Monthan Air Force Base | $41,900,000 |
| Arkansas | Little Rock Air Force Base | $16,200,000 |
| California | Los Angeles Air Force Base | $8,000,000 |
| | Travis Air Force Base | $12,900,000 |
| | Vandenberg Air Force Base | $13,000,000 |
| Colorado | Peterson Air Force Base | $32,300,000 |
| | United States Air Force Academy | $17,500,000 |
| Delaware | Dover Air Force Base | $24,900,000 |
| Florida | Eglin Air Force Base | $84,360,000 |
| | Hurlburt Field | $19,900,000 |
| | MacDill Air Force Base | $59,300,000 |
| | Patrick Air Force Base | $8,400,000 |
| Georgia | Moody Air Force Base | $10,000,000 |
| | Warner Robins Air Force Base | $6,200,000 |
| Hawaii | Hickam Air Force Base | $4,000,000 |
| | Wheeler Air Force Base | $15,000,000 |
| Idaho | Mountain Home Air Force Base | $20,000,000 |
| Illinois | Scott Air Force Base | $7,400,000 |
| Louisiana | Barksdale Air Force Base | $12,800,000 |
| Maryland | Andrews Air Force Base | $9,300,000 |
| Mississippi | Columbus Air Force Base | $9,800,000 |
| Missouri | Whiteman Air Force Base | $12,900,000 |
| Montana | Malstrom Air Force Base | $10,600,000 |
| Nebraska | Offutt Air Force Base | $10,400,000 |
| Nevada | Creech Air Force Base | $2,700,000 |
| New Jersey | McGuire Air Force Base | $7,900,000 |
| New Mexico | Cannon Air Force Base | $15,000,000 |
| | Holloman Air Force Base | $53,400,000 |
| | Kirtland Air Force Base | $22,500,000 |
| North Carolina | Pope Air Force Base | $9,000,000 |
| | Seymour Johnson Air Force Base | $6,900,000 |

***Air Force: Inside the United States**—Continued*

| State | Installation or Location | Amount |
|---|---|---|
| North Dakota | Grand Forks Air Force Base | $12,000,000 |
| | Minot Air Force Base | $11,500,000 |
| Ohio | Wright-Patterson Air Force Base | $58,600,000 |
| Oklahoma | Altus Air Force Base | $20,300,000 |
| | Tinker Air Force Base | $18,237,000 |
| | Vance Air Force Base | $10,700,000 |
| South Carolina | Shaw Air Force Base | $21,183,000 |
| South Dakota | Ellsworth Air Force Base | $14,500,000 |
| Texas | Dyess Air Force Base | $4,500,000 |
| | Goodfellow Air Force Base | $44,400,000 |
| | Lackland Air Force Base | $113,879,000 |
| | Sheppard Air Force Base | $13,450,000 |
| Utah | Hill Air Force Base | $26,153,000 |
| Virginia | Langley Air Force Base | $10,000,000 |
| Washington | Fairchild Air Force Base | $15,150,000 |
| Wyoming | F. E. Warren Air Force Base | $9,100,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

***Air Force: Outside the United States***

| Country | Installation or Location | Amount |
|---|---|---|
| Afghanistan | Bagram Air Base | $22,000,000 |
| Colombia | Palanquero Air Base | $46,000,000 |
| Germany | Ramstein Air Base | $34,700,000 |
| | Spangdahlem Air Base | $23,500,000 |
| Guam | Andersen Air Force Base | $61,702,000 |
| Italy | Naval Air Station Sigonella | $31,300,000 |
| Qatar | Al Udeid Air Base | $60,000,000 |
| Turkey | Incirlik Air Base | $9,200,000 |

***SEC. 2302. FAMILY HOUSING.***

*Using amounts appropriated pursuant to the authorization of appropriations in section 2304(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,314,000.*

***SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.***

*Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $61,737,000.*

***SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.***

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,984,963,000, as follows:*

*(1) For military construction projects inside the United States authorized by section 2301(a), $1,003,962,000.*

*(2) For military construction projects outside the United States authorized by section 2301(b), $288,402,000.*

*(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $20,000,000.*

*(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $103,562,000.*

*(5) For military family housing functions:*

*(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $66,101,000.*

*(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $502,936,000.*

***SEC. 2305. TERMINATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2009 AIR FORCE PROJECT.***

*(a) TERMINATION.—The table in section 2301(c) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4682) is amended in the item relating to Unspecified Worldwide Locations by striking ''$38,391,000'' in the amount column and inserting ''$891,000''.*

*(b) CONFORMING AMENDMENTS.—Section 2304 of that Act (122 Stat. 4683) is amended—*

*(1) in the matter preceding paragraph (1), by striking ''$2,108,090,000'' and inserting ''$2,070,590,000''; and*

*(2) in paragraph (3), by striking ''$38,391,000'' and inserting ''$891,000''.*

***SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2007 PROJECTS.***

*(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2463), authorizations set forth in the table in subsection (b), as provided in sections 2301 and 2302 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

***Air Force: Extension of 2007 Project Authorizations***

| State/Country | Installation or Location | Project | Amount |
|---|---|---|---|
| Delaware | Dover Air Force Base | C–17 Aircrew Life Support | $7,400,000 |
| Idaho | Mountain Home Air Force Base | Replace Family Housing (457 units) | $107,800,000 |

***SEC. 2307. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECTS.***

*(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3501), authorizations set forth in the table in subsection (b), as provided in section 2302 of that Act (119 Stat. 3495) and extended by section 2305 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4684), shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

***Air Force: Extension of 2006 Project Authorizations***

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Alaska | Eielson Air Force Base | Replace Family Housing (92 units) | $37,650,000 |
| | Eielson Air Force Base | Purchase Build/Lease Housing (300 units) | $18,144,000 |

***Air Force: Extension of 2006 Project Authorizations**—Continued*

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| North Dakota | Grand Forks Air Force Base | Replace Family Housing (150 units) | $43,353,000 |

**SEC. 2308. CONVEYANCE TO INDIAN TRIBES OF CERTAIN HOUSING UNITS.**

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director of Walking Shield, Inc.

(2) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C.479a–1).

(b) REQUESTS FOR CONVEYANCE.—

(1) IN GENERAL.—The Executive Director may submit to the Secretary of the Air Force, on behalf of any Indian tribe located in the State of Idaho, Nevada, North Dakota, Oregon, South Dakota, Montana, or Minnesota, a request for conveyance of any relocatable military housing unit located at Grand Forks Air Force Base, Minot Air Force Base, Malmstrom Air Force Base, Ellsworth Air Force Base, or Mountain Home Air Force Base.

(2) CONFLICTS.—The Executive Director shall resolve any conflict among requests of Indian tribes for housing units described in paragraph (1) before submitting a request to the Secretary of the Air Force under this subsection.

(c) CONVEYANCE BY SECRETARY.—Notwithstanding any other provision of law, on receipt of a request under subsection (b)(1), the Secretary of the Air Force may convey to the Indian tribe that is the subject of the request, at no cost to the Air Force and without consideration, any relocatable military housing unit described in subsection (b)(1) that, as determined by the Secretary, is in excess of the needs of the military.

## TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Family Housing.

Sec. 2403. Energy conservation projects.

Sec. 2404. Authorization of appropriations, Defense Agencies.

Sec. 2405. Termination or modification of authority to carry out certain fiscal year 2009 projects.

Sec. 2406. Modification of authority to carry out certain fiscal year 2008 project.

Sec. 2407. Extension of authorizations of certain fiscal year 2007 project.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorization of appropriations, chemical demilitarization construction, defense-wide.

### Subtitle A—Defense Agency Authorizations

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following tables:

***Defense Education Activity***

| State | Installation or Location | Amount |
|---|---|---|
| Georgia | Fort Benning | $2,330,000 |
| | Fort Stewart/Hunter Army Air Field | $22,501,000 |
| North Carolina | Fort Bragg | $3,439,000 |

***Defense Information Systems Agency***

| State | Installation or Location | Amount |
|---|---|---|
| Hawaii | Naval Station Pearl Harbor, Ford Island | $9,633,000 |

***Defense Logistics Agency***

| State | Installation or Location | Amount |
|---|---|---|
| California | El Centro | $11,000,000 |
| | Travis Air Force Base | $15,357,000 |
| Florida | Jacksonville International Airport (Air National Guard) | $11,500,000 |
| Minnesota | Duluth International Airport (Air National Guard) | $15,000,000 |
| Oklahoma | Altus Air Force Base | $2,700,000 |
| Texas | Fort Hood | $3,000,000 |
| Washington | Fairchild Air Force Base | $7,500,000 |

***Missile Defense Agency***

| State | Installation or Location | Amount |
|---|---|---|
| Alabama | Redstone Arsenal | $12,000,000 |
| Virginia | Naval Support Facility, Dahlgren | $24,500,000 |

***National Security Agency***

| State | Installation or Location | Amount |
|---|---|---|
| Maryland | Fort Meade | $203,800,000 |

***Special Operations Command***

| State | Installation or Location | Amount |
|---|---|---|
| California | Naval Amphibious Base, Coronado | $15,722,000 |
| Colorado | Fort Carson | $48,246,000 |
| Florida | Eglin Air Force Base | $3,046,000 |
| | Hurlburt Field | $8,156,000 |
| Georgia | Fort Benning | $3,046,000 |
| Kentucky | Fort Campbell | $39,135,000 |
| New Mexico | Cannon Air Force Base | $58,864,000 |
| North Carolina | Fort Bragg | $101,488,000 |
| | Marine Corps Base, Camp Lejeune | $11,791,000 |
| Virginia | Naval Amphibious Base, Little Creek | $18,669,000 |

***Special Operations Command**—Continued*

| State | Installation or Location | Amount |
|---|---|---|
| Washington | Fort Lewis | $14,500,000 |

***TRICARE Management Activity***

| State | Installation or Location | Amount |
|---|---|---|
| Alaska | Elmendorf Air Force Base | $25,017,000 |
| | Fort Richardson | $3,518,000 |
| Colorado | Fort Carson | $31,900,000 |
| Georgia | Fort Benning | $17,200,000 |
| | Fort Stewart/Hunter Army Field | $22,200,000 |
| Kentucky | Fort Campbell | $8,600,000 |
| Maryland | Fort Detrick | $29,807,000 |
| Missouri | Fort Leonard Wood | $5,570,000 |
| North Carolina | Fort Bragg | $57,658,000 |
| Oklahoma | Fort Sill | $10,554,000 |
| Texas | Lackland Air Force Base | $101,928,000 |
| | Fort Bliss | $990,600,000 |
| Washington | Fort Lewis | $15,636,000 |

***Washington Headquarters Services***

| State | Installation or Location | Amount |
|---|---|---|
| Virginia | Pentagon Reservation | $27,672,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following tables:*

***Defense Education Activity***

| Country | Installation or Location | Amount |
|---|---|---|
| Belgium | Brussels | $38,124,000 |
| Germany | Boeblingen | $50,000,000 |
| | Kaiserslautern | $93,545,000 |
| | Wiesbaden Air Base | $5,379,000 |
| United Kingdom | Royal Air Force Lakenheath | $4,509,000 |

***Defense Intelligence Agency***

| Country | Installation or Location | Amount |
|---|---|---|
| Korea | K–16 Airfield | $5,050,000 |

***Defense Logistics Agency***

| Country | Installation or Location | Amount |
|---|---|---|
| Cuba | Naval Air Station, Guantanamo Bay | $12,500,000 |
| Greece | Souda Bay | $24,000,000 |
| Guam | Naval Air Station, Agana | $4,900,000 |
| Korea | Osan Air Base | $28,000,000 |
| United Kingdom | Royal Air Force Mildenhall | $4,700,000 |

***National Security Agency***

| Country | Installation or Location | Amount |
|---|---|---|
| United Kingdom | Royal Air Force Menwith Hill Station | $37,588,000 |

***North Atlantic Treaty Organization***

| State | Installation or Location | Amount |
|---|---|---|
| Belgium | NATO Headquarters | $41,400,000 |

***TRICARE Management Activity***

| Country | Installation or Location | Amount |
|---|---|---|
| Guam | Naval Activities, Guam | $446,450,000 |
| United Kingdom | Royal Air Force Alconbury | $14,227,000 |

***SEC. 2402. FAMILY HOUSING.***

*Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(7), the Secretary of Defense may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, in the number of units, and in the amount set forth in the following table:*

**Defense Logistics Agency: Family Housing**

| State | Location | Units | Amount |
|---|---|---|---|
| Pennsylvania | Cumberland Depot | 6 | $2,859,000 |

**SEC. 2403. ENERGY CONSERVATION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(6), the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of $123,013,000.

**SEC. 2404. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $3,177,496,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $1,048,783,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $188,762,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $33,025,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $10,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $121,442,000.

(6) For energy conservation projects under chapter 173 of title 10, United States Code, $123,013,000.

(7) For military family housing functions:

(A) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $49,214,000.

(B) For construction and acquisition of military family housing and facilities, $2,859,000.

(C) For credits to the Department of Defense Family Housing Improvement Fund under section 2883 of title 10, United States Code, and the Homeowners Assistance Fund established under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), $302,600,000.

(8) For the construction of increment 4 of the Army Medical Research Institute of Infectious Diseases Stage 1 at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457), $108,000,000.

(9) For the construction of increment 2 of replacement fuel storage facilities at Point Loma Annex, California, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521), as amended by section 2406 of this Act, $92,300,000.

(10) For the construction of increment 3 of a special operations facility at Dam Neck, Virginia, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521), $15,967,000.

(11) For the construction of increment 2 of the United States Army Medical Research Institute of Chemical Defense replacement facility at Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2009 (division B of Public Law 110–417 122 Stat. 4689), $111,400,000.

(12) For the construction of fuel storage tanks and pipeline replacement at Souda Bay, Greece, authorized by section 2401(b) of the Military Construction Authorization Act of Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4691), as amended by section 2405 of this Act, $24,000,000.

(13) For the construction of increment 2 of a National Security Agency data center at Camp Williams, Utah, authorized as a Military Construction, Defense-Wide project by the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888), $600,000,000.

(14) For the construction of the first increment of a hospital at Fort Bliss, Texas, authorized by section 2401(a), $86,975,000.

(15) For the construction of the first increment of a hospital at Naval Activities, Guam, authorized by section 2401(b), $259,156,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) $187,294,000 (the balance of the amount authorized by section 2401(b) for the hospital replacement, Guam).

(3) $820,000,000 (the balance of the amount authorized in the Supplemental Appropriations Act, 2009 (Public Law 111–32) for the Utah Data Center, Camp Williams, Utah).

(4) $879,025,000 (the balance of the amount authorized by section 2401(a) for the hospital replacement phase I, Fort Bliss, Texas).

(5) $290,000,000 (the balance of the amount authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4689) for the USAMRIID replacement facility at Aberdeen Proving Ground, Maryland).

(6) $47,000,000 (the balance of the amount authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521), as modified by section 2406(a) of this Act, for the replacement of fuel storage facilities at Point Loma Annex, California).

(c) AVAILABILITY OF FUNDS FOR ENERGY CONSERVATION PROJECTS OF RESERVE COMPONENTS.—Of the amount authorized to be appropriated by subsection (a)(6) for energy conservation projects under chapter 173 of title 10, United States Code, the Secretary of Defense shall reserve a portion of the amount for energy conservation projects for the reserve components in an amount that is not less than an amount that bears the same proportion to the total amount authorized to be appropriated as the total quantity of energy consumed by reserve facilities (as defined in section 18232(2) of such title) during fiscal year 2009 bears to the total quantity of energy consumed by all military installations (as defined in section 2687(e)(1) of such title) during that fiscal year, as determined by the Secretary.

**SEC. 2405. TERMINATION OR MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2009 PROJECTS.**

(a) TERMINATION.—Section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4690) is amended by striking the table relating to the Missile Defense Command.

(b) MODIFICATION.—The table relating to the Defense Logistics Agency in such section is amended in the item relating to Souda Bay, Greece, by striking ''$8,000,000'' in the amount column and inserting ''$32,000,000''.

(c) CONFORMING AMENDMENTS.—Section 2403 of that Act (122 Stat. 4692) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''$1,639,050,000'' and inserting ''$1,487,890,000'';

(B) in paragraph (2), by striking ''$246,360,000'' and inserting ''$87,200,000''; and

(C) by adding at the end the following new paragraph:

''(11) For construction of the first increment of fuel storage tanks and pipeline replacement at Souda Bay, Greece, $8,000,000.''; and

(2) in subsection (b), by striking paragraphs (3) and (4) and inserting the following new paragraph:

''(3) $24,000,000 (the balance of the amount authorized for the Defense Logistics Agency under section 2401(b) for fuel storage tanks and pipeline replacement at Souda Bay, Greece).''.

**SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2008 PROJECT.**

(a) MODIFICATION.—The table relating to the Defense Logistics Agency in section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 521) is amended in the item relating to Point Loma Annex, California, by striking ''$140,000,000'' in the amount column and inserting ''$195,000,000''.

(b) CONFORMING AMENDMENT.—Section 2403(b)(2) of that Act (122 Stat. 524) is amended by striking ''$84,300,000'' and inserting ''$139,300,000''.

**SEC. 2407. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2007 PROJECT.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2463), authorizations set forth in the table in subsection (b), as provided in section 2402 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Defense Logistics Agency: Family Housing**

| State | Location | Units | Amount |
|---|---|---|---|
| Virginia | Defense Supply Center, Richmond | Whole House Renovation | $484,000 |

### Subtitle B—Chemical Demilitarization Authorizations

**SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.**

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction and land acquisition for chemical demilitarization in the total amount of $151,541,000 as follows:*

*(1) For the construction of phase 11 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), $92,500,000.*

*(2) For the construction of phase 10 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), $59,041,000.*

## TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

*Sec. 2501. Authorized NATO construction and land acquisition projects.*
*Sec. 2502. Authorization of appropriations, NATO.*

**SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.*

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, in the amount of $197,414,000.*

## TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

*Sec. 2601. Authorized Army National Guard construction and land acquisition projects.*
*Sec. 2602. Authorized Army Reserve construction and land acquisition projects.*
*Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.*
*Sec. 2604. Authorized Air National Guard construction and land acquisition projects.*
*Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.*
*Sec. 2606. Authorization of appropriations, National Guard and Reserve.*
*Sec. 2607. Extension of authorizations of certain fiscal year 2007 projects.*
*Sec. 2608. Extension of authorizations of certain fiscal year 2006 project.*

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:*

**Army National Guard: Inside the United States**

| State | Location | Amount |
|---|---|---|
| Alabama | Fort McClellan | $3,000,000 |
| Arizona | Camp Navajo | $3,000,000 |
| California | Los Alamitos Joint Forces Training Base | $31,000,000 |
| Georgia | Fort Benning | $15,500,000 |
| | Hunter Army Air Field | $8,967,000 |
| Idaho | Gowen Field | $16,100,000 |
| Illinois | Milan | $5,600,000 |
| Indiana | Muscatatuck Urban Training Center | $10,100,000 |
| Iowa | Camp Dodge | $4,000,000 |
| Kansas | Salina Army National Guard Aviation Facility | $2,227,000 |
| Massachusetts | Hanscom Air Force Base | $29,000,000 |
| Michigan | Fort Custer | $7,732,000 |
| Minnesota | Arden Hills Army Training Site | $6,700,000 |
| | Camp Ripley | $1,710,000 |
| Mississippi | Camp Shelby | $16,100,000 |
| | Monticello | $14,350,000 |
| Missouri | Boonville | $1,800,000 |
| Nebraska | Lincoln Municipal Airport | $23,000,000 |
| Nevada | Carson City | $2,000,000 |
| | North Las Vegas | $26,000,000 |
| New Mexico | Santa Fe | $39,000,000 |
| North Carolina | East Flat Rock | $2,516,000 |
| | Fort Bragg | $6,038,000 |
| Oregon | Clatsop County | $3,369,000 |
| | Polk County | $12,100,000 |
| South Carolina | Eastover | $26,000,000 |
| | Greenville | $40,000,000 |
| South Dakota | Camp Rapid | $9,840,000 |
| Texas | Austin | $22,200,000 |
| Vermont | Ethan Allen Firing Range | $1,996,000 |
| Virginia | Fort Pickett | $32,000,000 |
| West Virginia | St. Albans Armory | $2,000,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations outside the United States, and in the amounts, set forth in the following table:*

**Army National Guard: Outside the United States**

| Country | Location | Amount |
|---|---|---|
| Guam | Barrigada | $30,000,000 |
| Virgin Islands | St. Croix | $20,000,000 |

*(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:*

**Army National Guard**

| Location | Location or Installation | Amount |
|---|---|---|
| Worldwide Unspecified | Unspecified Worldwide Locations | $30,000,000 |

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Army Reserve: Inside the United States**

| State | Location | Amount |
|---|---|---|
| California | Camp Pendleton | $19,500,000 |
| | Los Angeles | $29,000,000 |
| Colorado | Colorado Springs | $13,000,000 |
| Connecticut | Bridgeport | $18,500,000 |
| Florida | Panama City | $7,300,000 |
| | West Palm Beach | $26,000,000 |
| Georgia | Atlanta | $14,000,000 |
| Illinois | Chicago | $23,000,000 |
| Minnesota | Fort Snelling | $12,000,000 |
| New York | Rochester | $13,600,000 |
| Ohio | Cincinnati | $13,000,000 |
| Pennsylvania | Ashley | $9,800,000 |
| | Harrisburg | $7,600,000 |
| | Newton Square | $20,000,000 |
| | Uniontown | $11,800,000 |
| Texas | Austin | $20,000,000 |
| | Bryan | $12,200,000 |
| | Fort Bliss | $9,500,000 |
| | Houston | $24,000,000 |
| | Robstown | $10,200,000 |
| | San Antonio | $20,000,000 |
| Wisconsin | Fort McCoy | $28,550,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve location outside the United States, and in the amount, set forth in the following table:

**Army Reserve: Outside the United States**

| Country | Location | Amount |
|---|---|---|
| Puerto Rico | Caguas | $12,400,000 |

(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:

**Army Reserve**

| Location | Location or Installation | Amount |
|---|---|---|
| Worldwide Unspecified | Unspecified Worldwide Locations | $30,000,000 |

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(3), the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations, and in the amounts, set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

| State | Location | Amount |
|---|---|---|
| Arizona | Luke Air Force Base | $10,986,000 |
| California | Alameda | $5,960,000 |
| Illinois | Joliet Army Ammunition Plant | $7,957,000 |
| South Carolina | Goose Creek | $4,240,000 |
| Texas | San Antonio | $2,210,000 |
| | Fort Worth Naval Air Station Joint Reserve Base | $6,170,000 |
| Virginia | Oceana Naval Air Station | $30,400,000 |

(b) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(3), the Secretary of the Navy may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

| Location | Location or Installation | Amount |
|---|---|---|
| Worldwide Unspecified | Unspecified Worldwide Locations | $55,000,000 |

***SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(4), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations, and in the amounts, set forth in the following table:*

***Air National Guard***

| State | Location | Amount |
|---|---|---|
| Arizona | Davis-Monthan Air Force Base | $5,600,000 |
| California | Fresno Yosemite International Airport | $9,800,000 |
| | South California Logistics Airport | $8,400,000 |
| Colorado | Buckley Air National Guard Base | $4,500,000 |
| Connecticut | Bradley International Airport | $9,000,000 |
| Hawaii | Hickam Air Force Base | $33,000,000 |
| Illinois | Lincoln Capital Airport | $3,000,000 |
| Iowa | Des Moines | $4,600,000 |
| Kansas | McConnell Air Force Base | $8,700,000 |
| Maine | Bangor International Airport | $28,000,000 |
| Maryland | Andrews Air Force Base | $14,000,000 |
| Massachusetts | Barnes Air National Guard Base | $8,100,000 |
| | Otis Air National Guard Base | $12,800,000 |
| Michigan | Alpena Combat Readiness Training Center | $8,900,000 |
| | Battle Creek Air National Guard Base | $14,000,000 |
| | Selfridge Air National Guard Base | $7,100,000 |
| Minnesota | Minnesota/St. Paul International Airport 133rd Airlift Wing Base | $1,900,000 |
| Mississippi | Gulfport-Biloxi Regional Airport | $6,500,000 |
| Missouri | Rosecrans Memorial Airport | $9,300,000 |
| Nebraska | Lincoln Municipal Airport | $1,500,000 |
| Nevada | Reno | $10,800,000 |
| New Hampshire | Pease Air National Guard Base | $10,000,000 |
| New Jersey | McGuire Air Force Base | $9,700,000 |
| New York | Wheeler Sack Army Airfield | $2,700,000 |
| Ohio | Mansfield Lahm Airport | $11,400,000 |
| Oklahoma | Will Rogers World Airport | $7,300,000 |
| South Carolina | McEntire Joint Air National Guard Base | $1,300,000 |
| South Dakota | Joe Foss Field | $2,600,000 |
| Tennessee | Memphis, 164th Airlift Wing | $9,800,000 |
| Texas | Kelly Field Annex | $7,900,000 |
| Vermont | Burlington International Airport | $6,000,000 |
| West Virginia | Martinsburg | $19,500,000 |
| Wisconsin | General Mitchell International Airport | $5,000,000 |
| Wyoming | Cheyenne Airport | $1,500,000 |

*(b) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(4), the Secretary of the Air Force may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:*

***Air National Guard***

| Location | Location or Installation | Amount |
|---|---|---|
| Worldwide Unspecified | Unspecified Worldwide Locations | $30,000,000 |

***SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(5), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations, and in the amounts, set forth in the following table:*

***Air Force Reserve***

| State | Location | Amount |
|---|---|---|
| California | March Air Reserve Base | $9,800,000 |
| Colorado | Schriever Air Force Base | $10,200,000 |
| Mississippi | Keesler Air Force Base | $9,800,000 |
| New York | Niagara Falls Air Reserve Station | $5,700,000 |
| Pennsylvania | Pittsburgh Air Force Base | $12,400,000 |
| Texas | Lackland Air Force Base | $1,500,000 |
| Utah | Hill Air Force Base | $3,200,000 |

*(b) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(5), the Secretary of the Air Force may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:*

***Air Force Reserve***

| Location | Location or Installation | Amount |
|---|---|---|
| Worldwide Unspecified | Unspecified Worldwide Locations | $55,000,000 |

***SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.***

*(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), in the following amounts:*

*(1) For the Department of the Army, for the Army National Guard of the United States, $582,056,000.*

*(2) For the Department of the Army, for the Army Reserve, $431,566,000.*

*(3) For the Department of the Navy, for the Navy and Marine Corps Reserve, $125,874,000.*

*(4) For the Department of the Air Force, for the Air National Guard of the United States, $364,226,000.*

*(5) For the Department of the Air Force, for the Air Force Reserve, $112,269,000.*

*(b) LIMITATION ON IMPLEMENTATION OF PROJECTS AT CERTAIN UNSPECIFIED WORLDWIDE LOCATIONS.—The Secretary of the military department concerned may not enter into an award of a project at an unspecified worldwide location authorized under section 2601(c), 2602(c), 2603(b), 2604(b), or 2605(b) until the Secretary submits to the congressional defense committees a report that includes the following:*

*(1) Within the amounts authorized to be appropriated under the applicable paragraph of subsection (a), a list of the proposed projects.*

*(2) A Military Construction Data Sheet for each project.*

*(3) A certification that the projects can be awarded in the year for which the appropriation of funds is made.*

*(4) A certification that the projects are listed in the current Future Years Defense Program for the reserve component involved.*

**SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2007 PROJECTS.**

*(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2463), the authorizations set forth in the table in subsection (b), as provided in section 2601 of that Act, shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

**Army National Guard: Extension of 2007 Project Authorizations**

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| California | Fresno | AVCRAD Add/Alt, PH I | $30,000,000 |
| New Jersey | Lakehurst | Consolidated Logistics Training Facility, PH II. | $20,024,000 |

**SEC. 2608. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECT.**

*(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3501), the authorization set forth in the table in subsection (b), as provided in section 2601 of that Act (119 Stat. 3501) and extended by section 2608 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4710), shall remain in effect until October 1, 2010, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

**Army National Guard: Extension of 2006 Project Authorization**

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Montana | Townsend | Automated Qualification Training Range | $2,532,000 |

## TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

*Subtitle A—Authorizations*

*Sec. 2701. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 1990.*

*Sec. 2702. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.*

*Sec. 2703. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 2005.*

*Subtitle B—Other Matters*

*Sec. 2711. Relocation of certain Army Reserve units in Connecticut.*

*Sec. 2712. Authority to construct Armed Forces Reserve Center in vicinity of Pease Air National Guard Base, New Hampshire.*

*Sec. 2713. Sense of Congress on ensuring joint basing recommendations do not adversely affect operational readiness.*

*Sec. 2714. Requirements related to providing world class military medical facilities in the National Capital Region.*

*Sec. 2715. Use of economic development conveyances to implement base closure and realignment property recommendations.*

### Subtitle A—Authorizations

**SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.**

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by 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) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, in the total amount of $496,768,000, as follows:*

*(1) For the Department of the Army, $138,723,000.*

*(2) For the Department of the Navy, $228,000,000.*

*(3) For the Department of the Air Force, $127,364,000.*

*(4) For the Defense Agencies, $2,681,000.*

**SEC. 2702. AUTHORIZED BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.**

*Using amounts appropriated pursuant to the authorization of appropriations in section 2703, the Secretary of Defense may carry out base closure and realignment activities, including real property acquisition and military construction projects, as authorized by 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) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the amount of $5,934,740,000.*

**SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.**

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by 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) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the total amount of $7,455,498,000, as follows:*

*(1) For the Department of the Army, $4,057,037,000.*

*(2) For the Department of the Navy, $591,572,000.*

*(3) For the Department of the Air Force, $418,260,000.*

*(4) For the Defense Agencies, $2,388,629,000.*

### Subtitle B—Other Matters

**SEC. 2711. RELOCATION OF CERTAIN ARMY RESERVE UNITS IN CONNECTICUT.**

*The Secretary of the Army may use funds appropriated pursuant to the authorization of appropriations in section 2703 for the purpose of constructing an Army Reserve Center and Maintenance Facility in the vicinity of Newtown, Connecticut, at a location determined by the Secretary to be in the best interest of national security and in the public interest.*

**SEC. 2712. AUTHORITY TO CONSTRUCT ARMED FORCES RESERVE CENTER IN VICINITY OF PEASE AIR NATIONAL GUARD BASE, NEW HAMPSHIRE.**

*The Secretary of the Army may use funds appropriated pursuant to the authorization of appropriations in section 2703 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4715) for the purpose of constructing an Armed Forces Reserve Center at Pease Air National Guard Base, New Hampshire, to construct instead an Armed Forces Reserve Center in the vicinity of Pease Air National Guard Base at a location determined by the Secretary to be in the best interest of national security and in the public interest.*

**SEC. 2713. SENSE OF CONGRESS ON ENSURING JOINT BASING RECOMMENDATIONS DO NOT ADVERSELY AFFECT OPERATIONAL READINESS.**

*It is the sense of Congress that, in implementing the joint basing recommendations of the Defense Base Closure and Realignment Commission contained in the report of the Commission transmitted to Congress on September 15, 2005, under section 2903(e) of 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), the Secretary of Defense should ensure that the joint basing of military installations at any of the recommended locations does not adversely impact—*

*(1) the ability of commanders, and the units of the Armed Forces under their command, to perform their operational missions;*

*(2) the command and control of commanders at each military installation that has an operational mission requirement; and*

*(3) the readiness of the units of the Armed Forces under their command.*

***SEC. 2714. REQUIREMENTS RELATED TO PROVIDING WORLD CLASS MILITARY MEDICAL FACILITIES IN THE NATIONAL CAPITAL REGION.***

*(a) MASTER PLAN REQUIRED.—Not later than March 31, 2010, the Secretary of Defense shall develop and implement a comprehensive master plan to provide sufficient world class military medical facilities and an integrated system of health care delivery for the National Capital Region that—*

*(1) addresses—*

*(A) the unique needs of members of the Armed Forces and retired members of the Armed Forces and their families;*

*(B) the care, management, and transition of seriously ill and injured members of the Armed Forces and their families;*

*(C) the missions of the branch or branches of the Armed Forces served; and*

*(D) performance expectations for the future integrated health care delivery system, including—*

*(i) information management and information technology support; and*

*(ii) expansion of support services;*

*(2) delineates the process for the development of budgets, prioritization of requirements, and the allocation of funds;*

*(3) delineates budget and operational authority to provide and operate world class military medical facilities in the National Capital Region;*

*(4) incorporates all ancillary and support facilities at the National Naval Medical Center, Bethesda, Maryland, including education and research facilities as well as centers of excellence, transportation, and parking structures required to provide a full range of adequate care and services for members of the Armed Forces and their families;*

*(5) incorporates a facilities needs assessment, including an assessment of standards for patient rooms, and provides a program to meet the facility requirements;*

*(6) specifies the personnel authorizations and personnel systems required to provide and operate a world class military medical facility;*

*(7) can be used as a basis to develop similar master plans for other military medical facilities of the Department of Defense; and*

*(8) includes a community development plan that incorporates multiple options to alleviate traffic congestion related to the expansion of the National Naval Medical Center and Fort Belvoir Community Hospital, including a review of options—*

*(A) to expand adjacent highways;*

*(B) improvements to nearby intersections;*

*(C) on-facility site queuing; and*

*(D) multimodal expansion that could include expanded support for buses and subways.*

*(b) SUBMISSION OF MASTER PLAN AND RELATED MATERIALS.—Not later than March 31, 2010, the Secretary of Defense shall submit to the congressional defense committees a report containing—*

*(1) the master plan developed under subsection (a);*

*(2) the certification of the Secretary that the requirements specified in paragraphs (1), (2), and (3) of section 1650(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 475) remain satisfied and accurate;*

*(3) the certification of the Secretary that the master plan ensures that each facility covered by the plan meets or exceeds applicable Joint Commission hospital design standards; and*

*(4) an assessment of the risks and benefits to patient care associated with completing the realignment of Walter Reed National Military Medical Center by the statutory deadline imposed for implementation of the recommendations contained in the report of the Defense Base Closure and Realignment Commission transmitted to Congress on September 15, 2005.*

*(c) SUBMISSION OF MILESTONE SCHEDULE AND COST ESTIMATES.—Not later than June 30, 2010, the Secretary of Defense shall submit to the congressional defense committees a report describing—*

*(1) the schedule for completion of requirements identified in the master plan developed under subsection (a); and*

*(2) updated cost estimates to provide world class military medical facilities for the National Capital Region.*

*(d) SENSE OF CONGRESS REGARDING TRAFFIC MITIGATION IN VICINITY OF NATIONAL NAVAL MEDICAL CENTER.—Given the anticipated significant increases in local traffic in the vicinity of the National Naval Medical Center, and the unusual impact that such traffic increases will have on the surrounding community due to the planned expansion of the installation, it is the sense of Congress that—*

*(1) multiple methods are available to the Department of Defense to implement the defense access roads program (section 210 of title 23, United States Code) to help alleviate traffic congestion, including expansion of adjacent highways, improvements to nearby intersections, on-base queuing options, and multi-modal expansion, including expanded support of buses and subways and other measures; and*

*(2) all of the efforts to alleviate the significant traffic impact need to be pursued to ensure readily available access to health care at the installation.*

*(e) DEFINITIONS.—In this section:*

*(1) NATIONAL CAPITAL REGION.—The term ''National Capital Region'' has the meaning given the term in section 2674(f) of title 10, United States Code.*

*(2) WORLD CLASS MILITARY MEDICAL FACILITY.—The term ''world class military medical facility'' has the meaning given the term by the National Capital Region Base Realignment and Closure Health Systems Advisory Subcommittee of the Defense Health Board in appendix B of the report entitled ''Achieving World Class – An Independent Review of the Design Plans for the Walter Reed National Military Medical Center and the Fort Belvoir Community Hospital'', published in May, 2009.*

***SEC. 2715. USE OF ECONOMIC DEVELOPMENT CONVEYANCES TO IMPLEMENT BASE CLOSURE AND REALIGNMENT PROPERTY RECOMMENDATIONS.***

*(a) ECONOMIC REDEVELOPMENT CONVEYANCE AUTHORITY.—Section 2905(b)(4) of 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) is amended—*

*(1) in subparagraph (B), by striking the matter preceding clause (i) of such subparagraph and inserting the following:*

*''(B) The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelop the property. The Secretary may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-party buyers or lessees from sales and long-term leases of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate. The transfer of property located at a military installation under subparagraph (A) may be made for consideration below the estimated fair market value or without consideration only if the redevelopment authority with respect to the installation—''; and*

*(2) in subparagraph (C), by striking ''subparagraph (B)'' and inserting ''subparagraph (B)(i)''.*

*(b) REPORT CONCERNING PROPERTY CONVEYANCES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report regarding the status of current and anticipated economic development conveyances involving surplus real and personal property at closed or realigned military installations, projected job creation as a result of the conveyances, community reinvestment, and the progress made as a result of the implementation of the amendments made by subsection (a).*

***TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS***

*Subtitle A—Military Construction Program and Military Family Housing Changes*

*Sec. 2801. Modification of unspecified minor construction authorities.*
*Sec. 2802. Congressional notification of facility repair projects carried out using operation and maintenance funds.*
*Sec. 2803. Modification of authority for scope of work variations.*
*Sec. 2804. Modification of conveyance authority at military installations.*
*Sec. 2805. Imposition of requirement that acquisition of reserve component facilities be authorized by law.*
*Sec. 2806. Authority to use operation and maintenance funds for construction projects inside the United States Central Command area of responsibility.*
*Sec. 2807. Expansion of First Sergeants Barracks Initiative.*
*Sec. 2808. Reports on privatization initiatives for military unaccompanied housing.*
*Sec. 2809. Report on Department of Defense contributions to States for acquisition, construction, expansion, rehabilitation, or conversion of reserve component facilities.*

*Subtitle B—Real Property and Facilities Administration*

*Sec. 2821. Modification of utility systems conveyance authority.*
*Sec. 2822. Report on global defense posture realignment and interagency review.*
*Sec. 2823. Property and facilities management of the Armed Forces Retirement Home.*
*Sec. 2824. Acceptance of contributions to support cleanup efforts at former Almaden Air Force Station, California.*
*Sec. 2825. Selection of military installations to serve as locations of brigade combat teams.*
*Sec. 2826. Report on Federal assistance to support communities adversely impacted by expansion of military installations.*

*Subtitle C—Provisions Related to Guam Realignment*

*Sec. 2831. Role of Department of Defense in management and coordination of Defense activities relating to Guam realignment.*
*Sec. 2832. Clarifications regarding use of special purpose entities to assist with Guam realignment.*
*Sec. 2833. Workforce issues related to military construction and certain other transactions on Guam.*
*Sec. 2834. Composition of workforce for construction projects funded through the Support for United States Relocation to Guam Account.*
*Sec. 2835. Interagency Coordination Group of Inspectors General for Guam Realignment.*

Sec. 2836. Compliance with Naval Aviation Safety requirements as condition on acceptance of replacement facility for Marine Corps Air Station, Futenma, Okinawa.
Sec. 2837. Report and sense of Congress on Marine Corps requirements in Asia-Pacific region.

Subtitle D—Energy Security

Sec. 2841. Adoption of unified energy monitoring and utility control system specification for military construction and military family housing activities.
Sec. 2842. Department of Defense goal regarding use of renewable energy sources to meet facility energy needs.
Sec. 2843. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods.
Sec. 2844. Department of Defense use of electric and hybrid motor vehicles.
Sec. 2845. Study on development of nuclear power plants on military installations.
Sec. 2846. Comptroller General report on Department of Defense renewable energy initiatives, including solar initiatives, on military installations.

Subtitle E—Land Conveyances

Sec. 2851. Land conveyance, Haines Tank Farm, Haines, Alaska.
Sec. 2852. Release of reversionary interest, Camp Joseph T. Robinson, Arkansas.
Sec. 2853. Transfer of administrative jurisdiction, Port Chicago Naval Magazine, California.
Sec. 2854. Land conveyance, Ferndale housing at Centerville Beach Naval Facility to City of Ferndale, California.
Sec. 2855. Land conveyances, Naval Air Station, Barbers Point, Hawaii.
Sec. 2856. Land conveyances of certain parcels in the Camp Catlin and Ohana Nui areas, Pearl Harbor, Hawaii.
Sec. 2857. Modification of land conveyance, former Griffiss Air Force Base, New York.
Sec. 2858. Land conveyance, Army Reserve Center, Chambersburg, Pennsylvania.
Sec. 2859. Land conveyance, Ellsworth Air Force Base, South Dakota.
Sec. 2860. Land conveyance, Lackland Air Force Base, Texas.
Sec. 2861. Land Conveyance, Naval Air Station Oceana, Virginia.
Sec. 2862. Completion of land exchange and consolidation, Fort Lewis, Washington.
Sec. 2863. Land conveyance, F.E. Warren Air Force Base, Cheyenne, Wyoming.

Subtitle F—Other Matters

Sec. 2871. Revised authority to establish national monument to honor United States Armed Forces working dog teams.
Sec. 2872. National D–Day Memorial study.
Sec. 2873. Conditions on establishment of Cooperative Security Location in Palanquero, Colombia.
Sec. 2874. Military activities at United States Marine Corps Mountain Warfare Training Center.

**Subtitle A—Military Construction Program and Military Family Housing Changes**

**SEC. 2801. MODIFICATION OF UNSPECIFIED MINOR CONSTRUCTION AUTHORITIES.**

(a) REPEAL OF LIMITATIONS ON EXERCISE-RELATED PROJECTS OVERSEAS.—

(1) AUTHORITY TO CARRY OUT PROJECTS.—Subsection (a) of section 2805 of title 10, United States Code, is amended—

(A) by striking ''Except as provided in paragraph (2), within'' and inserting ''Within'';

(B) by striking paragraph (2); and

(C) by striking ''An unspecified'' and inserting the following:

''(2) An unspecified''.

(2) USE OF OPERATION AND MAINTENANCE FUNDS.—Subsection (c) of such section is amended—

(A) by striking ''Except as provided in paragraphs (2) and (3)'' and inserting ''Except as provided in paragraph (2)'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2).

(3) CONFORMING AMENDMENT.—Section 2806(c)(1) of such title is amended by striking ''section 2805(a)(2)'' and inserting ''section 2805(a)''.

(b) LABORATORY REVITALIZATION AUTHORIZED.—Section 2805(d) of such title is amended—

(1) in paragraph (1)(B), by inserting ''or from funds authorized to be made available under section 219(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note)'' after ''authorized by law'';

(2) by striking paragraph (3); and

(3) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

(c) MECHANISMS TO PROVIDE FUNDS FOR LABORATORY REVITALIZATION.—

(1) ADDITIONAL PURPOSE.—Subsection (a)(1) of section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note) is amended by adding at the end the following new subparagraph:

''(D) To fund the revitalization and recapitalization of the laboratory pursuant to section 2805(d) of title 10, United States Code.''.

(2) MODIFICATION OF REPORTING REQUIREMENTS.—Subsection (b) of such section is amended—

(A) by striking paragraph (2); and

(B) by striking ''AUTHORITY'' and all that follows through ''Not'' and inserting ''AUTHORITY.—Not''.

**SEC. 2802. CONGRESSIONAL NOTIFICATION OF FACILITY REPAIR PROJECTS CARRIED OUT USING OPERATION AND MAINTENANCE FUNDS.**

Section 2811(d) of title 10, United States Code, is amended—

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

(2) by striking paragraph (2) and inserting the following new paragraphs:

''(2) if the current estimate of the cost of the repair project exceeds 75 percent of the estimated cost of a military construction project to replace the facility, an explanation of the reasons why replacement of the facility is not in the best interest of the Government; and

''(3) a description of the elements of military construction, including the elements specified in section 2802(b) of this title, incorporated into the repair project.''.

**SEC. 2803. MODIFICATION OF AUTHORITY FOR SCOPE OF WORK VARIATIONS.**

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''Except as provided in subsection (c)'' and inserting ''(1) Except as provided in subsection (c)'';

(B) by striking ''may be reduced by not more than 25 percent from the amount approved for that project, construction, improvement, or acquisition by Congress.'' and inserting ''may be reduced by not more than 25 percent from the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.''; and

(C) by adding at the end the following new paragraph:

''(2) The scope of work for a military construction project or for the construction, improvement, and acquisition of a military family housing project may not be increased above the amount specified for that project, construction, improvement, or acquisition in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.''; and

(2) in subsection (c), by striking ''limitation on scope reduction in subsection (b)'' and inserting ''limitation on scope reduction in subsection (b)(1)''.

**SEC. 2804. MODIFICATION OF CONVEYANCE AUTHORITY AT MILITARY INSTALLATIONS.**

(a) LIMITED PURPOSES FOR WHICH REAL PROPERTY MAY BE CONVEYED.—Section 2869 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''agrees, in exchange for the real property—'' and all that follows through ''to carry out a military construction project or land acquisition'' and inserting ''agrees, in exchange for the real property, to carry out a land acquisition'';

(ii) by striking ''; or'' and inserting a period; and

(iii) by striking subparagraph (B); and

(B) by striking paragraph (3);

(2) in subsection (b), by striking ''fair market value of the military construction, military family housing, or military unaccompanied housing'' both places it appears and inserting ''fair market value of the land'';

(3) by striking subsection (c) and inserting the following new subsection:

''(c) LIMITATION ON USE OF CONVEYANCE AUTHORITY AT INSTALLATIONS CLOSED UNDER BASE CLOSURE LAWS.—The authority under subsection (a)(2)(A) to convey property located on a military installation may only be used to the extent the conveyance is consistent with an approved redevelopment plan for such installation.''; and

(4) in subsection (d)(2)(A), by striking ''military construction project, land acquisition, military family housing, or military unaccompanied housing'' both places it appears and inserting ''land acquisition''.

(b) REQUIREMENT TO DEPOSIT FUNDS IN FOREIGN CURRENCY FLUCTUATIONS, CONSTRUCTION, DEFENSE ACCOUNT.—Subsection (e) of such section is amended by striking ''(1) Except as provided in paragraph (2), the Secretary concerned may deposit funds'' and all that follows through ''funds deposited under paragraph (2) shall be available'' in paragraph (3) and inserting ''The Secretary concerned shall deposit funds received under subsection (b) in the appropriation 'Foreign Currency Fluctuations, Construction, Defense'. The funds deposited shall be available''.

(c) ELIMINATION OF ANNUAL REPORT REQUIREMENT; SUNSET.—Subsection (f) of such section is amended to read as follows:

''(f) SUNSET.—The authority to enter into an agreement under this section shall expire on September 30, 2013.''.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

**''§ 2869. Conveyance of property at military installations to limit encroachment''.**

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 169 of such title is amended to read as follows:

''2869. Conveyance of property at military installations to limit encroachment.''.

**SEC. 2805. IMPOSITION OF REQUIREMENT THAT ACQUISITION OF RESERVE COMPONENT FACILITIES BE AUTHORIZED BY LAW.**

Section 18233(a)(1) of title 10, United States Code, is amended by striking ''as he determines

*to be necessary'' and inserting ''as are authorized by law''.*

**SEC. 2806. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS INSIDE THE UNITED STATES CENTRAL COMMAND AREA OF RESPONSIBILITY.**

*(a) ONE-YEAR EXTENSION OF AUTHORITY.—Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2806 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 112 Stat. 4724), is amended—*

*(1) in subsection (a), by striking ''During fiscal year 2004'' and all that follows through ''obligate'' and inserting ''The Secretary of Defense may obligate''; and*

*(2) by adding at the end the following new subsection:*

*''(h) EXPIRATION OF AUTHORITY.—The authority to obligate funds under this section expires on the later of—*

*''(1) September 30, 2010; or*

*''(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2011.''.*

*(b) GEOGRAPHIC AREA OF AUTHORITY.—Subsection (a) of such section is further amended by striking ''and United States Africa Command areas of responsibility'' and inserting ''area of responsibility''.*

*(c) ANNUAL FUNDING LIMITATION ON USE OF AUTHORITY; EXCEPTION.—Subsection (c) of such section is amended—*

*(1) in paragraph (2)—*

*(A) in the first sentence, by inserting ''for fiscal year 2010'' after ''operation and maintenance'' ; and*

*(B) in the second sentence, by striking ''fiscal year 2009'' and inserting ''that fiscal year''; and*

*(2) by adding at the end the following new paragraph:*

*''(3) Notwithstanding paragraph (1), the Secretary of Defense may authorize the obligation under this section of not more than an additional $10,000,000 of appropriated funds available for operation and maintenance for a fiscal year if the Secretary determines that the additional funds are needed for costs associated with contract closeouts. Funds obligated under this paragraph are not subject to the limitation in the second sentence of paragraph (2).''.*

*(d) CLERICAL AMENDMENT TO CORRECT REFERENCE TO CONGRESSIONAL COMMITTEE.—Subsection (f) of such section is amended by striking ''Subcommittees on Defense and Military Construction'' both places it appears and inserting ''Subcommittee on Defense and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies''.*

**SEC. 2807. EXPANSION OF FIRST SERGEANTS BARRACKS INITIATIVE.**

*(a) EXPANSION OF INITIATIVE.—Not later than September 30, 2011, the Secretary of the Army shall expand the First Sergeants Barracks Initiative (FSBI) to include all Army installations in order to improve the quality of life and living environments for single soldiers.*

*(b) PROGRESS REPORTS.—Not later than February 15, 2010, and February 15, 2011, the Secretary of the Army shall submit to the congressional defense committees a report describing the progress made in expanding the First Sergeants Barracks Initiative to all Army installations.*

**SEC. 2808. REPORTS ON PRIVATIZATION INITIATIVES FOR MILITARY UNACCOMPANIED HOUSING.**

*(a) SECRETARY OF DEFENSE REPORT.—Not later than March 31, 2010, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing—*

*(1) an evaluation of the process by which the Secretary develops, implements, and oversees housing privatization transactions involving military unaccompanied housing;*

*(2) recommendations regarding additional opportunities for members of the Armed Forces to utilize housing privatization transactions involving military unaccompanied housing;*

*(3) an evaluation of the impact of a prohibition on civilian occupancy of such housing on the ability to secure private partners for such housing privatization transactions; and*

*(4) the Secretary's assessment of the feasibility and cost of privatizing military unaccompanied housing for all members of the Armed Forces.*

*(b) COMPTROLLER GENERAL REPORT.—*

*(1) IN GENERAL.—Not later than 90 days after the Secretary of Defense submits the report under subsection (a), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating such report. The report of the Comptroller General shall include the Comptroller General's assessment of the process used by the Secretary in preparing the report under subsection (a) and the Comptroller General's assessment of the extent to which such report addresses the elements required under subsection (a).*

*(2) INDEPENDENT RESEARCH.—The Comptroller General may conduct such independent research and make such independent findings and recommendations as the Comptroller General determines appropriate for purposes of the report submitted under this subsection.*

*(c) HOUSING PRIVATIZATION TRANSACTION DEFINED.—In this section, the term ''housing privatization transaction'' means any contract or other transaction for the construction or acquisition of military unaccompanied housing entered into under the authority of subchapter IV of chapter 169 of title 10, United States Code.*

**SEC. 2809. REPORT ON DEPARTMENT OF DEFENSE CONTRIBUTIONS TO STATES FOR ACQUISITION, CONSTRUCTION, EXPANSION, REHABILITATION, OR CONVERSION OF RESERVE COMPONENT FACILITIES.**

*(a) REPORT REQUIRED.—Not later than March 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report specifying, for each of fiscal years 2005 through 2009, the total amount of contributions by project made by the Secretary to each State under the authority of paragraphs (2) through (6) of section 18233(a) of title 10, United States Code, for reserve component facilities. The amounts contributed under each of such paragraphs for each State shall be specified separately.*

*(b) DEFINITIONS.—In this section, the terms ''State'' and ''facility'' have the meanings given those terms in section 18232 of such title.*

***Subtitle B—Real Property and Facilities Administration***

**SEC. 2821. MODIFICATION OF UTILITY SYSTEMS CONVEYANCE AUTHORITY.**

*(a) CLARIFICATION OF REQUIRED DETERMINATION THAT CONVEYANCE REDUCE LONG-TERM COSTS.—Paragraph (2)(A)(ii) of subsection (a) of section 2688 of title 10, United States Code, is amended by striking ''system; and'' and inserting the following: ''system by 10 percent of the long-term cost for provision of those utility services in the agency tender; and''.*

*(b) LIMITATION ON REPEATED USE OF AUTHORITY FOR SAME UTILITY SYSTEM.—Such subsection is further amended by adding at the end the following new paragraph:*

*''(3)(A) If, as a result of the economic analysis required by paragraph (2)(A), the Secretary concerned determines that a utility system, or part of a utility system, is not eligible for conveyance under this subsection, the Secretary concerned may not further reconsider the utility system, or part of a utility system, for conversion to contractor operation under section 2461 of this title for a period of five years beginning on the date of the determination.*

*''(B) If the results of a public-private competition for conversion of a utility system, or part of a utility system, to operation by a contractor favors continued operation by civilian employees of the Department of Defense, the Secretary concerned may not reconsider the utility system, or part of a utility system, for conversion under section 2461 of this title or for conveyance under this subsection for a period of five years beginning on the date of the completion of the public-private competition.''.*

**SEC. 2822. REPORT ON GLOBAL DEFENSE POSTURE REALIGNMENT AND INTER-AGENCY REVIEW.**

*(a) ANNUAL REVIEW OF OVERSEAS BASE CLOSURE AND REALIGNMENT ACTIONS AND BASING MASTER PLANS.—*

*(1) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2687 the following new section:*

***''§2687a. Overseas base closures and realignments and basing master plans***

*''(a) ANNUAL STATUS REPORT.—At the same time that the budget is submitted under section 1105(a) of title 31for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on—*

*''(1) the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy; and*

*''(2) the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations.*

*''(b) REPORT ELEMENTS.—A report under subsection (a) shall address the following:*

*''(1) How the master plans described in subsection (a)(2) would support the security commitments undertaken by the United States pursuant to any international security treaty, including, the North Atlantic Treaty, The Treaty of Mutual Cooperation and Security between the United States and Japan, and the Security Treaty Between Australia, New Zealand, and the United States of America.*

*''(2) The impact of such plans on the current security environments in the combatant commands, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.*

*''(3) Any comments of the Secretary of Defense resulting from an interagency review of these plans that includes the Department of State and other Federal departments and agencies that the Secretary of Defense considers necessary for national security.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2687 the following new item:*

*''2687a. Overseas base closures and realignments and basing master plans.''.*

*(b) INTERAGENCY OVERSEAS BASING REPORT IN RESPONSE TO QUADRENNIAL DEFENSE REVIEW.—Section 118 of title 10, United States Code, is amended by inserting after subsection (h), as added by section 1002, the following new subsection:*

*''(i) INTERAGENCY OVERSEAS BASING REPORT.—(1) Not later than 90 days after submitting a report on a quadrennial defense review under subsection (d), the Secretary of Defense shall submit to the congressional defense committees a report detailing how the results of the assessment conducted as part of such review will impact—*

*''(A) the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy; and*

*''(B) the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations of the global defense posture of the United States.*

*''(2) A report under paragraph (1) shall include any recommendations for additional closures or realignments of military installations*

*outside of the United States and any comments resulting from an interagency review of these plans that includes the Department of State and other relevant Federal departments and agencies.''.*

***SEC. 2823. PROPERTY AND FACILITIES MANAGEMENT OF THE ARMED FORCES RETIREMENT HOME.***

*(a) ACQUISITION OF REAL PROPERTY.—Subsection (e)(2) of section 1511 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411) is amended by adding at the end the following new sentence: ''If the purchase price to acquire fee title to real property for inclusion in the Retirement Home is more than $750,000, the Secretary may acquire the real property only if the acquisition is specifically authorized by law.''.*

*(b) DISPOSAL OF EXCESS PROPERTY AND LEASE OF NON-EXCESS PROPERTY.—Such section is further amended—*

*(1) in subsection (e), by striking paragraph (3) and inserting the following new paragraph:*

*''(3) If the Secretary of Defense determines that any property of the Retirement Home is excess to the needs of the Retirement Home, the Secretary shall dispose of the property in accordance with subchapter III of chapter 5 of title 40, United States Code (40 U.S.C. 541 et seq.). The proceeds from the disposal of property under this paragraph shall be deposited in the Armed Forces Retirement Home Trust Fund.''; and*

*(2) by adding at the end the following new subsection:*

*''(i) AUTHORITY TO LEASE NON-EXCESS PROPERTY.—(1) Whenever the Chief Operating Officer of the Armed Forces Retirement Home considers it advantageous to the Retirement Home, the Secretary of Defense (acting on behalf of the Chief Operating Officer) may lease to such lessee and upon such terms as the Secretary considers will promote the purpose and financial stability of the Retirement Home or be in the public interest, real or personal property that is—*

*''(A) under the control of the Retirement Home; and*

*''(B) not excess property (as defined by section 102 of title 40, United States Code) subject to disposal under subsection (e)(3).*

*''(2) A lease under this subsection—*

*''(A) may not be for more than five years, unless the Chief Operating Officer determines that a lease for a longer period will promote the purpose and financial stability of the Retirement Home or be in the public interest;*

*''(B) may give the lessee the first right to buy the property if the lease is revoked to allow the United States to sell the property under any other provision of law;*

*''(C) shall permit the Chief Operating Officer to revoke the lease at any time, unless the Chief Operating Officer determines that the omission of such a provision will promote the purpose and financial stability of the Retirement Home or be in the public interest;*

*''(D) shall provide for the payment (in cash or in kind) by the lessee of consideration in an amount that is not less than the fair market value of the lease interest, as determined by the Chief Operating Officer ; and*

*''(E) may provide, notwithstanding section 1302 of title 40, United States Code, or any other provision of law, for the alteration, repair, or improvement, by the lessee, of the property leased as the payment of part or all of the consideration for the lease.*

*''(3) In addition to any in-kind consideration accepted under subparagraph (D) or (E) of paragraph (2), in-kind consideration accepted with respect to a lease under this subsection may include the following:*

*''(A) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities of the Retirement Home.*

*''(B) Construction of new facilities for the Retirement Home.*

*''(C) Provision of facilities for use by the Retirement Home.*

*''(D) Facilities operation support for the Retirement Home.*

*''(E) Provision of such other services relating to activities that will occur on the leased property as the Chief Operating Officer considers appropriate.*

*''(4) In-kind consideration under paragraph (3) may be accepted at any property or facilities of the Retirement Home that are selected for that purpose by the Chief Operating Officer.*

*''(5) In the case of a lease for which all or part of the consideration proposed to be accepted under this subsection is in-kind consideration with a value in excess of $500,000, the Secretary of Defense may not enter into the lease on behalf of the Chief Operating Officer until at least 30 days after the date on which a report on the facts of the lease is submitted to Congress. This paragraph does not apply to a lease covered by paragraph (6).*

*''(6)(A) If a proposed lease under this subsection involves only personal property, the lease term exceeds one year, or the fair market value of the lease interest exceeds $100,000, as determined by the Chief Operating Officer, the Secretary of Defense shall use competitive procedures to select the lessee unless the Chief Operating Officer determines that—*

*''(i) a public interest will be served as a result of the lease; and*

*''(ii) the use of competitive procedures for the selection of certain lessees is unobtainable or not compatible with the public benefit served under clause (i).*

*''(B) Not later than 45 days before entering into a lease described in subparagraph (A), the Chief Operating Officer shall submit to Congress written notice describing the terms of the proposed lease and—*

*''(i) the competitive procedures used to select the lessee; or*

*''(ii) in the case of a lease involving the public benefit exception authorized by subparagraph (A)(ii), a description of the public benefit to be served by the lease.*

*''(7) The proceeds from the lease of property under this subsection shall be deposited in the Armed Forces Retirement Home Trust Fund.*

*''(8) The interest of a lessee of property leased under this subsection may be taxed by State or local governments. A lease under this subsection shall provide that, if and to the extent that the leased property is later made taxable by State or local governments under an Act of Congress, the lease shall be renegotiated.''.*

***SEC. 2824. ACCEPTANCE OF CONTRIBUTIONS TO SUPPORT CLEANUP EFFORTS AT FORMER ALMADEN AIR FORCE STATION, CALIFORNIA.***

*(a) ACCEPTANCE OF CONTRIBUTIONS; PURPOSE.—The Secretary of the Army may accept contributions from other Federal entities, the State of California, and other entities, both public and private, for the purposes of helping to cover the costs of—*

*(1) demolition of property at former Almaden Air Force Station, California; and*

*(2) environmental remediation and restoration.*

*(b) AVAILABILITY.—Amounts received as contributions under subsection (a) may be merged with other amounts available to the Secretary to carry out the purposes described in such subsection and shall be available without further appropriations and until expended.*

***SEC. 2825. SELECTION OF MILITARY INSTALLATIONS TO SERVE AS LOCATIONS OF BRIGADE COMBAT TEAMS.***

*In selecting the military installations at which brigade combat teams will be stationed, the Secretary of the Army shall take into consideration the availability and proximity of training spaces for the units and the capacity of the installations to support the units.*

***SEC. 2826. REPORT ON FEDERAL ASSISTANCE TO SUPPORT COMMUNITIES ADVERSELY IMPACTED BY EXPANSION OF MILITARY INSTALLATIONS.***

*Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes the following information:*

*(1) A description of the current authorities under which the Secretary may assist a community that is adversely impacted by the expansion of a military installation (in this section referred to as ''impacted community'').*

*(2) A description of the current authorities under which heads of other Federal agencies may assist an impacted community.*

*(3) A review of additional authorities that the Secretary requires to assist impacted communities, including an assessment on the following:*

*(A) Methods to obtain educational opportunities for members of the Armed Forces and their dependents in impacted communities.*

*(B) Opportunities to use payments in lieu of taxes under chapter 69 of title 31, United States Code, to offset impacts on impacted communities.*

*(C) In remote locations where the Armed Forces does not have a presence and significant military expansion has been proposed, the ability to augment local medical capacities and public utilities to support expansion requirements.*

***Subtitle C—Provisions Related to Guam Realignment***

***SEC. 2831. ROLE OF DEPARTMENT OF DEFENSE IN MANAGEMENT AND COORDINATION OF DEFENSE ACTIVITIES RELATING TO GUAM REALIGNMENT.***

*(a) DEPUTY SECRETARY OF DEFENSE.—Section 132 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(d) Until September 30, 2015, the Deputy Secretary of Defense shall lead the Guam Executive Council and shall be the Department of Defense's principal representative for coordinating the interagency efforts in matters relating to Guam, including the following executive orders:*

*''(1) Executive Order No. 13299 of May 12, 2003 (68 Fed. Reg. 25477; 48 U.S.C. note prec. 1451; relating to the Interagency Group on Insular Affairs).*

*''(2) Executive Order No. 12788 of January 15, 1992, as amended (57 Fed. Reg. 2213; relating to the Defense Economic Adjustment Program).''.*

*(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report including the charter that establishes the Guam Executive Council.*

***SEC. 2832. CLARIFICATIONS REGARDING USE OF SPECIAL PURPOSE ENTITIES TO ASSIST WITH GUAM REALIGNMENT.***

*(a) SPECIAL PURPOSE ENTITY DEFINED.—In this section, the term ''special purpose entity'' means any private person, corporation, firm, partnership, company, State or local government, or authority or instrumentality of a State or local government that the Secretary of Defense determines is capable of producing military family housing or providing utilities to support the realignment of military installations and the relocation of military personnel on Guam.*

*(b) REPORT ON INTENDED USE SPECIAL PURPOSE ENTITIES.—*

*(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the intended use of special purpose entities to provide military family housing or utilities to support the realignment of military installations and the relocation of military personnel on Guam.*

*(2) NOTICE AND WAIT.—The Secretary of Defense may not authorize the use of special use entities as described in paragraph (1) until the*

*end of the 30-day period (15-day period if the report is submitted electronically) beginning on the date on which the report required by such paragraph is submitted.*

*(c) APPLICABILITY OF UNIFIED FACILITIES CRITERIA.—*

*(1) APPLICABILITY TO SECTION 2350K CONTRIBUTIONS.—Section 2824(c)(4) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:*

*''(D) APPLICABILITY OF UNIFIED FACILITIES CRITERIA.—The unified facilities criteria promulgated by the Under Secretary of Defense for Acquisition, Technology, and Logistics and dated May 29, 2002, and any successor to such criteria shall be the minimum standard applicable to projects funded using contributions referred to in subsection (b)(1) for a transaction authorized by paragraph (1).''.*

*(2) APPLICABILITY TO SPECIAL PURPOSE ENTITY CONTRIBUTIONS.—The unified facilities criteria promulgated by the Under Secretary of Defense for Acquisition, Technology, and Logistics and dated May 29, 2002, and any successor to such criteria shall be the minimum standard applicable to projects funded using contributions provided by a special purpose entity.*

*(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an evaluation of various options, including a preferred option, that the Secretary could utilize to comply with the unified facilities criteria referred to in paragraph (2) in the acquisition of military housing on Guam in connection with the realignment of military installations and the relocation of military personnel on Guam. In preparing the report, the Secretary shall consider the impact of—*

*(A) increasing the overseas housing allowance for members of the Armed Forces serving on Guam; and*

*(B) providing a direct Federal subsidy to public-private ventures.*

*(d) SENSE OF CONGRESS ON SCOPE OF UTILITY INFRASTRUCTURE IMPROVEMENTS.—Section 2821 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4729) is amended—*

*(1) by redesignating subsection (c) as subsection (b); and*

*(2) in such subsection, by striking ''should incorporate the civilian and military infrastructure into a single grid to realize and maximize the effectiveness of the overall utility system'' and inserting ''should support proposed utility infrastructure improvements on Guam that incorporate the civilian and military infrastructure into a single grid to realize and maximize the effectiveness of the overall utility system, rather than simply supporting one or more military installations''.*

***SEC. 2833. WORKFORCE ISSUES RELATED TO MILITARY CONSTRUCTION AND CERTAIN OTHER TRANSACTIONS ON GUAM.***

*(a) PREVAILING WAGE REQUIREMENTS.—Subsection (c) of section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 10 U.S.C. 2687 note) is amended by adding at the end the following new paragraph:*

*''(5) APPLICATION OF PREVAILING WAGE REQUIREMENTS.—*

*''(A) IN GENERAL.—The requirements of subchapter IV of chapter 31 of title 40, United States Code, shall apply to any military construction project or other transaction authorized by paragraph (1) that is carried out on Guam using contributions referred to in subsection (b)(1) or appropriated funds.*

*''(B) SECRETARY OF LABOR AUTHORITIES.—In order to carry out the requirements of subparagraph (A) and paragraph (6) (relating to composition of workforce for construction projects), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Number 14 of 1950 and section 3145 of title 40, United States Code.*

*''(C) WAGE RATE DETERMINATION.—In making wage rate determinations pursuant to subparagraph (A), the Secretary of Labor shall not include in the wage survey any persons who hold a visa described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).*

*''(D) ADDITION TO WEEKLY STATEMENT ON THE WAGES PAID.—In the case of projects and other transactions covered by subparagraph (A), the weekly statement required by section 3145 of title 40, United States Code, shall also identify each employee working on the project or transaction who holds a visa described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).*

*''(E) DURATION OF REQUIREMENTS.—The Secretary of Labor shall make and issue a wage rate determination for Guam annually until 90 percent of the funds in the Account and other funds made available for the realignment of military installations and the relocation of military personnel on Guam have been expended.''.*

*(b) REPORTING REQUIREMENTS REGARDING SUPPORT OF CONSTRUCTION WORKFORCE.—Subsection (e) of such section is amended—*

*(1) by striking ''Not later than'' and inserting the following:*

*''(1) MILITARY CONSTRUCTION INFORMATION.—Not later than''; and*

*(2) by adding at the end the following new paragraph:*

*''(2) CONSTRUCTION WORKFORCE INFORMATION.—The annual report shall also include an assessment of the living standards of the construction workforce employed to carry out military construction projects covered by the report, including, at a minimum, the adequacy of contract standards and infrastructure that support temporary housing the construction workforce and their medical needs.''.*

***SEC. 2834. COMPOSITION OF WORKFORCE FOR CONSTRUCTION PROJECTS FUNDED THROUGH THE SUPPORT FOR UNITED STATES RELOCATION TO GUAM ACCOUNT.***

*(a) COMPOSITION OF WORKFORCE.—Section 2824(c) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 10 U.S.C. 2687 note) is amended by inserting after paragraph (5), as added by section 2833, the following new paragraph:*

*''(6) COMPOSITION OF WORKFORCE FOR CONSTRUCTION PROJECTS.—*

*''(A) LIMITATION.—With respect to each construction project that is carried out using amounts described in subparagraph (B), no work may be performed by a person holding a visa described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) unless—*

*''(i) the application for that visa has been approved pursuant to the issuance of a temporary labor certification by the Governor of Guam as provided under section 214.2 of title 8, Code of Federal Regulations; and*

*''(ii) the Governor of Guam, in consultation with the Secretary of Labor, makes the certification described in subparagraph (C) to the Secretary of Defense.*

*''(B) SOURCE OF FUNDS.—Subparagraph (A) applies to—*

*''(i) amounts in the Account used for projects associated with the realignment of military installations and the relocation of military personnel on Guam;*

*''(ii) funds associated with activities under section 2821 of this Act; and*

*''(iii) funds for authorized military construction projects.*

*''(C) CERTIFICATION.—The certification referred to in subparagraph (A) is a certification, in addition to the certifications required by section 214.2 of title 8, Code of Federal Regulations, that—*

*''(i) there are not sufficient United States workers who are able, willing, qualified, and available at the time of application for a visa and admission to the United States and at the place where the persons holding visas described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) are to perform such skilled or unskilled labor; and*

*''(ii) the employment of such persons holding visas described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) will not adversely affect the wages and working conditions of workers in Guam similarly employed.*

*''(D) SOLICITATION OF WORKERS.—In order to ensure compliance with subparagraph (A), as a condition of a contract covered by such subparagraph, the contractor shall be required to advertise and solicit for construction workers in the United States, including Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Virgin Islands, and the Commonwealth of Puerto Rico, in accordance with a recruitment plan approved by the Secretary of Labor. The contractor shall submit a copy of the employment offer, including a description of wages and other terms and conditions of employment, to the Secretary of Labor at least 60 days before the start date of the workers under a contract. The contractor shall authorize the Secretary of Labor to post a notice of the employment offer on a website, with State, territorial, and local job banks, with State and territorial workforce agencies, and with any other referral and recruitment sources the Secretary of Labor determines may be pertinent to the employment opportunity.*

*''(E) RECRUITMENT PERIOD.—The Secretary of Labor shall ensure that a contractor's recruitment of construction workers complies with the recruitment plan required by subparagraph (D) for a period beginning 60 days before the start date of workers under a contract and continuing for the next 28 days. During the recruitment period, the contractor shall interview all qualified and available United States construction workers who have applied for the employment opportunity, and, at the close of the recruitment period, the contractor shall provide the Secretary of Labor with a recruitment report providing any reasons for which the contractor did not hire an applicant who is a qualified United States construction worker. Not later than 21 days before the start date of the workers under a contract, the Secretary of Labor shall certify to the Governor of Guam whether the contractor has satisfied the recruitment plan created under subparagraph (D).*

*''(F) LIMITATION.—An employer, its attorney or agent, the Secretary of Labor, the Governor of Guam, and any designee thereof, may not seek or receive payment of any kind from any worker for any activity related to obtaining an H-2B labor certification with respect to any construction project that is carried out using amounts described in subparagraph (B).''.*

*(b) REPORTING REQUIREMENTS.—*

*(1) SECRETARY OF DEFENSE.—Not later than June 30, 2010, the Secretary of Defense shall submit to the congressional committees specified in paragraph (3) a report containing an assessment of efforts to establish a Project Labor Agreement for construction projects associated with the Guam realignment as encouraged by Executive Order 13502, entitled ''Use of Project Labor Agreements for Federal Construction Projects'' (74 Fed. Reg. 6985), as a means of complying with the requirements of paragraph (6) of section 2824(c) of the Military Construction Authorization Act for Fiscal Year 2009, as added by subsection (a).*

*(2) SECRETARY OF LABOR.—Not later than June 30, 2010, the Secretary of Labor shall submit to the congressional committees specified in paragraph (3) a report containing an assessment of—*

*(A) the opportunities to expand the recruitment of construction workers in the United*

*States, including Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Virgin Islands, and the Commonwealth of Puerto Rico, to support the realignment of military installations and the relocation of military personnel on Guam, consistent with the requirements of paragraph (6) of section 2824(c) of the Military Construction Authorization Act for Fiscal Year 2009, as added by subsection (a);*

*(B) the ability of labor markets to support the Guam realignment;*

*(C) the sufficiency of efforts to recruit United States construction workers; and*

*(D) The costs to the United States for recruitment plans required by such paragraph (6) and a proposed method to cover such costs.*

*(3) COVERED CONGRESSIONAL COMMITTEES.—The reports required by this subsection shall be submitted to the congressional defense committees, the Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate.*

***SEC. 2835. INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.***

*(a) INTERAGENCY COORDINATION GROUP.—There is hereby established the Interagency Coordination Group of Inspectors General for Guam Realignment (in this section referred to as the ''Interagency Coordination Group'')—*

*(1) to provide for the objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or otherwise made available for military construction on Guam in connection with the realignment of military installations and the relocation of military personnel on Guam; and*

*(2) to provide for coordination of, and recommendations on, policies designed—*

*(A) to promote economic efficiency and effectiveness in the administration of the programs and operations described in paragraph (1); and*

*(B) to prevent and detect waste, fraud, and abuse in such programs and operations.*

*(b) MEMBERSHIP.—*

*(1) CHAIRPERSON.—The Inspector General of the Department of Defense shall serve as chairperson of the Interagency Coordination Group.*

*(2) ADDITIONAL MEMBERS.—Additional members of the Interagency Coordination Group shall include the Inspector General of the Department of Interior and the Inspector General of such other Federal agencies as the chairperson considers appropriate to carry out the duties of the Interagency Coordination Group.*

*(c) DUTIES.—*

*(1) OVERSIGHT OF GUAM CONSTRUCTION.—It shall be the duty of the Interagency Coordination Group to conduct, supervise, and coordinate audits and investigations of the treatment, handling, and expenditure of amounts appropriated or otherwise made available for military construction on Guam and of the programs, operations, and contracts carried out utilizing such funds, including—*

*(A) the oversight and accounting of the obligation and expenditure of such funds;*

*(B) the monitoring and review of construction activities funded by such funds;*

*(C) the monitoring and review of contracts funded by such funds;*

*(D) the monitoring and review of the transfer of such funds and associated information between and among departments, agencies, and entities of the United States and private and nongovernmental entities;*

*(E) the maintenance of records on the use of such funds to facilitate future audits and investigations of the use of such fund; and*

*(F) the monitoring and review of the implementation of the Defense Posture Review Initiative relating to the realignment of military installations and the relocation of military personnel on Guam.*

*(2) OTHER DUTIES RELATED TO OVERSIGHT.—The Interagency Coordination Group shall establish, maintain, and oversee such systems, procedures, and controls as the Interagency Coordination Group considers appropriate to discharge the duties under paragraph (1).*

*(3) OVERSIGHT PLAN.—The chairperson of the Interagency Coordination Group shall prepare an annual oversight plan detailing planned audits and reviews related to the Guam realignment.*

*(d) ASSISTANCE FROM FEDERAL AGENCIES.—*

*(1) PROVISION OF ASSISTANCE.—Upon request of the Interagency Coordination Group for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Interagency Coordination Group.*

*(2) REPORTING OF REFUSED ASSISTANCE.—Whenever information or assistance requested by the Interagency Coordination Group is, in the judgment of the chairperson of the Interagency Coordination Group, unreasonably refused or not provided, the chairperson shall report the circumstances to the Secretary of Defense and to the congressional defense committees without delay.*

*(e) REPORTS.—*

*(1) ANNUAL REPORTS.—Not later than February 1 of each year, the chairperson of the Interagency Coordination Group shall submit to the congressional defense committees, the Secretary of Defense, and the Secretary of the Interior a report summarizing, for the preceding calendar year, the activities of the Interagency Coordination Group during such year and the activities under programs and operations funded with amounts appropriated or otherwise made available for military construction on Guam. Each report shall include, for the year covered by the report, a detailed statement of all obligations, expenditures, and revenues associated with such construction, including the following:*

*(A) Obligations and expenditures of appropriated funds.*

*(B) A project-by-project and program-by-program accounting of the costs incurred to date for military construction in connection with the realignment of military installations and the relocation of military personnel on Guam, together with the estimate of the Department of Defense and the Department of the Interior, as applicable, of the costs to complete each project and each program.*

*(C) Revenues attributable to or consisting of funds contributed by the Government of Japan in connection with the realignment of military installations and the relocation of military personnel on Guam and any obligations or expenditures of such revenues.*

*(D) Operating expenses of agencies or entities receiving amounts appropriated or otherwise made available for military construction on Guam.*

*(E) In the case of any contract, grant, agreement, or other funding mechanism described in paragraph (2)—*

*(i) the amount of the contract, grant, agreement, or other funding mechanism;*

*(ii) a brief discussion of the scope of the contract, grant, agreement, or other funding mechanism;*

*(iii) a discussion of how the department or agency of the United States Government involved in the contract, grant, agreement, or other funding mechanism identified, and solicited offers from, potential individuals or entities to perform the contract, grant, agreement, or other funding mechanism, together with a list of the potential individuals or entities that were issued solicitations for the offers; and*

*(iv) the justification and approval documents on which was based the determination to use procedures other than procedures that provide for full and open competition.*

*(2) COVERED CONTRACTS, GRANTS, AGREEMENTS, AND FUNDING MECHANISMS.—A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that—*

*(A) is entered into by any department or agency of the United States Government with any public or private sector entity; and*

*(B) involves the use of amounts appropriated or otherwise made available for military construction on Guam.*

*(3) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex if the Interagency Coordination Group considers it necessary.*

*(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the public disclosure of information that is—*

*(A) specifically prohibited from disclosure by any other provision of law;*

*(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or*

*(C) a part of an ongoing criminal investigation.*

*(5) SUBMISSION OF COMMENTS.—Not later than 30 days after receipt of a report under paragraph (1), the Secretary of Defense or the Secretary of the Interior may submit to the congressional defense committees any comments on the matters covered by the report as the Secretary concerned considers appropriate. Any comments on the matters covered by the report shall be submitted in unclassified form, but may include a classified annex if the Secretary concerned considers it necessary.*

*(f) PUBLIC AVAILABILITY; WAIVER.—*

*(1) PUBLIC AVAILABILITY.—The Interagency Coordination Group shall publish on a publically-available Internet website each report prepared under subsection (e). Any comments on the report submitted under paragraph (5) of such subsection shall also be published on such website.*

*(2) WAIVER AUTHORITY.—The President may waive the requirement under paragraph (1) with respect to availability to the public of any element in a report under subsection (e), or any comment with respect to a report, if the President determines that the waiver is justified for national security reasons.*

*(3) NOTICE OF WAIVER.—The President shall publish a notice of each waiver made under this subsection in the Federal Register no later than the date on which a report required under subsection (e), or any comment under paragraph (5) of such subsection, is submitted to the congressional defense committees. The report and comments shall specify whether waivers under this subsection were made and with respect to which elements in the report or which comments, as appropriate.*

*(g) DEFINITIONS.—In this section:*

*(1) AMOUNTS APPROPRIATED OR OTHERWISE MADE AVAILABLE.—The term ''amounts appropriated or otherwise made available for military construction on Guam'' includes amounts derived from the Support for United States Relocation to Guam Account.*

*(2) GUAM.—The term ''Guam'' includes any island in the Northern Mariana Islands.*

*(h) TERMINATION.—*

*(1) IN GENERAL.—The Interagency Coordination Group shall terminate upon the expenditure of 90 percent of all funds appropriated or otherwise made available for Guam realignment.*

*(2) FINAL REPORT.—Before the termination of the Interagency Coordination Group pursuant to paragraph (1), the chairperson of the Interagency Coordination Group shall prepare and submit to the congressional defense committees a final report containing—*

*(A) notice that the termination condition in paragraph (1) has occurred; and*

*(B) a final forensic audit on programs and operations funded with amounts appropriated or otherwise made available for military construction on Guam.*

**SEC. 2836. COMPLIANCE WITH NAVAL AVIATION SAFETY REQUIREMENTS AS CONDITION ON ACCEPTANCE OF REPLACEMENT FACILITY FOR MARINE CORPS AIR STATION, FUTENMA, OKINAWA.**

*(a) IN GENERAL.—The Secretary of Defense may not accept, or authorize any other official of the Department of Defense to accept, a replacement facility in Okinawa for air operations conducted at Marine Corps Air Station, Futenma, Okinawa until the Secretary reports to the congressional defense committees that the replacement facility and its planned operating procedures are consistent with naval aviation safety requirements.*

*(b) EXERCISE OF WAIVER AUTHORITIES.—*

*(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as preventing the Secretary from exercising existing waiver authorities provided the Secretary first determines the waiver is necessary in the interest of national defense.*

*(2) REQUIRED REPORTING OF EFFORTS.—The report specified under subsection (a) shall clearly identify efforts made to mitigate deviations from criteria in the planning and construction of the replacement facility described in such subsection.*

**SEC. 2837. REPORT AND SENSE OF CONGRESS ON MARINE CORPS REQUIREMENTS IN ASIA-PACIFIC REGION.**

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the training and readiness requirements necessary for Marine Forces Pacific, the field command of the Marine Corps within the United States Pacific Command.*

*(b) CONTENTS OF REPORT.—The report required under subsection (a) shall contain each of the following:*

*(1) A description of the units of the Marine Corps expected to be assigned or realigned on a permanent or temporary basis to Marine Forces Pacific, including the type of unit, the organizational element, the current location of the unit, and proposed location for the unit.*

*(2) A description of the training requirements necessary to sustain the current and planned realignment of forces specified in paragraph (1).*

*(3) A description of the strategic- and tactical-lift requirements associated with the training, operational readiness, and movement of Marine Forces Pacific, including programming information regarding the intent of the Department of Defense to eliminate deficiencies in the strategic-lift capabilities.*

*(c) SENSE OF CONGRESS.—It is the sense of Congress that an evaluation of training and readiness requirements for Marine Forces Pacific—*

*(1) should be conducted and completed as soon as possible;*

*(2) should include an analysis that, at a minimum, reviews the capabilities required to support the training, operational readiness, and movement of Marine Air-Ground Task Force; and*

*(3) should not impact the implementation of the recently signed international agreement entitled ''Agreement between the Government of the United States of America and the Government of Japan concerning the Implementation of the Relocation of the III Marine Expeditionary Force Personnel and their Dependents from Okinawa to Guam''.*

***Subtitle D—Energy Security***

**SEC. 2841. ADOPTION OF UNIFIED ENERGY MONITORING AND UTILITY CONTROL SYSTEM SPECIFICATION FOR MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING ACTIVITIES.**

*(a) ADOPTION REQUIRED.—*

*(1) IN GENERAL.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2866 the following new section:*

***''§ 2867. Energy monitoring and utility control system specification for military construction and military family housing activities***

*''(a) ADOPTION OF DEPARTMENT-WIDE, OPEN PROTOCOL, ENERGY MONITORING AND UTILITY CONTROL SYSTEM SPECIFICATION.—(1) The Secretary of Defense shall adopt an open protocol energy monitoring and utility control system specification for use throughout the Department of Defense in connection with a military construction project, military family housing activity, or other activity under this chapter for the purpose of monitoring and controlling, with respect to the project or activity, the items specified in paragraph (2) with the goal of establishing installation-wide energy monitoring and utility control systems.*

*''(2) The energy monitoring and utility control system specification required by paragraph (1) shall cover the following:*

*''(A) Utilities and energy usage, including electricity, gas, steam, and water usage.*

*''(B) Indoor environments, including temperature and humidity levels.*

*''(C) Heating, ventilation, and cooling components.*

*''(D) Central plant equipment.*

*''(E) Renewable energy generation systems.*

*''(F) Lighting systems.*

*''(G) Power distribution networks.*

*''(b) EXCLUSION.—(1) The energy monitoring and utility control system specification required by subsection (a) is not required to apply to projects carried out under the authority provided in subchapter IV of chapter 169 of this title.*

*''(2) The Secretary concerned may waive the application of the energy monitoring and utility control system specification required by subsection (a) with respect to a specific military construction project, military family housing activity, or other activity under this chapter if the Secretary determines that the application of the specification to the project or activity is not life cycle cost-effective. The Secretary concerned shall notify the congressional defense committees of any waiver granted under this paragraph.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III is amended by inserting after the item relating to section 2866 the following new item:*

*''2867. Energy monitoring and utility control system specification for military construction and military family housing activities.''.*

*(3) DEADLINE FOR ADOPTION.—The Secretary of Defense shall adopt the open protocol energy monitoring and utility control system specification required by section 2867 of title 10, United States Code, as added by paragraph (1), not later than 180 days after the date of the enactment of this Act.*

*(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the following items:*

*(1) A contract specification that will implement the open protocol energy monitoring and utility control system specification required by section 2867 of title 10, United States Code, as added by subsection (a).*

*(2) A description of the method to ensure compliance of the Department of Defense information assurance certification and accreditation process.*

*(3) A plan and expected timetable for integration of the standard with the energy monitoring and utility control systems.*

*(4) A list of the justifications and authorizations provided by the Department, pursuant to Federal Acquisition Regulation Chapter 6.3, relating to Other Than Full and Open Competition, for energy monitoring and utility control systems during fiscal year 2009.*

**SEC. 2842. DEPARTMENT OF DEFENSE GOAL REGARDING USE OF RENEWABLE ENERGY SOURCES TO MEET FACILITY ENERGY NEEDS.**

*(a) FACILITY BASIS OF GOAL.—Subsection (e) of section 2911 of title 10, United States Code, is amended—*

*(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;*

*(2) in subparagraph (A) (as so redesignated)—*

*(A) by striking ''electric energy'' and inserting ''facility energy'';*

*(B) by striking ''and in its activities''; and*

*(C) by striking ''(as defined in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)))''; and*

*(3) in subparagraph (B) (as so redesignated), by striking ''electric energy'' and inserting ''facility energy''.*

*(b) DEFINITION OF RENEWABLE ENERGY SOURCE.—Such subsection is further amended—*

*(1) by striking ''It shall be'' and inserting ''(1) It shall be''; and*

*(2) by adding at the end the following new paragraph:*

*''(2) In this subsection, the term 'renewable energy source' means energy generated from renewable sources, including the following:*

*''(A) Solar.*

*''(B) Wind.*

*''(C) Biomass.*

*''(D) Landfill gas.*

*''(E) Ocean, including tidal, wave, current, and thermal.*

*''(F) Geothermal, including electricity and heat pumps.*

*''(G) Municipal solid waste.*

*''(H) New hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project. For purposes of this subparagraph, hydroelectric generation capacity is 'new' if it was placed in service on or after January 1, 1999.*

*''(I) Thermal energy generated by any of the preceding sources.''.*

*(c) CLERICAL AMENDMENT.—The heading of such subsection is amended by striking ''ELECTRICITY NEEDS'' and inserting ''FACILITY ENERGY NEEDS''.*

**SEC. 2843. DEPARTMENT OF DEFENSE PARTICIPATION IN PROGRAMS FOR MANAGEMENT OF ENERGY DEMAND OR REDUCTION OF ENERGY USAGE DURING PEAK PERIODS.**

*(a) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 2919. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods***

*''(a) PARTICIPATION IN DEMAND RESPONSE OR LOAD MANAGEMENT PROGRAMS.—The Secretary of Defense, the Secretaries of the military departments, the heads of the Defense Agencies, and the heads of other instrumentalities of the Department of Defense are authorized to participate in demand response programs for the management of energy demand or the reduction of energy usage during peak periods conducted by any of the following parties:*

*''(1) An electric utility.*

*''(2) An independent system operator.*

*''(3) A State agency.*

*''(4) A third party entity (such as a demand response aggregator or curtailment service provider) implementing demand response programs on behalf of an electric utility, independent system operator, or State agency.*

*''(b) TREATMENT OF CERTAIN FINANCIAL INCENTIVES.—Financial incentives received from an entity specified in subsection (a) shall be—*

*''(1) received as a cost reduction in the utility bill for a facility; or*

*''(2) deposited into the fund established under subsection (c) for use, to the extent provided for in an appropriations Act, by the military department, Defense Agency, or instrumentality*

*receiving such financial incentive for energy management initiatives.*

*''(c) ENERGY SAVINGS FINANCIAL INCENTIVES FUND.—There is established in the Treasury a fund to be known as the 'Energy Savings Financial Incentives Fund'. The Fund shall consist of any amount deposited in the Fund pursuant to subsection (b)(2) and amounts appropriated or otherwise made available to the Fund by law.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:*

*''2919. Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods.''.*

***SEC. 2844. DEPARTMENT OF DEFENSE USE OF ELECTRIC AND HYBRID MOTOR VEHICLES.***

*(a) PREFERENCE.—Subchapter II of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 2922g. Preference for motor vehicles using electric or hybrid propulsion systems***

*''(a) PREFERENCE.—In leasing or procuring motor vehicles for use by a military department or Defense Agency, the Secretary of the military department or the head of the Defense Agency shall provide a preference for the lease or procurement of motor vehicles using electric or hybrid propulsion systems, including plug-in hybrid systems, if the electric or hybrid vehicles—*

*''(1) will meet the requirements or needs of the Department of Defense; and*

*''(2) are commercially available at a cost, including operating cost, reasonably comparable to motor vehicles containing only an internal combustion or heat engine using combustible fuel.*

*''(b) EXCEPTION.—Subsection (a) does not apply with respect to tactical vehicles designed for use in combat.*

*''(c) RELATION TO OTHER VEHICLE TECHNOLOGIES THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—The preference required by subsection (a) does not preclude the Secretary of Defense from authorizing the Secretary of a military department or head of a Defense Agency to provide a preference for another vehicle technology that reduces the consumption of fossil fuels if the Secretary of Defense determines that the technology is consistent with the energy performance goals and plan of the Department required by section 2911 of this title.*

*''(d) HYBRID DEFINED.—In this section, the term 'hybrid', with respect to a motor vehicle, means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both—*

*''(1) an internal combustion or heat engine using combustible fuel; and*

*''(2) a rechargeable energy storage system.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:*

*''2922g. Preference for motor vehicles using electric or hybrid propulsion systems.''.*

*(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations to implement section 2922g of title 10, United States Code, as added by subsection (a), within one year after the date of the enactment of this Act.*

***SEC. 2845. STUDY ON DEVELOPMENT OF NUCLEAR POWER PLANTS ON MILITARY INSTALLATIONS.***

*(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to assess the feasibility of developing nuclear power plants on military installations.*

*(b) ELEMENTS.—As part of the study required by subsection (a), the Secretary shall—*

*(1) summarize options available to the Department to enter into public-private partnerships or other transactions for the construction and operation of the nuclear power plants;*

*(2) estimate the potential cost per kilowatt-hour and life-cycle cost savings to the Department;*

*(3) consider the potential energy security advantages of generating electricity on military installations through the use of nuclear power plants;*

*(4) assess the additional infrastructure that would be needed to enable the power plants to provide power through the general electricity grid and to military installations in the event of a commercial grid failure;*

*(5) consider the potential impact on the quality of life of personnel stationed at military installations at which a nuclear power plant is installed and ways to mitigate those impacts;*

*(6) review the range of Federal, State, and local regulatory processes governing the establishment of nuclear power plants on military installations;*

*(7) assess the degree to which nuclear power plants might adversely affect operations on military installations, including consideration of training and readiness requirements;*

*(8) assess potential environmental liabilities for the Department;*

*(9) consider factors impacting safe co-location and operation of nuclear power plants on military installations; and*

*(10) consider other factors that affect the development of nuclear power plants on military installations.*

*(c) SUBMISSION OF RESULTS OF STUDY.—Not later than June 1, 2010, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the study required by subsection (a).*

***SEC. 2846. COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE RENEWABLE ENERGY INITIATIVES, INCLUDING SOLAR INITIATIVES, ON MILITARY INSTALLATIONS.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report describing all renewable energy initiatives, including projects involving the installation of solar panels, that are currently producing energy or are under development on military installations.*

*(b) ELEMENTS.—The report required by subsection (a) shall—*

*(1) specify the costs associated with each renewable energy initiative;*

*(2) address whether the renewable energy initiative has a clearly delineated set of goals or targets and whether the goals or targets are being met or are likely to be met by the completion of the renewable energy initiative; and*

*(3) contain recommendations for legislative or administrative actions that will assist—*

*(A) renewable energy initiatives in meeting the goals or targets; and*

*(B) the Department of Defense in achieving its renewable energy goal by 2025, as specified in section 2911(e) of title 10, United States Code.*

***Subtitle E—Land Conveyances***

***SEC. 2851. LAND CONVEYANCE, HAINES TANK FARM, HAINES, ALASKA.***

*(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the Chilkoot Indian Association (in this section referred to as the ''Association'') all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 201 acres located at the former Haines Fuel Terminal (also known as the Haines Tank Farm) in Haines, Alaska, for the purpose of permitting the Association to develop a Deep Sea Port and for other industrial and commercial development purposes. To the extent practicable, the Secretary is encouraged to complete the conveyance by September 30, 2013, but not prior to the date of completion of all obligations referenced in subsection (e).*

*(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Association shall pay to the Secretary an amount equal to the fair market value of the property, as determined by the Secretary. The determination of the Secretary shall be final.*

*(c) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements and appurtenant easements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.*

*(d) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the Association to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Association in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Association.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(e) SAVINGS PROVISION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).*

*(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary.*

*(g) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2852. RELEASE OF REVERSIONARY INTEREST, CAMP JOSEPH T. ROBINSON, ARKANSAS.***

*The United States releases to the State of Arkansas the reversionary interest described in sections 2 and 3 of the Act entitled ''An Act authorizing the transfer of part of Camp Joseph T. Robinson to the State of Arkansas'''', approved June 30, 1950 (64 Stat. 311, chapter 429), in and to the surface estate of the land constituting Camp Joseph T. Robinson, Arkansas, which is comprised of 40.515 acres of land to be acquired by the United States of America and 40.513 acres to be acquired by the City of North Little Rock, Arkansas, and lies in sections 6, 8, and 9 of township 2 North, Range 12 West, Pulaski County, Arkansas.*

***SEC. 2853. TRANSFER OF ADMINISTRATIVE JURISDICTION, PORT CHICAGO NAVAL MAGAZINE, CALIFORNIA.***

*(a) TRANSFER REQUIRED; ADMINISTRATION.—Section 203 of the Port Chicago National Memorial Act of 1992 (Public Law 102–562; 16 U.S.C.*

*431 note; 106 Stat. 4235) is amended by striking subsection (c) and inserting the following new subsections:*

*''(c) ADMINISTRATION.—The Secretary of the Interior shall administer the Port Chicago Naval Magazine National Memorial as a unit of the National Park System in accordance with this Act and laws generally applicable to units of the National Park System, including the National Park Service Organic Act (39 Stat. 535; 16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.). Land transferred to the administrative jurisdiction of the Secretary of the Interior under subsection (d) shall be administered in accordance with this subsection.*

*''(d) TRANSFER OF LAND.—The Secretary of the Army shall transfer to the Secretary of the Interior administrative jurisdiction over of a parcel of land consisting of approximately five acres, depicted within the proposed boundary on the map entitled 'Port Chicago Naval Magazine National Memorial, Proposed Boundary', numbered 018/80,001, and dated August 2005, if the Secretary of the Army determines that the land is in excess to military needs. At the time of the transfer of administrative jurisdiction, the Secretary of the Army and the Secretary of the Interior shall enter into an agreement to determine the responsibilities of the respective agencies in the application of, or obligation to comply with, any applicable environmental law affecting the transferred land, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).*

*''(e) PUBLIC ACCESS.—The Secretary of the Army shall enter into an agreement with the Secretary of the Interior to provide as much public access as possible to the Port Chicago Naval Magazine National Memorial without interfering with military needs. This subsection shall no longer apply if, at some point in the future, the National Memorial ceases to be an enclave within the Military Ocean Terminal–Concord.*

*''(f) AGREEMENT WITH CITY OF CONCORD AND EAST BAY REGIONAL PARK DISTRICT.—The Secretary of the Interior is authorized to enter into an agreement with the City of Concord, California, and the East Bay Regional Park District, to establish and operate a facility for visitor orientation and parking, administrative offices, and curatorial storage for the National Memorial.*

*''(g) SAVINGS PROVISION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).''.*

*(b) SENSE OF CONGRESS ON REPAIR AND MODIFICATION OF NATIONAL MEMORIAL.—In accordance with public access provided by section 203(e) of the Port Chicago National Memorial Act of 1992, as amended by subsection (a), it is the sense of Congress that the Secretary of the Army and the Secretary of the Interior should work together to develop a process by which future repairs and modifications to mutually used infrastructure at the Port Chicago Naval Magazine National Memorial can be carried out in as timely and cost-effective a manner as possible.*

***SEC. 2854. LAND CONVEYANCE, FERNDALE HOUSING AT CENTERVILLE BEACH NAVAL FACILITY TO CITY OF FERNDALE, CALIFORNIA.***

*(a) CONVEYANCE AUTHORIZED.—At such time as the Navy vacates the Ferndale Housing, which previously supported the now closed Centerville Beach Naval Facility in the City of Ferndale, California, the Secretary of the Navy may convey, at fair market value, to the City of Ferndale (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the parcels of real property, including improvements thereon, for the purpose of permitting the City to utilize the property for low- and moderate-income housing for seniors, families, or both.*

*(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.*

*(c) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the city in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary of the Navy in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(d) TRANSFER OF PROCEEDS AUTHORIZED.—The Secretary of Defense may transfer any proceeds received from the conveyance under subsection (a), less amounts received as reimbursement for costs under subsection (c), to the Department of Defense Family Housing Improvement Fund established under section 2883(a) of title 10, United States Code, for the purposes of carrying out activities under subchapter IV of chapter 169 of that title with respect to military family housing.*

*(e) ADDITIONAL TERM AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Navy considers appropriate to protect the interests of the United States.*

***SEC. 2855. LAND CONVEYANCES, NAVAL AIR STATION, BARBERS POINT, HAWAII.***

*(a) CONVEYANCES AUTHORIZED.—The Secretary of the Navy may convey all right, title, and interest of the United States in and to the parcels of real property, including any improvements thereon, described in subsection (b) and located at former Naval Air Station, Barbers Point, Oahu, Hawaii—*

*(1) to the Hawaii Community Development Authority (in this section referred to as the ''Authority''), which is the local redevelopment authority for former Naval Air Station, Barbers Point; or*

*(2) to the Department of Hawaiian Homelands (in this section referred to as the ''Department'').*

*(b) COVERED PARCELS.—The real property authorized to be conveyed under subsection (a) includes the following:*

*(1) An approximately 10.569-acre parcel of land identified as ''Parcel No. 13126 B'' and further identified by Oahu Tax Map Key No. 9–1–031:047.*

*(2) An approximately 145.785-acre parcel of land identified as ''Parcel No. 13058 D'' and further identified by Oahu Tax Map Key No. 9–1–013:039.*

*(3) An approximately 9.303-acre parcel of land identified as ''Parcel No. 13058 F'' and further identified by Oahu Tax Map Key No. 9–1–013:041.*

*(4) An approximately 57.937-acre parcel of land identified as ''Parcel No. 13058 G'' and further identified by Oahu Tax Map Key No. 9–1–013:042.*

*(5) An approximately 11.501-acre parcel of land identified as ''Parcel No. 13073 D'' and further identified by Oahu Tax Map Key No. 9–1–013:069.*

*(6) An approximately 65.356-acre parcel of land identified as ''Parcel No. 13073 B'' and further identified by Oahu Tax Map Key No. 9–1–013:067.*

*(7) Any other property at former Naval Air Station, Barbers Point identified for closure through the base closure process.*

*(c) CONSIDERATION.—*

*(1) AUTHORITY CONVEYANCES.—Any conveyance under subsection (a)(1) to the Authority shall be made without consideration if the conveyed real property is to be used for public benefit, as determined by the Secretary.*

*(2) DEPARTMENT CONVEYANCES.—Any conveyance under subsection (a)(2) to the Department shall be made to mitigate further claims associated with the Hawaiian Home Lands Recovery Act (title II of Public Law 104–42; 109 Stat. 357; 48 U.S.C. 491 note prec.).*

*(d) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the Authority or the Department, as the case may be, to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Authority or the Department, whichever entity paid the excess amount.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(e) SAVINGS PROVISION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).*

*(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal descriptions of the parcels of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions, including easements or covenants to protect cultural or natural resources, in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2856. LAND CONVEYANCES OF CERTAIN PARCELS IN THE CAMP CATLIN AND OHANA NUI AREAS, PEARL HARBOR, HAWAII.***

*(a) CONVEYANCES AUTHORIZED.—The Secretary of the Navy may convey to any person or entity leasing or licensing real property located at Camp Catlin and Ohana Nui areas, Hawaii, as of the date of the enactment of this Act (in this section referred to as the ''lessee'') all right, title, and interest of the United States in and to the portion of such property that is respectively leased or licensed by such person or entity for the purpose of continuing the same functions as are being conducted on the property as of the date of the enactment of this Act.*

*(b) CONSIDERATION.—As consideration for a conveyance under subsection (a), the lessee*

*shall provide the United States, whether by cash payment, in-kind consideration described in section 2667(c) of title 10, United States Code, or a combination thereof, an amount that is not less than the fair market of the conveyed property, as determined pursuant to an appraisal acceptable to the Secretary.*

*(c) EXERCISE OF RIGHT TO PURCHASE PROPERTY.—*

*(1) ACCEPTANCE OF OFFER.—For a period of 180 days beginning on the date the Secretary makes a written offer to convey the property or any portion thereof under subsection (a), the lessee shall have the exclusive right to accept such offer by providing written notice of acceptance to the Secretary within the specified 180-day time period. If the Secretary's offer is not so accepted within the 180-day period, the offer shall expire.*

*(2) CONVEYANCE DEADLINE.—If a lessee accepts the offer to convey the property or a portion thereof in accordance with paragraph (1), the conveyance shall take place not later than 2 years after the date of the lessee's written acceptance, provided that the conveyance date may be extended for a reasonable period of time by mutual agreement of the parties, evidenced by a written instrument executed by the parties prior to the end of the 2-year period. If the lessee's lease or license term expires before the conveyance is completed, the Secretary may extend the lease or license term up to the date of conveyance, provided that the lessee shall be required to pay for such extended term at the rate in effect at the time it was declared excess property.*

*(d) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the lessee to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a), including survey costs, related to the conveyance. If amounts are collected from the lessee in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the lessee.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(f) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2857. MODIFICATION OF LAND CONVEYANCE, FORMER GRIFFISS AIR FORCE BASE, NEW YORK.***

*(a) ADDITIONAL CONVEYANCE.—Subsection (a)(1) of section 2873 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2152) is amended by striking ''two parcels'' and all that follows through the period at the end and inserting the following: ''three parcels of real property consisting of 7.897 acres, 1.742 acres, and 5.037 acres, respectively, and containing all or a portion of the five buildings specified in paragraph (2), which were vacated, or will be vacated, by the Air Force in conjunction with its relocation to the Consolidated Intelligence and Reconnaissance Laboratory and to a replacement Modification and Fabrication Facility at Air Force Research Laboratory–Rome Research Site, Rome, New York.''.*

*(b) DESCRIPTION OF PROPERTY.—Subsection (a)(2) of such section is amended by adding at the end the following new subparagraph:*

*''(E) Bay Number 4 in Building 101 (approximately 115,000 square feet).''.*

*(c) PURPOSE OF CONVEYANCE.—Subsection (a)(3) of such section is amended by adding before the period at the end the following: ''and to provide adequate reimbursement, real property, and replacement facilities for the Air Force Research Laboratory units that are relocated as a result of the conveyance''.*

*(d) CONSIDERATION.—Subsection (c) of such section is amended—*

*(1) by striking ''in-kind contribution'' and inserting ''in-kind consideration (including land and new facilities)''; and*

*(2) by adding at the end the following new sentence: ''Any cash payment received by the Secretary under this subsection shall be deposited in the special account established for the Secretary under section 2667(e) of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.''.*

***SEC. 2858. LAND CONVEYANCE, ARMY RESERVE CENTER, CHAMBERSBURG, PENNSYLVANIA.***

*(a) CONVEYANCE AUTHORIZED.—At such time as the Army Reserve vacates the Army Reserve Center at 721 South Sixth Street, Chambersburg, Pennsylvania, the Secretary of the Army may convey, without consideration, to the Chambersburg Area School District (in this section referred to as the ''School District''), all right, title, and interest of the United States in and to the Reserve Center for the purpose of permitting the School District to utilize the property for educational and educational-support activities.*

*(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements and appurtenant easements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.*

*(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(d) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the School District to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the School District in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the School District.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(e) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2859. LAND CONVEYANCE, ELLSWORTH AIR FORCE BASE, SOUTH DAKOTA.***

*(a) CHANGE IN RECIPIENT UNDER EXISTING AUTHORITY.—*

*(1) IN GENERAL.—Section 2863(a) of the Military Construction Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010), as amended by section 2865(a) of the Military Construction Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–435), is further amended by striking ''West River Foundation for Economic and Community Development, Sturgis, South Dakota (in this section referred to as the 'Foundation')'' and inserting ''South Dakota Ellsworth Development Authority, Pierre, South Dakota (in this section referred to as the 'Authority')''.*

*(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2863 of the Military Construction Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010), as amended by section 2865(b) of the Military Construction Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–435), is further amended—*

*(A) by striking ''Foundation'' each place it appears in subsections (c) and (e) and inserting ''Authority'';*

*(B) in subsection (b)(1)—*

*(i) in subparagraph (B), by striking ''137.56 acres'' and inserting ''120.70 acres''; and*

*(ii) by striking subparagraphs (C), (D), and (E).*

*(b) NEW CONVEYANCE AUTHORITY.—*

*(1) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the South Dakota Ellsworth Development Authority, Pierre, South Dakota (in this subsection referred to as the ''Authority''), all right, title, and interest of the United States in and to the parcels of real property located at Ellsworth Air Force Base, South Dakota, referred to in paragraph (2).*

*(2) COVERED PROPERTY.—The real property referred to in paragraph (1) is the following:*

*(A) A parcel of real property, together with any improvements thereon, consisting of approximately 2.37 acres and comprising the 11000 West Communications Annex.*

*(B) A parcel of real property, together with any improvements thereon, consisting of approximately 6.643 acres and comprising the South Nike Education Annex.*

*(3) CONDITION.—As a condition of the conveyance under this subsection, the Authority, and any person or entity to which the Authority transfers the property, shall comply in the use of the property with the applicable provisions of the Ellsworth Air Force Base Air Installation Compatible Use Zone Study.*

*(4) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under paragraph (1) is not being used in compliance with the applicable provisions of the Ellsworth Air Force Base Air Installation Compatible Use Zone Study, all right, title, and interest in and to such real property, including any improvements and appurtenant easements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this paragraph shall be made on the record after an opportunity for a hearing.*

*(5) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.*

*(6) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms*

*and conditions in connection with the conveyance under this subsection as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2860. LAND CONVEYANCE, LACKLAND AIR FORCE BASE, TEXAS.***

*(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to an eligible entity, all right, title, and interest of the United States to not more than 250 acres of real property and associated easements and improvements on Lackland Air Force Base, Texas, in exchange for real property adjacent to or near the installation for the purpose of relocating and consolidating Air Force tenants located on the former Kelly Air Force Base, Texas, onto the main portion of Lackland Air Force Base.*

*(b) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the eligible entity accept the real property in its condition at the time of the conveyance.*

*(c) ELIGIBLE ENTITIES.—A conveyance under this section may be made to the City of San Antonio, Texas, or an organization or agency chartered or sponsored by the local or State government.*

*(d) CONSIDERATION.—As consideration for the conveyance under subsection (a), the eligible entity shall provide the Air Force with real property or real property improvements, or a combination of both, of equal value, as determined by the Secretary. If the fair market value of the real property or real property improvements, or combination thereof, is less than the fair market value of the real property to be conveyed by the Air Force, the eligible entity shall provide cash payment to the Air Force, or provide Lackland Air Force Base with in-kind consideration of an amount equal to the difference in the fair market values. Any cash payment received by the Air Force for the conveyance authorized by subsection (a) shall be deposited in the special account described in section 2667(e) of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.*

*(e) PAYMENT OF COSTS OF CONVEYANCE.—*

*(1) IN GENERAL.—The Secretary may require the eligible entity to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyances under this section, including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyances. If amounts are collected from the eligible entity in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the eligible entity.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyances. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(f) SAVINGS PROVISION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).*

*(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2861. LAND CONVEYANCE, NAVAL AIR STATION OCEANA, VIRGINIA.***

*(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Virginia Beach, Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 2.4 acres at Naval Air Station, Oceana, Virginia, for the purpose of permitting the City to expand services to support the Marine Animal Care Center.*

*(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall provide compensation to the Secretary of the Navy in an amount equal to the fair market value of the real property conveyed under such subsection, as determined by appraisals acceptable to the Secretary.*

*(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary.*

*(d) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under this section shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.*

***SEC. 2862. COMPLETION OF LAND EXCHANGE AND CONSOLIDATION, FORT LEWIS, WASHINGTON.***

*Subsection (a)(1) of section 2837 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1315), as amended by section 2852 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2143), is further amended—*

*(1) in the first sentence, by striking ''The Secretary of the Army may transfer'' and inserting ''Not later than 60 days after the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2010, the Secretary of the Army shall transfer''; and*

*(2) in the second sentence—*

*(A) by striking ''may make the transfer'' and inserting ''shall make the transfer''; and*

*(B) by striking ''may accept'' and inserting ''shall accept''.*

***SEC. 2863. LAND CONVEYANCE, F.E. WARREN AIR FORCE BASE, CHEYENNE, WYOMING.***

*(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the County of Laramie, Wyoming (in this section referred to as the ''County'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon and appurtenant easements thereto, consisting of approximately 73 acres along the southeastern boundary of F.E. Warren Air Force Base, Cheyenne, Wyoming, for the purpose of removing the property from the boundaries of the installation and permitting the County to preserve the entire property for healthcare facilities.*

*(b) CONSIDERATION.—*

*(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the County shall provide the United States consideration, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof, in an amount that is not less than the fair market value of the conveyed real property, as determined by the Secretary.*

*(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the County under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure relating to the security of F.E. Warren Air Force Base, that the Secretary considers acceptable.*

*(3) RELATION TO OTHER LAWS.—Sections 2662 and 2802 of title 10, United States Code, shall not apply to any new facilities or infrastructure received by the United States as in-kind consideration under paragraph (2).*

*(4) NOTICE TO CONGRESS.—The Secretary shall provide written notification to the congressional defense committees of the types and value of consideration provided the United States under paragraph (1).*

*(5) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the United States under paragraph (1) shall be deposited in the special account described in section 2667(e) of title 10, United States Code, and shall be available in accordance with paragraph (5)(B)(ii) of such subsection.*

*(c) REVERSIONARY INTEREST.—*

*(1) IN GENERAL.—If the Secretary determines at any time that the County is not using the property conveyed under subsection (a) in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property, including any improvements thereon, shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.*

*(2) RELEASE OF REVERSIONARY INTEREST.—The Secretary shall release, without consideration, the reversionary interest retained by the United States under paragraph (1) if—*

*(A) F.E. Warren Air Force Base, Cheyenne Wyoming, is no longer being used for Department of Defense activities; or*

*(B) the Secretary determines that the reversionary interest is otherwise unnecessary to protect the interests of the United States.*

*(d) PAYMENT OF COSTS OF CONVEYANCE.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a) and implement the receipt of in-kind consideration under paragraph (b), including survey costs, appraisal costs, costs related to environmental documentation, and other administrative costs related to the conveyance and receipt of in-kind consideration. If amounts are received from the County in advance of the Secretary incurring the actual costs, and the amount received exceeds the costs actually incurred by the Secretary under this section, the Secretary shall refund the excess amount to the County.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or*

*account that was used to cover the costs incurred by the Secretary in carrying out the conveyance and implementing the receipt of in-kind consideration. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(e) DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.*

***Subtitle F—Other Matters***

***SEC. 2871. REVISED AUTHORITY TO ESTABLISH NATIONAL MONUMENT TO HONOR UNITED STATES ARMED FORCES WORKING DOG TEAMS.***

*Section 2877 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 563; 16 U.S.C. 431 note) is amended by striking ''National War Dogs Monument, Inc.,'' both places it appears and inserting ''John Burnam Monument Foundation, Inc.,''.*

***SEC. 2872. NATIONAL D–DAY MEMORIAL STUDY.***

*(a) DEFINITIONS.—In this section:*

*(1) AREA.—The term ''Area'' means in the National D–Day Memorial in Bedford, Virginia.*

*(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.*

*(b) STUDY.—*

*(1) IN GENERAL.—The Secretary may conduct a study of the Area to evaluate the national significance of the Area and suitability and feasibility of designating the Area as a unit of the National Park System.*

*(2) CRITERIA.—In conducting the study authorized under paragraph (1), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).*

*(3) CONTENTS.—The study authorized under paragraph (1) shall—*

*(A) determine the suitability and feasibility of designating the Area as a unit of the National Park System;*

*(B) include cost estimates for any necessary acquisition, development, operation, and maintenance of the Area; and*

*(C) identify alternatives for the management, administration, and protection of the Area.*

*(c) REPORT.—Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct of the study authorized under this section, except that the study shall be submitted to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 3 years after the date on which funds are first made available for the study.*

***SEC. 2873. CONDITIONS ON ESTABLISHMENT OF COOPERATIVE SECURITY LOCATION IN PALANQUERO, COLOMBIA.***

*(a) CONGRESSIONAL NOTIFICATION OF AGREEMENT.—None of the amounts authorized to be appropriated by this division or otherwise made available for military construction for fiscal year 2010 may be obligated to commence construction of a Cooperative Security Location at the German Olano Moreno Airbase (the Palanquero AB Development Project) in Palanquero, Colombia, until at least 15 days after the date on which the Secretary of Defense certifies to the congressional defense committees that an agreement has been entered into with the Government of Colombia to allow access to and use of its facilities at the German Olano Moreno Airbase for the duration of the agreement to carry out mutually agreed-upon activities.*

*(b) PROHIBITION ON PERMANENT UNITED STATES MILITARY INSTALLATION.—The agreement referred to in subsection (a) may not provide for or authorize the establishment of a United States military installation or base for the permanent stationing of United States Armed Forces in Colombia.*

***SEC. 2874. MILITARY ACTIVITIES AT UNITED STATES MARINE CORPS MOUNTAIN WARFARE TRAINING CENTER.***

*Section 1806 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1059; 16 U.S.C. 460vvv) is amended by adding at the end the following new subsection:*

*''(g) MILITARY ACTIVITIES AT UNITED STATES MARINE CORPS MOUNTAIN WARFARE TRAINING CENTER.—The designation of the Bridgeport Winter Recreation Area by this section is not intended to restrict or preclude the activities conducted by the United States Armed Forces at the United States Marine Corps Mountain Warfare Training Center.''.*

***TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION AUTHORIZATIONS***

*Sec. 2901. Authorized Army construction and land acquisition projects.*

*Sec. 2902. Authorized Air Force construction and land acquisition projects.*

*Sec. 2903. Construction authorization for facilities for Office of Defense Representative-Pakistan.*

***SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*(a) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

***Army: Outside the United States***

| Country | Installation or Location | Amount |
|---|---|---|
| Afghanistan | Airborne | $7,800,000 |
| | Altimur | $7,750,000 |
| | Asadabad | $5,500,000 |
| | Bagram Air Base | $132,850,000 |
| | Camp Joyce | $7,700,000 |
| | Camp Kabul | $137,000,000 |
| | Camp Kandahar | $132,500,000 |
| | Camp Salerno | $50,200,000 |
| | Forward Operating Base Blessing | $5,600,000 |
| | Forward Operating Base Bostick | $5,500,000 |
| | Forward Operating Base Dwyer | $19,300,000 |
| | Forward Operating Base Ghazni | $5,500,000 |
| | Forward Operating Base Shank | $19,700,000 |
| | Forward Operating Base Sharana | $60,800,000 |
| | Frontenac | $2,200,000 |
| | Jalalabad Airfield | $41,400,000 |
| | Maywand | $7,800,000 |
| | Methar-Lam | $4,150,000 |
| | Provincial Reconstruction Team Gardez | $36,200,000 |
| | Provincial Reconstruction Team Tarin Kowt | $55,800,000 |
| | Tombstone/Bastion | $71,800,000 |
| | Wolverine | $17,050,000 |

*(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $924,484,000 as follows:*

*(1) For military construction projects outside the United States authorized by subsection (a), $834,100,000.*

*(2) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $20,100,000.*

*(3) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $70,284,000.*

***SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*(a) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

**Air Force: Outside the United States**

| Country | Installation or Location | Amount |
|---|---|---|
| Afghanistan | Bagram Air Base | $29,100,000 |
| | Camp Kandahar | $234,600,000 |
| | Forward Operating Base Dwyer | $4,900,000 |
| | Forward Operating Base Shank | $4,900,000 |
| | Provincial Reconstruction Team Tarin Kowt | $4,900,000 |
| | Tombstone/Bastion | $156,200,000 |
| | Wolverine | $4,900,000 |

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2009, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $474,500,000, as follows:

(1) For military construction projects outside the United States authorized by subsection (a), $439,500,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $35,000,000.

**SEC. 2903. CONSTRUCTION AUTHORIZATION FOR FACILITIES FOR OFFICE OF DEFENSE REPRESENTATIVE-PAKISTAN.**

(a) USE OF FUNDS AUTHORIZED.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by this title, the Secretary of Defense may use not more than $10,000,000 to plan, design, and construct facilities on the United States Embassy Compound in Islamabad, Pakistan, in support of the Office of the Defense Representative-Pakistan (in this section referred to as the ''ODRP'').

(2) NOTICE AND WAIT.—The Secretary may not obligate funds made available pursuant to paragraph (1) until the end of the 14-day period beginning on the date on which the Secretary submits to the appropriate congressional committees a report containing notice of the proposed obligation of the funds and addressing the items specified in subsection (b)(2).

(b) ADDITIONAL REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than 90 days after the submission of the notice under subsection (a)(2), and every 180 days thereafter, the Secretary of Defense shall submit to the appropriate congressional committees a report on the number of personnel and activities of the ODRP.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A detailed accounting of the number of personnel permanently assigned or on temporary duty in the ODRP.

(B) A description of the mission of those personnel assigned on a temporary or permanent basis to the ODRP.

(C) A projection of space requirements for the ODRP.

(3) TERMINATION.—The requirement to submit a report under paragraph (1) terminates on the date occurring two years after the date on which the first report under such paragraph is submitted.

(c) FORM.—A report under this section may be submitted in a classified form.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this section, the appropriate congressional committees are the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives.

(3) The Committee on Foreign Relations of the Senate.

## DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

## TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
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Sec. 3105. Energy security and assurance.
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Subtitle B—Program Authorizations, Restrictions, and Limitations

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Sec. 3116. Long-term plan for the modernization and refurbishment of the nuclear security complex.
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Sec. 3118. Modification of minor construction threshold for plant projects.
Sec. 3119. Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel.
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Subtitle C—Reports

Sec. 3131. National Academy of Sciences review of national security laboratories.
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Sec. 3134. Comptroller General of the United States review of projects carried out by the Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009.

Subtitle D—Other Matters

Sec. 3141. Ten-year plan for use and funding of certain Department of Energy facilities.
Sec. 3142. Expansion of authority of Ombudsman of Energy Employees Occupational Illness Compensation Program.
Sec. 3143. Identification in budget materials of amounts for certain Department of Energy pension obligations.
Sec. 3144. Sense of Congress on production of molybdenum–99.

### Subtitle A—National Security Programs Authorizations

**SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $10,033,477,000, to be allocated as follows:

(1) For weapons activities, $6,433,131,000.

(2) For defense nuclear nonproliferation activities, $2,176,459,000.

(3) For naval reactors, $1,003,133,000.

(4) For the Office of the Administrator for Nuclear Security, $420,754,000.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

(1) For readiness in technical base and facilities, the following new plant project:

Project 10–D–501, nuclear facilities risk reduction, Y–12 National Security Complex, Oak Ridge, Tennessee, $12,500,000.

(2) For safeguards and security, the following new plant project:

Project 10–D–701, security improvement project, Y–12 National Security Complex, Oak Ridge, Tennessee, $49,000,000.

(3) For naval reactors, the following new plant projects:

Project 10–D–903, KAPL security upgrades, Schenectady, New York, $1,500,000.

Project 10–D–904, Naval Reactors Facility infrastructure upgrades, Naval Reactors Facility, Idaho, $700,000.

**SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for defense environmental cleanup activities in carrying out programs necessary for national security in the amount of $5,495,831,000.

**SEC. 3103. OTHER DEFENSE ACTIVITIES.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for other defense activities in carrying out programs necessary for national security in the amount of $852,468,000.

**SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $98,400,000.

**SEC. 3105. ENERGY SECURITY AND ASSURANCE.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2010 for energy security and assurance programs necessary for national security in the amount of $6,188,000.

**SEC. 3106. RELATION TO FUNDING TABLES.**

The amounts authorized to be appropriated by sections 3101, 3102, 3103, 3104, and 3105 shall be available, in accordance with the requirements of section 4001, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4601.

### Subtitle B—Program Authorizations, Restrictions, and Limitations

**SEC. 3111. STOCKPILE STEWARDSHIP PROGRAM.**

(a) IN GENERAL.—Subsection (a) of section 4201 of the Atomic Energy Defense Act (division

*D of Public Law 107–314; 50 U.S.C. 2521) is amended to read as follows:*

*''(a) ESTABLISHMENT.—The Secretary of Energy, acting through the Administrator for Nuclear Security, shall establish a stewardship program to ensure—*

*''(1) the preservation of the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification; and*

*''(2) that the nuclear weapons stockpile is safe, secure, and reliable without the use of underground nuclear weapons testing.''.*

*(b) ELEMENTS.—Subsection (b) of such section is amended—*

*(1) in paragraph (1), by striking ''detonation'' and inserting ''performance over time''; and*

*(2) by adding at the end the following new paragraphs:*

*''(4) Support for the use of, and experiments facilitated by, the advanced experimental facilities of the United States, including—*

*''(A) the National Ignition Facility at Lawrence Livermore National Laboratory;*

*''(B) the Dual Axis Radiographic Hydrodynamic Test Facility at Los Alamos National Laboratory;*

*''(C) the Z Machine at Sandia National Laboratories; and*

*''(D) the experimental facilities at the Nevada test site.*

*''(5) Support for the sustainment and modernization of facilities with production and manufacturing capabilities that are necessary to ensure the safety, security, and reliability of the nuclear weapons stockpile, including—*

*''(A) the Pantex Plant;*

*''(B) the Y–12 National Security Complex;*

*''(C) the Kansas City Plant;*

*''(D) the Savannah River Site; and*

*''(E) production and manufacturing capabilities resident in the national security laboratories (as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).''.*

*(c) PRIOR AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1994.—Such section is further amended by striking subsection (c).*

***SEC. 3112. REPORT ON STOCKPILE STEWARDSHIP CRITERIA AND ASSESSMENT OF STOCKPILE STEWARDSHIP PROGRAM.***

*(a) IN GENERAL.—Subsection (c) of section 4202 of the Atomic Energy Defense Act (division D of Public Law 107–314; 50 U.S.C. 2522) is amended to read as follows:*

*''(c) REPORT.—(1) In each odd-numbered year, beginning in 2011, the Secretary of Energy shall include in the stockpile stewardship plan required by section 4203 a report containing the following elements:*

*''(A) A description of the information needed to determine that the nuclear weapons stockpile is safe and reliable and the relationship of the science-based tools to the collection of that information.*

*''(B) A description of any updates to the criteria established under subsection (a) during—*

*''(i) the previous two years; or*

*''(ii) with respect to the report in 2011, the period beginning on the date of the submission of the report under section 3133 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1751; 50 U.S.C. 2523 note) and ending on the date of the submission of the 2011 stockpile stewardship plan required by section 4203.*

*''(C) For each science-based tool to collect information needed to determine that the nuclear weapons stockpile is safe, secure, and reliable that is developed or modified by the Department of Energy during the relevant period described in subparagraph (B)—*

*''(i) a description of the relationship of the science-based tool to the collection of such information; and*

*''(ii) a description of criteria for assessing the effectiveness of the science-based tool in collecting such information.*

*''(D) An assessment described in paragraph (2).*

*''(2) An assessment described in this paragraph is an assessment of the stockpile stewardship program conducted by the Administrator for Nuclear Security in consultation with the directors of the national security laboratories. Such assessment shall set forth the following:*

*''(A) An identification and description of—*

*''(i) any key technical challenges to the stockpile stewardship program; and*

*''(ii) the strategies to address such challenges without the use of nuclear testing.*

*''(B) A strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.*

*''(C) An assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-based tools expected to exist during the period covered by the future-years nuclear security program.*

*''(D) An assessment of the core scientific and technical competencies required to achieve the objectives of the stockpile stewardship program and other weapons activities and weapons-related activities of the Department of Energy, including—*

*''(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and*

*''(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.''.*

*(b) DEFINITIONS.—Such section is further amended by adding at the end the following subsection:*

*''(d) DEFINITIONS.—In this section:*

*''(1) The term 'future-years nuclear security program' means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).*

*''(2) The term 'national security laboratory' has the meaning given such term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).*

*''(3) The term 'weapons activities' means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.*

*''(4) The term 'weapons–related activities' means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—*

*''(A) nuclear nonproliferation;*

*''(B) nuclear forensics;*

*''(C) nuclear intelligence;*

*''(D) nuclear safety; and*

*''(E) nuclear incident response.''.*

***SEC. 3113. STOCKPILE MANAGEMENT PROGRAM.***

*(a) IN GENERAL.—The Atomic Energy Defense Act (division D of Public Law 107–314; 50 U.S.C. 2501 et seq.) is amended—*

*(1) by repealing section 4204A (50 U.S.C. 2524a); and*

*(2) by amending section 4204 (50 U.S.C. 2524) to read as follows:*

***''SEC. 4204. STOCKPILE MANAGEMENT PROGRAM.***

*''(a) PROGRAM REQUIRED.—The Secretary of Energy, acting through the Administrator for Nuclear Security and in consultation with the Secretary of Defense, shall carry out a program, in support of the stockpile stewardship program, to provide for the effective management of the weapons in the nuclear weapons stockpile, including the extension of the effective life of such weapons. The program shall have the following objectives:*

*''(1) To increase the reliability, safety, and security of the nuclear weapons stockpile of the United States.*

*''(2) To further reduce the likelihood of the resumption of underground nuclear weapons testing.*

*''(3) To achieve reductions in the future size of the nuclear weapons stockpile.*

*''(4) To reduce the risk of an accidental detonation of an element of the stockpile.*

*''(5) To reduce the risk of an element of the stockpile being used by a person or entity hostile to the United States, its vital interests, or its allies.*

*''(b) PROGRAM LIMITATIONS.—In carrying out the stockpile management program under subsection (a), the Secretary of Energy shall ensure that—*

*''(1) any changes made to the stockpile shall be made to achieve the objectives identified in subsection (a); and*

*''(2) any such changes made to the stockpile shall—*

*''(A) remain consistent with basic design parameters by including, to the maximum extent feasible, components that are well understood or are certifiable without the need to resume underground nuclear weapons testing; and*

*''(B) use the design, certification, and production expertise resident in the nuclear complex to fulfill current mission requirements of the existing stockpile.*

*''(c) PROGRAM PLAN.—In carrying out the stockpile management program under subsection (a), the Secretary of Energy shall develop a long-term plan to extend the effective life of the weapons in the nuclear weapons stockpile without the use of nuclear weapons testing. The plan shall include the following:*

*''(1) Mechanisms to provide for the manufacture, maintenance, and modernization of each weapon design in the nuclear stockpile, as needed.*

*''(2) Mechanisms to expedite the collection of information necessary for carrying out the program, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.*

*''(3) Mechanisms to ensure the appropriate assignment of roles and missions for each nuclear weapons laboratory and production plant of the Department of Energy, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.*

*''(4) Mechanisms to ensure that each national laboratory of the National Nuclear Security Administration has full and complete access to all weapons data to enable a rigorous peer review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205.*

*''(5) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.*

*''(6) An identification of the funds needed, in the fiscal year in which the plan is developed and in each of the following five fiscal years, to carry out the program.*

*''(d) ANNUAL UPDATES.—The Secretary of Energy shall annually update the plan required under subsection (c) and shall submit the updated plan to Congress as part of the stockpile stewardship plan required by section 4203(c).*

*''(e) PROGRAM BUDGET.—In accordance with the requirements under section 4209, for each budget submitted by the President to Congress under section 1105 of title 31, United States Code, the amounts requested for the program under this section shall be clearly identified in the budget justification materials submitted to Congress in support of that budget.''.*

*(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act (division D of Public Law 107–314) is amended by striking*

*the items relating to sections 4204 and 4204A and inserting the following new item:*

*''Sec. 4204. Stockpile management program.''.*

***SEC. 3114. DUAL VALIDATION OF ANNUAL WEAPONS ASSESSMENT AND CERTIFICATION.***

*(a) DUAL VALIDATION.—*

*(1) PLAN.—Not later than March 1, 2010, the Administrator for Nuclear Security shall submit to the congressional defense committees a plan (including a schedule) to carry out subsection (c) of section 4205 of the Atomic Energy Defense Act (division D of Public Law 107–314; 50 U.S.C. 2525), as added by paragraph (2) of this subsection.*

*(2) DUAL VALIDATION.—Section 4205 of the Atomic Energy Defense Act (division D of Public Law 107–314; 50 U.S.C. 2525) is amended—*

*(A) by redesignating subsections (c) through (h) as subsections (d) through (i), respectively; and*

*(B) by inserting after subsection (b) the following new subsection (c):*

*''(c) DUAL VALIDATION TEAMS IN SUPPORT OF ASSESSMENTS.—In support of the assessments required by subsection (a), the Administrator for Nuclear Security may establish teams, known as 'dual validation teams', to provide each national security laboratory responsible for weapons design with independent evaluations of the condition of each warhead for which such laboratory has lead responsibility. A dual validation team established by the Administrator shall—*

*''(1) be comprised of weapons experts from the laboratory that does not have lead responsibility for fielding the warhead being evaluated;*

*''(2) have access to all surveillance and underground test data for all stockpile systems for use in the independent evaluations;*

*''(3) use all relevant available data to conduct independent calculations; and*

*''(4) pursue independent experiments to support the independent evaluations.''.*

*(b) RED TEAM REVIEWS.—Subsection (d)(1) of such section, as redesignated by subsection (a)(2)(A) of this section, is amended—*

*(1) by inserting ''both'' after ''review''; and*

*(2) by inserting after ''that laboratory'' the following: ''and any independent evaluations conducted by a dual validation team under subsection (c)''.*

*(c) SUMMARY.—Subsection (e)(3) of such section, as redesignated by subsection (a)(2)(A) of this section, is amended—*

*(1) in subparagraph (B), by striking ''and'' at the end;*

*(2) in subparagraph (C), by striking the period and inserting ''; and''; and*

*(3) by adding at the end the following new subparagraph:*

*''(D) a concise summary of the results of any independent evaluation conducted by a dual validation team under subsection (c).''.*

*(d) CONFORMING AMENDMENTS.—Such section is further amended—*

*(1) in paragraph (3)(C) of subsection (e), as redesignated by subsection (a)(2)(A) of this section, by striking ''subsection (c)'' and inserting ''subsection (d)'';*

*(2) in paragraph (1)(A) of subsection (f), as redesignated by subsection (a)(2)(A) of this section, by striking ''subsection (d)'' and inserting ''subsection (e)'';*

*(3) in subsection (g), as redesignated by subsection (a)(2)(A) of this section, by striking ''subsection (e)'' and inserting ''subsection (f)''; and*

*(4) in subsection (i), as redesignated by subsection (a)(2)(A) of this section—*

*(A) in paragraph (1), by striking ''subsection (d)'' and inserting ''subsection (e)''; and*

*(B) in paragraph (2), by striking ''subsection (e)'' and inserting ''subsection (f)''.*

***SEC. 3115. ELIMINATION OF NUCLEAR WEAPONS LIFE EXTENSION PROGRAM FROM EXCEPTION TO REQUIREMENT TO REQUEST FUNDS IN BUDGET OF THE PRESIDENT.***

*Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—*

*(1) in subsection (c), by striking ''necessary— '' and all that follows through the period and inserting ''necessary to address proliferation concerns.''; and*

*(2) in subsection (d)—*

*(A) by striking paragraph (1); and*

*(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.*

***SEC. 3116. LONG-TERM PLAN FOR THE MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.***

*(a) IN GENERAL.—Subtitle D of the National Nuclear Security Administration Act (50 U.S.C. 2451 et seq.) is amended by adding at the end the following new section:*

***''SEC. 3255. BIENNIAL PLAN AND BUDGET ASSESSMENT ON THE MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.***

*''(a) NUCLEAR SECURITY COMPLEX MODERNIZATION AND REFURBISHMENT PLAN AND ASSESSMENT.—The Administrator for Nuclear Security shall include with the nuclear security budget materials submitted for each odd-numbered fiscal year—*

*''(1) the plan for the modernization and refurbishment of the nuclear security complex described under subsection (b); and*

*''(2) an assessment by the Administrator of whether both the budget for such fiscal year and the future-years nuclear security program submitted to Congress in relation to such budget under section 3253 provide for funding of the nuclear security complex at a level that is sufficient for the modernization and refurbishment of the nuclear security complex in accordance with the plan described under subsection (b).*

*''(b) PLAN ELEMENTS.—(1) The plan required under subsection (a)(1) shall be designed so that the nuclear security complex is capable of supporting—*

*''(A) the national security strategy of the United States, as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a), except that, if at the time such plan is submitted with the nuclear security budget materials a national security strategy report required under such section 108 has not been submitted to Congress, then such plan shall be designed so that the modernization and refurbishment of the nuclear security complex provided for under such plan is capable of supporting the nuclear security complex recommended in the report of the most recent Quadrennial Defense Review; and*

*''(B) the nuclear posture of the United States as set forth in the most recent Nuclear Posture Review.*

*''(2) The plan required under subsection (a)(1) shall include the following:*

*''(A) A description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements of the national security strategy of the United States or the most recent Quadrennial Defense Review, whichever is applicable under paragraph (1)(A), and the Nuclear Posture Review.*

*''(B) A schedule for implementing those measures determined necessary under subparagraph (A) during the 10 years following the date of the plan.*

*''(C) The estimated levels of annual funds the Administrator determines necessary to carry out the program, including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.*

*''(c) BUDGET ASSESSMENT.—If the Administrator determines a budget request is insufficient for the modernization and refurbishment of the nuclear security complex provided for in the plan required under subsection (a)(1), the Administrator shall include with the nuclear security budget materials for such fiscal year a further assessment that describes and discusses the risks and implications associated with the ability of the nuclear security complex to support the annual certification of the nuclear stockpile of the United States and maintain its long-term safety, security, and reliability. Such assessment shall be coordinated in advance with the Secretary of Defense and the Commander of the United States Strategic Command.*

*''(d) DEFINITIONS.—In this section:*

*''(1) The term 'nuclear security complex' means the physical facilities, technology, and human capital of—*

*''(A) the national security laboratories;*

*''(B) the Pantex Plant;*

*''(C) the Y–12 National Security Complex;*

*''(D) the Kansas City Plant;*

*''(E) the Savannah River Site; and*

*''(F) the Nevada test site.*

*''(2) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.*

*''(3) The term 'nuclear security budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Administrator for Nuclear Security in support of the budget for that fiscal year.*

*''(4) The term 'Quadrennial Defense Review' means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of title 10, United States Code.''.*

*(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3254 the following new item:*

*''3255. Biennial plan and budget assessment on the modernization and refurbishment of the nuclear security complex.''.*

***SEC. 3117. REPEAL OF PROHIBITION ON FUNDING ACTIVITIES ASSOCIATED WITH INTERNATIONAL COOPERATIVE STOCKPILE STEWARDSHIP.***

*(a) IN GENERAL.—Section 4301 of the Atomic Energy Defense Act (50 U.S.C. 2561) is repealed.*

*(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by striking the item relating to section 4301.*

***SEC. 3118. MODIFICATION OF MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.***

*(a) INCREASE.—Paragraph (3) of section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741(3)) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.*

*(b) SUNSET.—Effective September 30, 2010, such paragraph, as amended by subsection (a), is amended by striking ''$10,000,000'' and inserting ''$5,000,000''.*

*(c) NOTIFICATION.—Notwithstanding section 4703 of such Act (50 U.S.C. 2743), in carrying out construction projects during fiscal year 2010, the Secretary of Energy may not start a general plant project with a total estimated cost of more than $5,000,000 until—*

*(1) the Secretary notifies the congressional defense committees of such project and total estimated cost; and*

*(2) a period of 15 days has elapsed after the date on which such notification is received.*

***SEC. 3119. TWO-YEAR EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.***

*Section 4601(c)(1) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)(1)) is amended by striking ''September 30, 2009'' and inserting ''September 30, 2011''.*

***SEC. 3120. NATIONAL NUCLEAR SECURITY ADMINISTRATION AUTHORITY FOR URGENT NONPROLIFERATION ACTIVITIES.***

*(a) IN GENERAL.—Subject to the notification requirement under subsection (b), not more than*

*10 percent of the total amounts appropriated or otherwise made available in any fiscal year for the nonproliferation programs of the Department of Energy National Nuclear Security Administration may be expended, notwithstanding any other law, for activities described under subsection (b)(1)(B).*

*(b) DETERMINATION AND NOTICE.—*

*(1) DETERMINATION.—The Secretary of Energy, with the concurrence of the Secretary of State and the Secretary of Defense, may make a written determination that—*

*(A) threats arising from the proliferation of nuclear or radiological weapons or weapons-related materials, technologies, and expertise must be addressed urgently;*

*(B) certain provisions of law would unnecessarily impede the Secretary's ability to carry out nonproliferation activities of the National Nuclear Security Administration to address such threats; and*

*(C) it is necessary to expend amounts described in subsection (a) to carry out such activities.*

*(2) NOTICE REQUIRED.—Not later than 15 days before obligating or expending funds under the authority provided in subsection (a), the Secretary of Energy shall notify the appropriate congressional committees of the determination made under paragraph (1). The notice shall include—*

*(A) the determination;*

*(B) the activities to be undertaken by the nonproliferation programs of the National Nuclear Security Administration;*

*(C) the expected time frame for such activities; and*

*(D) the expected costs of such activities.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and*

*(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.*

***SEC. 3121. REPEAL OF SUNSET DATE FOR CONSOLIDATION OF COUNTERINTELLIGENCE PROGRAMS OF DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.***

*Subsection (a) of section 3117 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2507; 42 U.S.C. 7144b note) is amended to read as follows:*

*''(a) TRANSFER OF FUNCTIONS.—The functions, personnel, funds, assets, and other resources of the Office of Defense Nuclear Counterintelligence of the National Nuclear Security Administration are transferred to the Secretary of Energy, to be administered (except to any extent otherwise directed by the Secretary) by the Director of the Office of Counterintelligence of the Department of Energy.''.*

***Subtitle C—Reports***

***SEC. 3131. NATIONAL ACADEMY OF SCIENCES REVIEW OF NATIONAL SECURITY LABORATORIES.***

*(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall enter into an agreement with the National Academy of Sciences to conduct a study of the following laboratories:*

*(1) The Lawrence Livermore National Laboratory, California.*

*(2) The Los Alamos National Laboratory, New Mexico.*

*(3) The Sandia National Laboratories, California and New Mexico.*

*(b) ELEMENTS.—The study required under subsection (a) shall include, with respect to each laboratory specified in such subsection, an evaluation of the following:*

*(1) The quality of the scientific research being conducted at the laboratory, including research with respect to weapons science, nonproliferation, energy, and basic science.*

*(2) The quality of the engineering being conducted at the laboratory.*

*(3) The criteria used to assess the quality of scientific research and engineering being conducted at the laboratory.*

*(4) The relationship between the quality of the science and engineering at the laboratory and the contract for managing and operating the laboratory.*

*(5) The management of work conducted by the laboratory for entities other than the Department of Energy, including academic institutions and other Federal agencies, and interactions between the laboratory and such entities.*

*(c) COOPERATION.—The Secretary of Energy shall, in consultation with the Secretary of Defense and the Director of National Intelligence, ensure that the National Academy of Sciences receives full and timely cooperation from the Department of Energy, the Department of Defense, and the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) in conducting the study required under subsection (a).*

*(d) REPORT.—The National Academy of Sciences shall submit to the Secretary of Energy a report containing the results of the study and any recommendations resulting from the study.*

*(e) SUBMITTAL TO CONGRESS.—*

*(1) IN GENERAL.—Not later than January 1, 2011, the Secretary of Energy shall submit to the appropriate congressional committees the report submitted under subsection (d) and any comments or recommendations of the Secretary with respect to that report.*

*(2) FORM.—The report shall be submitted to the appropriate congressional committees in unclassified form, but may include a classified annex.*

*(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:*

*(1) The Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Science and Technology of the House of Representatives.*

*(2) The Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate.*

***SEC. 3132. PLAN TO ENSURE CAPABILITY TO MONITOR, ANALYZE, AND EVALUATE FOREIGN NUCLEAR WEAPONS ACTIVITIES.***

*(a) PLAN.—The Secretary of Energy, in consultation with the Director of National Intelligence and the Secretary of Defense, shall prepare a plan to ensure that the national laboratories overseen by the Department of Energy maintain a robust technical capability to monitor, analyze, and evaluate foreign nuclear weapons activities.*

*(b) REPORT.—Not later than February 28, 2010, the Secretary of Energy shall submit to the appropriate congressional committees a report describing the plan required under subsection (a) and the resources necessary to implement the plan. The report shall be in unclassified form, but may include a classified annex.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.*

***SEC. 3133. COMPTROLLER GENERAL STUDY OF STOCKPILE STEWARDSHIP PROGRAM.***

*(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the stockpile stewardship program established under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) to determine if the program was functioning, as of December 2008, as envisioned when the program was established.*

*(b) ELEMENTS.—The study required by subsection (a) shall include the following:*

*(1) An assessment of whether the capabilities determined to be necessary to maintain the nuclear weapons stockpile without the use of nuclear testing have been implemented and the extent to which such capabilities are functioning.*

*(2) A review and description of the agreements governing use, management, and support of the capabilities developed for the stockpile stewardship program and an assessment of enforcement of, and compliance with, those agreements.*

*(3) An assessment of plans for surveillance and testing of nuclear weapons in the stockpile and the extent of the compliance with such plans.*

*(4) An assessment of—*

*(A) the condition of the infrastructure at the plants and laboratories of the nuclear weapons complex;*

*(B) the value of nuclear weapons facilities built after 1992;*

*(C) any plans that are in place to maintain, improve, or replace such infrastructure;*

*(D) whether there is a validated requirement for all planned infrastructure replacement projects; and*

*(E) the projected costs for each such project and the time line for completion of each such project.*

*(5) An assessment of the efforts to ensure and maintain the intellectual and technical capability of the nuclear weapons complex to support the nuclear weapons stockpile.*

*(6) Recommendations for the stockpile stewardship program going forward.*

*(c) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing the results of the study required by subsection (a).*

***SEC. 3134. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PROJECTS CARRIED OUT BY THE OFFICE OF ENVIRONMENTAL MANAGEMENT OF THE DEPARTMENT OF ENERGY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.***

*(a) IN GENERAL.—The Comptroller General of the United States shall conduct a series of three reviews, as described in subsections (b), (c), and (d), of projects carried out by the Office of Environmental Management of the Department of Energy (in this section referred to as the ''Office'') using American Recovery and Reinvestment Act funds.*

*(b) PHASE ONE REVIEW.—*

*(1) IN GENERAL.—Beginning on the date of the enactment of this Act, the Comptroller General shall conduct a review of the following:*

*(A) The criteria used by the Office to select projects to be carried out using American Recovery and Reinvestment Act funds.*

*(B) The extent to which lessons learned during previous accelerations of defense environmental cleanup efforts were used in the development of such criteria.*

*(C) The process used by the Office to estimate costs and develop schedules for such projects.*

*(D) The process used by the Office for the independent validation of the scope, cost, and schedule for such projects.*

*(E) The criteria and methodology used by the Office to measure the contribution of each such project toward reducing the overall costs, and meeting the goals, of defense environmental cleanup.*

*(2) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report containing the results of the review conducted under paragraph (1).*

*(c) PHASE TWO REVIEW.—*

*(1) IN GENERAL.—The Comptroller General shall conduct a review, during the period described in paragraph (2), of the following:*

*(A) The implementation of each project carried out using American Recovery and Reinvestment Act funds.*

*(B) The extent to which each such project is meeting the cost and scheduling goals of the project.*

*(C) The number of jobs created or maintained through such projects.*

*(D) The adequacy of contract oversight for such projects.*

*(E) Any program management, implementation or technical problems, or other problems in connection with such projects that are identified by the Comptroller General in the course of the review.*

*(F) Any management and implementation issues or actions, or other systemic issues, identified by the Comptroller General in the course of the review that either hinder or assist the effective management of defense environmental cleanup efforts.*

*(2) PERIOD DESCRIBED.—The period described in this paragraph is the period—*

*(A) beginning on the date on which the Comptroller General submits the report required under subsection (b)(2); and*

*(B) ending on the later of—*

*(i) the date on which all projects carried out using American Recovery and Reinvestment Act funds have been completed; or*

*(ii) the date on which all American Recovery and Reinvestment Act funds have been obligated or expended or are no longer available to be obligated or expended.*

*(3) REPORTS.—The Comptroller General shall submit to the congressional defense committees a report on the status of the review conducted under paragraph (1) not later than 30 days after submitting the report required under subsection (b)(2) and every 120 days thereafter until the end of the period described in paragraph (2).*

*(d) PHASE THREE REVIEW.—*

*(1) IN GENERAL.—Beginning on the date on which the Comptroller General submits the last report required under subsection (c)(3), the Comptroller General shall conduct a review of the following:*

*(A) The implementation of all projects carried out using American Recovery and Reinvestment Act funds, including the number of such projects—*

*(i) that were completed;*

*(ii) that were not completed;*

*(iii) that were completed on budget;*

*(iv) that exceeded the budget for such project;*

*(v) that were completed on schedule; and*

*(vi) that exceeded the scheduling goals for such project.*

*(B) The impact on employment as a result of the completion of such projects.*

*(C) Any lessons learned as a result of accelerating such projects.*

*(D) The extent to which the achievement of the overall goals of defense environmental cleanup were accelerated, and the overall costs of defense environmental cleanup were reduced, as a result of such projects.*

*(E) Any other issues the Comptroller General considers appropriate with respect to such projects.*

*(2) REPORT.—Not later than 90 days after submitting the last report required under subsection (c)(3), the Comptroller General shall submit to the congressional defense committees a report containing the results of the review conducted under paragraph (1).*

*(e) AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS DEFINED.—In this section, the term ''American Recovery and Reinvestment Act funds'' means funds made available for the Office of Environmental Management under the heading ''DEFENSE ENVIRONMENTAL CLEANUP'' under the heading ''ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES'' under the heading ''DEPARTMENT OF ENERGY'' under title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 140).*

### *Subtitle D—Other Matters*

**SEC. 3141. TEN-YEAR PLAN FOR USE AND FUNDING OF CERTAIN DEPARTMENT OF ENERGY FACILITIES.**

*(a) IN GENERAL.—The Administrator for Nuclear Security and the Under Secretary for Science of the Department of Energy shall jointly develop a plan to use and fund, over a ten-year period, the following facilities of the Department of Energy:*

*(1) The National Ignition Facility at the Lawrence Livermore National Laboratory, California.*

*(2) The Los Alamos Neutron Science Center at the Los Alamos National Laboratory, New Mexico.*

*(3) The Z Machine at the Sandia National Laboratories, New Mexico.*

*(4) The Microsystems and Engineering Sciences Application Facility at the Sandia National Laboratories, New Mexico.*

*(b) SUBMITTAL OF PLAN.—Not later than 45 days after the date of the enactment of this Act, the Administrator for Nuclear Security and the Under Secretary for Science of the Department of Energy shall submit to the appropriate congressional committees the plan required by subsection (a).*

*(c) REQUIREMENT TO SPECIFY SOURCE OF FACILITY FUNDING IN BUDGET REQUESTS.—In any budget request for the Department of Energy for a fiscal year that is submitted to Congress after the date of the enactment of this Act, the Secretary of Energy shall identify for that fiscal year the portion of the funding for each facility specified in subsection (a) that is to be provided by the National Nuclear Security Administration and by the Office of Science of the Department of Energy.*

*(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Science and Technology of the House of Representatives; and*

*(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate.*

**SEC. 3142. EXPANSION OF AUTHORITY OF OMBUDSMAN OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.**

*(a) IN GENERAL.—Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15) is amended—*

*(1) in subsection (c), by inserting ''and subtitle B'' after ''this subtitle'' each place it appears;*

*(2) in subsection (d), by inserting ''and subtitle B'' after ''this subtitle'';*

*(3) in subsection (e), by inserting ''and subtitle B'' after ''this subtitle'' each place it appears;*

*(4) by redesignating subsection (g) as subsection (h); and*

*(5) by inserting after subsection (f) the following new subsection:*

*''(g) NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH OMBUDSMAN.—In carrying out the duties of the Ombudsman under this section, the Ombudsman shall work with the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under subtitle B.''.*

*(b) CONSTRUCTION.—Except as specifically provided in subsection (g) of section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000, as amended by subsection (a) of this section, nothing in the amendments made by such subsection (a) shall be construed to alter or affect the duties and functions of the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under subtitle B of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l et seq.).*

**SEC. 3143. IDENTIFICATION IN BUDGET MATERIALS OF AMOUNTS FOR CERTAIN DEPARTMENT OF ENERGY PENSION OBLIGATIONS.**

*The Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) specific identification, as a budgetary line item, of the amounts required to meet the pension obligations of the Department of Energy for contractor employees at each facility of the Department of Energy operated using amounts authorized to be appropriated for the Department of Energy.*

**SEC. 3144. SENSE OF CONGRESS ON PRODUCTION OF MOLYBDENUM–99.**

*(a) FINDINGS.—Congress finds the following:*

*(1) There are fewer than five reactors around the world currently capable of producing molybdenum–99 (in this section referred to as ''Mo–99'') and there are no such reactors in the United States that can provide a reliable supply of Mo–99 to meet medical needs.*

*(2) Since November 2007, there have been major disruptions in the global availability of Mo–99, including at facilities in Canada and the Netherlands, which have led to shortages of Mo–99-based medical products in the United States and around the world.*

*(3) Ensuring a reliable supply of medical radioisotopes, including Mo–99, is of great importance to the public health.*

*(4) It is also a national security priority of the United States, and specifically of the Department of Energy, to encourage the production of low-enriched uranium-based radioisotopes in order to promote a more peaceful international nuclear order.*

*(5) The National Academy of Sciences has identified a need to establish a reliable capability in the United States for the production of Mo–99 and its derivatives for medical purposes using low-enriched uranium.*

*(6) There also exists a capable industrial base in the United States that can support the development of Mo–99 production facilities and can conduct the processing and distribution of radiopharmaceutical products for use in medical tests worldwide.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) radioisotopes and radiopharmaceuticals, including Mo–99 and its derivatives, are essential components of medical tests that help diagnose and treat life-threatening diseases affecting millions of people each year; and*

*(2) the Secretary of Energy should continue and expand a program to meet the need identified by the National Academy of Sciences to ensure a source of Mo–99 and its derivatives for use in medical tests to help ensure the health security of the United States and around the world and promote peaceful nuclear industries through the use of low-enriched uranium.*

## *TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

*TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

*Sec. 3201. Authorization.*

**SEC. 3201. AUTHORIZATION.**

*There are authorized to be appropriated for fiscal year 2010, $26,086,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).*

## *TITLE XXXIV—NAVAL PETROLEUM RESERVES*

*Sec. 3401. Authorization of appropriations.*

**SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $23,627,000 for fiscal year 2010 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

## TITLE XXXV—MARITIME ADMINISTRATION


Sec. 3501. Authorization of appropriations for fiscal year 2010.
Sec. 3502. Unused leave balances.
Sec. 3503. Temporary program authorizing contracts with adjunct professors at the United States Merchant Marine Academy.
Sec. 3504. Maritime loan guarantee program.
Sec. 3505. Defense measures against unauthorized seizures of Maritime Security Fleet vessels.
Sec. 3506. Report on restrictions on United States-flagged commercial vessel security.
Sec. 3507. Technical corrections to State maritime academies student incentive program.
Sec. 3508. Cooperative agreements, administrative expenses, and contracting authority.
Sec. 3509. Use of funding for DOT maritime heritage property.
Sec. 3510. Use of midshipman fees.
Sec. 3511. Construction of vessels in the United States policy.
Sec. 3512. Port infrastructure development program.
Sec. 3513. Reefs for marine life conservation program.
Sec. 3514. United States Merchant Marine Academy graduate program receipt, disbursement, and accounting for nonappropriated funds.
Sec. 3515. America's short sea transportation grants for the development of marine highways.
Sec. 3516. Expansion of the Marine View system.


**SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2010.**

Funds are hereby authorized to be appropriated for fiscal year 2010, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $152,900,000, of which—

(A) $15,391,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy;

(B) $11,240,000 shall remain available until expended for maintenance and repair of training ships of the State Maritime Academies; and

(C) $74,500,000 shall be available for operations at the United States Merchant Marine Academy.

(2) For expenses to maintain and preserve a United States-flag merchant fleet to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $174,000,000.

(3) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, $15,000,000.

(4) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $60,000,000.

(5) For administrative expenses related to the implementation of the loan guarantee program under chapter 537 of title 46, United States Code, administrative expenses related to the implementation of the reimbursement program under section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note), and administrative expenses related to the implementation of the program of assistance for small shipyards and maritime communities under section 54101 of title 46, United States Code, $4,000,000.

**SEC. 3502. UNUSED LEAVE BALANCES.**

The Maritime Administrator may, subject to the availability of appropriations, make a lump-sum payment for the accumulated balance of unused annual leave, at a rate of pay that existed on the date of termination or on the day before conversion to the Civil Service, to any former employee of a United States Merchant Marine Academy nonappropriated fund instrumentality who was terminated from such employment in the period September 2008 through March 2009 under authority granted by section 3506 of the Duncan Hunter National Defense Authorization Act for fiscal year 2009 (Public Law 110–417; 122 Stat. 4356).

**SEC. 3503. TEMPORARY PROGRAM AUTHORIZING CONTRACTS WITH ADJUNCT PROFESSORS AT THE UNITED STATES MERCHANT MARINE ACADEMY.**

(a) IN GENERAL.—Chapter 513 of title 46, United States Code, is amended by adding at the end thereof the following:

**"§ 51317. Adjunct professors**

''(a) IN GENERAL.—The Maritime Administrator may establish a program for the purpose of contracting with individuals as personal services contractors to provide services as adjunct professors at the Academy, if the Maritime Administrator determines that there is a need for adjunct professors and the need is not of permanent duration.

''(b) CONTRACT REQUIREMENTS.—Each contract under the program—

''(1) must be approved by the Maritime Administrator; and

''(2) shall be for a duration, including options, of not to exceed one year unless the Maritime Administrator finds that exceptional circumstances justify an extension of up to one additional year.

''(3) shall be subject to the availability of appropriations.

''(c) LIMITATION ON NUMBER OF CONTRACTORS.—In awarding contacts under this section, the Maritime Administrator shall ensure that not more than 25 individuals actively provide services in any one academic trimester, or equivalent, as contractors under subsection (a).

''(d) REPORTING REQUIREMENTS.—When the authority granted by subsection (a) is used to hire an adjunct professor at the Academy in fiscal year 2010 or fiscal year 2011, the Administrator shall notify the Committee on Armed Services of the House of Representatives, the Committee on Armed Services of the Senate, and the Committee on Commerce, Science, and Transportation of the Senate, including the need for and the term of employment for the adjunct professor.''.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The table of contents for chapter 513 of title 46, United States Code, is amended by adding at the end thereof the following new item:

''51317. Adjunct professors.' '.

(2) CONFORMING AMENDMENT.—Section 3506 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (46 U.S.C. 53101 note) is repealed.

**SEC. 3504. MARITIME LOAN GUARANTEE PROGRAM.**

The Congress finds that—

(1) it is in the national security interest of the United States to foster commercial shipbuilding in the United States;

(2) the maritime loan guarantee program authorized by chapter 537 or title 46, United States Code, has a long and successful history of facilitating construction of commercial vessels in domestic shipyards;

(3) the Maritime Loan Guarantee Program strengthens our Nation's industrial base by allowing domestic shipyards and their allied service and supply industries to more effectively produce commercial vessels that enhance the commercial sealift capability of the Department of Defense; and

(4) a revitalized and effective Maritime Loan Guarantee Program would result in construction of a more modern and larger fleet of commercial vessels manned by United States citizens, thereby providing a pool of trained United States citizen mariners available to assist the Department of Defense in times of war or national emergency.

**SEC. 3505. DEFENSE MEASURES AGAINST UNAUTHORIZED SEIZURES OF MARITIME SECURITY FLEET VESSELS.**

Section 53107(b) of title 46, United States Code, is amended by adding at the end the following new paragraph:

''(3) DEFENSE MEASURES AGAINST UNAUTHORIZED SEIZURES.—(A) The Emergency Preparedness Agreement for any operating agreement that first takes effect or is renewed after the date of enactment of the National Defense Authorization Act for Fiscal Year 2010 shall require that any vessel operating under the agreement in the carriage of cargo for the Department of Defense in an area that is designated by the Coast Guard as an area of high risk of piracy shall be equipped with, at a minimum, appropriate non-lethal defense measures to protect the vessel, crew, and cargo from unauthorized seizure at sea.

''(B) The Secretary of Defense and the Secretary of the department in which the Coast Guard is operating shall jointly prescribe the non-lethal defense measures that are required under this paragraph.''.

**SEC. 3506. REPORT ON RESTRICTIONS ON UNITED STATES-FLAGGED COMMERCIAL VESSEL SECURITY.**

(a) REPORT REQUIRED.—The Secretary of Defense and the Secretary of State shall prepare and submit a joint report to the appropriate congressional committees not later than 60 days after the date of the enactment of this Act on actions within their respective departments to—

(1) eliminate or reduce restrictions under any regulation or provision of law on the carriage of arms and use of armed security teams on United States-flagged commercial vessels for purpose of self defense in areas that are designated as being at a high risk of piracy;

(2) negotiate bilateral agreements with coastal states to allow United States-flagged commercial vessels carrying United States Government cargos, such as food aid, that must transit areas designated as being at high risk of piracy, to enter the ports of those coastal states while carrying arms or embarked armed security teams for the purpose of self-defense; and

(3) establish common standards, in coordination with the Secretary of Homeland Security and the Commandant of the United States Coast Guard, for the training and professional qualifications of armed security teams.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate.

(2) ARMED SECURITY TEAMS.—The term ''armed security teams'' means security guards employed from the private sector for the purpose of self-defense of the vessel.

**SEC. 3507. TECHNICAL CORRECTIONS TO STATE MARITIME ACADEMIES STUDENT INCENTIVE PROGRAM.**

(a) INSTALLMENT PAYMENTS.—Section 51509(b) of title 46, United States Code, is amended—

*(1) by striking ''and be paid before the start of each academic year, as prescribed by the Secretary,'' and inserting ''and be paid in such installments as the Secretary shall determine'';*

*(2) by striking ''academy.'' and inserting ''academy, as prescribed by the Secretary.''.*

*(b) REPEAL OF REDUNDANT SECTION.—Section 177 of division I of Public Law 111–8 (123 Stat. 945; relating to amendments previously enacted by section 3503 of division C of Public Law 110–417 (122 Stat. 4762)) is repealed and shall have no force or effect.*

**SEC. 3508. COOPERATIVE AGREEMENTS, ADMINISTRATIVE EXPENSES, AND CONTRACTING AUTHORITY.**

*Section 109 of title 49, United States Code, is amended—*

*(1) by striking the headline for subsection (h) and inserting the following:*

*''(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—'';*

*(2) by striking the heading for paragraph (1) of subsection (h) and inserting the following:*

*''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—'';*

*(3) by striking ''make contracts'' in subsection (h)(1) and inserting ''make contracts and cooperative agreements'';*

*(4) by striking ''section and'' in subsection (h)(1)(A) and inserting ''section,'';*

*(5) by striking ''title 46;'' in subsection (h)(1)(A) and insert ''title 46, and all other Maritime Administration programs;''; and*

*(6) by redesignating subsection (i) as subsection (j) and inserting after subsection (h) the following:*

*''(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.''.*

**SEC. 3509. USE OF FUNDING FOR DOT MARITIME HERITAGE PROPERTY.**

*Section 6(a)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(a)(1)) is amended by striking subparagraph (C) and inserting the following:*

*''(C) The remainder, whether collected before or after the date of enactment of the Maritime Administration Authorization Act of 2010, shall be available to the Secretary to carry out the Program, as provided in subsection (b) of this section or, if otherwise determined by the Maritime Administrator, for use in the preservation and presentation to the public of maritime heritage property of the Maritime Administration.''.*

**SEC. 3510. USE OF MIDSHIPMAN FEES.**

*Section 51314 of title 46, United States Code, is amended by striking ''1994.'' in subsection (b) and inserting ''1994, or for calculators, computers, personal and academic supplies, midshipman services such as barber, tailor, or laundry services, and Coast Guard license fees.''.*

**SEC. 3511. CONSTRUCTION OF VESSELS IN THE UNITED STATES POLICY.**

*Section 50101(a)(4) of title 46, United States Code, is amended by inserting ''constructed in the United States'' after ''vessels''.*

**SEC. 3512. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.**

*Section 50302 of title 46, United States Code, is amended by adding at the end thereof the following:*

*''(c) PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.—*

*''(1) ESTABLISHMENT OF PROGRAM.—The Secretary of Transportation, through the Maritime Administrator, shall establish a port infrastructure development program for the improvement of port facilities as provided in this subsection.*

*''(2) AUTHORITY OF THE ADMINISTRATOR.—In order to carry out any project under the program established under paragraph (1), the Administrator may—*

*''(A) receive funds provided for the project from Federal, non-Federal, and private entities that have a specific agreement or contract with the Administrator to further the purposes of this subsection;*

*''(B) coordinate with other Federal agencies to expedite the process established under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the improvement of port facilities to improve the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities;*

*''(C) seek to coordinate all reviews or requirements with appropriate local, State, and Federal agencies; and*

*''(D) provide such technical assistance to port authorities or commissions or their subdivisions and agents as needed for project planning, design, and construction.*

*''(3) PORT INFRASTRUCTURE DEVELOPMENT FUND.—*

*''(A) ESTABLISHMENT.—There is a Port Infrastructure Development Fund for use by the Administrator in carrying out projects under the port infrastructure development program. The Fund shall be available to the Administrator—*

*''(i) to administer and carry out projects under the program;*

*''(ii) to receive Federal, non-Federal, and private funds from entities which have specific agreements or contracts with the Administrator; and*

*''(iii) to make refunds for projects that will not be completed.*

*''(B) CREDITS.—There may be deposited into the Fund—*

*''(i) funds from Federal, non-Federal, and private entities which have agreements or contracts with the Administrator and which shall remain in the Fund until expended or refunded; and*

*''(ii) such amounts as may be appropriated or transferred, subject to subparagraph (C), to the Fund under this subsection.*

*''(C) TRANSFERS.—*

*''(i) IN GENERAL.—Subject to clauses (ii) and (iii), amounts appropriated or otherwise made available for any fiscal year for a marine facility or intermodal facility that includes maritime transportation may be transferred, at the option of the recipient of such amounts, to the Fund and administered by the Administrator as a component of a project under the program.*

*''(ii) PROHIBITION ON TRANSFERS.—Except as provided in clause (iii), no funds appropriated or made available under title 23 or chapter 53 of title 49, United States Code, including funds from the Highway Trust Fund (section 9503(c) of the Internal Revenue Code of 1986), funds from the Mass Transit Account of the Highway Trust Fund (section 9503(e) of Internal Revenue Code of 1986), and funds provided for public transportation programs within the mass transit category (as defined in section 250(c)(4)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985), shall be transferred into the Fund.*

*''(iii) EXCEPTION.—*

*''(I) IN GENERAL.—Amounts described in subclause (II) are eligible for transfer into the Fund if—*

*''(aa) the recipient of the amounts has a specific agreement or contract with the Administrator;*

*''(bb) the Department of Transportation agency that administers the amounts to be transferred has granted project approval for each component of the project that is to be funded using such amounts;*

*''(cc) the Department of Transportation agency that administers the amounts to be transferred and the Maritime Administration agree to the transfer through a signed Memorandum of Understanding; and*

*''(dd) the amounts will be used only to carry out the project for which funds were approved, and in accordance with any conditions governing the amounts under title 23 or chapter 53 of title 49, United States Code.*

*''(II) AMOUNTS DESCRIBED.—The amounts referred to in subclause (I) are amounts appropriated or made available—*

*''(aa) for loans, loan guarantees, or lines of credit under chapter 6 of title 23, United States Code, for a project eligible under such chapter to facilitate direct intermodal exchange, transfer, and access into and out of a port as defined under section 601(a)(8)(D)(iii) of such title, as in effect on the date of enactment of this subsection; or*

*''(bb) for projects under title XII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).*

*''(D) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to alter or otherwise affect existing authorities to conduct port infrastructure programs in Hawaii (as authorized by section 9008 of Public Law 109–59), Alaska (as authorized by section 10205 of Public Law 109–59), or Guam (as authorized by section 3512 of Public Law 110–417).*

*''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Fund such sums as may be necessary to carry out the program, taking into account amounts received under paragraph (3)(A)(ii).''.*

**SEC. 3513. REEFS FOR MARINE LIFE CONSERVATION PROGRAM.**

*(a) IN GENERAL.—Section 3 of Public Law 92–402 (16 U.S.C. 1220) is amended by adding at the end thereof the following:*

*''(d) Any territory, possession, or Commonwealth of the United States, and any foreign country, may apply to the Secretary for an obsolete vessel to be used for an artificial reef under this section. The application process and reefing of any such obsolete vessel shall be performed in a manner consistent with the process jointly developed by the Secretary of Transportation and the Administrator of the Environmental Protection Agency under section 3504(b) of Public Law 107–314 (16 U.S.C. 1220 note).''.*

*(b) LIMITATION.—Section 7 of Public Law 92–402 (16 U.S.C. 1220c–1) is amended by adding at the end thereof the following:*

*''(d) LIMITATION.—The Secretary may not provide assistance under this section to a foreign country to which an obsolete ship is transferred under this Act.''.*

**SEC. 3514. UNITED STATES MERCHANT MARINE ACADEMY GRADUATE PROGRAM RECEIPT, DISBURSEMENT, AND ACCOUNTING FOR NONAPPROPRIATED FUNDS.**

*Section 51309(b) of title 46, United States Code, is amended by inserting after ''body.'' the following: ''Nonappropriated funds received for this purpose shall be credited to the Maritime Administration's Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purpose of such receipts. The Superintendent shall maintain a separate and detailed accounting of nonappropriated fund receipts and all associated expenses.''.*

**SEC. 3515. AMERICA'S SHORT SEA TRANSPORTATION GRANTS FOR THE DEVELOPMENT OF MARINE HIGHWAYS.**

*Section 55601 of title 46, United States Code, is amended by adding at the end the following:*

*''(g) GRANTS.—*

*''(1) IN GENERAL.—The Secretary shall establish and implement a short sea transportation grant program to implement projects or components of a project designated under subsection (d).*

*''(2) APPLICATIONS.—In order to receive a grant under the program, an applicant shall—*

*''(A) submit an application to the Secretary, in such form and manner, at such time, and containing such information as the Secretary may require; and*

*''(B) demonstrate to the satisfaction of the Secretary that—*

*''(i) the project is financially viable;*

*''(ii) the funds received will be spent efficiently and effectively; and*

*''(iii) a market exists for the services of the proposed project as evidenced by contracts or*

*written statements of intent from potential customers.*

*''(3) NON-FEDERAL SHARE.—An applicant shall provide at least 20 percent of the project costs from non-Federal sources. In awarding grants under the program, the Secretary shall give a preference to those projects or components that present the most financially viable transportation services and require the lowest percentage Federal share of the costs.''.*

***SEC. 3516. EXPANSION OF THE MARINE VIEW SYSTEM.***

*(a) DEFINITIONS.—In this section:*

*(1) MARINE TRANSPORTATION SYSTEM.—The term ''marine transportation system'' means the navigable water transportation system of the United States, including the vessels, ports (and intermodal connections thereto), and shipyards and other vessel repair facilities that are components of that system.*

*(2) MARINE VIEW SYSTEM.—The term ''Marine View system'' means the information system of the Maritime Administration known as Marine View.*

*(b) PURPOSES.—The purposes of this section are—*

*(1) to expand the Marine View system; and*

*(2) to provide support for the strategic requirements of the marine transportation system and its contribution to the economic viability of the United States.*

*(c) EXPANSION OF MARINE VIEW SYSTEM.—To accomplish the purposes of this section, the Secretary of Transportation shall expand the Marine View system so that such system is able to identify, collect, integrate, secure, protect, store, and securely distribute throughout the marine transportation system information that—*

*(1) provides access to many disparate marine transportation system data sources;*

*(2) enables a system-wide view of the marine transportation system;*

*(3) fosters partnerships between the Government of the United States and private entities;*

*(4) facilitates accurate and efficient modeling of the entire marine transportation system environment;*

*(5) monitors and tracks threats to the marine transportation system, including areas of severe weather or reported piracy; and*

*(6) provides vessel tracking and rerouting, as appropriate, to ensure that the economic viability of the United States waterways is maintained.*

## *DIVISION D—FUNDING TABLES*

***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.***

*(a) AMOUNTS SPECIFIED IN FUNDING TABLES ARE AUTHORIZED BY LAW.—Wherever a funding table in this Division specifies a dollar amount for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the indicated project, program, or activity is hereby authorized by law, subject to the availability of appropriations.*

*(b) MERIT-BASED DECISIONS.—Decisions by agency heads to commit, obligate, or expend funds with or to a specific entity on the basis of dollar amount authorized pursuant to subsection (a) shall be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.*

*(c) RELATIONSHIP TO TRANSFER AND REPROGRAMMING AUTHORITY.—This section does not prevent an amount covered by this section from being transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in a funding table referred to in subsection (a) shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.*

*(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.*

*(e) ORAL AND WRITTEN COMMUNICATION.—No oral or written communication concerning any amount specified in a funding table referred to in subsection (a) shall supersede the requirements of this section.*

## *TITLE XLI—PROCUREMENT*

***SEC. 4101. PROCUREMENT.***

***PROCUREMENT***
***(In Thousands of Dollars)***

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **AIRCRAFT PROCUREMENT, ARMY** | | |
| | **AIRCRAFT** | | |
| | **FIXED WING** | | |
| 001 | JOINT CARGO AIRCRAFT (JCA) | | |
| 002 | UTILITY F/W AIRCRAFT | | |
| 003 | MQ–1 UAV | 401,364 | 201,364 |
| | Avoid forward funding of production | | [–200,000] |
| 004 | RQ–11 (RAVEN) | 35,008 | 35,008 |
| 004A | C–12A | | |
| | **ROTARY WING** | | |
| 006 | ARMED RECONNAISSANCE HELICOPTER | | |
| 007 | ADVANCE PROCUREMENT (CY) | | |
| 008 | HELICOPTER, LIGHT UTILITY (LUH) | 326,040 | 326,040 |
| 009 | AH–64 APACHE BLOCK III | 161,280 | 161,280 |
| 010 | ADVANCE PROCUREMENT (CY) | 57,890 | 57,890 |
| 011 | UH–60 BLACKHAWK (MYP) | 1,258,374 | 1,258,374 |
| 012 | ADVANCE PROCUREMENT (CY) | 98,740 | 98,740 |
| 013 | CH–47 HELICOPTER | 860,087 | 882,087 |
| | Transfer From APA 22 | | [22,000] |
| 014 | ADVANCE PROCUREMENT (CY) | 50,676 | 50,676 |
| 015 | HELICOPTER NEW TRAINING | 19,639 | 0 |
| | Program Not Justified | | [–19,639] |
| | **MODIFICATION OF AIRCRAFT** | | |
| 016 | MQ–1 PAYLOAD—UAS | 87,424 | 87,424 |
| 017 | MQ–1 WEAPONIZATION—UAS | 14,832 | 14,832 |
| 018 | GUARDRAIL MODS (MIP) | 61,517 | 61,517 |
| 019 | MULTI SENSOR ABN RECON (MIP) | 21,457 | 21,457 |
| 020 | AH–64 MODS | 426,415 | 427,415 |
| | Air Filtration Systems | | [1,000] |
| 021 | ADVANCE PROCUREMENT (CY) | | |
| 022 | CH–47 CARGO HELICOPTER MODS (MYP) | 102,876 | 85,876 |
| | Common Avionics Architecture System | | [2,000] |
| | Vibration Management Enhancement Program | | [3,000] |
| | Transfer to APA 13 | | [–22,000] |
| 023 | ADVANCE PROCUREMENT (CY) | | |
| 024 | UTILITY/CARGO AIRPLANE MODS | 39,547 | 39,547 |
| 025 | AIRCRAFT LONG RANGE MODS | 823 | 823 |
| 026 | UTILITY HELICOPTER MODS | 66,682 | 71,682 |
| | UH–60 ARNG Rewiring Program | | [5,000] |
| 027 | KIOWA WARRIOR | 140,768 | 140,768 |
| 028 | AIRBORNE AVIONICS | 241,287 | 241,287 |
| 029 | GATM ROLLUP | 103,142 | 103,142 |
| 030 | RQ–7 UAV MODS | 283,012 | 283,012 |
| 030A | C–12A | | |
| | **SPARES AND REPAIR PARTS** | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 031 | SPARE PARTS (AIR) | 7,083 | 7,083 |
| | **SUPPORT EQUIPMENT AND FACILITIES** | | |
| | **GROUND SUPPORT AVIONICS** | | |
| 032 | AIRCRAFT SURVIVABILITY EQUIPMENT | 25,975 | 25,975 |
| 033 | ASE INFRARED CM | 186,356 | 186,356 |
| | **OTHER SUPPORT** | | |
| 034 | AVIONICS SUPPORT EQUIPMENT | 4,933 | 4,933 |
| 035 | COMMON GROUND EQUIPMENT | 87,682 | 87,682 |
| 036 | AIRCREW INTEGRATED SYSTEMS | 52,725 | 55,725 |
| | Air warrior ensemble—generation III | | [3,000] |
| 037 | AIR TRAFFIC CONTROL | 76,999 | 76,999 |
| 038 | INDUSTRIAL FACILITIES | 1,533 | 1,533 |
| 039 | LAUNCHER, 2.75 ROCKET | 2,716 | 2,716 |
| 040 | AIRBORNE COMMUNICATIONS | 11,109 | 11,109 |
| | **TOTAL—AIRCRAFT PROCUREMENT, ARMY** | **5,315,991** | **5,110,352** |
| | **MISSILE PROCUREMENT, ARMY** | | |
| | **OTHER MISSILES** | | |
| | **SURFACE-TO-AIR MISSILE SYSTEM** | | |
| 001 | PATRIOT SYSTEM SUMMARY | 348,351 | 348,351 |
| 002 | PATRIOT/MEADS CAP SYSTEM SUMMARY | 16,406 | 16,406 |
| 003 | SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY: | 72,920 | 72,920 |
| 004 | ADVANCE PROCUREMENT (CY) | | |
| | **AIR-TO-SURFACE MISSILE SYSTEM** | | |
| 005 | HELLFIRE SYS SUMMARY | 31,154 | 29,154 |
| | Unjustified cost growth | | [–2,000] |
| | **ANTI-TANK/ASSAULT MISSILE SYSTEM** | | |
| 006 | JAVELIN (AAWS-M) SYSTEM SUMMARY | 148,649 | 148,649 |
| 007 | TOW 2 SYSTEM SUMMARY | 108,066 | 108,066 |
| 008 | GUIDED MLRS ROCKET (GMLRS) | 293,617 | 293,617 |
| 009 | MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) | 15,663 | 15,663 |
| 010 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS | 209,061 | 209,061 |
| 011 | ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM | | |
| | **MODIFICATIONS** | | |
| 012 | PATRIOT MODS | 44,775 | 44,775 |
| 013 | ITAS/TOW MODS | 6,983 | 6,983 |
| 014 | MLRS MODS | 3,662 | 3,662 |
| 015 | HIMARS MODIFICATIONS | 38,690 | 38,690 |
| 016 | HELLFIRE MODIFICATIONS | 10 | 10 |
| | **SPARES AND REPAIR PARTS** | | |
| 017 | SPARES AND REPAIR PARTS | 22,338 | 22,338 |
| | **SUPPORT EQUIPMENT AND FACILITIES** | | |
| 018 | AIR DEFENSE TARGETS | 4,188 | 4,188 |
| 019 | ITEMS LESS THAN $5.0M (MISSILES) | 1,178 | 1,178 |
| 020 | PRODUCTION BASE SUPPORT | 4,398 | 4,398 |
| | **TOTAL—MISSILE PROCUREMENT, ARMY** | **1,370,109** | **1,368,109** |
| | **PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES** | | |
| | **TRACKED COMBAT VEHICLES** | | |
| 001 | BRADLEY PROGRAM | | |
| 002 | BRADLEY TRAINING DEVICES (MOD) | | |
| 003 | ABRAMS TANK TRAINING DEVICES | | |
| 004 | STRYKER VEHICLE | 388,596 | 364,196 |
| | Program Reduction | | [–24,400] |
| 005 | FUTURE COMBAT SYSTEMS: (FCS) | | |
| 006 | ADVANCE PROCUREMENT (CY) | | |
| 007 | FCS SPIN OUTS | 285,920 | 285,920 |
| 008 | ADVANCE PROCUREMENT (CY) | 42,001 | 42,001 |
| | **MODIFICATION OF TRACKED COMBAT VEHICLES** | | |
| 009 | FIST VEHICLE (MOD) | 34,192 | 34,192 |
| 010 | BRADLEY PROGRAM (MOD) | 526,356 | 526,356 |
| 011 | HOWITZER, MED SP FT 155MM M109A6 (MOD) | 96,503 | 5,003 |
| | Army requested transfer to RDT&E, A, line 114 | | [–91,500] |
| 012 | IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) | 96,814 | 96,814 |
| 013 | ARMORED BREACHER VEHICLE | 63,250 | 63,250 |
| 014 | JOINT ASSAULT BRIDGE | 70,637 | 70,637 |
| 015 | M1 ABRAMS TANK (MOD) | 183,829 | 183,829 |
| 016 | ABRAMS UPGRADE PROGRAM | 185,611 | 185,611 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 017 | ITEMS LESS THAN $5.0M (TCV-WTCV) | | |
| 018 | PRODUCTION BASE SUPPORT (TCV-WTCV) | 6,601 | 6,601 |
| | **WEAPONS AND OTHER COMBAT VEHICLES** | | |
| 019 | HOWITZER, LIGHT, TOWED, 105MM, M119 | 95,631 | 95,631 |
| 020 | M240 MEDIUM MACHINE GUN (7.62MM) | 32,919 | 32,919 |
| 021 | MACHINE GUN, CAL .50 M2 ROLL | 84,588 | 84,588 |
| 022 | LIGHTWEIGHT .50 CALIBER MACHINE GUN | 977 | 977 |
| 023 | M249 SAW MACHINE GUN (5.56MM) | 7,535 | 7,535 |
| 024 | MK–19 GRENADE MACHINE GUN (40MM) | 7,700 | 7,700 |
| 025 | MORTAR SYSTEMS | 14,779 | 14,779 |
| 026 | M107, CAL. 50, SNIPER RIFLE | 224 | 224 |
| 027 | XM320 GRENADE LAUNCHER MODULE (GLM) | 16,023 | 16,023 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 028 | M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS) | 6,223 | 6,223 |
| 029 | M4 CARBINE | 20,500 | 20,500 |
| 030 | SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS) | 6,945 | 6,945 |
| 031 | COMMON REMOTELY OPERATED WEAPONS STATION (CRO | | 100,000 |
| | Program Increase | | [100,000] |
| 032 | HANDGUN | 3,389 | 3,389 |
| 033 | HOWITZER LT WT 155MM (T) | 49,572 | 49,572 |
| | **MOD OF WEAPONS AND OTHER COMBAT VEH** | | |
| 034 | MK–19 GRENADE MACHINE GUN MODS | 8,164 | 8,164 |
| 035 | M4 CARBINE MODS | 31,472 | 31,472 |
| 036 | M2 50 CAL MACHINE GUN MODS | 7,738 | 7,738 |
| 037 | M249 SAW MACHINE GUN MODS | 7,833 | 7,833 |
| 038 | M240 MEDIUM MACHINE GUN MODS | 17,964 | 17,964 |
| 039 | PHALANX MODS | | |
| 040 | M119 MODIFICATIONS | 25,306 | 25,306 |
| 041 | M16 RIFLE MODS | 4,186 | 4,186 |
| 041A | M14 7.62 RIFLE MODS | | |
| 042 | MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV) | 6,164 | 6,164 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 043 | ITEMS LESS THAN $5.0M (WOCV-WTCV) | 551 | 551 |
| 044 | PRODUCTION BASE SUPPORT (WOCV-WTCV) | 9,855 | 12,855 |
| | Arsenal Support Program Initiative (ASPI) at Rock Island | | [3,000] |
| 045 | INDUSTRIAL PREPAREDNESS | 392 | 392 |
| 046 | SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) | 5,012 | 5,012 |
| | **TOTAL—PROCUREMENT OF WTCV, ARMY** | **2,451,952** | **2,439,052** |
| | **PROCUREMENT OF AMMUNITION, ARMY** | | |
| | **AMMUNITION** | | |
| | **SMALL/MEDIUM CALIBER AMMUNITION** | | |
| 001 | CTG, 5.56MM, ALL TYPES | 207,752 | 207,752 |
| 002 | CTG, 7.62MM, ALL TYPES | 77,602 | 77,602 |
| 003 | CTG, HANDGUN, ALL TYPES | 5,120 | 5,120 |
| 004 | CTG, .50 CAL, ALL TYPES | 162,342 | 162,342 |
| 005 | CTG, 25MM, ALL TYPES | 17,054 | 17,054 |
| 006 | CTG, 30MM, ALL TYPES | 96,572 | 96,572 |
| 007 | CTG, 40MM, ALL TYPES | 172,675 | 175,675 |
| | Additional 40mm Mortar Rounds—Milan AAP | | [3,000] |
| | **MORTAR AMMUNITION** | | |
| 008 | 60MM MORTAR, ALL TYPES | 23,607 | 25,607 |
| | M722 60mm White Phosphorous Smoke Mortar Rounds | | [2,000] |
| 009 | 81MM MORTAR, ALL TYPES | 28,719 | 28,719 |
| 010 | CTG, MORTAR, 120MM, ALL TYPES | 104,961 | 104,961 |
| | **TANK AMMUNITION** | | |
| 011 | CTG TANK 105MM: ALL TYPES | 7,741 | 7,741 |
| 012 | CTG, TANK, 120MM, ALL TYPES | 113,483 | 113,483 |
| | **ARTILLERY AMMUNITION** | | |
| 013 | CTG, ARTY, 75MM: ALL TYPES | 5,229 | 5,229 |
| 014 | CTG, ARTY, 105MM: ALL TYPES | 90,726 | 90,726 |
| 015 | CTG, ARTY, 155MM, ALL TYPES | 54,546 | 54,546 |
| 016 | PROJ 155MM EXTENDED RANGE XM982 | 62,292 | 62,292 |
| 017 | MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T | 33,441 | 33,441 |
| | **ARTILLERY FUZES** | | |
| 018 | ARTILLERY FUZES, ALL TYPES | 19,870 | 19,870 |
| | **MINES** | | |
| 019 | MINES, ALL TYPES | 815 | 815 |
| 020 | MINE, CLEARING CHARGE, ALL TYPES | | |
| 021 | ANTIPERSONNEL LANDMINE ALTERNATIVES | 56,387 | 56,387 |
| 022 | INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES | 19,507 | 19,507 |
| | **ROCKETS** | | |
| 023 | SHOULDER LAUNCHED MUNITIONS, ALL TYPES | 45,302 | 45,302 |
| 024 | ROCKET, HYDRA 70, ALL TYPES | 99,904 | 99,904 |
| | **OTHER AMMUNITION** | | |
| 025 | DEMOLITION MUNITIONS, ALL TYPES | 18,793 | 18,793 |
| 026 | GRENADES, ALL TYPES | 49,910 | 49,910 |
| 027 | SIGNALS, ALL TYPES | 83,094 | 83,094 |
| 028 | SIMULATORS, ALL TYPES | 12,081 | 12,081 |
| | **MISCELLANEOUS** | | |
| 029 | AMMO COMPONENTS, ALL TYPES | 17,968 | 17,968 |
| 030 | NON-LETHAL AMMUNITION, ALL TYPES | 7,378 | 7,378 |
| 031 | CAD/PAD ALL TYPES | 3,353 | 3,353 |
| 032 | ITEMS LESS THAN $5 MILLION | 8,826 | 8,826 |
| 033 | AMMUNITION PECULIAR EQUIPMENT | 11,187 | 11,187 |
| 034 | FIRST DESTINATION TRANSPORTATION (AMMO) | 14,354 | 14,354 |
| 035 | CLOSEOUT LIABILITIES | 99 | 99 |
| | **AMMUNITION PRODUCTION BASE SUPPORT** | | |
| | **PRODUCTION BASE SUPPORT** | | |
| 036 | PROVISION OF INDUSTRIAL FACILITIES | 151,943 | 153,943 |
| | Bomb line modernization | | [2,000] |
| 037 | LAYAWAY OF INDUSTRIAL FACILITIES | 9,529 | 9,529 |
| 038 | MAINTENANCE OF INACTIVE FACILITIES | 8,772 | 8,772 |
| 039 | CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL | 145,777 | 145,777 |
| 040 | ARMS INITIATIVE | 3,184 | 3,184 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **TOTAL—PROCUREMENT OF AMMUNITION, ARMY** | **2,051,895** | **2,058,895** |
| | **OTHER PROCUREMENT, ARMY** | | |
| | **TACTICAL AND SUPPORT VEHICLES** | | |
| | **TACTICAL VEHICLES** | | |
| 001 | TACTICAL TRAILERS/DOLLY SETS | 95,893 | 95,893 |
| 002 | SEMITRAILERS, FLATBED: | 20,870 | 20,870 |
| 003 | SEMITRAILERS, TANKERS | 13,217 | 13,217 |
| 004 | HI MOB MULTI-PURP WHLD VEH (HMMWV) | 281,123 | 281,123 |
| 005 | FAMILY OF MEDIUM TACTICAL VEH (FMTV) | 1,158,522 | 1,033,522 |
| | Program reduction | | [–125,000] |
| 006 | FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN | 17,575 | 17,575 |
| 007 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) | 812,918 | 812,918 |
| 008 | PLS ESP | 18,973 | 18,973 |
| 009 | ARMORED SECURITY VEHICLES (ASV) | 136,605 | 136,605 |
| 010 | MINE PROTECTION VEHICLE FAMILY | 402,517 | 312,517 |
| | Reassessment of program requirement | | [–90,000] |
| 011 | FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP) | | |
| 012 | TRUCK, TRACTOR, LINE HAUL, M915/M916 | 74,703 | 74,703 |
| 013 | HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV P | 180,793 | 180,793 |
| 014 | HMMWV RECAPITALIZATION PROGRAM | 2,904 | 2,904 |
| 015 | MODIFICATION OF IN SVC EQUIP | 10,314 | 10,314 |
| 016 | ITEMS LESS THAN $5.0M (TAC VEH) | 298 | 298 |
| 017 | TOWING DEVICE-FIFTH WHEEL | 414 | 414 |
| | **NON-TACTICAL VEHICLES** | | |
| 018 | HEAVY ARMORED SEDAN | 1,980 | 1,980 |
| 019 | PASSENGER CARRYING VEHICLES | 269 | 269 |
| 020 | NONTACTICAL VEHICLES, OTHER | 3,052 | 3,052 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | |
| | **COMM-JOINT COMMUNICATIONS** | | |
| 021 | COMBAT IDENTIFICATION PROGRAM | | |
| 022 | JOINT COMBAT IDENTIFICATION MARKING SYSTEM | 11,868 | 11,868 |
| 023 | WIN-T—GROUND FORCES TACTICAL NETWORK | 544,202 | 544,202 |
| 024 | JCSE EQUIPMENT (USREDCOM) | 4,868 | 4,868 |
| | **COMM—SATELLITE COMMUNICATIONS** | | |
| 025 | DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS (S | 145,108 | 145,108 |
| 026 | SHF TERM | 90,918 | 90,918 |
| 027 | SAT TERM, EMUT (SPACE) | 653 | 653 |
| 028 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) | 72,735 | 72,735 |
| 029 | SMART-T (SPACE) | 61,116 | 61,116 |
| 030 | SCAMP (SPACE) | 1,834 | 1,834 |
| 031 | GLOBAL BRDCST SVC—GBS | 6,849 | 6,849 |
| 032 | MOD OF IN-SVC EQUIP (TAC SAT) | 2,862 | 2,862 |
| | **COMM—COMBAT SUPPORT COMM** | | |
| 032A | MOD-IN-SERVICE PROFILER | | |
| | **COMM—C3 SYSTEM** | | |
| 033 | ARMY GLOBAL CMD & CONTROL SYS (AGCCS) | 22,996 | 22,996 |
| | **COMM—COMBAT COMMUNICATIONS** | | |
| 034 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) | 1,705 | 1,705 |
| 035 | JOINT TACTICAL RADIO SYSTEM | 90,204 | 35,040 |
| | Testing delays in JTRS GMR | | [–55,164] |
| 036 | RADIO TERMINAL SET, MIDS LVT(2) | 8,549 | 8,549 |
| 037 | SINCGARS FAMILY | 6,812 | 0 |
| | Program Reduction | | [–6,812] |
| 038 | AMC CRITICAL ITEMS—OPA2 | | |
| 038A | SINCGARS—GROUND | | |
| 039 | MULTI-PURPOSE INFORMATIONS OPERATIONS SYSEMS | 6,164 | 6,164 |
| 040 | BRIDGE TO FUTURE NETWORKS | | |
| 041 | COMMS-ELEC EQUIP FIELDING | | |
| 042 | SPIDER APLA REMOTE CONTROL UNIT | 21,820 | 21,820 |
| 043 | IMS REMOTE CONTROL UNIT | 9,256 | 9,256 |
| 044 | SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS | 4,646 | 4,646 |
| 045 | COMBAT SURVIVOR EVADER LOCATOR (CSEL) | 2,367 | 2,367 |
| 046 | RADIO, IMPROVED HF (COTS) FAMILY | 6,555 | 6,555 |
| 047 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4) | 18,583 | 18,583 |
| | **COMM—INTELLIGENCE COMM** | | |
| 048 | CI AUTOMATION ARCHITECTURE (MIP) | 1,414 | 1,414 |
| | **INFORMATION SECURITY** | | |
| 049 | TSEC—ARMY KEY MGT SYS (AKMS) | 29,525 | 29,525 |
| 050 | INFORMATION SYSTEM SECURITY PROGRAM-ISSP | 33,189 | 33,189 |
| | **COMM—LONG HAUL COMMUNICATIONS** | | |
| 051 | TERRESTRIAL TRANSMISSION | 1,890 | 1,890 |
| 052 | BASE SUPPORT COMMUNICATIONS | 25,525 | 25,525 |
| 053 | ELECTROMAG COMP PROG (EMCP) | | |
| 054 | WW TECH CON IMP PROG (WWTCIP) | 31,256 | 31,256 |
| | **COMM—BASE COMMUNICATIONS** | | |
| 055 | INFORMATION SYSTEMS | 216,057 | 216,057 |
| 056 | DEFENSE MESSAGE SYSTEM (DMS) | 6,203 | 6,203 |
| 057 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM( | 147,111 | 147,111 |
| 058 | PENTAGON INFORMATION MGT AND TELECOM | 39,906 | 39,906 |
| | **ELECT EQUIP—TACT INT REL ACT (TIARA)** | | |
| 061 | ALL SOURCE ANALYSIS SYS (ASAS) (MIP) | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 062 | JTT/CIBS-M (MIP) | 3,279 | 3,279 |
| 063 | PROPHET GROUND (MIP) | 64,498 | 64,498 |
| 064 | TACTICAL UNMANNED AERIAL SYS (TUAS)MIP | | |
| 065 | SMALL UNMANNED AERIAL SYSTEM (SUAS) | | |
| 066 | DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP) | | |
| 067 | DRUG INTERDICTION PROGRAM (DIP) (TIARA) | | |
| 068 | TACTICAL EXPLOITATION SYSTEM (MIP) | | |
| 069 | DCGS-A (MIP) | 85,354 | 85,354 |
| 070 | JOINT TACTICAL GROUND STATION (JTAGS) | 6,703 | 6,703 |
| 071 | TROJAN (MIP) | 26,659 | 26,659 |
| 072 | MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) | 7,021 | 7,021 |
| 073 | CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP | 4,509 | 4,509 |
| 074 | SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM | 6,420 | 6,420 |
| 075 | ITEMS LESS THAN $5.0M (MIP) | 17,053 | 17,053 |
| | **ELECT EQUIP—ELECTRONIC WARFARE (EW)** | | |
| 076 | LIGHTWEIGHT COUNTER MORTAR RADAR | 31,661 | 31,661 |
| 077 | WARLOCK | | |
| 078 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES | 1,284 | 1,284 |
| 079 | CI MODERNIZATION (MIP) | 1,221 | 1,221 |
| | **ELECT EQUIP—TACTICAL SURV. (TAC SURV)** | | |
| 080 | SENTINEL MODS | 25,863 | 25,863 |
| 081 | SENSE THROUGH THE WALL (STTW) | 25,352 | 25,352 |
| 082 | NIGHT VISION DEVICES | 366,820 | 191,158 |
| | Contractor production delays in Enhanced Night Vision Goggle line | | [–175,662] |
| 083 | LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM | 133,836 | 133,836 |
| 084 | NIGHT VISION, THERMAL WPN SIGHT | 313,237 | 313,237 |
| 085 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF | 9,179 | 9,179 |
| 086 | RADIATION MONITORING SYSTEMS | 2,198 | 2,198 |
| 087 | COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) | | |
| 088 | BASE EXPEDITIONARY TARGETING AND SURV SYS | | |
| 089 | ARTILLERY ACCURACY EQUIP | 5,838 | 5,838 |
| 090 | MOD OF IN-SVC EQUIP (MMS) | | |
| 091 | ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE | 1,178 | 1,178 |
| 092 | PROFILER | 4,766 | 4,766 |
| 093 | MOD OF IN-SVC EQUIP (FIREFINDER RADARS) | 2,801 | 2,801 |
| 094 | FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2) | 271,979 | 271,979 |
| 095 | JOINT BATTLE COMMAND—PLATFORM (JBC-P) | 17,242 | 17,242 |
| 096 | LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD | 59,080 | 59,080 |
| 097 | COMPUTER BALLISTICS: LHMBC XM32 | | |
| 098 | MORTAR FIRE CONTROL SYSTEM | 15,520 | 15,520 |
| 099 | COUNTERFIRE RADARS | 194,665 | 194,665 |
| 100 | INTEGRATED MET SYS SENSORS (IMETS)—MIP | | |
| 101 | ENHANCED SENSOR & MONITORING SYSTEM | 1,944 | 1,944 |
| | **ELECT EQUIP—TACTICAL C2 SYSTEMS** | | |
| 102 | TACTICAL OPERATIONS CENTERS | 29,934 | 29,934 |
| 103 | FIRE SUPPORT C2 FAMILY | 39,042 | 39,042 |
| 104 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC | 31,968 | 31,968 |
| 105 | FAAD C2 | 8,289 | 8,289 |
| 106 | AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD | 62,439 | 62,439 |
| 107 | KNIGHT FAMILY | 80,831 | 80,831 |
| 108 | LIFE CYCLE SOFTWARE SUPPORT (LCSS) | 1,778 | 1,778 |
| 109 | AUTOMATIC IDENTIFICATION TECHNOLOGY | 31,542 | 31,542 |
| 110 | TC AIMS II | 11,124 | 11,124 |
| 111 | JOINT NETWORK MANAGEMENT SYSTEM (JNMS) | | |
| 112 | TACTICAL INTERNET MANAGER | | |
| 113 | NETWORK MANAGEMENT INITIALIZATION AND SERVICE | 53,898 | 53,898 |
| 114 | MANEUVER CONTROL SYSTEM (MCS) | 77,646 | 77,646 |
| 115 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE) | 46,861 | 46,861 |
| 116 | RECONNAISSANCE AND SURVEYING INSTRUMENT SET | 11,118 | 11,118 |
| 117 | MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM) | 926 | 926 |
| | **ELECT EQUIP—AUTOMATION** | | |
| 118 | GENERAL FUND ENTERPRISE BUSINESS SYSTEM | 85,801 | 85,801 |
| 119 | ARMY TRAINING MODERNIZATION | 12,823 | 12,823 |
| 120 | AUTOMATED DATA PROCESSING EQUIP | 254,723 | 239,723 |
| | Program Reduction | | [–15,000] |
| 121 | CSS COMMUNICATIONS | 33,749 | 33,749 |
| 122 | RESERVE COMPONENT AUTOMATION SYS (RCAS) | 39,675 | 39,675 |
| | **ELECT EQUIP—AUDIO VISUAL SYS (A/V)** | | |
| 123 | AFRTS | | |
| 124 | ITEMS LESS THAN $5.0M (A/V) | 2,709 | 2,709 |
| 125 | ITEMS LESS THAN $5M (SURVEYING EQUIPMENT) | 5,172 | 5,172 |
| | **ELECT EQUIP—MODS TACTICAL SYS/EQ** | | |
| 126 | WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS) | | |
| | **ELECT EQUIP—SUPPORT** | | |
| 127 | ITEMS UNDER $5M (SSE) | | |
| 128 | PRODUCTION BASE SUPPORT (C-E) | 518 | 518 |
| | CLASSIFIED PROGRAMS | 2,522 | 2,522 |
| | **OTHER SUPPORT EQUIPMENT** | | |
| | **CHEMICAL DEFENSIVE EQUIPMENT** | | |
| 129 | PROTECTIVE SYSTEMS | 2,081 | 2,081 |
| 130 | CBRN SOLDIER PROTECTION | 108,334 | 108,334 |
| 131 | SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM) | 7,135 | 7,135 |
| | **BRIDGING EQUIPMENT** | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 132 | TACTICAL BRIDGING | 58,509 | 58,509 |
| 133 | TACTICAL BRIDGE, FLOAT-RIBBON | 135,015 | 135,015 |
| | **ENGINEER (NON-CONSTRUCTION) EQUIPMENT** | | |
| 134 | HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST | 42,264 | 42,264 |
| 135 | GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS | 56,123 | 59,123 |
| | FIDO explosives detector | | [3,000] |
| 136 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) | 49,333 | 49,333 |
| 137 | < $5M, COUNTERMINE EQUIPMENT | 3,479 | 3,479 |
| 138 | AERIAL DETECTION | 11,200 | 200 |
| | Funding ahead of need | | [–11,000] |
| | **COMBAT SERVICE SUPPORT EQUIPMENT** | | |
| 139 | HEATERS AND ECU'S | 11,924 | 11,924 |
| 140 | LAUNDRIES, SHOWERS AND LATRINES | | |
| 141 | SOLDIER ENHANCEMENT | 4,071 | 4,071 |
| 142 | LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME) | | |
| 142A | LAND WARRIOR | | |
| 143 | PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) | 6,981 | 6,981 |
| 144 | GROUND SOLDIER SYSTEM | 1,809 | 1,809 |
| 145 | MOUNTED SOLDIER SYSTEM | 1,085 | 1,085 |
| 146 | FORCE PROVIDER | | |
| 147 | FIELD FEEDING EQUIPMENT | 57,872 | 57,872 |
| 148 | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM | 66,381 | 66,381 |
| 149 | MOBILE INTEGRATED REMAINS COLLECTION SYSTEM: | 16,585 | 16,585 |
| 150 | ITEMS LESS THAN $5M (ENG SPT) | 25,531 | 25,531 |
| | **PETROLEUM EQUIPMENT** | | |
| 151 | QUALITY SURVEILLANCE EQUIPMENT | | |
| 152 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER | 84,019 | 84,019 |
| | **WATER EQUIPMENT** | | |
| 153 | WATER PURIFICATION SYSTEMS | 7,173 | 7,173 |
| | **MEDICAL EQUIPMENT** | | |
| 154 | COMBAT SUPPORT MEDICAL | 33,694 | 37,694 |
| | Combat casualty care equipment upgrade program | | [3,000] |
| | Life Support for Trauma and Transport (LSTAT) | | [1,000] |
| | **MAINTENANCE EQUIPMENT** | | |
| 155 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS | 137,002 | 137,002 |
| 156 | ITEMS LESS THAN $5.0M (MAINT EQ) | 812 | 812 |
| | **CONSTRUCTION EQUIPMENT** | | |
| 157 | GRADER, ROAD MTZD, HVY, 6X4 (CCE) | 50,897 | 50,897 |
| 158 | SKID STEER LOADER (SSL) FAMILY OF SYSTEM | 18,387 | 18,387 |
| 159 | SCRAPERS, EARTHMOVING | | |
| 160 | DISTR, WATER, SP MIN 2500G SEC/NON-SEC | | |
| 161 | MISSION MODULES—ENGINEERING | 44,420 | 44,420 |
| 162 | LOADERS | 20,824 | 20,824 |
| 163 | HYDRAULIC EXCAVATOR | 18,785 | 18,785 |
| 164 | TRACTOR, FULL TRACKED | 50,102 | 50,102 |
| 165 | CRANES | | |
| 166 | PLANT, ASPHALT MIXING | 12,915 | 12,915 |
| 167 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS | 36,451 | 36,451 |
| 168 | CONST EQUIP ESP | 8,391 | 8,391 |
| 169 | ITEMS LESS THAN $5.0M (CONST EQUIP) | 12,562 | 12,562 |
| | **RAIL FLOAT CONTAINERIZATION EQUIPMENT** | | |
| 170 | JOINT HIGH SPEED VESSEL (JHSV) | 183,666 | 183,666 |
| 171 | HARBORMASTER COMMAND AND CONTROL CENTER (HCCC | 10,962 | 10,962 |
| 172 | ITEMS LESS THAN $5.0M (FLOAT/RAIL) | 6,785 | 6,785 |
| | **GENERATORS** | | |
| 173 | GENERATORS AND ASSOCIATED EQUIP | 146,067 | 146,067 |
| | **MATERIAL HANDLING EQUIPMENT** | | |
| 174 | ROUGH TERRAIN CONTAINER HANDLER (RTCH) | 41,239 | 41,239 |
| 175 | ALL TERRAIN LIFTING ARMY SYSTEM | 44,898 | 44,898 |
| | **TRAINING EQUIPMENT** | | |
| 176 | COMBAT TRAINING CENTERS SUPPORT | 22,967 | 22,967 |
| 177 | TRAINING DEVICES, NONSYSTEM | 261,348 | 276,698 |
| | Operator driving simulator | | [350] |
| | Joint fires & effects training systems (JFETS) | | [5,000] |
| | Virtual interactive combat environment (VICE) | | [4,000] |
| | Mobile Firing Range—TX ARNG | | [1,500] |
| | Virtual Interactive Combat Environment (V.I.C.E.) Training System—VA ARNG | | [2,000] |
| | Immersive Group Simulation Virtual Training Systems for the Hawaii ARNG | | [2,500] |
| 178 | CLOSE COMBAT TACTICAL TRAINER | 65,155 | 65,155 |
| 179 | AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA | 12,794 | 12,794 |
| 180 | GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING | 7,870 | 7,870 |
| | **TEST MEASURE AND DIG EQUIPMENT (TMD)** | | |
| 181 | CALIBRATION SETS EQUIPMENT | 16,844 | 16,844 |
| 182 | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) | 101,320 | 101,320 |
| 183 | TEST EQUIPMENT MODERNIZATION (TEMOD) | 15,526 | 15,526 |
| | **OTHER SUPPORT EQUIPMENT** | | |
| 184 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT | 21,770 | 21,770 |
| 185 | PHYSICAL SECURITY SYSTEMS (OPA3) | 49,758 | 49,758 |
| 186 | BASE LEVEL COM'L EQUIPMENT | 1,303 | 1,303 |
| 187 | MODIFICATION OF IN-SVC EQUIPMENT (OPA–3) | 53,884 | 53,884 |
| 188 | PRODUCTION BASE SUPPORT (OTH) | 3,050 | 3,050 |
| 189 | BUILDING, PRE-FAB, RELOCATABLE | | |
| 190 | SPECIAL EQUIPMENT FOR USER TESTING | 45,516 | 45,516 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 191 | AMC CRITICAL ITEMS OPA3 | 12,232 | 12,232 |
| 192 | MA8975 | 4,492 | 4,492 |
| | **SPARES AND REPAIR PARTS** | | |
| | **OPA2** | | |
| 193 | INITIAL SPARES—C&E | 25,867 | 25,867 |
| 194 | WIN-T INCREMENT 2 SPARES | 9,758 | 9,758 |
| 194a | Procurement of computer services / systems | | |
| | **TOTAL—OTHER PROCUREMENT, ARMY** | **9,907,151** | **9,450,863** |
| | **JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND** | | |
| | **NETWORK ATTACK** | | |
| 001 | ATTACK THE NETWORK | 203,100 | 0 |
| | Transfer to OCO | | [–203,100] |
| | **JIEDDO DEVICE DEFEAT** | | |
| 002 | DEFEAT THE DEVICE | 199,100 | 0 |
| | Transfer to OCO | | [–199,100] |
| | **FORCE TRAINING** | | |
| 003 | TRAIN THE FORCE | 41,100 | 0 |
| | Transfer to OCO | | [–41,100] |
| | **STAFF AND INFRASTRUCTURE** | | |
| 004 | OPERATIONS | 121,550 | 0 |
| | Transfer to OCO | | [–121,550] |
| | **TOTAL—JOINT IED DEFEAT FUND** | **564,850** | **0** |
| | **AIRCRAFT PROCUREMENT, NAVY** | | |
| | **COMBAT AIRCRAFT** | | |
| 001 | AV–8B (V/STOL) HARRIER | | |
| 002 | EA–18G | 1,611,837 | 1,611,837 |
| 003 | ADVANCE PROCUREMENT (CY) | 20,559 | 20,559 |
| 004 | F/A–18E/F (FIGHTER) HORNET | 1,009,537 | 1,521,817 |
| | Additional aircraft | | [512,280] |
| 005 | ADVANCE PROCUREMENT (CY) | 51,431 | 159,431 |
| | EOQ for MYP III | | [108,000] |
| 006 | JOINT STRIKE FIGHTER | 3,997,048 | 3,997,048 |
| 007 | ADVANCE PROCUREMENT (CY) | 481,000 | 481,000 |
| 008 | V–22 (MEDIUM LIFT) | 2,215,829 | 2,215,829 |
| 009 | ADVANCE PROCUREMENT (CY) | 84,342 | 84,342 |
| 010 | UH–1Y/AH–1Z | 709,801 | 609,801 |
| | UH–1Y/AH–1Z Program Reduction | | [–100,000] |
| 011 | ADVANCE PROCUREMENT (CY) | 70,550 | 70,550 |
| 012 | MH–60S (MYP) | 414,145 | 414,145 |
| 013 | ADVANCE PROCUREMENT (CY) | 78,830 | 78,830 |
| 014 | MH–60R | 811,781 | 811,781 |
| 015 | ADVANCE PROCUREMENT (CY) | 131,504 | 131,504 |
| 016 | P–8A POSEIDON | 1,664,525 | 1,664,525 |
| 017 | ADVANCE PROCUREMENT (CY) | 160,526 | 149,646 |
| | Excessive advance procurement growth | | [–7,680] |
| | Funding for production line slots | | [–3,200] |
| 018 | E–2D ADV HAWKEYE | 511,245 | 511,245 |
| 019 | ADVANCE PROCUREMENT (CY) | 94,924 | 94,924 |
| | **AIRLIFT AIRCRAFT** | | |
| 020 | C–40A | 74,381 | 74,381 |
| | **TRAINER AIRCRAFT** | | |
| 021 | T–45TS (TRAINER) GOSHAWK | | |
| 022 | JPATS | 266,539 | 266,539 |
| | **OTHER AIRCRAFT** | | |
| 023 | KC–130J | | |
| 024 | ADVANCE PROCUREMENT (CY) | | |
| 025 | RQ–7 UAV | 56,797 | 53,797 |
| | Attrition vehicles | | [–3,000] |
| 026 | MQ–8 UAV | 77,616 | 77,616 |
| 027 | OTHER SUPPORT AIRCRAFT | | |
| | **MODIFICATION OF AIRCRAFT** | | |
| 028 | EA–6 SERIES | 39,977 | 39,977 |
| 029 | AV–8 SERIES | 35,668 | 35,668 |
| 030 | F–18 SERIES | 484,129 | 480,729 |
| | Excessive growth of IR Marker ECP | | [–3,400] |
| 031 | H–46 SERIES | 35,325 | 35,325 |
| 032 | AH–1W SERIES | 66,461 | 66,461 |
| 033 | H–53 SERIES | 68,197 | 68,197 |
| 034 | SH–60 SERIES | 82,253 | 82,253 |
| 035 | H–1 SERIES | 20,040 | 20,040 |
| 036 | EP–3 SERIES | 92,530 | 92,530 |
| 037 | P–3 SERIES | 485,171 | 445,571 |
| | P–3 Series Program Reduction | | [–39,600] |
| 038 | S–3 SERIES | | |
| 039 | E–2 SERIES | 22,853 | 22,853 |
| 040 | TRAINER A/C SERIES | 20,907 | 20,907 |
| 041 | C–2A | 21,343 | 21,343 |
| 042 | C–130 SERIES | 22,449 | 22,449 |
| 043 | FEWSG | 9,486 | 9,486 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 044 | CARGO/TRANSPORT A/C SERIES | 19,429 | 19,429 |
| 045 | E–6 SERIES | 102,646 | 102,646 |
| 046 | EXECUTIVE HELICOPTERS SERIES | 42,456 | 42,456 |
| 047 | SPECIAL PROJECT AIRCRAFT | 14,869 | 14,869 |
| 048 | T–45 SERIES | 51,484 | 51,484 |
| 049 | POWER PLANT CHANGES | 26,395 | 26,395 |
| 050 | JPATS SERIES | 4,922 | 4,922 |
| 051 | AVIATION LIFE SUPPORT MODS | 5,594 | 5,594 |
| 052 | COMMON ECM EQUIPMENT | 47,419 | 49,419 |
| | Crane Integrated Defensive Countermeasures (IDECM) Depot Capability | | [2,000] |
| 053 | COMMON AVIONICS CHANGES | 151,112 | 151,112 |
| 054 | COMMON DEFENSIVE WEAPON SYSTEM | | |
| 055 | ID SYSTEMS | 24,125 | 24,125 |
| 056 | V–22 (TILT/ROTOR ACFT) OSPREY | 24,502 | 24,502 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | |
| 057 | SPARES AND REPAIR PARTS | 1,264,012 | 1,262,412 |
| | UH–1Y/AH–1Z reduction | | [–1,600] |
| | **AIRCRAFT SUPPORT EQUIP & FACILITIES** | | |
| 058 | COMMON GROUND EQUIPMENT | 363,588 | 363,588 |
| 059 | AIRCRAFT INDUSTRIAL FACILITIES | 11,075 | 11,075 |
| 060 | WAR CONSUMABLES | 55,406 | 55,406 |
| 061 | OTHER PRODUCTION CHARGES | 23,861 | 23,861 |
| 062 | SPECIAL SUPPORT EQUIPMENT | 42,147 | 42,147 |
| 063 | FIRST DESTINATION TRANSPORTATION | 1,734 | 1,734 |
| 064 | CANCELLED ACCOUNT ADJUSTMENTS | | |
| | **TOTAL—AIRCRAFT PROCUREMENT, NAVY** | **18,378,312** | **18,842,112** |
| | **WEAPONS PROCUREMENT, NAVY** | | |
| | **BALLISTIC MISSILES** | | |
| | **MODIFICATION OF MISSILES** | | |
| 001 | TRIDENT II MODS | 1,060,504 | 1,060,504 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 002 | MISSILE INDUSTRIAL FACILITIES | 3,447 | 3,447 |
| | **OTHER MISSILES** | | |
| | **STRATEGIC MISSILES** | | |
| 003 | TOMAHAWK | 283,055 | 283,055 |
| | **TACTICAL MISSILES** | | |
| 004 | AMRAAM | 145,506 | 140,506 |
| | Diminished manufacturing sources funding ahead of need | | [–5,000] |
| 005 | SIDEWINDER | 56,845 | 56,845 |
| 006 | JSOW | 145,336 | 145,336 |
| 007 | SLAM-ER | | |
| 008 | STANDARD MISSILE | 249,233 | 249,233 |
| 009 | RAM | 74,784 | 74,784 |
| 010 | HELLFIRE | 59,411 | 59,411 |
| 011 | AERIAL TARGETS | 47,003 | 47,003 |
| 012 | OTHER MISSILE SUPPORT | 3,928 | 3,928 |
| | **MODIFICATION OF MISSILES** | | |
| 013 | ESSM | 51,388 | 51,388 |
| 014 | HARM MODS | 47,973 | 47,973 |
| 015 | STANDARD MISSILES MODS | 81,451 | 81,451 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 016 | WEAPONS INDUSTRIAL FACILITIES | 3,211 | 13,211 |
| | Accelerate facility restoration program | | [10,000] |
| 017 | FLEET SATELLITE COMM FOLLOW-ON | 487,280 | 487,280 |
| 018 | ADVANCE PROCUREMENT (CY) | 28,847 | 28,847 |
| | **ORDNANCE SUPPORT EQUIPMENT** | | |
| 019 | ORDNANCE SUPPORT EQUIPMENT | 48,883 | 48,883 |
| | **TORPEDOES AND RELATED EQUIPMENT** | | |
| | **TORPEDOES AND RELATED EQUIP.** | | |
| 020 | SSTD | | |
| 021 | ASW TARGETS | 9,288 | 9,288 |
| | **MOD OF TORPEDOES AND RELATED EQUIP** | | |
| 022 | MK–46 TORPEDO MODS | 94,159 | 87,023 |
| | Support funding carryover | | [–7,136] |
| 023 | MK–48 TORPEDO ADCAP MODS | 61,608 | 56,308 |
| | Support funding carryover | | [–5,300] |
| 024 | QUICKSTRIKE MINE | 4,680 | 4,680 |
| | **SUPPORT EQUIPMENT** | | |
| 025 | TORPEDO SUPPORT EQUIPMENT | 39,869 | 39,869 |
| 026 | ASW RANGE SUPPORT | 10,044 | 10,044 |
| | **DESTINATION TRANSPORTATION** | | |
| 027 | FIRST DESTINATION TRANSPORTATION | 3,434 | 3,434 |
| | **OTHER WEAPONS** | | |
| | **GUNS AND GUN MOUNTS** | | |
| 028 | SMALL ARMS AND WEAPONS | 12,742 | 12,742 |
| | **MODIFICATION OF GUNS AND GUN MOUNTS** | | |
| 029 | CIWS MODS | 158,896 | 158,896 |
| 030 | COAST GUARD WEAPONS | 21,157 | 21,157 |
| 031 | GUN MOUNT MODS | 30,761 | 30,761 |
| 032 | LCS MODULE WEAPONS | | |
| 033 | CRUISER MODERNIZATION WEAPONS | 51,227 | 51,227 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 034 | AIRBORNE MINE NEUTRALIZATION SYSTEMS | 12,309 | 12,309 |
| | **OTHER** | | |
| 035 | MARINE CORPS TACTIAL UNMANNED AERIAL SYSTEM | | |
| 036 | CANCELLED ACCOUNT ADJUSTMENTS | | |
| | **SPARES AND REPAIR PARTS** | | |
| 037 | SPARES AND REPAIR PARTS | 65,196 | 65,196 |
| | **TOTAL—WEAPONS PROCUREMENT, NAVY** | **3,453,455** | **3,446,019** |
| | **PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | | |
| | **PROC AMMO, NAVY** | | |
| | **NAVY AMMUNITION** | | |
| 001 | GENERAL PURPOSE BOMBS | 75,227 | 75,227 |
| 002 | JDAM | 1,968 | 1,968 |
| 003 | AIRBORNE ROCKETS, ALL TYPES | 38,643 | 38,643 |
| 004 | MACHINE GUN AMMUNITION | 19,622 | 12,062 |
| | 20MM linkless TP cost growth | | [–2,900] |
| | 20MM linked TP cost growth | | [–1,990] |
| | 20MM linked HEI cost growth | | [–2,670] |
| 005 | PRACTICE BOMBS | 33,803 | 24,503 |
| | Enhanced laser guided training round cost growth | | [–9,300] |
| 006 | CARTRIDGES & CART ACTUATED DEVICES | 50,600 | 50,600 |
| 007 | AIR EXPENDABLE COUNTERMEASURES | 79,102 | 69,302 |
| | MJU–55 production termination | | [–9,800] |
| 008 | JATOS | 3,230 | 3,230 |
| 009 | 5 INCH/54 GUN AMMUNITION | 27,483 | 27,483 |
| 010 | INTERMEDIATE CALIBER GUN AMMUNITION | 25,974 | 25,974 |
| 011 | OTHER SHIP GUN AMMUNITION | 35,934 | 35,934 |
| 012 | SMALL ARMS & LANDING PARTY AMMO | 43,490 | 43,490 |
| 013 | PYROTECHNIC AND DEMOLITION | 10,623 | 10,623 |
| 014 | AMMUNITION LESS THAN $5 MILLION | 3,214 | 3,214 |
| | **PROC AMMO, MC** | | |
| | **MARINE CORPS AMMUNITION** | | |
| 015 | SMALL ARMS AMMUNITION | 87,781 | 87,781 |
| 016 | LINEAR CHARGES, ALL TYPES | 23,582 | 23,582 |
| 017 | 40 MM, ALL TYPES | 57,291 | 57,291 |
| 018 | 60MM, ALL TYPES | 22,037 | 22,037 |
| 019 | 81MM, ALL TYPES | 54,869 | 54,869 |
| 020 | 120MM, ALL TYPES | 29,579 | 29,579 |
| 021 | CTG 25MM, ALL TYPES | 2,259 | 2,259 |
| 022 | GRENADES, ALL TYPES | 10,694 | 10,694 |
| 023 | ROCKETS, ALL TYPES | 13,948 | 13,948 |
| 024 | ARTILLERY, ALL TYPES | 57,948 | 57,948 |
| 025 | EXPEDITIONARY FIGHTING VEHICLE | | |
| 026 | DEMOLITION MUNITIONS, ALL TYPES | 14,886 | 14,886 |
| 027 | FUZE, ALL TYPES | 575 | 575 |
| 028 | NON LETHALS | 3,034 | 3,034 |
| 029 | AMMO MODERNIZATION | 8,886 | 8,886 |
| 030 | ITEMS LESS THAN $5 MILLION | 4,393 | 4,393 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | **840,675** | **814,015** |
| | **SHIPBUILDING AND CONVERSION, NAVY** | | |
| | **OTHER WARSHIPS** | | |
| 001 | CARRIER REPLACEMENT PROGRAM | 739,269 | 739,269 |
| 002 | ADVANCE PROCUREMENT (CY) | 484,432 | 484,432 |
| 003 | VIRGINIA CLASS SUBMARINE | 1,964,317 | 1,964,317 |
| 004 | ADVANCE PROCUREMENT (CY) | 1,959,725 | 1,959,725 |
| 005 | CVN REFUELING OVERHAULS | 1,563,602 | 1,563,602 |
| 006 | ADVANCE PROCUREMENT (CY) | 211,820 | 211,820 |
| 007 | SSBN ERO | | |
| 008 | ADVANCE PROCUREMENT (CY) | | |
| 009 | DDG 1000 | 1,084,161 | 1,084,161 |
| 010 | ADVANCE PROCUREMENT (CY) | | |
| 011 | DDG–51 | 1,912,267 | 1,912,267 |
| 012 | ADVANCE PROCUREMENT (CY) | 328,996 | 328,996 |
| 013 | LITTORAL COMBAT SHIP | 1,380,000 | 1,380,000 |
| | **AMPHIBIOUS SHIPS** | | |
| 014 | LPD–17 | 872,392 | 872,392 |
| 015 | ADVANCE PROCUREMENT (CY) | 184,555 | 184,555 |
| 016 | LHA REPLACEMENT | | |
| 017 | ADVANCE PROCUREMENT (CY) | | |
| 018 | INTRATHEATER CONNECTOR | 177,956 | 177,956 |
| | **AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST** | | |
| 019 | OUTFITTING | 391,238 | 391,238 |
| 020 | SERVICE CRAFT | 3,694 | 3,694 |
| 021 | LCAC SLEP | 63,857 | 63,857 |
| 022 | COMPLETION OF PY SHIPBUILDING PROGRAMS | 454,586 | 454,586 |
| | **TOTAL—SHIPBUILDING AND CONVERSION, NAVY** | **13,776,867** | **13,776,867** |
| | **OTHER PROCUREMENT, NAVY** | | |
| | **SHIPS SUPPORT EQUIPMENT** | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **SHIP PROPULSION EQUIPMENT** | | |
| 001 | LM–2500 GAS TURBINE | 8,014 | 8,014 |
| 002 | ALLISON 501K GAS TURBINE | 9,162 | 9,162 |
| 003 | OTHER PROPULSION EQUIPMENT | | |
| | **NAVIGATION EQUIPMENT** | | |
| 004 | OTHER NAVIGATION EQUIPMENT | 34,743 | 34,743 |
| | **PERISCOPES** | | |
| 005 | SUB PERISCOPES & IMAGING EQUIP | 75,127 | 70,127 |
| | Digital periscope contract delay | | [–5,000] |
| | **OTHER SHIPBOARD EQUIPMENT** | | |
| 006 | DDG MOD | 142,262 | 142,262 |
| 007 | FIREFIGHTING EQUIPMENT | 11,423 | 14,523 |
| | Smart valves for fire suppression | | [3,100] |
| 008 | COMMAND AND CONTROL SWITCHBOARD | 4,383 | 4,383 |
| 009 | POLLUTION CONTROL EQUIPMENT | 24,992 | 24,992 |
| 010 | SUBMARINE SUPPORT EQUIPMENT | 16,867 | 16,867 |
| 011 | VIRGINIA CLASS SUPPORT EQUIPMENT | 103,153 | 103,153 |
| 012 | SUBMARINE BATTERIES | 51,482 | 51,482 |
| 013 | STRATEGIC PLATFORM SUPPORT EQUIP | 15,672 | 15,672 |
| 014 | DSSP EQUIPMENT | 10,641 | 10,641 |
| 015 | CG MODERNIZATION | 315,323 | 315,323 |
| 016 | LCAC | 6,642 | 6,642 |
| 017 | MINESWEEPING EQUIPMENT | | |
| 018 | UNDERWATER EOD PROGRAMS | 19,232 | 19,232 |
| 019 | ITEMS LESS THAN $5 MILLION | 127,554 | 124,430 |
| | CVN auto voltage regulators ahead of need | | [–3,124] |
| 020 | CHEMICAL WARFARE DETECTORS | 8,899 | 8,899 |
| 021 | SUBMARINE LIFE SUPPORT SYSTEM | 14,721 | 14,721 |
| | **REACTOR PLANT EQUIPMENT** | | |
| 022 | REACTOR POWER UNITS | | |
| 023 | REACTOR COMPONENTS | 262,354 | 262,354 |
| | **OCEAN ENGINEERING** | | |
| 024 | DIVING AND SALVAGE EQUIPMENT | 5,304 | 5,304 |
| | **SMALL BOATS** | | |
| 025 | STANDARD BOATS | 35,318 | 35,318 |
| | **TRAINING EQUIPMENT** | | |
| 026 | OTHER SHIPS TRAINING EQUIPMENT | 15,113 | 15,113 |
| | **PRODUCTION FACILITIES EQUIPMENT** | | |
| 027 | OPERATING FORCES IPE | 47,172 | 47,172 |
| | **OTHER SHIP SUPPORT** | | |
| 028 | NUCLEAR ALTERATIONS | 136,683 | 136,683 |
| 029 | LCS MODULES | 137,259 | 137,259 |
| | **LOGISTIC SUPPORT** | | |
| 030 | LSD MIDLIFE | 117,856 | 117,856 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | |
| | **SHIP RADARS** | | |
| 031 | RADAR SUPPORT | 9,968 | 9,968 |
| 032 | SPQ–9B RADAR | 13,476 | 13,476 |
| 033 | AN/SQQ–89 SURF ASW COMBAT SYSTEM | 111,093 | 95,593 |
| | SQQ–89 backfit suites ahead of need | | [–15,500] |
| 034 | SSN ACOUSTICS | 299,962 | 303,962 |
| | TB–33 thinline towed array | | [4,000] |
| 035 | UNDERSEA WARFARE SUPPORT EQUIPMENT | 38,705 | 38,705 |
| 036 | SONAR SWITCHES AND TRANSDUCERS | 13,537 | 13,537 |
| | **ASW ELECTRONIC EQUIPMENT** | | |
| 037 | SUBMARINE ACOUSTIC WARFARE SYSTEM | 20,681 | 20,681 |
| 038 | SSTD | 2,184 | 2,184 |
| 039 | FIXED SURVEILLANCE SYSTEM | 63,017 | 63,017 |
| 040 | SURTASS | 24,108 | 24,108 |
| 041 | TACTICAL SUPPORT CENTER | 22,464 | 22,464 |
| | **ELECTRONIC WARFARE EQUIPMENT** | | |
| 042 | AN/SLQ–32 | 34,264 | 34,264 |
| | **RECONNAISSANCE EQUIPMENT** | | |
| 043 | SHIPBOARD IW EXPLOIT | 105,883 | 105,883 |
| | **SUBMARINE SURVEILLANCE EQUIPMENT** | | |
| 044 | SUBMARINE SUPPORT EQUIPMENT PROG | 98,645 | 83,495 |
| | Multi-function modular mast units ahead of need | | [–15,150] |
| | **OTHER SHIP ELECTRONIC EQUIPMENT** | | |
| 045 | NAVY TACTICAL DATA SYSTEM | | |
| 046 | COOPERATIVE ENGAGEMENT CAPABILITY | 30,522 | 30,522 |
| 047 | GCCS-M EQUIPMENT | 13,594 | 13,594 |
| 048 | NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) | 35,933 | 35,933 |
| 049 | ATDLS | 7,314 | 7,314 |
| 050 | MINESWEEPING SYSTEM REPLACEMENT | 79,091 | 74,291 |
| | RMS restructure | | [–4,800] |
| 051 | SHALLOW WATER MCM | 7,835 | 7,835 |
| 052 | NAVSTAR GPS RECEIVERS (SPACE) | 10,845 | 10,845 |
| 053 | ARMED FORCES RADIO AND TV | 3,333 | 3,333 |
| 054 | STRATEGIC PLATFORM SUPPORT EQUIP | 4,149 | 4,149 |
| | **TRAINING EQUIPMENT** | | |
| 055 | OTHER TRAINING EQUIPMENT | 36,784 | 36,784 |
| | **AVIATION ELECTRONIC EQUIPMENT** | | |
| 056 | MATCALS | 17,468 | 17,468 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 057 | SHIPBOARD AIR TRAFFIC CONTROL | 7,970 | 7,970 |
| 058 | AUTOMATIC CARRIER LANDING SYSTEM | 18,878 | 18,878 |
| 059 | NATIONAL AIR SPACE SYSTEM | 28,988 | 28,988 |
| 060 | AIR STATION SUPPORT EQUIPMENT | 8,203 | 8,203 |
| 061 | MICROWAVE LANDING SYSTEM | 10,526 | 10,526 |
| 062 | ID SYSTEMS | 38,682 | 38,682 |
| 063 | TAC A/C MISSION PLANNING SYS(TAMPS) | 9,102 | 9,102 |
| | **OTHER SHORE ELECTRONIC EQUIPMENT** | | |
| 064 | DEPLOYABLE JOINT COMMAND AND CONT | 8,719 | 11,719 |
| | Shelter Upgrade Program | | [3,000] |
| 065 | TADIX-B | 793 | 793 |
| 066 | GCCS-M EQUIPMENT TACTICAL/MOBILE | 11,820 | 11,820 |
| 067 | COMMON IMAGERY GROUND SURFACE SYSTEMS | 27,632 | 27,632 |
| 068 | CANES | 1,181 | 1,181 |
| 069 | RADIAC | 5,990 | 5,990 |
| 070 | GPETE | 3,737 | 3,737 |
| 071 | INTEG COMBAT SYSTEM TEST FACILITY | 4,423 | 4,423 |
| 072 | EMI CONTROL INSTRUMENTATION | 4,778 | 4,778 |
| 073 | ITEMS LESS THAN $5 MILLION | 65,760 | 65,760 |
| | **SHIPBOARD COMMUNICATIONS** | | |
| 074 | SHIPBOARD TACTICAL COMMUNICATIONS | | |
| 075 | PORTABLE RADIOS | | |
| 076 | SHIP COMMUNICATIONS AUTOMATION | 310,605 | 290,305 |
| | Shipboard network systems ahead of need | | [–20,300] |
| 077 | AN/URC–82 RADIO | 4,913 | 4,913 |
| 078 | COMMUNICATIONS ITEMS UNDER $5M | 25,314 | 25,314 |
| | **SUBMARINE COMMUNICATIONS** | | |
| 079 | SUBMARINE BROADCAST SUPPORT | 105 | 105 |
| 080 | SUBMARINE COMMUNICATION EQUIPMENT | 48,729 | 48,729 |
| | **SATELLITE COMMUNICATIONS** | | |
| 081 | SATELLITE COMMUNICATIONS SYSTEMS | 50,172 | 50,172 |
| 082 | NAVY MULTIBAND TERMINAL (NMT) | 72,496 | 72,496 |
| | **SHORE COMMUNICATIONS** | | |
| 083 | JCS COMMUNICATIONS EQUIPMENT | 2,322 | 2,322 |
| 084 | ELECTRICAL POWER SYSTEMS | 1,293 | 1,293 |
| 085 | NAVAL SHORE COMMUNICATIONS | 2,542 | 2,542 |
| | **CRYPTOGRAPHIC EQUIPMENT** | | |
| 086 | INFO SYSTEMS SECURITY PROGRAM (ISSP) | 119,054 | 119,054 |
| 087 | CRYPTOLOGIC COMMUNICATIONS EQUIP | 16,839 | 16,839 |
| | **OTHER ELECTRONIC SUPPORT** | | |
| 088 | COAST GUARD EQUIPMENT | 18,892 | 18,892 |
| | **DRUG INTERDICTION SUPPORT** | | |
| 089 | OTHER DRUG INTERDICTION SUPPORT | | |
| | **AVIATION SUPPORT EQUIPMENT** | | |
| | **SONOBUOYS** | | |
| 090 | SONOBUOYS—ALL TYPES | 91,976 | 91,976 |
| | **AIRCRAFT SUPPORT EQUIPMENT** | | |
| 091 | WEAPONS RANGE SUPPORT EQUIPMENT | 75,329 | 75,329 |
| 092 | EXPEDITIONARY AIRFIELDS | 8,343 | 8,343 |
| 093 | AIRCRAFT REARMING EQUIPMENT | 12,850 | 12,850 |
| 094 | AIRCRAFT LAUNCH & RECOVERY EQUIPMENT | 48,670 | 46,849 |
| | ADMACS Block II upgrade cost growth | | [–1,821] |
| 095 | METEOROLOGICAL EQUIPMENT | 21,458 | 21,458 |
| 096 | OTHER PHOTOGRAPHIC EQUIPMENT | 1,582 | 1,582 |
| 097 | AVIATION LIFE SUPPORT | 27,367 | 32,367 |
| | Multi Climate Protection System | | [5,000] |
| 098 | AIRBORNE MINE COUNTERMEASURES | 55,408 | 55,408 |
| 099 | LAMPS MK III SHIPBOARD EQUIPMENT | 23,694 | 23,694 |
| 100 | PORTABLE ELECTRONIC MAINTENANCE AIDS | 9,710 | 9,710 |
| 101 | OTHER AVIATION SUPPORT EQUIPMENT | 16,541 | 16,541 |
| | **ORDNANCE SUPPORT EQUIPMENT** | | |
| | **SHIP GUN SYSTEM EQUIPMENT** | | |
| 102 | NAVAL FIRES CONTROL SYSTEM | 1,391 | 1,391 |
| 103 | GUN FIRE CONTROL EQUIPMENT | 7,891 | 7,891 |
| | **SHIP MISSILE SYSTEMS EQUIPMENT** | | |
| 104 | NATO SEASPARROW | 13,556 | 13,556 |
| 105 | RAM GMLS | 7,762 | 7,762 |
| 106 | SHIP SELF DEFENSE SYSTEM | 34,079 | 34,079 |
| 107 | AEGIS SUPPORT EQUIPMENT | 108,886 | 108,886 |
| 108 | TOMAHAWK SUPPORT EQUIPMENT | 88,475 | 88,475 |
| 109 | VERTICAL LAUNCH SYSTEMS | 5,513 | 5,513 |
| | **FBM SUPPORT EQUIPMENT** | | |
| 110 | STRATEGIC MISSILE SYSTEMS EQUIP | 155,579 | 155,579 |
| | **ASW SUPPORT EQUIPMENT** | | |
| 111 | SSN COMBAT CONTROL SYSTEMS | 118,528 | 118,528 |
| 112 | SUBMARINE ASW SUPPORT EQUIPMENT | 5,200 | 5,200 |
| 113 | SURFACE ASW SUPPORT EQUIPMENT | 13,646 | 13,646 |
| 114 | ASW RANGE SUPPORT EQUIPMENT | 7,256 | 7,256 |
| | **OTHER ORDNANCE SUPPORT EQUIPMENT** | | |
| 115 | EXPLOSIVE ORDNANCE DISPOSAL EQUIP | 54,069 | 54,069 |
| 116 | ITEMS LESS THAN $5 MILLION | 3,478 | 3,478 |
| | **OTHER EXPENDABLE ORDNANCE** | | |
| 117 | ANTI-SHIP MISSILE DECOY SYSTEM | 37,128 | 37,128 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 118 | SURFACE TRAINING DEVICE MODS | 7,430 | 7,430 |
| 119 | SUBMARINE TRAINING DEVICE MODS | 25,271 | 25,271 |
| | **CIVIL ENGINEERING SUPPORT EQUIPMENT** | | |
| 120 | PASSENGER CARRYING VEHICLES | 4,139 | 4,139 |
| 121 | GENERAL PURPOSE TRUCKS | 1,731 | 1,731 |
| 122 | CONSTRUCTION & MAINTENANCE EQUIP | 12,931 | 12,931 |
| 123 | FIRE FIGHTING EQUIPMENT | 12,976 | 12,976 |
| 124 | TACTICAL VEHICLES | 25,352 | 25,352 |
| 125 | AMPHIBIOUS EQUIPMENT | 2,950 | 2,950 |
| 126 | POLLUTION CONTROL EQUIPMENT | 5,097 | 5,097 |
| 127 | ITEMS UNDER $5 MILLION | 23,787 | 23,787 |
| 128 | PHYSICAL SECURITY VEHICLES | 1,115 | 1,115 |
| | **SUPPLY SUPPORT EQUIPMENT** | | |
| 129 | MATERIALS HANDLING EQUIPMENT | 17,153 | 17,153 |
| 130 | OTHER SUPPLY SUPPORT EQUIPMENT | 6,368 | 6,368 |
| 131 | FIRST DESTINATION TRANSPORTATION | 6,217 | 6,217 |
| 132 | SPECIAL PURPOSE SUPPLY SYSTEMS | 71,597 | 71,597 |
| | **PERSONNEL AND COMMAND SUPPORT EQUIPMENT** | | |
| | **TRAINING DEVICES** | | |
| 133 | TRAINING SUPPORT EQUIPMENT | 12,944 | 12,944 |
| | **COMMAND SUPPORT EQUIPMENT** | | |
| 134 | COMMAND SUPPORT EQUIPMENT | 55,267 | 55,267 |
| 135 | EDUCATION SUPPORT EQUIPMENT | 2,084 | 2,084 |
| 136 | MEDICAL SUPPORT EQUIPMENT | 5,517 | 5,517 |
| 137 | NAVAL MIP SUPPORT EQUIPMENT | 1,537 | 1,537 |
| 139 | OPERATING FORCES SUPPORT EQUIPMENT | 12,250 | 12,250 |
| 140 | C4ISR EQUIPMENT | 5,324 | 5,324 |
| 141 | ENVIRONMENTAL SUPPORT EQUIPMENT | 18,183 | 18,183 |
| 142 | PHYSICAL SECURITY EQUIPMENT | 128,921 | 128,921 |
| 143 | ENTERPRISE INFORMATION TECHNOLOGY | 79,747 | 79,747 |
| | **OTHER** | | |
| 144 | CANCELLED ACCOUNT ADJUSTMENTS | | |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 19,463 | 19,463 |
| | **SPARES AND REPAIR PARTS** | | |
| 145 | SPARES AND REPAIR PARTS | 247,796 | 247,796 |
| 145a | Procurement of computer services / systems | | |
| | **TOTAL—OTHER PROCUREMENT, NAVY** | **5,661,176** | **5,610,581** |
| | **PROCUREMENT, MARINE CORPS** | | |
| | **WEAPONS AND COMBAT VEHICLES** | | |
| | **TRACKED COMBAT VEHICLES** | | |
| 001 | AAV7A1 PIP | 9,127 | 9,127 |
| 002 | LAV PIP | 34,969 | 34,969 |
| 003 | IMPROVED RECOVERY VEHICLE (IRV) | | |
| 004 | M1A1 FIREPOWER ENHANCEMENTS | | |
| | **ARTILLERY AND OTHER WEAPONS** | | |
| 005 | EXPEDITIONARY FIRE SUPPORT SYSTEM | 19,591 | 19,591 |
| 006 | 155MM LIGHTWEIGHT TOWED HOWITZER | 7,420 | 7,420 |
| 007 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM | 71,476 | 71,476 |
| 008 | WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION | 25,949 | 25,949 |
| | **WEAPONS** | | |
| 009 | MODULAR WEAPON SYSTEM | | |
| | **OTHER SUPPORT** | | |
| 010 | MODIFICATION KITS | 33,990 | 33,990 |
| 011 | WEAPONS ENHANCEMENT PROGRAM | 22,238 | 22,238 |
| | **GUIDED MISSILES AND EQUIPMENT** | | |
| | **GUIDED MISSILES** | | |
| 012 | GROUND BASED AIR DEFENSE | 11,387 | 11,387 |
| 013 | JAVELIN | | |
| 014 | FOLLOW ON TO SMAW | 25,333 | 25,333 |
| 015 | ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H) | 71,225 | 71,225 |
| | **OTHER SUPPORT** | | |
| 016 | MODIFICATION KITS | 2,114 | 2,114 |
| | **COMMUNICATIONS & ELECTRONICS EQUIPMENT** | | |
| | **COMMAND AND CONTROL SYSTEMS** | | |
| 017 | UNIT OPERATIONS CENTER | 19,832 | 19,832 |
| | **REPAIR AND TEST EQUIPMENT** | | |
| 018 | REPAIR AND TEST EQUIPMENT | 31,087 | 31,087 |
| | **OTHER SUPPORT (TEL)** | | |
| 019 | COMBAT SUPPORT SYSTEM | 11,368 | 11,368 |
| 020 | MODIFICATION KITS | | |
| | **COMMAND AND CONTROL SYSTEM (NON-TEL)** | | |
| 021 | ITEMS UNDER $5 MILLION (COMM & ELEC) | 3,531 | 3,531 |
| 022 | AIR OPERATIONS C2 SYSTEMS | 45,084 | 45,084 |
| | **RADAR + EQUIPMENT (NON-TEL)** | | |
| 023 | RADAR SYSTEMS | 7,428 | 7,428 |
| | **INTELL/COMM EQUIPMENT (NON-TEL)** | | |
| 024 | FIRE SUPPORT SYSTEM | 2,580 | 2,580 |
| 025 | INTELLIGENCE SUPPORT EQUIPMENT | 37,581 | 37,581 |
| 026 | RQ–11 UAV | 42,403 | 42,403 |
| | **OTHER COMM/ELEC EQUIPMENT (NON-TEL)** | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 027 | NIGHT VISION EQUIPMENT | 10,360 | 10,360 |
| | **OTHER SUPPORT (NON-TEL)** | | |
| 028 | COMMON COMPUTER RESOURCES | 115,263 | 115,263 |
| 029 | COMMAND POST SYSTEMS | 49,820 | 49,820 |
| 030 | RADIO SYSTEMS | 61,954 | 61,954 |
| 031 | COMM SWITCHING & CONTROL SYSTEMS | 98,254 | 98,254 |
| 032 | COMM & ELEC INFRASTRUCTURE SUPPORT | 15,531 | 15,531 |
| | **SUPPORT VEHICLES** | | |
| | **ADMINISTRATIVE VEHICLES** | | |
| 033 | COMMERCIAL PASSENGER VEHICLES | 1,265 | 1,265 |
| 034 | COMMERCIAL CARGO VEHICLES | 13,610 | 13,610 |
| 035 | 5/4T TRUCK HMMWV (MYP) | 9,796 | 9,796 |
| 036 | MOTOR TRANSPORT MODIFICATIONS | 6,111 | 6,111 |
| 037 | MEDIUM TACTICAL VEHICLE REPLACEMENT | 10,792 | 10,792 |
| 038 | LOGISTICS VEHICLE SYSTEM REP | 217,390 | 217,390 |
| 039 | FAMILY OF TACTICAL TRAILERS | 26,497 | 26,497 |
| 040 | TRAILERS | 18,122 | 18,122 |
| | **OTHER SUPPORT** | | |
| 041 | ITEMS LESS THAN $5 MILLION | 5,948 | 5,948 |
| | **ENGINEER AND OTHER EQUIPMENT** | | |
| 042 | ENVIRONMENTAL CONTROL EQUIP ASSORT | 5,121 | 5,121 |
| 043 | BULK LIQUID EQUIPMENT | 13,035 | 13,035 |
| 044 | TACTICAL FUEL SYSTEMS | 35,059 | 38,159 |
| | Nitrile Rubber Collapsible Storage Units | | [3,100] |
| 045 | POWER EQUIPMENT ASSORTED | 21,033 | 21,033 |
| 046 | AMPHIBIOUS SUPPORT EQUIPMENT | 39,876 | 39,876 |
| 047 | EOD SYSTEMS | 93,335 | 93,335 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 048 | PHYSICAL SECURITY EQUIPMENT | 12,169 | 12,169 |
| 049 | GARRISON MOBILE ENGINEER EQUIPMENT (GMEE) | 11,825 | 11,825 |
| 050 | MATERIAL HANDLING EQUIP | 41,430 | 41,430 |
| 051 | FIRST DESTINATION TRANSPORTATION | 5,301 | 5,301 |
| | **GENERAL PROPERTY** | | |
| 052 | FIELD MEDICAL EQUIPMENT | 6,811 | 6,811 |
| 053 | TRAINING DEVICES | 14,854 | 14,854 |
| 054 | CONTAINER FAMILY | 3,770 | 3,770 |
| 055 | FAMILY OF CONSTRUCTION EQUIPMENT | 37,735 | 37,735 |
| 056 | FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) | 10,360 | 10,360 |
| 057 | BRIDGE BOATS | | |
| 058 | RAPID DEPLOYABLE KITCHEN | 2,159 | 2,159 |
| | **OTHER SUPPORT** | | |
| 059 | ITEMS LESS THAN $5 MILLION | 8,792 | 8,792 |
| | **SPARES AND REPAIR PARTS** | | |
| 060 | SPARES AND REPAIR PARTS | 41,547 | 41,547 |
| | **TOTAL—PROCUREMENT, MARINE CORPS** | **1,600,638** | **1,603,738** |
| | **AIRCRAFT PROCUREMENT, AIR FORCE** | | |
| | **COMBAT AIRCRAFT** | | |
| | **TACTICAL FORCES** | | |
| 001 | F–35 | 2,048,830 | 2,178,830 |
| | F136 engine procurement | | [130,000] |
| 002 | ADVANCE PROCUREMENT (CY) | 300,600 | 278,600 |
| | Reduction of 2 aircraft previously funded in fiscal year 2009 | | [–22,000] |
| 003 | F–22A | 95,163 | 95,163 |
| 004 | ADVANCE PROCUREMENT (CY) | | |
| | **AIRLIFT AIRCRAFT** | | |
| | **TACTICAL AIRLIFT** | | |
| 005 | C–17A (MYP) | 88,510 | 88,510 |
| | **OTHER AIRLIFT** | | |
| 006 | C–130J | 285,632 | 285,632 |
| 007 | ADVANCE PROCUREMENT (CY) | 108,000 | 108,000 |
| 008 | HC/MC–130 RECAP | 879,231 | 375,231 |
| | Funded in fiscal year 2009 supplemental | | [–504,000] |
| 009 | ADVANCE PROCUREMENT (CY) | 137,360 | 137,360 |
| 010 | JOINT CARGO AIRCRAFT | 319,050 | 319,050 |
| | **TRAINER AIRCRAFT** | | |
| | **UPT TRAINERS** | | |
| 011 | USAFA POWERED FLIGHT PROGRAM | 4,144 | 4,144 |
| | **OPERATIONAL TRAINERS** | | |
| 012 | JPATS | 15,711 | 15,711 |
| | **OTHER AIRCRAFT** | | |
| | **HELICOPTERS** | | |
| 013 | V22 OSPREY | 437,272 | 437,272 |
| 014 | ADVANCE PROCUREMENT (CY) | 13,835 | 13,835 |
| | **MISSION SUPPORT AIRCRAFT** | | |
| 015 | C–29A FLIGHT INSPECTION ACFT | | |
| 016 | C–12 A | | |
| 017 | C–40 | 154,044 | 259,294 |
| | Program Increase | | [105,250] |
| 018 | CIVIL AIR PATROL A/C | 2,426 | 2,426 |
| | **OTHER AIRCRAFT** | | |
| 020 | TARGET DRONES | 78,511 | 78,511 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 021 | C–37A | 66,400 | 66,400 |
| 022 | GLOBAL HAWK | 554,775 | 554,775 |
| 023 | ADVANCE PROCUREMENT (CY) | 113,049 | 113,049 |
| 024 | MQ–1 | | |
| 025 | MQ–9 | 489,469 | 489,469 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 3,608 | 3,608 |
| | **MODIFICATION OF IN-SERVICE AIRCRAFT** | | |
| | **STRATEGIC AIRCRAFT** | | |
| 026 | B–2A | 283,955 | 264,155 |
| | USAF requested transfer to APAF 78A, B–2 Post Production Support for the B–2 Weapon System Support Center | | [–19,800] |
| 027 | ADVANCE PROCUREMENT (CY) | | |
| 028 | B–1B | 107,558 | 78,558 |
| | Program delay for various programs. Funding transferred to PE 11126F (RDAF 119) | | [–29,000] |
| 029 | B–52 | 78,788 | 61,466 |
| | Air Force identified excess | | [–17,322] |
| | **TACTICAL AIRCRAFT** | | |
| 030 | A–10 | 252,488 | 252,488 |
| 031 | F–15 | 92,921 | 143,421 |
| | 5 AESA Radars | | [50,500] |
| 032 | F–16 | 224,642 | 221,875 |
| | Funding ahead of need—BLOS Installs | | [–2,767] |
| 033 | F–22A | 350,735 | 192,336 |
| | Common Configuration—Early to need | | [–158,399] |
| | **AIRLIFT AIRCRAFT** | | |
| 034 | C–5 | 606,993 | 578,993 |
| | Funding ahead of need—RERP Install | | [–28,000] |
| 035 | ADVANCE PROCUREMENT (CY) | 108,300 | 108,300 |
| 036 | C–9C | 10 | 10 |
| 037 | C–17A | 469,731 | 424,431 |
| | Funding requested ahead of need | | [–45,300] |
| 038 | C–21 | 562 | 562 |
| 039 | C–32A | 10,644 | 10,644 |
| 040 | C–37A | 4,336 | 4,336 |
| | **TRAINER AIRCRAFT** | | |
| 041 | GLIDER MODS | 119 | 119 |
| 042 | T–6 | 33,074 | 33,074 |
| 043 | T–1 | 35 | 35 |
| 044 | T–38 | 75,274 | 61,057 |
| | Improved Brake System Program Termination | | [–14,217] |
| 045 | T–43 | | |
| | **OTHER AIRCRAFT** | | |
| 046 | KC–10A (ATCA) | 9,441 | 9,441 |
| 047 | C–12 | 472 | 472 |
| 048 | MC–12W | 63,000 | 63,000 |
| 049 | C–20 MODS | 734 | 734 |
| 050 | VC–25A MOD | 15,610 | 15,610 |
| 051 | C–40 | 9,162 | 9,162 |
| 052 | C–130 | 354,421 | 134,171 |
| | Scathe View Hyper-Spectral Imagery Upgrade | | [4,500] |
| | Senior Scout COMINT Capability Upgrade | | [3,750] |
| | Program Excess | | [–209,500] |
| | Centerwing Replacements—Early to need | | [–19,000] |
| 053 | C130J MODS | 13,627 | 13,627 |
| 054 | C–135 | 150,425 | 150,425 |
| 055 | COMPASS CALL MODS | 29,187 | 29,187 |
| 056 | DARP | 107,859 | 107,859 |
| 057 | E–3 | 79,263 | 79,263 |
| 058 | E–4 | 73,058 | 73,058 |
| 059 | E–8 | 225,973 | 225,973 |
| 060 | H–1 | 18,280 | 18,280 |
| 061 | H–60 | 14,201 | 95,201 |
| | HH–60G AAQ–29 FLIR | | [81,000] |
| 062 | GLOBAL HAWK MODS | 134,864 | 134,864 |
| 063 | HC/MC–130 MODIFICATIONS | 1,964 | 1,964 |
| 064 | OTHER AIRCRAFT | 103,274 | 127,274 |
| | Litening ATP upgrade kits | | [24,000] |
| 065 | MQ–1 MODS | 123,889 | 123,889 |
| 066 | MQ–9 MODS | 48,837 | 48,837 |
| | Reflect USAF decision to change sensor payload | | |
| 067 | CV–22 MODS | 24,429 | 24,429 |
| 067A | CAF Restructure | | |
| | **AIRCRAFT SPARES + REPAIR PARTS** | | |
| 068 | INITIAL SPARES/REPAIR PARTS | 418,604 | 418,604 |
| | **AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES** | | |
| | **COMMON SUPPORT EQUIP** | | |
| 069 | AIRCRAFT REPLACEMENT SUPPORT EQUIP | 105,820 | 105,820 |
| | **POST PRODUCTION SUPPORT** | | |
| 070 | B–1 | 3,929 | 3,929 |
| 071 | B–2A | | |
| 072 | B–2A | 24,481 | 24,481 |
| 073 | C–5 | 2,259 | 2,259 |
| 074 | C–5 | 11,787 | 11,787 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 075 | KC–10A (ATCA) | 4,125 | 4,125 |
| 076 | C–17A | 91,400 | 0 |
| | Funding requested ahead of need | | [–91,400] |
| 077 | C–130 | 28,092 | 28,092 |
| 078 | EC–130J | 5,283 | 5,283 |
| 078A | B–2 POST PRODUCTION SUPPORT | | 19,800 |
| | USAF requested transfer from APAF 26 for the B–2 Weapon System Support Center | | [19,800] |
| 079 | F–15 | 15,744 | 15,744 |
| 080 | F–16 | 19,951 | 19,951 |
| 081 | OTHER AIRCRAFT | 51,980 | 51,980 |
| 082 | T–1 | | |
| | **INDUSTRIAL PREPAREDNESS** | | |
| 083 | INDUSTRIAL RESPONSIVENESS | 25,529 | 25,529 |
| | **WAR CONSUMABLES** | | |
| 084 | WAR CONSUMABLES | 134,427 | 134,427 |
| | **OTHER PRODUCTION CHARGES** | | |
| 085 | OTHER PRODUCTION CHARGES | 490,344 | 490,344 |
| | **OTHER PRODUCTION CHARGES—SOF** | | |
| 087 | CANCELLED ACCT ADJUSTMENTS | | |
| | **DARP** | | |
| 088 | DARP | 15,323 | 15,323 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 19,443 | 19,443 |
| | **TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE** | **11,966,276** | **11,224,371** |
| | **PROCUREMENT OF AMMUNITION, AIR FORCE** | | |
| | **PROCUREMENT OF AMMO, AIR FORCE** | | |
| | **ROCKETS** | | |
| 001 | ROCKETS | 43,461 | 43,461 |
| | **CARTRIDGES** | | |
| 002 | CARTRIDGES | 123,886 | 123,886 |
| | **BOMBS** | | |
| 003 | PRACTICE BOMBS | 52,459 | 52,459 |
| 004 | GENERAL PURPOSE BOMBS | 225,145 | 225,145 |
| 005 | JOINT DIRECT ATTACK MUNITION | 103,041 | 103,041 |
| | **FLARE, IR MJU–7B** | | |
| 006 | CAD/PAD | 40,522 | 40,522 |
| 007 | EXPLOSIVE ORDINANCE DISPOSAL (EOD) | 3,302 | 3,302 |
| 008 | SPARES AND REPAIR PARTS | 4,582 | 4,582 |
| 009 | MODIFICATIONS | 1,289 | 1,289 |
| 010 | ITEMS LESS THAN $5,000,000 | 5,061 | 5,061 |
| | **FUZES** | | |
| 011 | FLARES | 152,515 | 152,515 |
| 012 | FUZES | 61,037 | 61,037 |
| | **WEAPONS** | | |
| | **SMALL ARMS** | | |
| 013 | SMALL ARMS | 6,162 | 6,162 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE** | **822,462** | **822,462** |
| | **MISSILE PROCUREMENT, AIR FORCE** | | |
| | **BALLISTIC MISSILES** | | |
| | **MISSILE REPLACEMENT EQUIPMENT-BALLISTIC** | | |
| 001 | MISSILE REPLACEMENT EQ-BALLISTIC | 58,139 | 58,139 |
| | **OTHER MISSILES** | | |
| | **TACTICAL** | | |
| 002 | JASSM | 52,666 | 52,666 |
| 003 | SIDEWINDER (AIM–9X) | 78,753 | 78,753 |
| 004 | AMRAAM | 291,827 | 286,827 |
| | Funding ahead of need for DMS | | [095,000] |
| 005 | PREDITOR HELLFIRE MISSILE | 79,699 | 64,530 |
| | Updated pricing | | [–15,169] |
| 006 | SMALL DIAMETER BOMB | 134,801 | 134,801 |
| | **INDUSTRIAL FACILITIES** | | |
| 007 | INDUSTRIAL PREPAREDNS/POL PREVENTION | 841 | 841 |
| | **MODIFICATION OF IN-SERVICE MISSILES** | | |
| | **CLASS IV** | | |
| 008 | ADVANCED CRUISE MISSILE | 32 | 32 |
| 009 | MM III MODIFICATIONS | 199,484 | 199,484 |
| 010 | AGM–65D MAVERICK | 258 | 258 |
| 011 | AGM–88A HARM | 30,280 | 30,280 |
| 012 | AIR LAUNCH CRUISE MISSILE (ALCM) | | |
| | **SPARES AND REPAIR PARTS** | | |
| | **MISSILE SPARES + REPAIR PARTS** | | |
| 013 | INITIAL SPARES/REPAIR PARTS | 70,185 | 70,185 |
| | **OTHER SUPPORT** | | |
| | **SPACE PROGRAMS** | | |
| 014 | ADVANCED EHF | 1,843,475 | 1,843,475 |
| 015 | ADVANCE PROCUREMENT (CY) | | |
| 016 | WIDEBAND GAPFILLER SATELLITES(SPACE) | 201,671 | 151,671 |
| | Program delay | | [–50,000] |
| 017 | ADVANCE PROCUREMENT (CY) | 62,380 | 62,380 |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 018 | SPACEBORNE EQUIP (COMSEC) | 9,871 | 9,871 |
| 019 | GLOBAL POSITIONING (SPACE) | 53,140 | 53,140 |
| 020 | ADVANCE PROCUREMENT (CY) | | |
| 021 | NUDET DETECTION SYSTEM | | |
| 022 | DEF METEOROLOGICAL SAT PROG(SPACE) | 97,764 | 97,764 |
| 023 | TITAN SPACE BOOSTERS(SPACE) | | |
| 024 | EVOLVED EXPENDABLE LAUNCH VEH(SPACE) | 1,295,325 | 1,102,225 |
| | Reduction in Requirement for Launch Vehicles | | [–88,100] |
| | EELV reduction for AFSPC 4 | | [–105,000] |
| 025 | MEDIUM LAUNCH VEHICLE(SPACE) | | |
| 026 | SBIR HIGH (SPACE) | 307,456 | 307,456 |
| 027 | ADVANCE PROCUREMENT (CY) | 159,000 | 159,000 |
| 028 | NATL POLAR-ORBITING OP ENV SATELLITE | 3,900 | 3,900 |
| | **SPECIAL PROGRAMS** | | |
| 029 | DEFENSE SPACE RECONN PROGRAM | 105,152 | 105,152 |
| 031 | SPECIAL UPDATE PROGRAMS | 311,070 | 311,070 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 853,559 | 853,559 |
| | **TOTAL—MISSILE PROCUREMENT, AIR FORCE** | **6,300,728** | **6,037,459** |
| | **OTHER PROCUREMENT, AIR FORCE** | | |
| | **VEHICULAR EQUIPMENT** | | |
| | **CARGO + UTILITY VEHICLES** | | |
| 002 | MEDIUM TACTICAL VEHICLE | 25,922 | 25,922 |
| 003 | CAP VEHICLES | 897 | 897 |
| | **SPECIAL PURPOSE VEHICLES** | | |
| 004 | SECURITY AND TACTICAL VEHICLES | 44,603 | 44,603 |
| | **FIRE FIGHTING EQUIPMENT** | | |
| 005 | FIRE FIGHTING/CRASH RESCUE VEHICLES | 27,760 | 27,760 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 006 | HALVERSEN LOADER | | |
| | **BASE MAINTENANCE SUPPORT** | | |
| 007 | RUNWAY SNOW REMOV AND CLEANING EQU | 24,884 | 24,884 |
| 008 | ITEMS LESS THAN $5,000,000(VEHICLES) | 57,243 | 40,243 |
| | Reduce program growth | | [–17,000] |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 18,163 | 18,163 |
| | **ELECTRONICS AND TELECOMMUNICATIONS** | | |
| | **COMM SECURITY EQUIPMENT(COMSEC)** | | |
| 009 | COMSEC EQUIPMENT | 209,249 | 209,249 |
| 010 | MODIFICATIONS (COMSEC) | 1,570 | 1,570 |
| | **INTELLIGENCE PROGRAMS** | | |
| 011 | INTELLIGENCE TRAINING EQUIPMENT | 4,230 | 4,230 |
| 012 | INTELLIGENCE COMM EQUIPMENT | 21,965 | 27,465 |
| | Eagle Vision-ANG | | [4,000] |
| | Eagle Vision Upgrade-ANG | | [1,500] |
| | **ELECTRONICS PROGRAMS** | | |
| 013 | AIR TRAFFIC CONTROL & LANDING SYS | 22,591 | 22,591 |
| 014 | NATIONAL AIRSPACE SYSTEM | 47,670 | 47,670 |
| 015 | THEATER AIR CONTROL SYS IMPROVEMEN | 56,776 | 56,776 |
| 016 | WEATHER OBSERVATION FORECAST | 19,357 | 19,357 |
| 017 | STRATEGIC COMMAND AND CONTROL | 35,116 | 35,116 |
| 018 | CHEYENNE MOUNTAIN COMPLEX | 28,608 | 28,608 |
| 019 | DRUG INTERDICTION SPT | 452 | 452 |
| | **SPCL COMM-ELECTRONICS PROJECTS** | | |
| 020 | GENERAL INFORMATION TECHNOLOGY | 111,282 | 111,282 |
| 021 | AF GLOBAL COMMAND & CONTROL SYS | 15,499 | 15,499 |
| 022 | MOBILITY COMMAND AND CONTROL | 8,610 | 8,610 |
| 023 | AIR FORCE PHYSICAL SECURITY SYSTEM | 137,293 | 77,293 |
| | Weapons Storage Area—Request ahead of need | | [–60,000] |
| 024 | COMBAT TRAINING RANGES | 40,633 | 44,633 |
| | Unmanned modular threat emitter (UMTE) | | [3,000] |
| | Joint threat emitter (JTE) | | [1,000] |
| 025 | C3 COUNTERMEASURES | 8,177 | 8,177 |
| 026 | GCSS-AF FOS | 81,579 | 81,579 |
| 027 | THEATER BATTLE MGT C2 SYSTEM | 29,687 | 29,687 |
| 028 | AIR & SPACE OPERATIONS CTR-WPN SYS | 54,093 | 54,093 |
| | **AIR FORCE COMMUNICATIONS** | | |
| 029 | BASE INFO INFRASTRUCTURE | 433,859 | 384,859 |
| | Excess funding | | [–49,000] |
| 030 | USCENTCOM | 38,958 | 38,958 |
| 031 | AUTOMATED TELECOMMUNICATIONS PRG | | |
| | **DISA PROGRAMS** | | |
| 032 | SPACE BASED IR SENSOR PGM SPACE | 34,440 | 34,440 |
| 033 | NAVSTAR GPS SPACE | 6,415 | 6,415 |
| 034 | NUDET DETECTION SYS SPACE | 15,436 | 15,436 |
| 035 | AF SATELLITE CONTROL NETWORK SPACE | 58,865 | 58,865 |
| 036 | SPACELIFT RANGE SYSTEM SPACE | 100,275 | 100,275 |
| 037 | MILSATCOM SPACE | 110,575 | 110,575 |
| 038 | SPACE MODS SPACE | 30,594 | 30,594 |
| 039 | COUNTERSPACE SYSTEM | 29,793 | 29,793 |
| | **ORGANIZATION AND BASE** | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 040 | TACTICAL C-E EQUIPMENT | 240,890 | 207,890 |
| | Reduce Vehicle Communication Systems | | [–33,000] |
| 041 | COMBAT SURVIVOR EVADER LOCATER | 35,029 | 35,029 |
| 042 | RADIO EQUIPMENT | 15,536 | 15,536 |
| 043 | TV EQUIPMENT (AFRTV) | | |
| 044 | CCTV/AUDIOVISUAL EQUIPMENT | 12,961 | 12,961 |
| 045 | BASE COMM INFRASTRUCTURE | 121,049 | 121,049 |
| | **MODIFICATIONS** | | |
| 046 | COMM ELECT MODS | 64,087 | 64,087 |
| | **OTHER BASE MAINTENANCE AND SUPPORT EQUIP** | | |
| | **PERSONAL SAFETY & RESCUE EQUIP** | | |
| 047 | NIGHT VISION GOGGLES | 28,226 | 28,226 |
| 048 | ITEMS LESS THAN $5,000,000 (SAFETY) | 17,223 | 17,223 |
| | **DEPOT PLANT+MTRLS HANDLING EQ** | | |
| 049 | MECHANIZED MATERIAL HANDLING EQUIP | 15,449 | 15,449 |
| | **BASE SUPPORT EQUIPMENT** | | |
| 050 | BASE PROCURED EQUIPMENT | 14,300 | 14,300 |
| 051 | CONTINGENCY OPERATIONS | 22,973 | 10,000 |
| | Reduce program growth | | [–12,973] |
| 052 | PRODUCTIVITY CAPITAL INVESTMENT | 3,020 | 3,020 |
| 053 | MOBILITY EQUIPMENT | 32,855 | 32,855 |
| 054 | ITEMS LESS THAN $5,000,000 (BASE S) | 8,195 | 11,195 |
| | Aircrew Body Armor and Load Carriage Vest | | [3,000] |
| | **SPECIAL SUPPORT PROJECTS** | | |
| 056 | DARP RC135 | 23,132 | 23,132 |
| 057 | DISTRIBUTED GROUND SYSTEMS | 293,640 | 293,640 |
| 059 | SPECIAL UPDATE PROGRAM | 471,234 | 471,234 |
| 060 | DEFENSE SPACE RECONNAISSANCE PROG. | 30,041 | 30,041 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 13,830,722 | 13,830,722 |
| | **SPARES AND REPAIR PARTS** | | |
| 061 | SPARES AND REPAIR PARTS | 19,460 | 19,460 |
| 061a | Procurement of computer services / systems | | |
| | **TOTAL—OTHER PROCUREMENT, AIR FORCE** | **17,293,141** | **17,133,668** |
| | **MINE RESISTANT AMBUSH PROT VEH FUND** | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | 600,000 |
| | Additional MRAP vehicles to meet new requirement | | [600,000] |
| | **TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND** | | **600,000** |
| | **PROCUREMENT, DEFENSE-WIDE** | | |
| | **MAJOR EQUIPMENT** | | |
| | **MAJOR EQUIPMENT, AFIS** | | |
| 001 | MAJOR EQUIPMENT, AFIS | | |
| | **MAJOR EQUIPMENT, BTA** | | |
| 002 | MAJOR EQUIPMENT, BTA | 8,858 | 8,858 |
| | **MAJOR EQUIPMENT, DCAA** | | |
| 003 | ITEMS LESS THAN $5 MILLION | 1,489 | 1,489 |
| | **MAJOR EQUIPMENT, DCMA** | | |
| 004 | MAJOR EQUIPMENT | 2,012 | 2,012 |
| | **MAJOR EQUIPMENT, DHRA** | | |
| 005 | PERSONNEL ADMINISTRATION | 10,431 | 10,431 |
| | **MAJOR EQUIPMENT, DISA** | | |
| 017 | INTERDICTION SUPPORT | | |
| 018 | INFORMATION SYSTEMS SECURITY | 13,449 | 13,449 |
| 019 | GLOBAL COMMAND AND CONTROL SYSTEM | 7,053 | 7,053 |
| 020 | GLOBAL COMBAT SUPPORT SYSTEM | 2,820 | 2,820 |
| 021 | TELEPORT PROGRAM | 68,037 | 68,037 |
| 022 | ITEMS LESS THAN $5 MILLION | 196,232 | 196,232 |
| 023 | NET CENTRIC ENTERPRISE SERVICES (NCES) | 3,051 | 3,051 |
| 024 | DEFENSE INFORMATION SYSTEM NETWORK (DISN) | 89,725 | 89,725 |
| 025 | PUBLIC KEY INFRASTRUCTURE | 1,780 | 1,780 |
| 026 | JOINT COMMAND AND CONTROL PROGRAM | 2,835 | 2,835 |
| 027 | CYBER SECURITY INITIATIVE | 18,188 | 18,188 |
| | **MAJOR EQUIPMENT, DLA** | | |
| 028 | MAJOR EQUIPMENT | 7,728 | 7,728 |
| | **MAJOR EQUIPMENT, DMACT** | | |
| 029 | MAJOR EQUIPMENT | 10,149 | 10,149 |
| | **MAJOR EQUIPMENT, DODEA** | | |
| 030 | AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS | 1,463 | 1,463 |
| | **MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY** | | |
| 031 | EQUIPMENT | | |
| 032 | VEHICLES | 50 | 50 |
| 033 | OTHER MAJOR EQUIPMENT | 7,447 | 7,447 |
| | **MAJOR EQUIPMENT, DTSA** | | |
| 034 | MAJOR EQUIPMENT | 436 | 436 |
| | **MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY** | | |
| 035 | THAAD SYSTEM | 420,300 | 420,300 |
| 036 | SM–3 | 168,723 | 191,923 |
| | Additional SM–3 Block 1A missiles | | [23,200] |
| 036A | TPY–2 Radar | | |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **MAJOR EQUIPMENT, NSA** | | |
| 044 | INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) | 4,013 | 4,013 |
| | **MAJOR EQUIPMENT, OSD** | | |
| 047 | MAJOR EQUIPMENT, OSD | 111,487 | 111,487 |
| | **MAJOR EQUIPMENT, TJS** | | |
| 048 | MAJOR EQUIPMENT, TJS | 12,065 | 12,065 |
| | **MAJOR EQUIPMENT, WHS** | | |
| 049 | WHS MOTOR VEHICLES | | |
| 050 | MAJOR EQUIPMENT, WHS | 26,945 | 26,945 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 818,766 | 818,766 |
| | **SPECIAL OPERATIONS COMMAND** | | |
| | **AVIATION PROGRAMS** | | |
| 051 | ROTARY WING UPGRADES AND SUSTAINMENT | 101,936 | 101,936 |
| 052 | MH–47 SERVICE LIFE EXTENSION PROGRAM | 22,958 | 22,958 |
| 053 | MH–60 SOF MODERNIZATION PROGRAM | 146,820 | 146,820 |
| 054 | NON-STANDARD AVIATION | 227,552 | 197,552 |
| | *Procurement Schedule* | | [–30,000] |
| 055 | UNMANNED VEHICLES | | |
| 056 | SOF TANKER RECAPITALIZATION | 34,200 | 34,200 |
| 057 | SOF U–28 | 2,518 | 2,518 |
| 058 | MC–130H, COMBAT TALON II | | |
| 059 | CV–22 SOF MOD | 114,553 | 114,553 |
| 060 | MQ–1 UAV | 10,930 | 10,930 |
| 061 | MQ–9 UAV | 12,671 | 12,671 |
| 062 | STUASL0 | 12,223 | 12,223 |
| 063 | C–130 MODIFICATIONS | 59,950 | 145,950 |
| | *MC–130W multi-mission modifications* | | [85,000] |
| | *Intelligence Broadcast Receiver (IBR) for AFSOC MC–130* | | [1,000] |
| 064 | AIRCRAFT SUPPORT | 973 | 973 |
| | **SHIPBUILDING** | | |
| 065 | ADVANCED SEAL DELIVERY SYSTEM (ASDS) | 5,236 | 0 |
| | *Program termination* | | [–5,236] |
| 066 | MK8 MOD1 SEAL DELIVERY VEHICLE | 1,463 | 1,463 |
| | **AMMUNITION PROGRAMS** | | |
| 067 | SOF ORDNANCE REPLENISHMENT | 61,360 | 61,360 |
| 068 | SOF ORDNANCE ACQUISITION | 26,791 | 26,791 |
| | **OTHER PROCUREMENT PROGRAMS** | | |
| 069 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS | 55,080 | 55,080 |
| 070 | SOF INTELLIGENCE SYSTEMS | 72,811 | 72,811 |
| 071 | SMALL ARMS AND WEAPONS | 35,235 | 42,735 |
| | *Advanced lightweight grenade launcher* | | [5,000] |
| | *Special Operations Forces Combat Assault Rifle (SCAR)* | | [2,500] |
| 072 | MARITIME EQUIPMENT MODIFICATIONS | 791 | 791 |
| 073 | SPEC APPLICATION FOR CONT | | |
| 074 | SOF COMBATANT CRAFT SYSTEMS | 6,156 | 16,156 |
| | *Special Operations Craft-Riverine* | | [10,000] |
| 075 | SPARES AND REPAIR PARTS | 2,010 | 2,010 |
| 076 | TACTICAL VEHICLES | 18,821 | 18,821 |
| 077 | MISSION TRAINING AND PREPARATION SYSTEMS | 17,265 | 17,265 |
| 078 | COMBAT MISSION REQUIREMENTS | 20,000 | 20,000 |
| 079 | MILCON COLLATERAL EQUIPMENT | 6,835 | 6,835 |
| 081 | SOF AUTOMATION SYSTEMS | 60,836 | 60,836 |
| 082 | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | 12,401 | 12,401 |
| 083 | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | 26,070 | 26,070 |
| 084 | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | 550 | 550 |
| 085 | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS | 33,741 | 38,741 |
| | *Special operations visual augmentation systems* | | [5,000] |
| 086 | SOF TACTICAL RADIO SYSTEMS | 53,034 | 63,034 |
| | *Special operations forces multi-band inter/intra team radio* | | [10,000] |
| 087 | SOF MARITIME EQUIPMENT | 2,777 | 2,777 |
| 088 | DRUG INTERDICTION | | |
| 089 | MISCELLANEOUS EQUIPMENT | 7,576 | 7,576 |
| 090 | SOF OPERATIONAL ENHANCEMENTS | 273,998 | 273,998 |
| 091 | PSYOP EQUIPMENT | 43,081 | 43,081 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 5,573 | 5,573 |
| | **CHEMICAL/BIOLOGICAL DEFENSE** | | |
| | **CBDP** | | |
| 092 | Installation Force Protection | 65,590 | 65,590 |
| 093 | Individual Force Protection | 92,004 | 92,004 |
| 094 | Decontamination | 22,008 | 22,008 |
| 095 | Joint Bio Defense Program (Medical) | 12,740 | 12,740 |
| 096 | Collective Protection | 27,938 | 27,938 |
| 097 | Contamination Avoidance | 151,765 | 151,765 |
| 097a | Procurement of computer services / systems | | |
| | **TOTAL—PROCUREMENT, DEFENSE-WIDE** | **3,984,352** | **4,090,816** |
| | **RAPID ACQUISITION FUND** | | |
| 001 | JOINT RAPID ACQUISITION CELL | 79,300 | 0 |
| | *Program Reduction* | | [–79,300] |

**PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **TOTAL—RAPID ACQUISITION FUND** | **79,300** | **0** |
| | **NATIONAL GUARD & RESERVE EQUIPMENT** | | |
| | **RESERVE EQUIPMENT** | | |
| | UNDISTRIBUTED | | 600,000 |
| | **ARMY RESERVE** | | |
| 001 | MISCELLANEOUS EQUIPMENT | | |
| | **NAVY RESERVE** | | |
| 002 | MISCELLANEOUS EQUIPMENT | | |
| | **MARINE CORPS RESERVE** | | |
| 003 | MISCELLANEOUS EQUIPMENT | | |
| | **AIR FORCE RESERVE** | | |
| 004 | MISCELLANEOUS EQUIPMENT | | |
| | **ARMY NATIONAL GUARD** | | |
| 005 | MISCELLANEOUS EQUIPMENT | | |
| | **AIR NATIONAL GUARD** | | |
| 006 | MISCELLANEOUS EQUIPMENT | | |
| | **TOTAL—NATIONAL GUARD & RESERVE EQUIPMENT** | **0** | **600,000** |
| | **Total Procurement** | **105,819,330** | **105,029,379** |

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.**

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **AIRCRAFT PROCUREMENT, ARMY** | | |
| | **AIRCRAFT** | | |
| | **FIXED WING** | | |
| 003 | MQ–1 UAV | 250,000 | 250,000 |
| 004 | RQ–11 (RAVEN) | 44,640 | 44,640 |
| 004A | C–12A | 45,000 | 45,000 |
| | **ROTARY WING** | | |
| 011 | UH–60 BLACKHAWK (MYP) | 74,340 | 74,340 |
| 013 | CH–47 HELICOPTER | 141,200 | 141,200 |
| | **MODIFICATION OF AIRCRAFT** | | |
| 018 | GUARDRAIL MODS (MIP) | 50,210 | 50,210 |
| 019 | MULTI SENSOR ABN RECON (MIP) | 54,000 | 54,000 |
| 020 | AH–64 MODS | 315,300 | 315,300 |
| 026 | UTILITY HELICOPTER MODS | 2,500 | 2,500 |
| 027 | KIOWA WARRIOR | 94,335 | 94,335 |
| 030 | RQ–7 UAV MODS | 326,400 | 326,400 |
| 030A | C–12A | 60,000 | 60,000 |
| | **SPARES AND REPAIR PARTS** | | |
| 031 | SPARE PARTS (AIR) | 18,200 | 18,200 |
| | **SUPPORT EQUIPMENT AND FACILITIES** | | |
| | **GROUND SUPPORT AVIONICS** | | |
| 033 | ASE INFRARED CM | 111,600 | 111,600 |
| | **OTHER SUPPORT** | | |
| 035 | COMMON GROUND EQUIPMENT | 23,704 | 23,704 |
| 036 | AIRCREW INTEGRATED SYSTEMS | 24,800 | 24,800 |
| | **TOTAL—AIRCRAFT PROCUREMENT, ARMY** | **1,636,229** | **1,636,229** |
| | **MISSILE PROCUREMENT, ARMY** | | |
| | **OTHER MISSILES** | | |
| | **AIR-TO-SURFACE MISSILE SYSTEM** | | |
| 005 | HELLFIRE SYS SUMMARY | 219,700 | 219,700 |
| | **ANTI-TANK/ASSAULT MISSILE SYSTEM** | | |
| 006 | JAVELIN (AAWS-M) SYSTEM SUMMARY | 140,979 | 115,979 |
| | *Funding ahead of need* | | [–25,000] |
| 007 | TOW 2 SYSTEM SUMMARY | 59,200 | 34,200 |
| | *Funding ahead of need* | | [–25,000] |
| 008 | GUIDED MLRS ROCKET (GMLRS) | 60,600 | 60,600 |
| | **MODIFICATIONS** | | |
| 014 | MLRS MODS | 18,772 | 18,772 |
| 015 | HIMARS MODIFICATIONS | 32,319 | 32,319 |
| | **TOTAL—MISSILE PROCUREMENT, ARMY** | **531,570** | **481,570** |
| | **PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES** | | |
| | **MODIFICATION OF TRACKED COMBAT VEHICLES** | | |
| 009 | FIST VEHICLE (MOD) | 36,000 | 36,000 |
| 010 | BRADLEY PROGRAM (MOD) | 243,600 | 243,600 |
| 011 | HOWITZER, MED SP FT 155MM M109A6 (MOD) | 37,620 | 37,620 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| | **WEAPONS AND OTHER COMBAT VEHICLES** | | |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 027 | XM320 GRENADE LAUNCHER MODULE (GLM) | 13,900 | 13,900 |
| 031 | COMMON REMOTELY OPERATED WEAPONS STATION (CRO | 235,000 | 235,000 |
| 033 | HOWITZER LT WT 155MM (T) | 107,996 | 107,996 |
| | **MOD OF WEAPONS AND OTHER COMBAT VEH** | | |
| 036 | M2 50 CAL MACHINE GUN MODS | 27,600 | 27,600 |
| 037 | M249 SAW MACHINE GUN MODS | 20,900 | 20,900 |
| 038 | M240 MEDIUM MACHINE GUN MODS | 4,800 | 4,800 |
| 040 | M119 MODIFICATIONS | 21,250 | 21,250 |
| 041A | M14 7.62 RIFLE MODS | 5,800 | 5,800 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 043 | ITEMS LESS THAN $5.0M (WOCV-WTCV) | 5,000 | 5,000 |
| | **TOTAL—PROCUREMENT OF WTCV, ARMY** | **759,466** | **759,466** |
| | **PROCUREMENT OF AMMUNITION, ARMY** | | |
| | **AMMUNITION** | | |
| | **SMALL/MEDIUM CALIBER AMMUNITION** | | |
| 001 | CTG, 5.56MM, ALL TYPES | 22,000 | 22,000 |
| 002 | CTG, 7.62MM, ALL TYPES | 8,300 | 8,300 |
| 003 | CTG, HANDGUN, ALL TYPES | 500 | 500 |
| 004 | CTG, .50 CAL, ALL TYPES | 26,500 | 26,500 |
| 006 | CTG, 30MM, ALL TYPES | 530 | 530 |
| | **MORTAR AMMUNITION** | | |
| 008 | 60MM MORTAR, ALL TYPES | 20,000 | 20,000 |
| | **TANK AMMUNITION** | | |
| | **ARTILLERY AMMUNITION** | | |
| 014 | CTG, ARTY, 105MM: ALL TYPES | 9,200 | 9,200 |
| 016 | PROJ 155MM EXTENDED RANGE XM982 | 52,200 | 52,200 |
| 017 | MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T | 10,000 | 10,000 |
| | **ARTILLERY FUZES** | | |
| 018 | ARTILLERY FUZES, ALL TYPES | 7,800 | 7,800 |
| | **MINES** | | |
| 019 | MINES, ALL TYPES | 5,000 | 5,000 |
| 020 | MINE, CLEARING CHARGE, ALL TYPES | 7,000 | 7,000 |
| | **ROCKETS** | | |
| 024 | ROCKET, HYDRA 70, ALL TYPES | 169,505 | 169,505 |
| | **OTHER AMMUNITION** | | |
| 027 | SIGNALS, ALL TYPES | 100 | 100 |
| | **MISCELLANEOUS** | | |
| 030 | NON-LETHAL AMMUNITION, ALL TYPES | 32,000 | 32,000 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, ARMY** | **370,635** | **370,635** |
| | **OTHER PROCUREMENT, ARMY** | | |
| | **TACTICAL AND SUPPORT VEHICLES** | | |
| | **TACTICAL VEHICLES** | | |
| 001 | TACTICAL TRAILERS/DOLLY SETS | 1,948 | 1,948 |
| 002 | SEMITRAILERS, FLATBED: | 40,403 | 40,403 |
| 003 | SEMITRAILERS, TANKERS | 8,651 | 8,651 |
| 004 | HI MOB MULTI-PURP WHLD VEH (HMMWV) | 1,251,038 | 875,718 |
| | *Army end strength budget amendment* | | [–375,320] |
| 005 | FAMILY OF MEDIUM TACTICAL VEH (FMTV) | 461,657 | 286,337 |
| | *Army end strength budget amendment* | | [–175,320] |
| 007 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) | 623,230 | 623,230 |
| 009 | ARMORED SECURITY VEHICLES (ASV) | 13,206 | 13,206 |
| 012 | TRUCK, TRACTOR, LINE HAUL, M915/M916 | 62,654 | 62,654 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | |
| | **COMM-JOINT COMMUNICATIONS** | | |
| 023 | WIN-T—GROUND FORCES TACTICAL NETWORK | 13,500 | 13,500 |
| | **COMM—SATELLITE COMMUNICATIONS** | | |
| 028 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) | 53,486 | 53,486 |
| 029 | SMART-T (SPACE) | 26,000 | 26,000 |
| 032 | MOD OF IN-SVC EQUIP (TAC SAT) | 23,900 | 23,900 |
| | **COMM—COMBAT SUPPORT COMM** | | |
| 032A | MOD-IN-SERVICE PROFILER | 6,070 | 6,070 |
| | **COMM—COMBAT COMMUNICATIONS** | | |
| 034 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) | 239 | 239 |
| 037 | SINCGARS FAMILY | 128,180 | 53,180 |
| | *Unjustified program growth* | | [–75,000] |
| 038 | AMC CRITICAL ITEMS—OPA2 | 100,000 | 100,000 |
| 046 | RADIO, IMPROVED HF (COTS) FAMILY | 11,286 | 11,286 |
| 047 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4) | 18 | 18 |
| | **INFORMATION SECURITY** | | |
| 050 | INFORMATION SYSTEM SECURITY PROGRAM-ISSP | 32,095 | 32,095 |
| | **COMM—BASE COMMUNICATIONS** | | |
| 055 | INFORMATION SYSTEMS | 330,342 | 330,342 |
| 057 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM( | 227,733 | 227,733 |
| | **ELECT EQUIP—TACT INT REL ACT (TIARA)** | | |
| 062 | JTT/CIBS-M (MIP) | 1,660 | 1,660 |
| 066 | DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP) | 265 | 265 |
| 069 | DCGS-A (MIP) | 167,100 | 167,100 |
| 073 | CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP | 34,208 | 34,208 |
| 075 | ITEMS LESS THAN $5.0M (MIP) | 5,064 | 5,064 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **ELECT EQUIP—ELECTRONIC WARFARE (EW)** | | |
| 076 | LIGHTWEIGHT COUNTER MORTAR RADAR | 58,590 | 58,590 |
| 077 | WARLOCK | 164,435 | 164,435 |
| 078 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES | 126,030 | 126,030 |
| | **ELECT EQUIP—TACTICAL SURV. (TAC SURV)** | | |
| 082 | NIGHT VISION DEVICES | 93,183 | 93,183 |
| 084 | NIGHT VISION, THERMAL WPN SIGHT | 25,000 | 25,000 |
| 085 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF | 15,000 | 15,000 |
| 087 | COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) | 150,400 | 150,400 |
| 091 | ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE | 1,900 | 1,900 |
| 094 | FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2) | 242,999 | 242,999 |
| 096 | LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD | 97,020 | 97,020 |
| 097 | COMPUTER BALLISTICS: LHMBC XM32 | 3,780 | 3,780 |
| 099 | COUNTERFIRE RADARS | 26,000 | 26,000 |
| | **ELECT EQUIP—TACTICAL C2 SYSTEMS** | | |
| 103 | FIRE SUPPORT C2 FAMILY | 14,840 | 14,840 |
| 104 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC | 16 | 16 |
| 107 | KNIGHT FAMILY | 178,500 | 178,500 |
| 113 | NETWORK MANAGEMENT INITIALIZATION AND SERVICE | 58,900 | 58,900 |
| 114 | MANEUVER CONTROL SYSTEM (MCS) | 5,000 | 5,000 |
| 115 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE) | 1,440 | 1,440 |
| | **ELECT EQUIP—SUPPORT** | | |
| | CLASSIFIED PROGRAMS | 760 | 760 |
| | **CHEMICAL DEFENSIVE EQUIPMENT** | | |
| 129 | PROTECTIVE SYSTEMS | 44,460 | 44,460 |
| 130 | CBRN SOLDIER PROTECTION | 38,811 | 38,811 |
| | **BRIDGING EQUIPMENT** | | |
| 133 | TACTICAL BRIDGE, FLOAT-RIBBON | 13,525 | 13,525 |
| | **ENGINEER (NON-CONSTRUCTION) EQUIPMENT** | | |
| 136 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) | 10,800 | 10,800 |
| | **COMBAT SERVICE SUPPORT EQUIPMENT** | | |
| 140 | LAUNDRIES, SHOWERS AND LATRINES | 21,561 | 21,561 |
| 142 | LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME) | 1,955 | 1,955 |
| 146 | FORCE PROVIDER | 245,382 | 245,382 |
| 147 | FIELD FEEDING EQUIPMENT | 4,011 | 4,011 |
| 150 | ITEMS LESS THAN $5M (ENG SPT) | 4,987 | 4,987 |
| | **PETROLEUM EQUIPMENT** | | |
| 152 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER | 58,554 | 58,554 |
| | **WATER EQUIPMENT** | | |
| 153 | WATER PURIFICATION SYSTEMS | 3,017 | 3,017 |
| | **MEDICAL EQUIPMENT** | | |
| 154 | COMBAT SUPPORT MEDICAL | 11,386 | 11,386 |
| | **MAINTENANCE EQUIPMENT** | | |
| 155 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS | 12,365 | 12,365 |
| 156 | ITEMS LESS THAN $5.0M (MAINT EQ) | 546 | 546 |
| | **CONSTRUCTION EQUIPMENT** | | |
| 162 | LOADERS | 1,100 | 1,100 |
| 163 | HYDRAULIC EXCAVATOR | 290 | 290 |
| 166 | PLANT, ASPHALT MIXING | 2,500 | 2,500 |
| 167 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS | 16,500 | 16,500 |
| 169 | ITEMS LESS THAN $5.0M (CONST EQUIP) | 360 | 360 |
| | **RAIL FLOAT CONTAINERIZATION EQUIPMENT** | | |
| 172 | ITEMS LESS THAN $5.0M (FLOAT/RAIL) | 3,550 | 3,550 |
| | **GENERATORS** | | |
| 173 | GENERATORS AND ASSOCIATED EQUIP | 62,210 | 62,210 |
| | **MATERIAL HANDLING EQUIPMENT** | | |
| 174 | ROUGH TERRAIN CONTAINER HANDLER (RTCH) | 54,360 | 54,360 |
| 175 | ALL TERRAIN LIFTING ARMY SYSTEM | 49,319 | 49,319 |
| | **TRAINING EQUIPMENT** | | |
| 176 | COMBAT TRAINING CENTERS SUPPORT | 60,200 | 60,200 |
| 177 | TRAINING DEVICES, NONSYSTEM | 28,200 | 28,200 |
| | **TEST MEASURE AND DIG EQUIPMENT (TMD)** | | |
| 182 | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) | 1,524 | 1,524 |
| 183 | TEST EQUIPMENT MODERNIZATION (TEMOD) | 3,817 | 3,817 |
| | **OTHER SUPPORT EQUIPMENT** | | |
| 184 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT | 27,000 | 27,000 |
| 187 | MODIFICATION OF IN-SVC EQUIPMENT (OPA–3) | 555,950 | 555,950 |
| | **TOTAL—OTHER PROCUREMENT, ARMY** | **6,225,966** | **5,600,326** |
| | **JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND** | | |
| | **NETWORK ATTACK** | | |
| 001 | ATTACK THE NETWORK | 812,000 | 1,015,100 |
| | Transfer from base budget | | [203,100] |
| | **JIEDDO DEVICE DEFEAT** | | |
| 002 | DEFEAT THE DEVICE | 536,000 | 735,100 |
| | Transfer from base budget | | [199,100] |
| | **FORCE TRAINING** | | |
| 003 | TRAIN THE FORCE | 187,000 | 228,100 |
| | Transfer from base budget | | [41,100] |
| | **STAFF AND INFRASTRUCTURE** | | |
| 004 | OPERATIONS | | 121,550 |
| | Transfer from base budget | | [121,550] |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
*(In Thousands of Dollars)*

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **TOTAL—JOINT IED DEFEAT FUND** | **1,535,000** | **2,099,850** |
| | **AIRCRAFT PROCUREMENT, NAVY** | | |
| | **COMBAT AIRCRAFT** | | |
| 010 | UH–1Y/AH–1Z | 55,006 | 55,006 |
| | **MODIFICATION OF AIRCRAFT** | | |
| 028 | EA–6 SERIES | 45,000 | 45,000 |
| 029 | AV–8 SERIES | 28,296 | 19,396 |
| | ALE–47 upgrades complete | | [–8,900] |
| 030 | F–18 SERIES | 96,000 | 96,000 |
| 031 | H–46 SERIES | 17,485 | 17,485 |
| 033 | H–53 SERIES | 164,730 | 164,730 |
| 034 | SH–60 SERIES | 11,192 | 11,192 |
| 035 | H–1 SERIES | 11,217 | 11,217 |
| 037 | P–3 SERIES | 74,900 | 74,900 |
| 039 | E–2 SERIES | 17,200 | 17,200 |
| 041 | C–2A | 14,100 | 14,100 |
| 042 | C–130 SERIES | 52,324 | 52,324 |
| 049 | POWER PLANT CHANGES | 4,456 | 0 |
| | Non-emergency modifications | | [–4,456] |
| 052 | COMMON ECM EQUIPMENT | 263,382 | 263,382 |
| 054 | COMMON DEFENSIVE WEAPON SYSTEM | 5,500 | 5,500 |
| 056 | V–22 (TILT/ROTOR ACFT) OSPREY | 53,500 | 53,500 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | |
| 057 | SPARES AND REPAIR PARTS | 2,265 | 2,265 |
| | **TOTAL—AIRCRAFT PROCUREMENT, NAVY** | **916,553** | **903,197** |
| 010 | HELLFIRE | 73,700 | 50,700 |
| | Army end strength budget amendment | | [–23,000] |
| | **TOTAL—WEAPONS PROCUREMENT, NAVY** | **73,700** | **50,700** |
| | **PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | | |
| | **PROC AMMO, NAVY** | | |
| | **NAVY AMMUNITION** | | |
| 001 | GENERAL PURPOSE BOMBS | 40,500 | 40,500 |
| 003 | AIRBORNE ROCKETS, ALL TYPES | 42,510 | 42,510 |
| 004 | MACHINE GUN AMMUNITION | 109,200 | 80,377 |
| | Army end strength budget amendment | | [–28,823] |
| 007 | AIR EXPENDABLE COUNTERMEASURES | 5,501 | 5,501 |
| 009 | 5 INCH/54 GUN AMMUNITION | 352 | 352 |
| 011 | OTHER SHIP GUN AMMUNITION | 2,835 | 2,835 |
| 012 | SMALL ARMS & LANDING PARTY AMMO | 14,229 | 14,229 |
| 013 | PYROTECHNIC AND DEMOLITION | 1,442 | 1,442 |
| | **PROC AMMO, MC** | | |
| | **MARINE CORPS AMMUNITION** | | |
| 015 | SMALL ARMS AMMUNITION | 16,930 | 16,930 |
| 016 | LINEAR CHARGES, ALL TYPES | 5,881 | 5,881 |
| 017 | 40 MM, ALL TYPES | 104,824 | 104,824 |
| 018 | 60MM, ALL TYPES | 43,623 | 43,623 |
| 019 | 81MM, ALL TYPES | 103,647 | 103,647 |
| 020 | 120MM, ALL TYPES | 62,265 | 62,265 |
| 021 | CTG 25MM, ALL TYPES | 563 | 563 |
| 022 | GRENADES, ALL TYPES | 6,074 | 6,074 |
| 023 | ROCKETS, ALL TYPES | 8,117 | 8,117 |
| 024 | ARTILLERY, ALL TYPES | 81,975 | 81,975 |
| 026 | DEMOLITION MUNITIONS, ALL TYPES | 9,241 | 9,241 |
| 027 | FUZE, ALL TYPES | 51,071 | 51,071 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | **710,780** | **681,957** |
| | **OTHER PROCUREMENT, NAVY** | | |
| | **OTHER SHIPBOARD EQUIPMENT** | | |
| 018 | UNDERWATER EOD PROGRAMS | 12,040 | 12,040 |
| | **SMALL BOATS** | | |
| 025 | STANDARD BOATS | 13,000 | 13,000 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | |
| | **AVIATION ELECTRONIC EQUIPMENT** | | |
| 056 | MATCALS | 400 | 400 |
| | **SHIPBOARD COMMUNICATIONS** | | |
| 076 | SHIP COMMUNICATIONS AUTOMATION | 1,500 | 1,500 |
| | **AIRCRAFT SUPPORT EQUIPMENT** | | |
| 092 | EXPEDITIONARY AIRFIELDS | 37,345 | 37,345 |
| 097 | AVIATION LIFE SUPPORT | 17,883 | 17,883 |
| | **ORDNANCE SUPPORT EQUIPMENT** | | |
| | **OTHER ORDNANCE SUPPORT EQUIPMENT** | | |
| 115 | EXPLOSIVE ORDNANCE DISPOSAL EQUIP | 43,650 | 43,650 |
| | **CIVIL ENGINEERING SUPPORT EQUIPMENT** | | |
| 120 | PASSENGER CARRYING VEHICLES | 25 | 25 |
| 121 | GENERAL PURPOSE TRUCKS | 93 | 93 |
| 122 | CONSTRUCTION & MAINTENANCE EQUIP | 11,167 | 11,167 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 124 | TACTICAL VEHICLES | 54,008 | 54,008 |
| 127 | ITEMS UNDER $5 MILLION | 10,842 | 10,842 |
| 128 | PHYSICAL SECURITY VEHICLES | 1,130 | 1,130 |
| | **SUPPLY SUPPORT EQUIPMENT** | | |
| 129 | MATERIALS HANDLING EQUIPMENT | 25 | 25 |
| | **PERSONNEL AND COMMAND SUPPORT EQUIPMENT** | | |
| | **COMMAND SUPPORT EQUIPMENT** | | |
| 134 | COMMAND SUPPORT EQUIPMENT | 4,000 | 4,000 |
| 139 | OPERATING FORCES SUPPORT EQUIPMENT | 15,452 | 15,452 |
| 140 | C4ISR EQUIPMENT | 3,100 | 3,100 |
| 142 | PHYSICAL SECURITY EQUIPMENT | 89,521 | 64,521 |
| | OCO unjustified request | | [–25,000] |
| | **SPARES AND REPAIR PARTS** | | |
| 145 | SPARES AND REPAIR PARTS | 2,837 | 2,837 |
| | **TOTAL—OTHER PROCUREMENT, NAVY** | **318,018** | **293,018** |
| | **PROCUREMENT, MARINE CORPS** | | |
| | **WEAPONS AND COMBAT VEHICLES** | | |
| | **TRACKED COMBAT VEHICLES** | | |
| 002 | LAV PIP | 58,229 | 58,229 |
| | **ARTILLERY AND OTHER WEAPONS** | | |
| 006 | 155MM LIGHTWEIGHT TOWED HOWITZER | 54,000 | 0 |
| | Army end strength budget amendment | | [–54,000] |
| 008 | WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION | 3,351 | 3,351 |
| | **OTHER SUPPORT** | | |
| 010 | MODIFICATION KITS | 20,183 | 20,183 |
| 011 | WEAPONS ENHANCEMENT PROGRAM | 9,151 | 9,151 |
| | **GUIDED MISSILES AND EQUIPMENT** | | |
| | **OTHER SUPPORT** | | |
| 016 | MODIFICATION KITS | 8,506 | 8,506 |
| | **COMMUNICATIONS & ELECTRONICS EQUIPMENT** | | |
| | **REPAIR AND TEST EQUIPMENT** | | |
| 018 | REPAIR AND TEST EQUIPMENT | 11,741 | 11,741 |
| | **OTHER SUPPORT (TEL)** | | |
| 019 | COMBAT SUPPORT SYSTEM | 462 | 462 |
| | **COMMAND AND CONTROL SYSTEM (NON-TEL)** | | |
| 021 | ITEMS UNDER $5 MILLION (COMM & ELEC) | 4,153 | 4,153 |
| 022 | AIR OPERATIONS C2 SYSTEMS | 3,096 | 3,096 |
| | **RADAR + EQUIPMENT (NON-TEL)** | | |
| 023 | RADAR SYSTEMS | 3,417 | 3,417 |
| | **INTELL/COMM EQUIPMENT (NON-TEL)** | | |
| 024 | FIRE SUPPORT SYSTEM | 521 | 521 |
| 025 | INTELLIGENCE SUPPORT EQUIPMENT | 37,547 | 37,547 |
| 026 | RQ–11 UAV | 13,000 | 13,000 |
| | **OTHER COMM/ELEC EQUIPMENT (NON-TEL)** | | |
| 027 | NIGHT VISION EQUIPMENT | 12,570 | 0 |
| | Army end strength budget amendment | | [–12,570] |
| | **OTHER SUPPORT (NON-TEL)** | | |
| 028 | COMMON COMPUTER RESOURCES | 23,105 | 23,105 |
| 029 | COMMAND POST SYSTEMS | 23,041 | 23,041 |
| 030 | RADIO SYSTEMS | 32,497 | 32,497 |
| 031 | COMM SWITCHING & CONTROL SYSTEMS | 2,044 | 2,044 |
| 032 | COMM & ELEC INFRASTRUCTURE SUPPORT | 64 | 64 |
| | **SUPPORT VEHICLES** | | |
| | **ADMINISTRATIVE VEHICLES** | | |
| 035 | 5/4T TRUCK HMMWV (MYP) | 205,036 | 205,036 |
| 036 | MOTOR TRANSPORT MODIFICATIONS | 10,177 | 0 |
| | Army end strength budget amendment | | [–10,177] |
| 037 | MEDIUM TACTICAL VEHICLE REPLACEMENT | 131,044 | 131,044 |
| 038 | LOGISTICS VEHICLE SYSTEM REP | 59,219 | 59,219 |
| 039 | FAMILY OF TACTICAL TRAILERS | 13,388 | 13,388 |
| | **OTHER SUPPORT** | | |
| | **ENGINEER AND OTHER EQUIPMENT** | | |
| 042 | ENVIRONMENTAL CONTROL EQUIP ASSORT | 5,119 | 5,119 |
| 043 | BULK LIQUID EQUIPMENT | 4,549 | 4,549 |
| 044 | TACTICAL FUEL SYSTEMS | 33,421 | 33,421 |
| 045 | POWER EQUIPMENT ASSORTED | 24,860 | 24,860 |
| 047 | EOD SYSTEMS | 47,697 | 47,697 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 048 | PHYSICAL SECURITY EQUIPMENT | 19,720 | 2,720 |
| | Army end strength budget amendment | | [–17,000] |
| 050 | MATERIAL HANDLING EQUIP | 56,875 | 56,875 |
| | **GENERAL PROPERTY** | | |
| 053 | TRAINING DEVICES | 157,734 | 147,304 |
| | Army end strength budget amendment | | [–10,430] |
| 055 | FAMILY OF CONSTRUCTION EQUIPMENT | 35,818 | 35,818 |
| 058 | RAPID DEPLOYABLE KITCHEN | 55 | 55 |
| | **OTHER SUPPORT** | | |
| 059 | ITEMS LESS THAN $5 MILLION | 39,055 | 39,055 |
| | **SPARES AND REPAIR PARTS** | | |
| | **TOTAL—PROCUREMENT, MARINE CORPS** | **1,164,445** | **1,060,268** |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| | **AIRCRAFT PROCUREMENT, AIR FORCE** | | |
| | **OTHER AIRLIFT** | | |
| 006 | C–130J | 72,000 | 72,000 |
| | **OTHER AIRCRAFT** | | |
| | **CLASSIFIED PROGRAMS** | | |
| | **MODIFICATION OF IN-SERVICE AIRCRAFT** | | |
| | **STRATEGIC AIRCRAFT** | | |
| 028 | B–1B | 20,500 | 20,500 |
| | **TACTICAL AIRCRAFT** | | |
| 030 | A–10 | 10,000 | 10,000 |
| 032 | F–16 | 20,025 | 0 |
| | Army end strength budget amendment—secure line-of-sight/beyond line-of-sight mods | | [–20,025] |
| | **AIRLIFT AIRCRAFT** | | |
| 034 | C–5 | 57,400 | 57,400 |
| 037 | C–17A | 132,300 | 120,725 |
| | Army end strength budget amendment—LAIRCM mods | | [–11,575] |
| | **OTHER AIRCRAFT** | | |
| 052 | C–130 | 210,800 | 86,400 |
| | Army end strength budget amendment—LAIRCM mods | | [–124,400] |
| 054 | C–135 | 16,916 | 16,916 |
| 056 | DARP | 10,300 | 10,300 |
| 063 | HC/MC–130 MODIFICATIONS | 7,000 | 7,000 |
| 064 | OTHER AIRCRAFT | 90,000 | 90,000 |
| 065 | MQ–1 MODS | 65,000 | 65,000 |
| 066 | MQ–9 MODS | 99,200 | 99,200 |
| | **AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES** | | |
| | **POST PRODUCTION SUPPORT** | | |
| 076 | C–17A | 11,000 | 11,000 |
| | **WAR CONSUMABLES** | | |
| | **OTHER PRODUCTION CHARGES** | | |
| 085 | OTHER PRODUCTION CHARGES | 114,000 | 114,000 |
| | **TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE** | **936,441** | **780,441** |
| | **PROCUREMENT OF AMMUNITION, AIR FORCE** | | |
| | **ROCKETS** | | |
| 001 | ROCKETS | 3,488 | 3,488 |
| | **CARTRIDGES** | | |
| 002 | CARTRIDGES | 39,236 | 39,236 |
| | **BOMBS** | | |
| 004 | GENERAL PURPOSE BOMBS | 34,085 | 34,085 |
| 005 | JOINT DIRECT ATTACK MUNITION | 97,978 | 97,978 |
| | **FLARE, IR MJU–7B** | | |
| 007 | EXPLOSIVE ORDINANCE DISPOSAL (EOD) | 4,800 | 4,800 |
| | **FUZES** | | |
| 011 | FLARES | 41,000 | 41,000 |
| 012 | FUZES | 14,595 | 14,595 |
| | **WEAPONS** | | |
| | **SMALL ARMS** | | |
| 013 | SMALL ARMS | 21,637 | 21,637 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE** | **256,819** | **256,819** |
| | **MISSILE PROCUREMENT, AIR FORCE** | | |
| | **OTHER MISSILES** | | |
| | **TACTICAL** | | |
| 005 | PREDITOR HELLFIRE MISSILE | 29,325 | 29,325 |
| 006 | SMALL DIAMETER BOMB | 7,300 | 7,300 |
| | **TOTAL—MISSILE PROCUREMENT, AIR FORCE** | **36,625** | **36,625** |
| | **OTHER PROCUREMENT, AIR FORCE** | | |
| | **VEHICULAR EQUIPMENT** | | |
| | **CARGO + UTILITY VEHICLES** | | |
| 002 | MEDIUM TACTICAL VEHICLE | 3,364 | 3,364 |
| | **SPECIAL PURPOSE VEHICLES** | | |
| 004 | SECURITY AND TACTICAL VEHICLES | 11,337 | 11,337 |
| | **FIRE FIGHTING EQUIPMENT** | | |
| 005 | FIRE FIGHTING/CRASH RESCUE VEHICLES | 8,626 | 8,626 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| | **SPCL COMM-ELECTRONICS PROJECTS** | | |
| 023 | AIR FORCE PHYSICAL SECURITY SYSTEM | 1,600 | 1,600 |
| | **DISA PROGRAMS** | | |
| 037 | MILSATCOM SPACE | 714 | 714 |
| | **OTHER BASE MAINTENANCE AND SUPPORT EQUIP** | | |
| | **PERSONAL SAFETY & RESCUE EQUIP** | | |
| 047 | NIGHT VISION GOGGLES | 14,528 | 14,528 |
| 048 | ITEMS LESS THAN $5,000,000 (SAFETY) | 4,900 | 4,900 |
| | **DEPOT PLANT+MTRLS HANDLING EQ** | | |
| | **BASE SUPPORT EQUIPMENT** | | |
| 051 | CONTINGENCY OPERATIONS | 11,300 | 11,300 |
| | **SPECIAL SUPPORT PROJECTS** | | |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Agreement |
|---|---|---|---|
| 060 | DEFENSE SPACE RECONNAISSANCE PROG. | 34,400 | 34,400 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 2,230,780 | 2,230,780 |
| | **TOTAL—OTHER PROCUREMENT, AIR FORCE** | **2,321,549** | **2,321,549** |
| | **MINE RESISTANT AMBUSH PROT VEH FUND** | | |
| | **MINE RESISTANT AMBUSH PROT VEH FUND** | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | 5,456,000 | 6,056,000 |
| | Additional MRAP vehicles to meet new requirement | | [600,000] |
| | **TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND** | **5,456,000** | **6,056,000** |
| | **PROCUREMENT, DEFENSE-WIDE** | | |
| | **MAJOR EQUIPMENT, DISA** | | |
| 019 | GLOBAL COMMAND AND CONTROL SYSTEM | 1,500 | 1,500 |
| 021 | TELEPORT PROGRAM | 7,411 | 7,411 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 304,794 | 304,794 |
| | **SPECIAL OPERATIONS COMMAND** | | |
| | **AVIATION PROGRAMS** | | |
| 052 | MH–47 SERVICE LIFE EXTENSION PROGRAM | 5,900 | 5,900 |
| 057 | SOF U–28 | 3,000 | 3,000 |
| 060 | MQ–1 UAV | 1,450 | 0 |
| | Funding Early to Need | | [–1,450] |
| 062 | STUASL0 | 12,000 | 12,000 |
| 063 | C–130 MODIFICATIONS | 19,500 | 19,500 |
| | **SHIPBUILDING** | | |
| | **AMMUNITION PROGRAMS** | | |
| 067 | SOF ORDNANCE REPLENISHMENT | 51,156 | 51,156 |
| 068 | SOF ORDNANCE ACQUISITION | 17,560 | 17,560 |
| | **OTHER PROCUREMENT PROGRAMS** | | |
| 069 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS | 2,000 | 2,000 |
| 070 | SOF INTELLIGENCE SYSTEMS | 23,260 | 23,260 |
| 071 | SMALL ARMS AND WEAPONS | 3,800 | 3,800 |
| 076 | TACTICAL VEHICLES | 6,865 | 6,865 |
| 083 | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | 11,000 | 11,000 |
| 086 | SOF TACTICAL RADIO SYSTEMS | 5,448 | 5,448 |
| 090 | SOF OPERATIONAL ENHANCEMENTS | 11,900 | 11,900 |
| | **CLASSIFIED PROGRAMS** | | |
| 999 | CLASSIFIED PROGRAMS | 2,886 | 2,886 |
| | **TOTAL—PROCUREMENT, DEFENSE-WIDE** | **491,430** | **489,980** |
| | **Total Procurement** | **23,741,226** | **23,878,630** |

## TITLE XLII—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND EVALUATION.**

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601101A | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 19,671 | 19,671 |
| 002 | 0601102A | DEFENSE RESEARCH SCIENCES | 173,024 | 176,524 |
| | | Ballistic materials research | | [3,500] |
| 003 | 0601103A | UNIVERSITY RESEARCH INITIATIVES | 88,421 | 92,421 |
| | | Nanocomposite materials research | | [2,000] |
| | | Open source intelligence research | | [1,000] |
| | | Smart Wound Dressing for MRSA-Infected Battle Wounds | | [1,000] |
| 004 | 0601104A | UNIVERSITY AND INDUSTRY RESEARCH CENTERS | 96,144 | 98,844 |
| | | Immersive simulation research | | [1,200] |
| | | Materials processing research | | [1,500] |
| | | **SUBTOTAL, BASIC RESEARCH, ARMY** | **377,260** | **387,460** |
| | | **APPLIED RESEARCH** | | |
| 005 | 0602105A | MATERIALS TECHNOLOGY | 27,206 | 47,206 |
| | | Advanced renewable jet fuels | | [3,000] |
| | | Applied composite materials research | | [3,000] |
| | | High strength fibers for ballistic armor applications | | [2,000] |
| | | Moldable fabric armor | | [2,000] |
| | | Smart materials and structures | | [1,000] |
| | | Dual Stage Variable Energy Absorber | | [3,000] |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | *Next Generation High Strength Glass Fibers for Ballistic Armor Applications* | | [2,000] |
| | | *Ultra Lightweight Metallic Armor* | | [1,000] |
| | | *Nanomanufacturing of Multifunctional Sensors* | | [3,000] |
| 006 | 0602120A | SENSORS AND ELECTRONIC SURVIVABILITY | 50,641 | 53,141 |
| | | *Nanoelectronic memory, sensor and energy devices* | | [2,500] |
| 007 | 0602122A | TRACTOR HIP | 14,324 | 14,324 |
| 008 | 0602211A | AVIATION TECHNOLOGY | 41,332 | 41,332 |
| 009 | 0602270A | ELECTRONIC WARFARE TECHNOLOGY | 16,119 | 16,119 |
| 010 | 0602303A | MISSILE TECHNOLOGY | 50,716 | 50,716 |
| 011 | 0602307A | ADVANCED WEAPONS TECHNOLOGY | 19,678 | 19,678 |
| 012 | 0602308A | ADVANCED CONCEPTS AND SIMULATION | 17,473 | 19,473 |
| | | *Cognitive modeling and simulation research* | | [2,000] |
| 013 | 0602601A | COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY | 55,937 | 74,437 |
| | | *Advanced composite materials research* | | [3,500] |
| | | *Composite vehicle shelters* | | [2,000] |
| | | *Tactical metal fabrication program* | | [1,000] |
| | | *Tribology research* | | [2,000] |
| | | *Vehicle systems engineering and integration activities* | | [10,000] |
| 014 | 0602618A | BALLISTICS TECHNOLOGY | 61,843 | 65,843 |
| | | *Electromagnetic gun* | | [–2,000] |
| | | *Reactive armor research* | | [3,000] |
| | | *Beneficial Infrastructure for Rotorcraft Risk Reduction* | | [1,000] |
| | | *Lethality research* | | [2,000] |
| 015 | 0602622A | CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY | 5,293 | 5,293 |
| 016 | 0602623A | JOINT SERVICE SMALL ARMS PROGRAM | 7,674 | 7,674 |
| 017 | 0602624A | WEAPONS AND MUNITIONS TECHNOLOGY | 41,085 | 59,085 |
| | | *Acoustic gun detection systems* | | [2,000] |
| | | *Acoustic research* | | [3,000] |
| | | *UGV weaponization* | | [2,500] |
| | | *Highly Integrated Production for Expediting RESET* | | [2,500] |
| | | *Hybrid Projectile Program* | | [3,000] |
| | | *Specialized Compact Automated Mechanical Clearance Platform* | | [4,000] |
| | | *Defense Support for Civil Authorities (DSCA) for Key Resource Protection—South Central, PA* | | [1,000] |
| 018 | 0602705A | ELECTRONICS AND ELECTRONIC DEVICES | 61,404 | 67,104 |
| | | *Hybrid portable power program* | | [3,200] |
| | | *Novel Zinc Air Power Sources for Military* | | [2,500] |
| 019 | 0602709A | NIGHT VISION TECHNOLOGY | 26,893 | 26,893 |
| 020 | 0602712A | COUNTERMINE SYSTEMS | 18,945 | 18,945 |
| 021 | 0602716A | HUMAN FACTORS ENGINEERING TECHNOLOGY | 18,605 | 33,605 |
| | | *LWI Training-Based Collaborative Research* | | [15,000] |
| 022 | 0602720A | ENVIRONMENTAL QUALITY TECHNOLOGY | 15,902 | 20,402 |
| | | *Cluster Bomb Unit & Combined Effects Munitions Demil System* | | [1,000] |
| | | *SUNY Cobleskill Biowaste-to-Bioenergy Center* | | [2,500] |
| | | *Renewable Energy Testing Center* | | [1,000] |
| 023 | 0602782A | COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY | 24,833 | 24,833 |
| 024 | 0602783A | COMPUTER AND SOFTWARE TECHNOLOGY | 5,639 | 5,639 |
| 025 | 0602784A | MILITARY ENGINEERING TECHNOLOGY | 54,818 | 59,818 |
| | | *Cellulose Nanocomposite Panels for Ballistic Protection* | | [2,000] |
| | | *Geosciences Atmospheric Research* | | [3,000] |
| 026 | 0602785A | MANPOWER/PERSONNEL/TRAINING TECHNOLOGY | 18,701 | 18,701 |
| 027 | 0602786A | WARFIGHTER TECHNOLOGY | 27,109 | 29,609 |
| | | *Thermal resistant fiber research* | | [2,500] |
| 028 | 0602787A | MEDICAL TECHNOLOGY | 99,027 | 134,527 |
| | | *Biomechanics research* | | [3,500] |
| | | *Blast wave modeling* | | [3,000] |
| | | *Hemorrhage research* | | [3,000] |
| | | *Malaria vaccine development* | | [2,500] |
| | | *Neurotrauma research* | | [3,500] |
| | | *Secondary trauma research* | | [2,500] |
| | | *Advanced Functional Nanomaterials for Biological Processes* | | [2,500] |
| | | *Improving Soldier Recovery from Catastrophic Bone Injuries* | | [4,000] |
| | | *Advanced Bio-Engineering for Enhancement of Soldier Survivability* | | [3,000] |
| | | *Self-Powered Prosthetic Limb Technology* | | [2,000] |
| | | *Human Organ and Tissue Preservation Technology* | | [2,000] |
| | | *Optical Neural Techniques for Combat and Post Trauma Care* | | [4,000] |
| | | **SUBTOTAL, APPLIED RESEARCH, ARMY** | **781,197** | **914,397** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 029 | 0603001A | WARFIGHTER ADVANCED TECHNOLOGY | 37,574 | 45,874 |
| | | *High Pressure Pasteurization & Pressure Assisted Thermal Sterilization* | | [4,300] |
| | | *Next Generation Precision Airdrop System* | | [2,500] |
| | | *Onyx System Precision Guided Airdropped Equipment* | | [1,500] |
| 030 | 0603002A | MEDICAL ADVANCED TECHNOLOGY | 72,940 | 124,240 |
| | | *Biosensor controller systems development* | | [2,000] |
| | | *Body temperature conditioner systems* | | [2,500] |
| | | *Gulf War illness research* | | [12,000] |
| | | *Integrated medical technology program* | | [7,500] |
| | | *Lower limb prosthetics research* | | [2,000] |
| | | *Regenerative medical research* | | [4,000] |
| | | *Proton Treatment and Research Center—Northern Illinois* | | [2,000] |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | Wounded Service Member Bioelectrics Research | | [1,500] |
| | | Malaria Vaccine Development | | [5,000] |
| | | Regenerative Medicine to Address Astute Hearing Loss | | [3,000] |
| | | Multi-Dose Closed Loop pH Monitoring System for Platelets | | [1,000] |
| | | Carbide-Derived Carbon for Treatment of Combat Related Sepsis | | [1,000] |
| | | Clinical Technology Integration for Military Health | | [2,000] |
| | | Institute for Simulation and Interprofessional Studies | | [5,800] |
| 031 | 0603003A | AVIATION ADVANCED TECHNOLOGY | 60,097 | 80,597 |
| | | Advanced Affordable Turbine Engine Program | | [5,000] |
| | | Robust Composite Structural Core for Army Helicopters | | [2,000] |
| | | UH–60 Transmission/Gearbox Galvanic Corrosion Reduction | | [1,500] |
| | | Drive System Composite Structural Component Risk Reduction Program | | [3,000] |
| | | Universal Control—FADEC | | [9,000] |
| 032 | 0603004A | WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY | 66,410 | 61,410 |
| | | Electromagnetic gun | | [–11,500] |
| | | Lethality research | | [6,500] |
| 033 | 0603005A | COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY | 89,586 | 174,986 |
| | | Advanced APU development | | [2,000] |
| | | Advanced battery development program | | [10,000] |
| | | Advanced lithium ion battery systems | | [3,000] |
| | | Advanced suspension systems for heavy vehicles | | [2,700] |
| | | Advanced thermal management systems | | [3,000] |
| | | Alternative energy research | | [20,000] |
| | | Hybrid engine development program | | [4,000] |
| | | Hybrid truck development | | [4,000] |
| | | Smart plug-in hybrid electric vehicle program | | [4,100] |
| | | Threat cue research | | [2,000] |
| | | Unmanned ground vehicle initiative | | [12,000] |
| | | Vehicle prognostics technologies | | [3,100] |
| | | Unmanned Robotic System Utilizing Hydrocarbon Fueled Solid Oxide Fuel Cell | | [3,000] |
| | | Advanced Composites for Light Weight, Low Cost Transportation Systems Using a 3+ Ring Extruder | | [3,000] |
| | | Protective 3–D Armor Structure to Safeguard Military Vehicles and Troops | | [2,000] |
| | | Fire Shield | | [2,000] |
| | | Hydraulic Hybrid Vehicle (HHV) for the Tactical Wheeled Fleet | | [3,500] |
| | | Heavy Duty Hybrid Electric Vehicle | | [2,000] |
| 034 | 0603006A | COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY | 8,667 | 12,467 |
| | | Applied Communications and Information Networking (ACIN) | | [3,800] |
| 035 | 0603007A | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY | 7,410 | 7,410 |
| 036 | 0603008A | ELECTRONIC WARFARE ADVANCED TECHNOLOGY | 50,458 | 50,458 |
| 037 | 0603009A | TRACTOR HIKE | 11,328 | 11,328 |
| 038 | 0603015A | NEXT GENERATION TRAINING & SIMULATION SYSTEMS | 19,415 | 24,915 |
| | | Combat medic training systems | | [2,000] |
| | | Joint Fires & Effects Trainer System enhancements | | [2,500] |
| | | HapMed Combat Medic Trainer | | [1,000] |
| 039 | 0603020A | TRACTOR ROSE | 14,569 | 14,569 |
| 040 | 0603103A | EXPLOSIVES DEMILITARIZATION TECHNOLOGY | | 2,000 |
| | | Propellant Conversion to Fertilizer Program for Tooele Army Depot | | [2,000] |
| 041 | 0603105A | MILITARY HIV RESEARCH | 6,657 | 6,657 |
| 042 | 0603125A | COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT | 11,989 | 11,989 |
| 043 | 0603270A | ELECTRONIC WARFARE TECHNOLOGY | 19,192 | 22,692 |
| | | Laser systems for light aircraft missile defense | | [1,000] |
| | | Advanced Ground Electronic Warfare & Signals Intelligence System | | [2,500] |
| 044 | 0603313A | MISSILE AND ROCKET ADVANCED TECHNOLOGY | 63,951 | 67,251 |
| | | Discriminatory imaging research | | [2,500] |
| | | Scenario Generation for Integrated Air and Missile Defense Evaluation | | [800] |
| 045 | 0603322A | TRACTOR CAGE | 12,154 | 12,154 |
| 046 | 0603606A | LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY | 30,317 | 30,317 |
| 047 | 0603607A | JOINT SERVICE SMALL ARMS PROGRAM | 8,996 | 8,996 |
| 048 | 0603710A | NIGHT VISION ADVANCED TECHNOLOGY | 40,329 | 52,329 |
| | | Bradley third generation FLIR | | [5,000] |
| | | Buster/Blacklight UAV Development | | [1,000] |
| | | Hyper Spectral Sensor for Improved Force Protection System | | [2,000] |
| | | Brownout Situational Awareness | | [3,000] |
| | | High Resolution Personal Miniature Thermal Viewer | | [1,000] |
| 049 | 0603728A | ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS | 15,706 | 15,706 |
| 050 | 0603734A | MILITARY ENGINEERING ADVANCED TECHNOLOGY | 5,911 | 19,211 |
| | | Permafrost tunnel | | [500] |
| | | Photovoltaic technology development | | [2,000] |
| | | PacCom Renewable Energy Security System | | [3,000] |
| | | Field Deployable Hologram Production System | | [4,800] |
| | | Demonstration of Thin Film Solar Modules as a Renewable Energy Source | | [1,000] |
| | | Nanotechnology for Potable Water and Waste Treatment | | [2,000] |
| 051 | 0603772A | ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY | 41,561 | 45,061 |
| | | Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar | | [2,000] |
| | | Optimizing Natural Language Processing of Open Source Intelligence (OSINT) | | [1,500] |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, ARMY** | **695,217** | **902,617** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 052 | 0603024A | UNIQUE ITEM IDENTIFICATION (UID) | | |
| 053 | 0603305A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE) | 14,683 | 30,183 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | *Biological Air Filtering System Technology* | | [3,000] |
| | | *Compact Pulsed Power for Military Applications* | | [4,000] |
| | | *Adaptive robotic technology* | | [3,500] |
| | | *Advanced electronics integration* | | [3,000] |
| | | *Advanced environmental controls* | | [2,000] |
| 054 | 0603308A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE) | 117,471 | 117,471 |
| 055 | 0603327A | AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING | 209,531 | 160,531 |
| | | *Center for Defense Systems Research* | | [1,000] |
| | | *Excessive Project Cost Growth—Integrated Air and Missile Defense* | | [–50,000] |
| 056 | 0603460A | JOINT AIR-TO-GROUND MISSILE (JAGM) | | |
| 057 | 0603619A | LANDMINE WARFARE AND BARRIER—ADV DEV | 17,536 | 17,536 |
| 058 | 0603627A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV | 4,920 | 4,920 |
| 059 | 0603639A | TANK AND MEDIUM CALIBER AMMUNITION | 33,934 | 33,934 |
| 060 | 0603653A | ADVANCED TANK ARMAMENT SYSTEM (ATAS) | 90,299 | 90,299 |
| 061 | 0603747A | SOLDIER SUPPORT AND SURVIVABILITY | 31,752 | 31,752 |
| 062 | 0603766A | TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV | 18,228 | 18,228 |
| 063 | 0603774A | NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT | | |
| 064 | 0603779A | ENVIRONMENTAL QUALITY TECHNOLOGY | 4,770 | 8,770 |
| | | *Cadmium Emissions Reduction—Letterkenny Army Depot* | | [1,000] |
| | | *Vanadium Technology Program* | | [3,000] |
| 065 | 0603782A | WARFIGHTER INFORMATION NETWORK-TACTICAL | 180,673 | 180,673 |
| 066 | 0603790A | NATO RESEARCH AND DEVELOPMENT | 5,048 | 5,048 |
| 067 | 0603801A | AVIATION—ADV DEV | 8,537 | 8,537 |
| 068 | 0603804A | LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV | 56,373 | 46,373 |
| | | *Premature JLTV program growth* | | [–10,000] |
| 069 | 0603805A | COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS | 9,868 | 9,868 |
| 070 | 0603807A | MEDICAL SYSTEMS—ADV DEV | 31,275 | 31,275 |
| 071 | 0603827A | SOLDIER SYSTEMS—ADVANCED DEVELOPMENT | 71,832 | 73,832 |
| | | *Acid Alkaline Direct Methanol Fuel Cell* | | [2,000] |
| 072 | 0603850A | INTEGRATED BROADCAST SERVICE | 1,476 | 1,476 |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY** | **908,206** | **870,706** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 073 | 0604201A | AIRCRAFT AVIONICS | 92,977 | 92,977 |
| 074 | 0604220A | ARMED, DEPLOYABLE HELOS | 65,515 | 65,515 |
| 075 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 248,463 | 248,463 |
| 076 | 0604321A | ALL SOURCE ANALYSIS SYSTEM | 13,107 | 13,107 |
| 077 | 0604328A | TRACTOR CAGE | 16,286 | 16,286 |
| 078 | 0604601A | INFANTRY SUPPORT WEAPONS | 74,814 | 78,814 |
| | | *Lightweight caliber .50 machine gun* | | [4,000] |
| 079 | 0604604A | MEDIUM TACTICAL VEHICLES | 5,683 | 5,683 |
| 080 | 0604609A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD | 978 | 978 |
| 081 | 0604622A | FAMILY OF HEAVY TACTICAL VEHICLES | 7,477 | 9,477 |
| | | *Heavy tactical vehicle development* | | [2,000] |
| 082 | 0604633A | AIR TRAFFIC CONTROL | 7,578 | 7,578 |
| 083 | 0604646A | NON-LINE OF SIGHT LAUNCH SYSTEM | 88,660 | 88,660 |
| 084 | 0604647A | NON-LINE OF SIGHT CANNON | 58,216 | 31,216 |
| | | *Unjustified Termination Costs* | | [–27,000] |
| 085 | 0604660A | FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE | 368,557 | 184,557 |
| | | *Unjustified Termination Costs* | | [–184,000] |
| 086 | 0604661A | FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT | 1,067,191 | 1,067,191 |
| 087 | 0604662A | FCS RECONNAISSANCE (UAV) PLATFORMS | 68,701 | 68,701 |
| 088 | 0604663A | FCS UNMANNED GROUND VEHICLES | 125,616 | 125,616 |
| 089 | 0604664A | FCS UNATTENDED GROUND SENSORS | 26,919 | 26,919 |
| 090 | 0604665A | FCS SUSTAINMENT & TRAINING R&D | 749,182 | 749,182 |
| 091 | 0604666A | SPIN OUT TECHNOLOGY/CAPABILITY INSERTION | | |
| 092 | 0604710A | NIGHT VISION SYSTEMS—SDD | 55,410 | 55,410 |
| 093 | 0604713A | COMBAT FEEDING, CLOTHING, AND EQUIPMENT | 2,092 | 2,092 |
| 094 | 0604715A | NON-SYSTEM TRAINING DEVICES—SDD | 30,209 | 30,209 |
| 095 | 0604741A | AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—SDD | 28,936 | 28,936 |
| 096 | 0604742A | CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT | 33,213 | 33,213 |
| 097 | 0604746A | AUTOMATIC TEST EQUIPMENT DEVELOPMENT | 15,320 | 15,320 |
| 098 | 0604760A | DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD | 15,727 | 15,727 |
| 099 | 0604778A | POSITIONING SYSTEMS DEVELOPMENT (SPACE) | 9,446 | 9,446 |
| 100 | 0604780A | COMBINED ARMS TACTICAL TRAINER (CATT) CORE | 26,243 | 26,243 |
| 101 | 0604783A | JOINT NETWORK MANAGEMENT SYSTEM | | |
| 102 | 0604802A | WEAPONS AND MUNITIONS—SDD | 34,878 | 42,378 |
| | | *Common guidance control module* | | [7,500] |
| 103 | 0604804A | LOGISTICS AND ENGINEER EQUIPMENT—SDD | 36,018 | 37,518 |
| | | *Autonomous Sustainment Cargo Container Sea Truck* | | [1,500] |
| 104 | 0604805A | COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD | 88,995 | 88,995 |
| 105 | 0604807A | MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—SDD | 33,893 | 34,693 |
| | | *Plasma Sterilizer* | | [800] |
| 106 | 0604808A | LANDMINE WARFARE/BARRIER—SDD | 82,260 | 60,960 |
| | | *Program reduction* | | [–21,300] |
| 107 | 0604814A | ARTILLERY MUNITIONS | 42,452 | 42,452 |
| 108 | 0604817A | COMBAT IDENTIFICATION | 20,070 | 20,070 |
| 109 | 0604818A | ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE | 90,864 | 90,864 |
| 110 | 0604820A | RADAR DEVELOPMENT | | |
| 111 | 0604822A | GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS) | 6,002 | 6,002 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 112 | 0604823A | FIREFINDER | 20,333 | 20,333 |
| 113 | 0604827A | SOLDIER SYSTEMS—WARRIOR DEM/VAL | 19,786 | 19,786 |
| 114 | 0604854A | ARTILLERY SYSTEMS | 23,318 | 81,534 |
| | | Accelerate Paladin integration management | | [58,216] |
| 115 | 0604869A | PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP) | 569,182 | 569,182 |
| 116 | 0604870A | NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK | 7,140 | 7,140 |
| 117 | 0605013A | INFORMATION TECHNOLOGY DEVELOPMENT | 35,309 | 66,109 |
| | | Transfer from RDDW, line 117, for DIMHRS execution | | [30,800] |
| 118 | 0605450A | JOINT AIR-TO-GROUND MISSILE (JAGM) | 127,439 | 127,439 |
| 119 | 0605625A | MANNED GROUND VEHICLE | 100,000 | 100,000 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY** | **4,640,455** | **4,512,971** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 120 | 0604256A | THREAT SIMULATOR DEVELOPMENT | 22,222 | 22,222 |
| 121 | 0604258A | TARGET SYSTEMS DEVELOPMENT | 13,615 | 13,615 |
| 122 | 0604759A | MAJOR T&E INVESTMENT | 51,846 | 51,846 |
| 123 | 0605103A | RAND ARROYO CENTER | 16,305 | 18,305 |
| | | Program Increase | | [2,000] |
| 124 | 0605301A | ARMY KWAJALEIN ATOLL | 163,514 | 163,514 |
| 125 | 0605326A | CONCEPTS EXPERIMENTATION PROGRAM | 23,445 | 23,445 |
| 126 | 0605502A | SMALL BUSINESS INNOVATIVE RESEARCH | | |
| 127 | 0605601A | ARMY TEST RANGES AND FACILITIES | 354,693 | 354,693 |
| 128 | 0605602A | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS | 72,911 | 84,111 |
| | | Common regional operational systems | | [3,000] |
| | | Data fusion systems | | [2,500] |
| | | Dugway field test improvements | | [4,500] |
| | | MOTS All Sky Imager | | [1,200] |
| 129 | 0605604A | SURVIVABILITY/LETHALITY ANALYSIS | 45,016 | 45,016 |
| 130 | 0605605A | DOD HIGH ENERGY LASER TEST FACILITY | 2,891 | 8,891 |
| | | Program increase | | [6,000] |
| 131 | 0605606A | AIRCRAFT CERTIFICATION | 3,766 | 3,766 |
| 132 | 0605702A | METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES | 8,391 | 8,391 |
| 133 | 0605706A | MATERIEL SYSTEMS ANALYSIS | 19,969 | 19,969 |
| 134 | 0605709A | EXPLOITATION OF FOREIGN ITEMS | 5,432 | 5,432 |
| 135 | 0605712A | SUPPORT OF OPERATIONAL TESTING | 77,877 | 77,877 |
| 136 | 0605716A | ARMY EVALUATION CENTER | 66,309 | 66,309 |
| 137 | 0605718A | ARMY MODELING & SIM X-CMD COLLABORATION & INTEG | 5,357 | 5,357 |
| 138 | 0605801A | PROGRAMWIDE ACTIVITIES | 77,823 | 77,823 |
| 139 | 0605803A | TECHNICAL INFORMATION ACTIVITIES | 51,620 | 51,620 |
| 140 | 0605805A | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY | 45,053 | 47,053 |
| | | 3D woven preform technology for Army munitions | | [2,000] |
| 141 | 0605857A | ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT | 5,191 | 5,191 |
| 142 | 0605898A | MANAGEMENT HQ—R&D | 15,866 | 15,866 |
| 143 | 0909999A | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, ARMY** | **1,149,112** | **1,170,312** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 144 | 0603778A | MLRS PRODUCT IMPROVEMENT PROGRAM | 27,693 | 27,693 |
| 145 | 0603820A | WEAPONS CAPABILITY MODIFICATIONS UAV | | |
| 146 | 0102419A | AEROSTAT JOINT PROJECT OFFICE | 360,076 | 340,076 |
| | | Program delay reduction | | [–20,000] |
| 147 | 0203726A | ADV FIELD ARTILLERY TACTICAL DATA SYSTEM | 23,727 | 26,227 |
| | | AFATDS Voice Recognition and Cross Platform Speech Interface System | | [2,500] |
| 148 | 0203735A | COMBAT VEHICLE IMPROVEMENT PROGRAMS | 190,301 | 190,301 |
| 149 | 0203740A | MANEUVER CONTROL SYSTEM | 21,394 | 21,394 |
| 150 | 0203744A | AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS | 209,401 | 209,401 |
| 151 | 0203752A | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 792 | 792 |
| 152 | 0203758A | DIGITIZATION | 10,692 | 10,692 |
| 153 | 0203759A | FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2) | | |
| 154 | 0203801A | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM | 39,273 | 39,273 |
| 155 | 0203802A | OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS | | 5,000 |
| | | Javelin Warhead Improvement Plan | | [5,000] |
| 156 | 0203808A | TRACTOR CARD | 20,035 | 20,035 |
| 157 | 0208010A | JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC) | | |
| 158 | 0208053A | JOINT TACTICAL GROUND SYSTEM | 13,258 | 13,258 |
| 159 | 0208058A | JOINT HIGH SPEED VESSEL (JHSV) | 3,082 | 3,082 |
| 160 | 0301359A | SPECIAL ARMY PROGRAM | [ ] | [ ] |
| 161 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 2,144 | 2,144 |
| 162 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 74,355 | 74,355 |
| 163 | 0303141A | GLOBAL COMBAT SUPPORT SYSTEM | 144,733 | 144,733 |
| 164 | 0303142A | SATCOM GROUND ENVIRONMENT (SPACE) | 40,097 | 40,097 |
| 165 | 0303150A | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 12,034 | 12,034 |
| 166 | 0303158A | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 20,365 | 20,365 |
| 167 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 202,521 | 202,521 |
| 168 | 0305208A | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 188,414 | 190,714 |
| | | Joint STARS Surveillance and Control Data Link (SCDL) Technology Refresh | | [1,000] |
| | | Adaptive Defense High-Speed IP Packet Inspection Engine on a Chip | | [1,300] |
| 169 | 0305287A | BASE EXPED TARGETING SURVEILLANCE SYS-COMBINED | | |
| 170 | 0307207A | AERIAL COMMON SENSOR (ACS) | 210,035 | 210,035 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 171 | 0702239A | AVIONICS COMPONENT IMPROVEMENT PROGRAM | | |
| 172 | 0708045A | END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES | 68,466 | 71,966 |
| | | Smart machine platform initiative | | [2,000] |
| | | Weapon systems repair technologies | | [1,500] |
| 999 | 9999999 | OTHER PROGRAMS | 3,883 | 3,883 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY** | **1,886,771** | **1,880,071** |
| | | **TOTAL, RDT&E ARMY** | **10,438,218** | **10,638,534** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601103N | UNIVERSITY RESEARCH INITIATIVES | 99,472 | 99,472 |
| 002 | 0601152N | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 18,076 | 18,076 |
| 003 | 0601153N | DEFENSE RESEARCH SCIENCES | 413,743 | 416,243 |
| | | Nanoelectronics, Nanometrology, and Nanobiology Initiative | | [2,500] |
| | | **SUBTOTAL, BASIC RESEARCH, NAVY** | **531,291** | **533,791** |
| | | **APPLIED RESEARCH** | | |
| 004 | 0602114N | POWER PROJECTION APPLIED RESEARCH | 59,787 | 64,787 |
| | | Energetics research | | [3,000] |
| | | Multifunctional Materials, their Applications and Devices | | [2,000] |
| 005 | 0602123N | FORCE PROTECTION APPLIED RESEARCH | 91,400 | 124,400 |
| | | Alternative energy research | | [20,000] |
| | | Energy systems integration research | | [4,000] |
| | | Port security technologies | | [2,000] |
| | | Design Optimization of Composite High-Speed Boats Using Advanced Composite and Manufacturing and Non-destructive Evaluation. | | [2,000] |
| | | Lithium Ion Storage Advancement for Aircraft Applications | | [2,500] |
| | | Non-Traditional Weaving Applications for Aramid Ballistic Fibers and Fabrics | | [2,500] |
| 006 | 0602131M | MARINE CORPS LANDING FORCE TECHNOLOGY | 39,308 | 39,308 |
| 007 | 0602234N | MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY | | |
| 008 | 0602235N | COMMON PICTURE APPLIED RESEARCH | 83,163 | 83,163 |
| 009 | 0602236N | WARFIGHTER SUSTAINMENT APPLIED RESEARCH | 104,169 | 107,169 |
| | | Anti-reverse engineering technologies | | [1,000] |
| | | Managing and Extending DOD Asset Lifecycles (MEDAL) | | [2,000] |
| 010 | 0602271N | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH | 64,816 | 64,816 |
| 011 | 0602435N | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH | 48,750 | 51,750 |
| | | Advanced UUV research | | [1,000] |
| | | Laser underwater imaging and communications research | | [2,000] |
| 012 | 0602651M | JOINT NON-LETHAL WEAPONS APPLIED RESEARCH | 6,008 | 6,008 |
| 013 | 0602747N | UNDERSEA WARFARE APPLIED RESEARCH | 55,694 | 55,694 |
| 014 | 0602782N | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH | 40,880 | 42,880 |
| | | Electromagnetic signature assessment system | | [2,000] |
| | | **SUBTOTAL, APPLIED RESEARCH, NAVY** | **593,975** | **639,975** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 015 | 0603114N | POWER PROJECTION ADVANCED TECHNOLOGY | 107,969 | 116,369 |
| | | Countermine Lidar UAV-Based System (CLUBS) | | [2,000] |
| | | Detection, Tracking, and Identification for ISRTE of Mobile Asymmetric Targets | | [2,500] |
| | | Quiet Drive Advanced Rotary Actuator | | [2,000] |
| | | Tactical High Speed Anti-Radiation Missile Demonstration | | [1,900] |
| 016 | 0603123N | FORCE PROTECTION ADVANCED TECHNOLOGY | 66,035 | 78,035 |
| | | Advance coatings for aviation components | | [2,000] |
| | | Single generator operations lithium ion battery | | [5,000] |
| | | High-Temperature Radar Dome Materials | | [2,000] |
| | | Pure Hydrogen Supply from Logistic Fuels | | [3,000] |
| 017 | 0603235N | COMMON PICTURE ADVANCED TECHNOLOGY | 108,394 | 49,294 |
| | | High-integrity GPS | | [–59,100] |
| 018 | 0603236N | WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY | 86,239 | 86,239 |
| 019 | 0603271N | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY | 65,827 | 65,827 |
| 020 | 0603640M | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) | 107,363 | 112,363 |
| | | Acoustic combat sensors | | [5,000] |
| 021 | 0603651M | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT | 10,998 | 10,998 |
| 022 | 0603729N | WARFIGHTER PROTECTION ADVANCED TECHNOLOGY | 18,609 | 21,109 |
| | | Navy Special Warfare Performance and Injury Prevention Program for SBT 22 at Stennis Space Center | | [2,500] |
| 023 | 0603747N | UNDERSEA WARFARE ADVANCED TECHNOLOGY | 68,037 | 68,037 |
| 024 | 0603758N | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS | 52,643 | 52,643 |
| 025 | 0603782N | MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY | 28,782 | 28,782 |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY** | **720,896** | **689,696** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 026 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | 116,082 | 117,482 |
| | | Semi-submersible for UUV sensor developments | | [1,400] |
| 027 | 0603216N | AVIATION SURVIVABILITY | 6,505 | 9,505 |
| | | Lighter Than Air Stratospheric UAV for Persistant Communications Relay and Surveillance | | [3,000] |
| 028 | 0603237N | DEPLOYABLE JOINT COMMAND AND CONTROL | 6,032 | 6,032 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 029 | 0603254N | ASW SYSTEMS DEVELOPMENT | 16,585 | 20,585 |
| | | Sonobuoy wave energy module | | [1,000] |
| | | Marine Mammal Awareness, Alert, and Response Systems | | [3,000] |
| 030 | 0603261N | TACTICAL AIRBORNE RECONNAISSANCE | 7,713 | 7,713 |
| 031 | 0603382N | ADVANCED COMBAT SYSTEMS TECHNOLOGY | 1,677 | 1,677 |
| 032 | 0603502N | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES | 76,739 | 76,739 |
| 033 | 0603506N | SURFACE SHIP TORPEDO DEFENSE | 57,538 | 62,038 |
| | | Continuous Active Sonar for Torpedo Systems | | [4,500] |
| 034 | 0603512N | CARRIER SYSTEMS DEVELOPMENT | 173,594 | 173,594 |
| 035 | 0603513N | SHIPBOARD SYSTEM COMPONENT DEVELOPMENT | 1,691 | 18,791 |
| | | DDG–51 hybrid propulsion system | | [8,100] |
| | | Advanced Steam Turbine | | [4,000] |
| | | Next Generation Shipboard Intergrated Power: Fuel Efficiency and Advanced Capability Enhancer | | [5,000] |
| 036 | 0603525N | PILOT FISH | 79,194 | 79,194 |
| 037 | 0603527N | RETRACT LARCH | 99,757 | 99,757 |
| 038 | 0603536N | RETRACT JUNIPER | 120,752 | 120,752 |
| 039 | 0603542N | RADIOLOGICAL CONTROL | 1,372 | 1,372 |
| 040 | 0603553N | SURFACE ASW | 21,995 | 21,995 |
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 551,836 | 553,836 |
| | | Submarine Fatline Vector Sensor Towed Array | | [2,000] |
| 042 | 0603562N | SUBMARINE TACTICAL WARFARE SYSTEMS | 10,172 | 10,172 |
| 043 | 0603563N | SHIP CONCEPT ADVANCED DESIGN | 22,541 | 22,541 |
| 044 | 0603564N | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES | 28,135 | 32,135 |
| | | Support for Naval Ship Hydrodynamics Test Facilities | | [4,000] |
| 045 | 0603570N | ADVANCED NUCLEAR POWER SYSTEMS | 259,887 | 259,887 |
| 046 | 0603573N | ADVANCED SURFACE MACHINERY SYSTEMS | 5,599 | 9,099 |
| | | High Denstiy Power Conversion and Distribution Equipment | | [1,500] |
| | | Hybrid Electric Drive | | [2,000] |
| 047 | 0603576N | CHALK EAGLE | 443,555 | 443,555 |
| 048 | 0603581N | LITTORAL COMBAT SHIP (LCS) | 360,518 | 360,518 |
| 049 | 0603582N | COMBAT SYSTEM INTEGRATION | 22,558 | 22,558 |
| 050 | 0603609N | CONVENTIONAL MUNITIONS | 3,458 | 3,458 |
| 051 | 0603611M | MARINE CORPS ASSAULT VEHICLES | 293,466 | 293,466 |
| 052 | 0603612M | USMC MINE COUNTERMEASURES SYSTEMS—ADV DEV | | |
| 053 | 0603635M | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM | 73,798 | 61,798 |
| | | Premature JLTV program growth | | [–12,000] |
| 054 | 0603654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 21,054 | 21,054 |
| 055 | 0603658N | COOPERATIVE ENGAGEMENT | 56,586 | 56,586 |
| 056 | 0603713N | OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT | 17,328 | 17,328 |
| 057 | 0603721N | ENVIRONMENTAL PROTECTION | 20,661 | 20,661 |
| 058 | 0603724N | NAVY ENERGY PROGRAM | 8,476 | 16,226 |
| | | Molten carbonate fuel cell demonstrator | | [3,000] |
| | | Solar heat reflective film development | | [4,750] |
| 059 | 0603725N | FACILITIES IMPROVEMENT | 4,002 | 9,602 |
| | | Wave Energy Powerbuoy Generating System | | [2,400] |
| | | Photovoltaic Rooftop Systems—Navy | | [1,500] |
| | | Regenerative Fuel Cell Back-Up Power | | [1,700] |
| 060 | 0603734N | CHALK CORAL | 70,772 | 70,772 |
| 061 | 0603739N | NAVY LOGISTIC PRODUCTIVITY | 4,301 | 6,301 |
| | | Highly integrated optical interconnects for advanced air vehicles | | [1,000] |
| | | RFID technology exploitation | | [1,000] |
| 062 | 0603746N | RETRACT MAPLE | 210,237 | 210,237 |
| 063 | 0603748N | LINK PLUMERIA | 69,313 | 69,313 |
| 064 | 0603751N | RETRACT ELM | 152,151 | 152,151 |
| 065 | 0603755N | SHIP SELF DEFENSE | 6,960 | 6,960 |
| 066 | 0603764N | LINK EVERGREEN | 123,660 | 123,660 |
| 067 | 0603787N | SPECIAL PROCESSES | 54,115 | 54,115 |
| 068 | 0603790N | NATO RESEARCH AND DEVELOPMENT | 10,194 | 10,194 |
| 069 | 0603795N | LAND ATTACK TECHNOLOGY | 1,238 | 1,238 |
| 070 | 0603851M | NONLETHAL WEAPONS | 46,971 | 46,971 |
| 071 | 0603860N | JOINT PRECISION APPROACH AND LANDING SYSTEMS | 150,304 | 150,304 |
| 072 | 0603879N | SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE) | 52,716 | 52,716 |
| 073 | 0603889N | COUNTERDRUG RDT&E PROJECTS | | |
| 074 | 0603925N | DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS | 5,003 | 7,003 |
| | | Joint Technology Insertion & Accelerated System Intergration Capability for Electronic Warfare | | [2,000] |
| 075 | 0604272N | TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) | 63,702 | 63,702 |
| 076 | 0604450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | | |
| 077 | 0604653N | JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW) | 67,843 | 67,843 |
| 078 | 0604659N | PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM | 40,926 | 40,926 |
| 079 | 0604707N | SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT | 42,533 | 42,533 |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY** | **4,163,795** | **4,208,645** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 080 | 0604212N | OTHER HELO DEVELOPMENT | 54,092 | 54,092 |
| 081 | 0604214N | AV–8B AIRCRAFT—ENG DEV | 20,886 | 20,886 |
| 082 | 0604215N | STANDARDS DEVELOPMENT | 53,540 | 55,540 |
| | | Measurement Standards Research and Development | | [2,000] |
| 083 | 0604216N | MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT | 81,953 | 86,653 |
| | | USN MH–60S "Close the Lethality Gap" M230 Pylon Qualification | | [4,700] |
| 084 | 0604218N | AIR/OCEAN EQUIPMENT ENGINEERING | 7,485 | 7,485 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 085 | 0604221N | P–3 MODERNIZATION PROGRAM | 3,659 | 3,659 |
| 086 | 0604230N | WARFARE SUPPORT SYSTEM | 6,307 | 6,307 |
| 087 | 0604231N | TACTICAL COMMAND SYSTEM | 86,462 | 86,462 |
| 088 | 0604234N | ADVANCED HAWKEYE | 364,557 | 364,557 |
| 089 | 0604245N | H–1 UPGRADES | 32,830 | 32,830 |
| 090 | 0604261N | ACOUSTIC SEARCH SENSORS | 56,369 | 56,369 |
| 091 | 0604262N | V–22A | 89,512 | 89,512 |
| 092 | 0604264N | AIR CREW SYSTEMS DEVELOPMENT | 14,265 | 14,265 |
| 093 | 0604269N | EA–18 | 55,446 | 55,446 |
| 094 | 0604270N | ELECTRONIC WARFARE DEVELOPMENT | 97,635 | 97,635 |
| 095 | 0604273N | VH–71A EXECUTIVE HELO DEVELOPMENT | 85,240 | 85,240 |
| 096 | 0604274N | NEXT GENERATION JAMMER (NGJ) | 127,970 | 127,970 |
| 097 | 0604280N | JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) | 876,374 | 876,374 |
| 098 | 0604300N | SC–21 TOTAL SHIP SYSTEM ENGINEERING | | |
| 099 | 0604307N | SURFACE COMBATANT COMBAT SYSTEM ENGINEERING | 178,459 | 180,459 |
| | | Surface Ship Advanced Capability Build | | [2,000] |
| 100 | 0604311N | LPD–17 CLASS SYSTEMS INTEGRATION | 5,304 | 5,304 |
| 101 | 0604329N | SMALL DIAMETER BOMB (SDB) | 43,902 | 43,902 |
| 102 | 0604366N | STANDARD MISSILE IMPROVEMENTS | 182,197 | 182,197 |
| 103 | 0604373N | AIRBORNE MCM | 48,712 | 48,712 |
| 104 | 0604378N | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING | 11,727 | 11,727 |
| 105 | 0604501N | ADVANCED ABOVE WATER SENSORS | 236,078 | 251,078 |
| | | Mobile maritime sensor technology development | | [15,000] |
| 106 | 0604503N | SSN–688 AND TRIDENT MODERNIZATION | 122,733 | 122,733 |
| 107 | 0604504N | AIR CONTROL | 6,533 | 6,533 |
| 108 | 0604512N | SHIPBOARD AVIATION SYSTEMS | 80,623 | 80,623 |
| 109 | 0604518N | COMBAT INFORMATION CENTER CONVERSION | 13,305 | 13,305 |
| 110 | 0604558N | NEW DESIGN SSN | 154,756 | 162,756 |
| | | Common command & control system module | | [6,000] |
| | | Mold-in-Place Coating for Development of U.S. Submarine Fleet | | [2,000] |
| 111 | 0604561N | SSN–21 DEVELOPMENTS | | |
| 112 | 0604562N | SUBMARINE TACTICAL WARFARE SYSTEM | 59,703 | 69,703 |
| | | Artificial Intelligence-based combat system kernel | | [4,000] |
| | | Submarine environment for evaluation & development | | [3,000] |
| | | Weapon acquisition & firing system | | [3,000] |
| 113 | 0604567N | SHIP CONTRACT DESIGN/LIVE FIRE T&E | 89,988 | 92,488 |
| | | Automated Fiber Optic Manufacturing Initiative for Navy Ships | | [2,500] |
| 114 | 0604574N | NAVY TACTICAL COMPUTER RESOURCES | 4,620 | 4,620 |
| 115 | 0604601N | MINE DEVELOPMENT | 2,249 | 2,249 |
| 116 | 0604610N | LIGHTWEIGHT TORPEDO DEVELOPMENT | 21,105 | 21,105 |
| 117 | 0604654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 10,327 | 10,327 |
| 118 | 0604703N | PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS | 5,898 | 5,898 |
| 119 | 0604727N | JOINT STANDOFF WEAPON SYSTEMS | 10,022 | 10,022 |
| 120 | 0604755N | SHIP SELF DEFENSE (DETECT & CONTROL) | 35,459 | 38,459 |
| | | AUSV | | [3,000] |
| 121 | 0604756N | SHIP SELF DEFENSE (ENGAGE: HARD KILL) | 34,236 | 46,236 |
| | | Phalanx Next Generation | | [12,000] |
| 122 | 0604757N | SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) | 88,895 | 88,895 |
| 123 | 0604761N | INTELLIGENCE ENGINEERING | 14,438 | 14,438 |
| 124 | 0604771N | MEDICAL DEVELOPMENT | 9,888 | 23,488 |
| | | Composite tissue transplantation research | | [2,000] |
| | | Custom body implant development | | [2,000] |
| | | Multivalent dengue vaccine program | | [1,600] |
| | | Orthopedic surgery instrumentation | | [3,000] |
| | | U.S. Navy Vaccine Program | | [3,000] |
| | | U.S. Navy Pandemic Influenza Vaccine Program: Enhancement of Influenza Vaccine Efficacy | | [2,000] |
| 125 | 0604777N | NAVIGATION/ID SYSTEM | 63,184 | 63,184 |
| 126 | 0604784N | DISTRIBUTED SURVEILLANCE SYSTEM | | |
| 127 | 0604800N | JOINT STRIKE FIGHTER (JSF) | 1,741,296 | 1,956,296 |
| | | F136 Development | | [215,000] |
| 128 | 0605013M | INFORMATION TECHNOLOGY DEVELOPMENT | 9,868 | 9,868 |
| 129 | 0605013N | INFORMATION TECHNOLOGY DEVELOPMENT | 69,026 | 77,126 |
| | | Information systems research | | [4,000] |
| | | Integrated network-centric technology systems | | [2,600] |
| | | Maintenance Planning and Assessment Technology (MPAT) Insertion | | [1,500] |
| 130 | 0605212N | CH–53K RDTE | 554,827 | 554,827 |
| 131 | 0605430N | C/KC–130 AVIONICS MODERNIZATION PROGRAM (AMP) | | |
| 132 | 0605450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | 81,434 | 81,434 |
| 133 | 0605500N | MULTI-MISSION MARITIME AIRCRAFT (MMA) | 1,162,417 | 1,162,417 |
| 134 | 0204201N | CG(X) | 150,022 | 110,022 |
| | | Program delay | | [–40,000] |
| 135 | 0204202N | DDG–1000 | 539,053 | 539,053 |
| 136 | 0304785N | TACTICAL CRYPTOLOGIC SYSTEMS | 19,016 | 19,016 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY** | **7,975,882** | **8,231,782** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 137 | 0604256N | THREAT SIMULATOR DEVELOPMENT | 25,534 | 25,534 |
| 138 | 0604258N | TARGET SYSTEMS DEVELOPMENT | 79,603 | 79,603 |
| 139 | 0604759N | MAJOR T&E INVESTMENT | 44,844 | 49,844 |
| | | Aviation enterprise interoperability upgrades | | [5,000] |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 140 | 0605152N | STUDIES AND ANALYSIS SUPPORT—NAVY | 11,422 | 11,422 |
| 141 | 0605154N | CENTER FOR NAVAL ANALYSES | 49,821 | 49,821 |
| 142 | 0605502N | SMALL BUSINESS INNOVATIVE RESEARCH | | |
| 143 | 0605804N | TECHNICAL INFORMATION SERVICES | 735 | 3,235 |
| | | Center for Commercialization of Advanced Technology | | [2,500] |
| 144 | 0605853N | MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT | 60,590 | 60,590 |
| 145 | 0605856N | STRATEGIC TECHNICAL SUPPORT | 3,633 | 3,633 |
| 146 | 0605861N | RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT | 70,942 | 70,942 |
| 147 | 0605862N | RDT&E INSTRUMENTATION MODERNIZATION | | |
| 148 | 0605863N | RDT&E SHIP AND AIRCRAFT SUPPORT | 193,353 | 193,353 |
| 149 | 0605864N | TEST AND EVALUATION SUPPORT | 380,733 | 380,733 |
| 150 | 0605865N | OPERATIONAL TEST AND EVALUATION CAPABILITY | 12,010 | 12,010 |
| 151 | 0605866N | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT | 2,703 | 2,703 |
| 152 | 0605867N | SEW SURVEILLANCE/RECONNAISSANCE SUPPORT | 20,921 | 20,921 |
| 153 | 0605873M | MARINE CORPS PROGRAM WIDE SUPPORT | 19,004 | 19,004 |
| 154 | 0305885N | TACTICAL CRYPTOLOGIC ACTIVITIES | 2,464 | 2,464 |
| 155 | 0804758N | SERVICE SUPPORT TO JFCOM, JNTC | 4,197 | 4,197 |
| 156 | 0909999N | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, NAVY** | **982,509** | **990,009** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 158 | 0604227N | HARPOON MODIFICATIONS | | |
| 159 | 0604402N | UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT | 311,204 | 311,204 |
| 160 | 0101221N | STRATEGIC SUB & WEAPONS SYSTEM SUPPORT | 74,939 | 76,109 |
| | | Advanced LINAC Facility | | [1,170] |
| 161 | 0101224N | SSBN SECURITY TECHNOLOGY PROGRAM | 34,479 | 34,479 |
| 162 | 0101226N | SUBMARINE ACOUSTIC WARFARE DEVELOPMENT | 7,211 | 7,211 |
| 163 | 0101402N | NAVY STRATEGIC COMMUNICATIONS | 43,982 | 46,982 |
| | | E–6B Strategic Communications Upgrade Block 1A (VLF-TX & HPTS) | | [3,000] |
| 164 | 0203761N | RAPID TECHNOLOGY TRANSITION (RTT) | 39,125 | 39,125 |
| 165 | 0204136N | F/A–18 SQUADRONS | 127,733 | 127,733 |
| 166 | 0204152N | E–2 SQUADRONS | 63,058 | 63,058 |
| 167 | 0204163N | FLEET TELECOMMUNICATIONS (TACTICAL) | 37,431 | 37,431 |
| 168 | 0204229N | TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) | 13,238 | 13,238 |
| 169 | 0204311N | INTEGRATED SURVEILLANCE SYSTEM | 24,835 | 24,835 |
| 170 | 0204413N | AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) | 2,324 | 2,324 |
| 171 | 0204571N | CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT | 49,293 | 49,293 |
| 172 | 0204574N | CRYPTOLOGIC DIRECT SUPPORT | 1,609 | 1,609 |
| 173 | 0204575N | ELECTRONIC WARFARE (EW) READINESS SUPPORT | 37,524 | 37,524 |
| 174 | 0205601N | HARM IMPROVEMENT | 30,045 | 30,045 |
| 175 | 0205604N | TACTICAL DATA LINKS | 25,003 | 25,003 |
| 176 | 0205620N | SURFACE ASW COMBAT SYSTEM INTEGRATION | 41,803 | 41,803 |
| 177 | 0205632N | MK–48 ADCAP | 28,438 | 28,438 |
| 178 | 0205633N | AVIATION IMPROVEMENTS | 135,840 | 123,349 |
| | | F135 engine funding ahead of need | | [–12,491] |
| 179 | 0205658N | NAVY SCIENCE ASSISTANCE PROGRAM | 3,716 | 3,716 |
| 180 | 0205675N | OPERATIONAL NUCLEAR POWER SYSTEMS | 72,031 | 72,031 |
| 181 | 0206313M | MARINE CORPS COMMUNICATIONS SYSTEMS | 287,348 | 287,348 |
| 182 | 0206623M | MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS | 120,379 | 124,379 |
| | | Expandable rigid wall composite shelters | | [1,000] |
| | | Marine personnel carrier support system | | [3,000] |
| 183 | 0206624M | MARINE CORPS COMBAT SERVICES SUPPORT | 17,057 | 18,057 |
| | | High performance capabilities for military vehicles | | [1,000] |
| 184 | 0206625M | USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) | 30,167 | 30,167 |
| 185 | 0207161N | TACTICAL AIM MISSILES | 2,298 | 2,298 |
| 186 | 0207163N | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 3,604 | 3,604 |
| 187 | 0208058N | JOINT HIGH SPEED VESSEL (JHSV) | 8,431 | 8,431 |
| 188 | 0301303N | MARITIME INTELLIGENCE | [ ] | [ ] |
| 189 | 0301323N | COLLECTION MANAGEMENT | [ ] | [ ] |
| 190 | 0301327N | TECHNICAL RECONNAISSANCE AND SURVEILLANCE | [ ] | [ ] |
| 191 | 0301372N | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] |
| 192 | 0303109N | SATELLITE COMMUNICATIONS (SPACE) | 474,009 | 474,009 |
| 193 | 0303138N | CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) | 45,513 | 45,513 |
| 194 | 0303140N | INFORMATION SYSTEMS SECURITY PROGRAM | 24,226 | 24,226 |
| 195 | 0303158M | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 2,453 | 2,453 |
| 196 | 0303158N | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 4,139 | 4,139 |
| 197 | 0305149N | COBRA JUDY | 62,061 | 62,061 |
| 198 | 0305160N | NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC) | 28,094 | 28,094 |
| 199 | 0305192N | MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES | 4,600 | 4,600 |
| 200 | 0305204N | TACTICAL UNMANNED AERIAL VEHICLES | 8,971 | 8,971 |
| 201 | 0305205N | ENDURANCE UNMANNED AERIAL VEHICLES | | |
| 202 | 0305206N | AIRBORNE RECONNAISSANCE SYSTEMS | 46,208 | 46,208 |
| 203 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 22,599 | 22,599 |
| 204 | 0305208N | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 18,079 | 18,079 |
| 205 | 0305220N | RQ–4 UAV | 465,839 | 465,839 |
| 206 | 0305231N | MQ–8 UAV | 25,639 | 25,639 |
| 207 | 0305232M | RQ–11 UAV | 553 | 553 |
| 208 | 0305233N | RQ–7 UAV | 986 | 986 |
| 209 | 0305234M | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 18,763 | 18,763 |
| 210 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 23,594 | 23,594 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 211 | 0307207N | AERIAL COMMON SENSOR (ACS) | | |
| 212 | 0307217N | EP–3E REPLACEMENT (EPX) | 11,976 | 11,976 |
| 213 | 0308601N | MODELING AND SIMULATION SUPPORT | 8,028 | 8,028 |
| 214 | 0702207N | DEPOT MAINTENANCE (NON-IF) | 14,675 | 14,675 |
| 215 | 0702239N | AVIONICS COMPONENT IMPROVEMENT PROGRAM | 2,725 | 2,725 |
| 216 | 0708011N | INDUSTRIAL PREPAREDNESS | 56,691 | 66,691 |
| | | Integrated manufacturing enterprise | | [5,000] |
| | | Life extension of weapon system structures research | | [2,500] |
| | | Laser Optimization Remote Lighting Systems | | [2,500] |
| 217 | 0708730N | MARITIME TECHNOLOGY (MARITECH) | | 4,000 |
| | | National Shipbuilding Research Program | | [4,000] |
| 999 | 9999999 | OTHER PROGRAMS | 1,258,018 | 1,258,018 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E** | **4,302,584** | **4,313,263** |
| | | **TOTAL, RDT&E NAVY** | **19,270,932** | **19,607,161** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601102F | DEFENSE RESEARCH SCIENCES | 321,028 | 322,028 |
| | | Coal transformation research | | [1,000] |
| 002 | 0601103F | UNIVERSITY RESEARCH INITIATIVES | 132,249 | 138,449 |
| | | Cybersecurity for control networks research | | [1,700] |
| | | End-user software safeguard research | | [2,000] |
| | | Informatics research | | [1,000] |
| | | Information security research | | [1,500] |
| 003 | 0601108F | HIGH ENERGY LASER RESEARCH INITIATIVES | 12,834 | 12,834 |
| 004 | 0301555F | CLASSIFIED PROGRAMS | [ ] | [ ] |
| 005 | 0301556F | SPECIAL PROGRAM | [ ] | [ ] |
| | | **SUBTOTAL, BASIC RESEARCH, AIR FORCE** | **466,111** | **473,311** |
| | | **APPLIED RESEARCH** | | |
| 006 | 0602015F | MEDICAL DEVELOPMENT | | |
| 007 | 0602102F | MATERIALS | 127,957 | 136,957 |
| | | Advanced aerospace heat exchangers | | [3,000] |
| | | Energy and automation technologies | | [2,000] |
| | | Energy efficiency, recovery, and generation systems | | [1,000] |
| | | Health monitoring sensors for aerospace components | | [2,000] |
| | | Mid-infrared laser source research | | [1,000] |
| 008 | 0602201F | AEROSPACE VEHICLE TECHNOLOGIES | 127,129 | 136,529 |
| | | Unmanned aerial system collaboration technologies | | [2,500] |
| | | UAV Sensor and Maintenance Development | | [4,900] |
| | | Unmanned Sense, Track, and Avoid Radar | | [2,000] |
| 009 | 0602202F | HUMAN EFFECTIVENESS APPLIED RESEARCH | 85,122 | 85,122 |
| 010 | 0602203F | AEROSPACE PROPULSION | 196,529 | 210,029 |
| | | Hybrid bearing development | | [1,000] |
| | | Integrated electrical starter/generator systems | | [2,000] |
| | | Lithium ion technologies for aviation batteries | | [1,500] |
| | | Thermally efficient engine pumping system | | [2,000] |
| | | Advanced Lithium Battery Scale-Up and Manufacturing | | [2,000] |
| | | Advanced Vehicle Propulsion Center (AVPC) | | [3,000] |
| | | Multi-Mode Propulsion Phase IIA: High Performance Green Propellant | | [2,000] |
| 011 | 0602204F | AEROSPACE SENSORS | 121,768 | 126,568 |
| | | Net-Centric Sensor Grids | | [3,000] |
| | | Information Quality Tools for Persistent Surveillance Data Sets | | [1,800] |
| 012 | 0602601F | SPACE TECHNOLOGY | 104,148 | 113,248 |
| | | Reconfigurable electronics research | | [1,000] |
| | | Seismic research program | | [5,000] |
| | | Advanced Modular Avionics for ORS Use | | [3,100] |
| 013 | 0602602F | CONVENTIONAL MUNITIONS | 58,289 | 58,289 |
| 014 | 0602605F | DIRECTED ENERGY TECHNOLOGY | 105,677 | 101,427 |
| | | Chemical laser technology | | [–4,250] |
| 015 | 0602702F | COMMAND CONTROL AND COMMUNICATIONS | | |
| 016 | 0602788F | DOMINANT INFORMATION SCIENCES AND METHODS | 115,278 | 115,278 |
| 017 | 0602890F | HIGH ENERGY LASER RESEARCH | 52,754 | 48,654 |
| | | Advanced deformable mirrors for high energy laser weapons | | [2,000] |
| | | Chemical laser technology | | [–6,100] |
| | | **SUBTOTAL, APPLIED RESEARCH, AIR FORCE** | **1,094,651** | **1,132,101** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 018 | 0603112F | ADVANCED MATERIALS FOR WEAPON SYSTEMS | 37,901 | 54,201 |
| | | Sewage-derived biofuels program | | [4,800] |
| | | Metals Affordability Initiative | | [10,000] |
| | | Rapid Automated Processing of Advances Low Observables | | [1,500] |
| 019 | 0603199F | SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) | 2,955 | 2,955 |
| 020 | 0603203F | ADVANCED AEROSPACE SENSORS | 51,482 | 53,482 |
| | | Reconfigurable secure computing technologies | | [2,000] |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 021 | 0603211F | AEROSPACE TECHNOLOGY DEV/DEMO | 76,844 | 81,844 |
| | | Long Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence | | [5,000] |
| 022 | 0603216F | AEROSPACE PROPULSION AND POWER TECHNOLOGY | 175,676 | 198,676 |
| | | Alternative energy research | | [20,000] |
| | | Silicon carbide power electronics research | | [3,000] |
| 023 | 0603231F | CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY | | |
| 024 | 0603270F | ELECTRONIC COMBAT TECHNOLOGY | 31,021 | 31,021 |
| 025 | 0603401F | ADVANCED SPACECRAFT TECHNOLOGY | 83,909 | 86,909 |
| | | Small Responsive Spacecraft at Low-Cost (SRSL) | | [3,000] |
| 026 | 0603444F | MAUI SPACE SURVEILLANCE SYSTEM (MSSS) | 5,813 | 5,813 |
| 027 | 0603456F | HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT | 24,565 | 24,565 |
| 028 | 0603601F | CONVENTIONAL WEAPONS TECHNOLOGY | 14,356 | 14,356 |
| 029 | 0603605F | ADVANCED WEAPONS TECHNOLOGY | 30,056 | 30,056 |
| 030 | 0603680F | MANUFACTURING TECHNOLOGY PROGRAM | 39,913 | 45,163 |
| | | Next generation casting initiative | | [3,250] |
| | | Production of Nanocomposites for Aerospace Applications | | [2,000] |
| 031 | 0603788F | BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION | 39,708 | 46,208 |
| | | Optical interconnects research | | [2,500] |
| | | Cyber Attack and Security Environment | | [4,000] |
| 032 | 0603789F | C3I ADVANCED DEVELOPMENT | | |
| 033 | 0603924F | HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM | 3,831 | 3,831 |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE** | **618,030** | **679,080** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 034 | 0603260F | INTELLIGENCE ADVANCED DEVELOPMENT | 5,009 | 5,009 |
| 035 | 0603287F | PHYSICAL SECURITY EQUIPMENT | 3,623 | 3,623 |
| 036 | 0603421F | NAVSTAR GLOBAL POSITIONING SYSTEM III | | |
| 037 | 0603423F | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT | | |
| 038 | 0603430F | ADVANCED EHF MILSATCOM (SPACE) | 464,335 | 464,335 |
| 039 | 0603432F | POLAR MILSATCOM (SPACE) | 253,150 | 253,150 |
| 040 | 0603438F | SPACE CONTROL TECHNOLOGY | 97,701 | 102,701 |
| | | Space situational awareness | | [5,000] |
| 041 | 0603742F | COMBAT IDENTIFICATION TECHNOLOGY | 27,252 | 27,252 |
| 042 | 0603790F | NATO RESEARCH AND DEVELOPMENT | 4,351 | 4,351 |
| 043 | 0603791F | INTERNATIONAL SPACE COOPERATIVE R&D | 632 | 632 |
| 044 | 0603845F | TRANSFORMATIONAL SATCOM (TSAT) | | |
| 045 | 0603850F | INTEGRATED BROADCAST SERVICE | 20,739 | 20,739 |
| 046 | 0603851F | INTERCONTINENTAL BALLISTIC MISSILE | 66,079 | 66,079 |
| 047 | 0603854F | WIDEBAND GLOBAL SATCOM RDT&E (SPACE) | 70,956 | 70,956 |
| 048 | 0603859F | POLLUTION PREVENTION | 2,896 | 2,896 |
| 049 | 0603860F | JOINT PRECISION APPROACH AND LANDING SYSTEMS | 23,174 | 23,174 |
| 050 | 0604015F | NEXT GENERATION BOMBER | | |
| 051 | 0604283F | BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT | 22,612 | 22,612 |
| 052 | 0604327F | HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM | 20,891 | 20,891 |
| 053 | 0604330F | JOINT DUAL ROLE AIR DOMINANCE MISSILE | 6,882 | 6,882 |
| 054 | 0604337F | REQUIREMENTS ANALYSIS AND MATURATION | 35,533 | 35,533 |
| 055 | 0604635F | GROUND ATTACK WEAPONS FUZE DEVELOPMENT | 18,778 | 18,778 |
| 056 | 0604796F | ALTERNATIVE FUELS | 89,020 | 91,020 |
| | | Advanced Propulsion Non-Tactical Vehicle | | [2,000] |
| 057 | 0604830F | AUTOMATED AIR-TO-AIR REFUELING | 43,158 | 43,158 |
| 058 | 0604856F | COMMON AERO VEHICLE (CAV) | | |
| 059 | 0604857F | OPERATIONALLY RESPONSIVE SPACE | 112,861 | 112,861 |
| 060 | 0604858F | TECH TRANSITION PROGRAM | 9,611 | 9,611 |
| 061 | 0305178F | NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS) | 396,641 | 396,641 |
| 061a | 604xxxxF | NEXT GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT | | 50,000 |
| | | Next generation MILSATCOM technology development | | [50,000] |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE** | **1,795,884** | **1,852,884** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 062 | 0603840F | GLOBAL BROADCAST SERVICE (GBS) | 31,124 | 31,124 |
| 063 | 0604222F | NUCLEAR WEAPONS SUPPORT | 37,860 | 37,860 |
| 064 | 0604226F | B–1B | | |
| 065 | 0604233F | SPECIALIZED UNDERGRADUATE FLIGHT TRAINING | 6,227 | 6,227 |
| 066 | 0604240F | B–2 ADVANCED TECHNOLOGY BOMBER | | 12,000 |
| | | Advanced Data Link | | [12,000] |
| 067 | 0604261F | PERSONNEL RECOVERY SYSTEMS | | |
| 068 | 0604270F | ELECTRONIC WARFARE DEVELOPMENT | 97,275 | 97,275 |
| 069 | 0604281F | TACTICAL DATA NETWORKS ENTERPRISE | 88,444 | 88,444 |
| 070 | 0604287F | PHYSICAL SECURITY EQUIPMENT | 50 | 50 |
| 071 | 0604329F | SMALL DIAMETER BOMB (SDB) | 153,815 | 153,815 |
| 072 | 0604421F | COUNTERSPACE SYSTEMS | 64,248 | 64,248 |
| 073 | 0604425F | SPACE SITUATION AWARENESS SYSTEMS | 308,134 | 271,434 |
| | | SBSS follow-on—program delay | | [–36,700] |
| 074 | 0604429F | AIRBORNE ELECTRONIC ATTACK | 11,107 | 11,107 |
| 075 | 0604441F | SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD | 512,642 | 512,642 |
| 076 | 0604443F | THIRD GENERATION INFRARED SURVEILLANCE (3GIRS) | 143,169 | 143,169 |
| 077 | 0604602F | ARMAMENT/ORDNANCE DEVELOPMENT | 18,671 | 18,671 |
| 078 | 0604604F | SUBMUNITIONS | 1,784 | 1,784 |
| 079 | 0604617F | AGILE COMBAT SUPPORT | 11,261 | 12,261 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | *Backpack Medical Oxygen System* | | [1,000] |
| 080 | 0604706F | LIFE SUPPORT SYSTEMS | 10,711 | 13,111 |
| | | *ACES 5 Ejection Seat* | | [2,400] |
| 081 | 0604735F | COMBAT TRAINING RANGES | 29,718 | 29,718 |
| 082 | 0604740F | INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A) | 10 | 4,010 |
| | | *Distributed Mission Interoperability Toolkit (DMIT)* | | [4,000] |
| 083 | 0604750F | INTELLIGENCE EQUIPMENT | 1,495 | 1,495 |
| 084 | 0604800F | JOINT STRIKE FIGHTER (JSF) | 1,858,055 | 2,073,055 |
| | | *F136 Engine Development* | | [215,000] |
| 085 | 0604851F | INTERCONTINENTAL BALLISTIC MISSILE | 60,010 | 60,010 |
| 086 | 0604853F | EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) | 26,545 | 26,545 |
| 087 | 0605011F | RDT&E FOR AGING AIRCRAFT | | |
| 088 | 0605221F | NEXT GENERATION AERIAL REFUELING AIRCRAFT | 439,615 | 439,615 |
| 089 | 0605277F | CSAR-X RDT&E | 89,975 | 0 |
| | | *Use available prior year funds* | | [–89,975] |
| 090 | 0605278F | HC/MC–130 RECAP RDT&E | 20,582 | 20,582 |
| 091 | 0605452F | JOINT SIAP EXECUTIVE PROGRAM OFFICE | 34,877 | 34,877 |
| 092 | 0207434F | LINK–16 SUPPORT AND SUSTAINMENT | | |
| 093 | 0207450F | E–10 SQUADRONS | | |
| 094 | 0207451F | SINGLE INTEGRATED AIR PICTURE (SIAP) | 13,466 | 13,466 |
| 095 | 0207701F | FULL COMBAT MISSION TRAINING | 99,807 | 99,807 |
| 096 | 0305176F | COMBAT SURVIVOR EVADER LOCATOR | | |
| 097 | 0401138F | JOINT CARGO AIRCRAFT (JCA) | 9,353 | 9,353 |
| 098 | 0401318F | CV–22 | 19,640 | 19,640 |
| 099 | 0401845F | AIRBORNE SENIOR LEADER C3 (SLC3S) | 20,056 | 20,056 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE** | **4,219,726** | **4,327,451** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 100 | 0604256F | THREAT SIMULATOR DEVELOPMENT | 27,789 | 27,789 |
| 101 | 0604759F | MAJOR T&E INVESTMENT | 60,824 | 68,324 |
| | | *Holloman High Speed Test Track* | | [5,000] |
| | | *Eglin AFB Range Operations Control Center* | | [2,500] |
| 102 | 0605101F | RAND PROJECT AIR FORCE | 27,501 | 27,501 |
| 103 | 0605502F | SMALL BUSINESS INNOVATION RESEARCH | | |
| 104 | 0605712F | INITIAL OPERATIONAL TEST & EVALUATION | 25,833 | 25,833 |
| 105 | 0605807F | TEST AND EVALUATION SUPPORT | 736,488 | 755,788 |
| | | *Program increase* | | [19,300] |
| 106 | 0605860F | ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) | 14,637 | 14,637 |
| 107 | 0605864F | SPACE TEST PROGRAM (STP) | 47,215 | 47,215 |
| 108 | 0605976F | FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT | 52,409 | 52,409 |
| 109 | 0605978F | FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT | 29,683 | 29,683 |
| 110 | 0702806F | ACQUISITION AND MANAGEMENT SUPPORT | 18,947 | 18,947 |
| 111 | 0804731F | GENERAL SKILL TRAINING | 1,450 | 1,450 |
| 112 | 0909999F | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | |
| 113 | 1001004F | INTERNATIONAL ACTIVITIES | 3,748 | 3,748 |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE** | **1,046,524** | **1,073,324** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 114 | 0604263F | COMMON VERTICAL LIFT SUPPORT PLATFORM | 9,513 | 9,513 |
| 115 | 0605024F | ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY | 47,276 | 47,276 |
| 116 | 0605798F | ANALYSIS SUPPORT GROUP | [ ] | [ ] |
| 117 | 0101113F | B–52 SQUADRONS | 93,930 | 93,930 |
| 118 | 0101122F | AIR-LAUNCHED CRUISE MISSILE (ALCM) | 3,652 | 3,652 |
| 119 | 0101126F | B–1B SQUADRONS | 148,025 | 177,025 |
| | | *Transferred from APAF Line 28* | | [29,000] |
| 120 | 0101127F | B–2 SQUADRONS | 415,414 | 415,414 |
| 121 | 0101313F | STRAT WAR PLANNING SYSTEM—USSTRATCOM | 33,836 | 33,836 |
| 122 | 0101314F | NIGHT FIST—USSTRATCOM | 5,328 | 5,328 |
| 123 | 0101815F | ADVANCED STRATEGIC PROGRAMS | [ ] | [ ] |
| 124 | 0102325F | ATMOSPHERIC EARLY WARNING SYSTEM | 9,832 | 9,832 |
| 125 | 0102326F | REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM | 25,734 | 25,734 |
| 126 | 0102823F | STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES | 18 | 18 |
| 127 | 0203761F | WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND | 11,996 | 11,996 |
| 128 | 0205219F | MQ–9 UAV | 39,245 | 39,245 |
| 129 | 0207040F | MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT | 14,747 | 14,747 |
| 130 | 0207131F | A–10 SQUADRONS | 9,697 | 9,697 |
| 131 | 0207133F | F–16 SQUADRONS | 141,020 | 141,020 |
| 132 | 0207134F | F–15E SQUADRONS | 311,167 | 312,167 |
| | | *Corrosion Detection and Visualization Program* | | [1,000] |
| 133 | 0207136F | MANNED DESTRUCTIVE SUPPRESSION | 10,748 | 10,748 |
| 134 | 0207138F | F–22A SQUADRONS | 569,345 | 569,345 |
| 135 | 0207161F | TACTICAL AIM MISSILES | 5,915 | 5,915 |
| 136 | 0207163F | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 49,971 | 49,971 |
| 137 | 0207170F | JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) | 2,529 | 2,529 |
| 138 | 0207227F | COMBAT RESCUE—PARARESCUE | 2,950 | 2,950 |
| 139 | 0207247F | AF TENCAP | 11,643 | 11,643 |
| 140 | 0207249F | PRECISION ATTACK SYSTEMS PROCUREMENT | 2,950 | 2,950 |
| 141 | 0207253F | COMPASS CALL | 13,019 | 13,019 |
| 142 | 0207268F | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 166,563 | 154,563 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | F135 Engine—Early to need | | [–12,000] |
| 143 | 0207277F | CSAF INNOVATION PROGRAM | 4,621 | 4,621 |
| 144 | 0207325F | JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) | 29,494 | 29,494 |
| 145 | 0207410F | AIR & SPACE OPERATIONS CENTER (AOC) | 99,405 | 99,405 |
| 146 | 0207412F | CONTROL AND REPORTING CENTER (CRC) | 52,508 | 52,508 |
| 147 | 0207417F | AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) | 176,040 | 176,040 |
| 148 | 0207418F | TACTICAL AIRBORNE CONTROL SYSTEMS | | |
| 149 | 0207423F | ADVANCED COMMUNICATIONS SYSTEMS | 63,782 | 63,782 |
| 150 | 0207424F | EVALUATION AND ANALYSIS PROGRAM | [ ] | [ ] |
| 151 | 0207431F | COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES | 1,475 | 1,475 |
| 152 | 0207438F | THEATER BATTLE MANAGEMENT (TBM) C4I | 19,067 | 19,067 |
| 153 | 0207445F | FIGHTER TACTICAL DATA LINK | 72,106 | 72,106 |
| 154 | 0207446F | BOMBER TACTICAL DATA LINK | | |
| 155 | 0207448F | C2ISR TACTICAL DATA LINK | 1,667 | 1,667 |
| 156 | 0207449F | COMMAND AND CONTROL (C2) CONSTELLATION | 26,792 | 26,792 |
| 157 | 0207581F | JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS) | 140,670 | 140,670 |
| 158 | 0207590F | SEEK EAGLE | 22,071 | 22,071 |
| 159 | 0207601F | USAF MODELING AND SIMULATION | 27,245 | 27,245 |
| 160 | 0207605F | WARGAMING AND SIMULATION CENTERS | 7,018 | 7,018 |
| 161 | 0207697F | DISTRIBUTED TRAINING AND EXERCISES | 6,740 | 6,740 |
| 162 | 0208006F | MISSION PLANNING SYSTEMS | 91,995 | 91,995 |
| 163 | 0208021F | INFORMATION WARFARE SUPPORT | 12,271 | 12,271 |
| 164 | 0208161F | SPECIAL EVALUATION SYSTEM | [ ] | [ ] |
| 165 | 0301310F | NATIONAL AIR INTELLIGENCE CENTER | [ ] | [ ] |
| | | Open Source Research Centers | | [1,000] |
| 166 | 0301314F | COBRA BALL | [ ] | [ ] |
| 167 | 0301315F | MISSILE AND SPACE TECHNICAL COLLECTION | [ ] | [ ] |
| 168 | 0301324F | FOREST GREEN | [ ] | [ ] |
| 169 | 0301386F | GDIP COLLECTION MANAGEMENT | [ ] | [ ] |
| 170 | 0302015F | E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) | 26,107 | 26,107 |
| 171 | 0303112F | AIR FORCE COMMUNICATIONS (AIRCOM) | | |
| 172 | 0303131F | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 72,694 | 72,694 |
| 173 | 0303140F | INFORMATION SYSTEMS SECURITY PROGRAM | 196,621 | 196,621 |
| 174 | 0303141F | GLOBAL COMBAT SUPPORT SYSTEM | 3,375 | 3,375 |
| 175 | 0303150F | GLOBAL COMMAND AND CONTROL SYSTEM | 3,149 | 3,149 |
| 176 | 0303158F | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 3,087 | 3,087 |
| 177 | 0303601F | MILSATCOM TERMINALS | 257,693 | 257,693 |
| 179 | 0304260F | AIRBORNE SIGINT ENTERPRISE | 176,989 | 176,989 |
| 180 | 0304311F | SELECTED ACTIVITIES | [ ] | [ ] |
| 181 | 0304348F | ADVANCED GEOSPATIAL INTELLIGENCE (AGI) | [ ] | [ ] |
| | | Advanced Technical Intelligence Center | | [6,500] |
| 182 | 0305099F | GLOBAL AIR TRAFFIC MANAGEMENT (GATM) | 6,028 | 6,028 |
| 183 | 0305103F | CYBER SECURITY INITIATIVE | 2,065 | 2,065 |
| 184 | 0305110F | SATELLITE CONTROL NETWORK (SPACE) | 20,991 | 20,991 |
| 185 | 0305111F | WEATHER SERVICE | 33,531 | 33,531 |
| 186 | 0305114F | AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) | 9,006 | 9,006 |
| 187 | 0305116F | AERIAL TARGETS | 54,807 | 54,807 |
| 188 | 0305124F | SPECIAL APPLICATIONS PROGRAM | [ ] | [ ] |
| 189 | 0305127F | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 190 | 0305128F | SECURITY AND INVESTIGATIVE ACTIVITIES | 742 | 742 |
| 191 | 0305142F | APPLIED TECHNOLOGY AND INTEGRATION | [ ] | [ ] |
| 192 | 0305146F | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | 39 | 39 |
| 194 | 0305164F | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) | 137,692 | 137,692 |
| 195 | 0305165F | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) | 52,039 | 52,039 |
| 196 | 0305172F | COMBINED ADVANCED APPLICATIONS | [ ] | [ ] |
| 197 | 0305173F | SPACE AND MISSILE TEST AND EVALUATION CENTER | 3,599 | 3,599 |
| 198 | 0305174F | SPACE WARFARE CENTER | 3,009 | 3,009 |
| 199 | 0305182F | SPACELIFT RANGE SYSTEM (SPACE) | 9,957 | 9,957 |
| 200 | 0305193F | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | 1,240 | 1,240 |
| 201 | 0305202F | DRAGON U–2 | | |
| 202 | 0305205F | ENDURANCE UNMANNED AERIAL VEHICLES | 73,736 | 38,736 |
| | | ISIS | | [–35,000] |
| 203 | 0305206F | AIRBORNE RECONNAISSANCE SYSTEMS | 143,892 | 145,892 |
| | | GORGON STARE | | |
| | | Multiple UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Objective | | [2,000] |
| 204 | 0305207F | MANNED RECONNAISSANCE SYSTEMS | 12,846 | 15,346 |
| | | Rivet Joint Services Oriented Architecture (SOA) | | [2,500] |
| 205 | 0305208F | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 82,765 | 82,765 |
| 206 | 0305219F | MQ–1 PREDATOR A UAV | 18,101 | 22,101 |
| | | Sense and avoid | | [4,000] |
| 207 | 0305220F | RQ–4 UAV | 317,316 | 317,316 |
| 208 | 0305221F | NETWORK-CENTRIC COLLABORATIVE TARGETING | 8,160 | 8,160 |
| 209 | 0305265F | GPS III SPACE SEGMENT | 815,095 | 717,695 |
| | | GPS Control Segment (OCX) | | [–97,400] |
| 210 | 0305614F | JSPOC MISSION SYSTEM | 131,271 | 137,271 |
| | | Karnac | | [6,000] |
| 211 | 0305887F | INTELLIGENCE SUPPORT TO INFORMATION WARFARE | 5,267 | 5,267 |
| 212 | 0305906F | NCMC—TW/AA SYSTEM | | |
| 213 | 0305913F | NUDET DETECTION SYSTEM (SPACE) | 84,021 | 84,021 |
| 214 | 0305924F | NATIONAL SECURITY SPACE OFFICE | 10,634 | 10,634 |
| 215 | 0305940F | SPACE SITUATION AWARENESS OPERATIONS | 54,648 | 54,648 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 216 | 0307141F | INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT | 30,076 | 30,076 |
| 217 | 0308699F | SHARED EARLY WARNING (SEW) | 3,082 | 3,082 |
| 218 | 0401115F | C–130 AIRLIFT SQUADRON | 201,250 | 201,250 |
| 219 | 0401119F | C–5 AIRLIFT SQUADRONS (IF) | 95,266 | 95,266 |
| 220 | 0401130F | C–17 AIRCRAFT (IF) | 161,855 | 161,855 |
| 221 | 0401132F | C–130J PROGRAM | 30,019 | 30,019 |
| 222 | 0401134F | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) | 31,784 | 31,784 |
| 223 | 0401218F | KC–135S | 10,297 | 10,297 |
| 224 | 0401219F | KC–10S | 35,586 | 35,586 |
| 225 | 0401221F | KC–135 TANKER REPLACEMENT | | |
| 226 | 0401314F | OPERATIONAL SUPPORT AIRLIFT | 4,916 | 4,916 |
| 227 | 0401839F | AIR MOBILITY TACTICAL DATA LINK | | |
| 228 | 0408011F | SPECIAL TACTICS / COMBAT CONTROL | 8,222 | 8,222 |
| 229 | 0702207F | DEPOT MAINTENANCE (NON-IF) | 1,508 | 1,508 |
| 230 | 0702976F | FACILITIES RESTORATION & MODERNIZATION—LOGISTICS | | |
| 231 | 0708011F | INDUSTRIAL PREPAREDNESS | | 2,000 |
| | | Wire Integrity Technology | | [2,000] |
| 232 | 0708610F | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) | 246,483 | 246,483 |
| 233 | 0708611F | SUPPORT SYSTEMS DEVELOPMENT | 6,288 | 8,288 |
| | | ALC Logistics Integration Environment | | [2,000] |
| 234 | 0804743F | OTHER FLIGHT TRAINING | 805 | 805 |
| 235 | 0804757F | JOINT NATIONAL TRAINING CENTER | 3,220 | 3,220 |
| 236 | 0804772F | TRAINING DEVELOPMENTS | 1,769 | 1,769 |
| 237 | 0808716F | OTHER PERSONNEL ACTIVITIES | 116 | 116 |
| 238 | 0901202F | JOINT PERSONNEL RECOVERY AGENCY | 6,376 | 11,376 |
| | | Biometric signature and passive physiological monitoring | | [5,000] |
| 239 | 0901212F | SERVICE-WIDE SUPPORT (NOT OTHERWISE ACCOUNTED FOR) | | |
| 240 | 0901218F | CIVILIAN COMPENSATION PROGRAM | 8,174 | 8,174 |
| 241 | 0901220F | PERSONNEL ADMINISTRATION | 10,492 | 30,982 |
| | | DIMHRS—OSD requested transfer from RDDW, Line 117 | | [20,490] |
| 242 | 0901538F | FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT | 55,991 | 55,991 |
| 999 | 9999999 | OTHER PROGRAMS | 11,955,084 | 12,137,084 |
| | | Program Increase | | [172,500] |
| | | Carbon Nanotube Enhanced Power Sources for Space | | [2,000] |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE** | **18,751,901** | **18,863,491** |
| | | **TOTAL, RDT&E AIR FORCE** | **27,992,827** | **28,401,642** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601000BR | DTRA BASIC RESEARCH INITIATIVE | 48,544 | 48,544 |
| 002 | 0601101E | DEFENSE RESEARCH SCIENCES | 226,125 | 226,125 |
| 003 | 0601111D8Z | GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH | | |
| 004 | 0601114D8Z | DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH | | |
| 005 | 0601120D8Z | NATIONAL DEFENSE EDUCATION PROGRAM | 89,980 | 89,980 |
| 006 | 0601384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 58,974 | 64,874 |
| | | In-vitro models for bio-defense vaccines | | [1,900] |
| | | Synchrotron Beamline and Experimental Station | | [4,000] |
| | | **SUBTOTAL, BASIC RESEARCH, DEFENSE-WIDE** | **423,623** | **429,523** |
| | | **APPLIED RESEARCH** | | |
| 007 | 0602000D8Z | JOINT MUNITIONS TECHNOLOGY | 22,669 | 18,961 |
| | | Partial Program Growth Reduction | | [–3,708] |
| 008 | 0602227D8Z | MEDICAL FREE ELECTRON LASER | | |
| 009 | 0602228D8Z | HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE | 15,164 | 20,164 |
| | | Historically Black Colleges and Universities and Minority Serving Institutions Program | | [5,000] |
| 010 | 0602234D8Z | LINCOLN LABORATORY RESEARCH PROGRAM | 34,034 | 34,034 |
| 011 | 0602303E | INFORMATION & COMMUNICATIONS TECHNOLOGY | 282,749 | 272,749 |
| | | Program Reduction | | [–10,000] |
| 012 | 0602304E | COGNITIVE COMPUTING SYSTEMS | 142,840 | 142,840 |
| 013 | 0602383E | BIOLOGICAL WARFARE DEFENSE | 40,587 | 40,587 |
| 014 | 0602384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 209,072 | 212,972 |
| | | Chemical and biological infrared detector | | [1,900] |
| | | Chemical and Biological Resistant Clothing | | [2,000] |
| 015 | 0602663D8Z | JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT | 4,940 | 4,940 |
| 016 | 0602670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH | 9,446 | 9,446 |
| 017 | 0602702E | TACTICAL TECHNOLOGY | 276,075 | 266,075 |
| | | Program Reduction | | [–10,000] |
| 018 | 0602715E | MATERIALS AND BIOLOGICAL TECHNOLOGY | 268,859 | 263,859 |
| | | Program Reduction | | [–5,000] |
| 019 | 0602716E | ELECTRONICS TECHNOLOGY | 223,841 | 213,841 |
| | | Program Reduction | | [–10,000] |
| 020 | 0602718BR | WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES | 219,130 | 220,630 |
| | | Blast mitigation and protection | | [1,500] |
| 021 | 1160401BB | SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT | 27,384 | 27,384 |
| 022 | 1160407BB | SOF MEDICAL TECHNOLOGY DEVELOPMENT | | |
| | | **SUBTOTAL, APPLIED RESEARCH, DEFENSE-WIDE** | **1,776,790** | **1,748,482** |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 023 | 0603000D8Z | JOINT MUNITIONS ADVANCED TECHNOLOGY | 23,538 | 16,754 |
| | | Partial Program Growth Reduction | | [–6,784] |
| 024 | 0603121D8Z | SO/LIC ADVANCED DEVELOPMENT | 43,808 | 43,808 |
| 025 | 0603122D8Z | COMBATING TERRORISM TECHNOLOGY SUPPORT | 81,868 | 92,368 |
| | | Reconnaissance and data exploitation systems | | [3,500] |
| | | Affordable Robust Mid-Sized UGV | | [2,000] |
| | | Integrated Rugged Checkpoint Container | | [2,500] |
| | | Combating Terrorism: Threat and Risk Assessment | | [2,500] |
| 026 | 0603160BR | COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT | 233,203 | 233,203 |
| 027 | 0603175C | BALLISTIC MISSILE DEFENSE TECHNOLOGY | 109,760 | 104,760 |
| | | General Reduction | | [–5,000] |
| 028 | 0603200D8Z | JOINT ADVANCED CONCEPTS | 7,817 | 7,817 |
| 029 | 0603225D8Z | JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT | 23,276 | 23,276 |
| 030 | 0603286E | ADVANCED AEROSPACE SYSTEMS | 338,360 | 249,360 |
| | | Program Reduction | | [–89,000] |
| 031 | 0603287E | SPACE PROGRAMS AND TECHNOLOGY | 200,612 | 200,612 |
| 032 | 0603384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT | 282,235 | 284,235 |
| | | Total Perimeter Surveillance | | [2,000] |
| 033 | 0603618D8Z | JOINT ELECTRONIC ADVANCED TECHNOLOGY | 10,838 | 10,838 |
| 034 | 0603648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 198,352 | 177,352 |
| | | JCTD new starts | | [–25,000] |
| | | High Accuracy Network Determination System—Intelligent Optical Networks (HANDS-ION) | | [2,000] |
| | | Distributed Network Switching and Security | | [2,000] |
| 035 | 0603662D8Z | NETWORKED COMMUNICATIONS CAPABILITIES | 28,212 | 28,212 |
| 036 | 0603663D8Z | JOINT DATA MANAGEMENT RESEARCH | 4,935 | 4,935 |
| 037 | 0603665D8Z | BIOMETRICS SCIENCE AND TECHNOLOGY | 10,993 | 10,993 |
| 038 | 0603670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT | 11,480 | 11,480 |
| 039 | 0603680D8Z | DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM | 14,638 | 24,638 |
| | | High performance defense manufacturing technology | | [10,000] |
| 040 | 0603711D8Z | JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS | 9,110 | 11,110 |
| | | Robotics training systems | | [2,000] |
| 041 | 0603712S | GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS | 19,043 | 33,643 |
| | | Biofuels program | | [2,000] |
| | | Biomass conversion research | | [1,600] |
| | | Fuel cell manufacturing research | | [1,000] |
| | | Vehicle fuel cell and hydrogen logistics program | | [8,000] |
| | | Next Generation Manufacturing Technologies Initiative | | [2,000] |
| 042 | 0603713S | DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY | 29,356 | 29,356 |
| 043 | 0603716D8Z | STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM | 69,175 | 69,175 |
| 044 | 0603720S | MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT | 26,310 | 30,810 |
| | | Feature Size Yield Enhancement at DMEA's Semiconductors Foundry | | [2,500] |
| | | End to End Semi Fab Alpha Tool | | [2,000] |
| 045 | 0603727D8Z | JOINT WARFIGHTING PROGRAM | 11,135 | 11,135 |
| 046 | 0603739E | ADVANCED ELECTRONICS TECHNOLOGIES | 205,912 | 190,912 |
| | | Program Reduction | | [–15,000] |
| 047 | 0603745D8Z | SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD) | 4,864 | 4,864 |
| 048 | 0603750D8Z | ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS | | |
| 049 | 0603755D8Z | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM | 221,286 | 224,286 |
| | | Computational design of novel materials | | [3,000] |
| 050 | 0603760E | COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS | 293,476 | 275,326 |
| | | CCC-CLS execution delays | | [–18,150] |
| 051 | 0603764E | LAND WARFARE TECHNOLOGY | | |
| 052 | 0603765E | CLASSIFIED DARPA PROGRAMS | 186,526 | 186,526 |
| 053 | 0603766E | NETWORK-CENTRIC WARFARE TECHNOLOGY | 135,941 | 135,941 |
| 054 | 0603767E | SENSOR TECHNOLOGY | 243,056 | 218,056 |
| | | Program Reduction | | [–15,000] |
| | | SEN-CLS execution delays | | [–10,000] |
| 055 | 0603768E | GUIDANCE TECHNOLOGY | 37,040 | 37,040 |
| 056 | 0603769SE | DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT | 13,822 | 13,822 |
| 057 | 0603781D8Z | SOFTWARE ENGINEERING INSTITUTE | 31,298 | 31,298 |
| 058 | 0603805S | DUAL USE TECHNOLOGY | | |
| 059 | 0603826D8Z | QUICK REACTION SPECIAL PROJECTS | 107,984 | 94,484 |
| | | Quick Reaction Fund | | [–15,000] |
| | | Special warfare domain awareness | | [1,500] |
| 060 | 0603828D8Z | JOINT EXPERIMENTATION | 124,480 | 122,180 |
| | | Tidewater Full Scale Exercise | | [2,700] |
| | | National Center for Small Unit Excellence | | [–5,000] |
| 061 | 0603832D8Z | DOD MODELING AND SIMULATION MANAGEMENT OFFICE | 38,505 | 38,505 |
| 062 | 0603941D8Z | TEST & EVALUATION SCIENCE & TECHNOLOGY | 95,734 | 95,734 |
| 063 | 0603942D8Z | TECHNOLOGY TRANSFER | 2,219 | 5,219 |
| | | National Radio Frequency RD&T Transfer Center | | [3,000] |
| 064 | 0909999D8Z | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | |
| 065 | 1160402BB | SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT | 31,675 | 36,775 |
| | | Lithium ion battery safety research | | [1,600] |
| | | Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center | | [3,500] |
| 066 | 1160422BB | AVIATION ENGINEERING ANALYSIS | 3,544 | 3,544 |
| 067 | 1160472BB | SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY | 4,988 | 4,988 |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, DEFENSE-WIDE** | **3,570,404** | **3,429,370** |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 068 | 0603161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P | 36,019 | 36,019 |
| 069 | 0603228D8Z | PHYSICAL SECURITY EQUIPMENT | | |
| 070 | 0603527D8Z | RETRACT LARCH | 21,718 | 21,718 |
| 071 | 0603709D8Z | JOINT ROBOTICS PROGRAM | 11,803 | 13,803 |
| | | Autonomous Machine Vision for Mapping and Investigation of Remote Sites | | [2,000] |
| 072 | 0603714D8Z | ADVANCED SENSOR APPLICATIONS PROGRAM | 17,771 | 17,771 |
| 073 | 0603851D8Z | ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM | 31,613 | 31,613 |
| 074 | 0603881C | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT | 719,465 | 719,465 |
| 075 | 0603882C | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT | 982,922 | 1,002,922 |
| | | GBI vendor base sustainment | | [20,000] |
| 076 | 0603883C | BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT | 186,697 | 186,697 |
| 077 | 0603884BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 205,952 | 207,552 |
| | | Real-time non-specific viral agent detector | | [1,600] |
| 078 | 0603884C | BALLISTIC MISSILE DEFENSE SENSORS | 636,856 | 636,856 |
| 079 | 0603886C | BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR | | |
| 080 | 0603888C | BALLISTIC MISSILE DEFENSE TEST & TARGETS | 966,752 | 940,752 |
| | | Target Synchronization with Test Schedule | | [–26,000] |
| 081 | 0603890C | BMD ENABLING PROGRAMS | 369,145 | 354,145 |
| | | Programs Reduction | | [–15,000] |
| 082 | 0603891C | SPECIAL PROGRAMS—MDA | 301,566 | 286,566 |
| | | Program Decrease due to excessive growth | | [–15,000] |
| 083 | 0603892C | AEGIS BMD | 1,690,758 | 1,690,758 |
| 084 | 0603893C | SPACE TRACKING & SURVEILLANCE SYSTEM | 180,000 | 173,200 |
| | | Demonstration Satellites | | [–6,800] |
| 085 | 0603894C | MULTIPLE KILL VEHICLE | | |
| 086 | 0603895C | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS | 12,549 | 12,549 |
| 087 | 0603896C | BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS | 340,014 | 340,014 |
| 088 | 0603897C | BALLISTIC MISSILE DEFENSE HERCULES | 48,186 | 48,186 |
| 089 | 0603898C | BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT | 60,921 | 61,421 |
| | | Independent Advisory Group to Review Ballistic Missile Defense Training Needs | | [500] |
| 090 | 0603904C | MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) | 86,949 | 86,949 |
| 091 | 0603906C | REGARDING TRENCH | 6,164 | 6,164 |
| 092 | 0603907C | SEA BASED X-BAND RADAR (SBX) | 174,576 | 174,576 |
| 093 | 0603908C | BMD EUROPEAN INTERCEPTOR SITE | | |
| 094 | 0603909C | BMD EUROPEAN MIDCOURSE RADAR | | |
| 095 | 0603911C | BMD EUROPEAN CAPABILITY | 50,504 | 50,504 |
| 096 | 0603912C | BMD EUROPEAN COMMUNICATIONS SUPPORT | | |
| 097 | 0603913C | ISRAELI COOPERATIVE PROGRAMS | 119,634 | 144,634 |
| | | Short-range ballistic missile defense | | [25,000] |
| 098 | 0603920D8Z | HUMANITARIAN DEMINING | 14,687 | 14,687 |
| 099 | 0603923D8Z | COALITION WARFARE | 13,885 | 13,885 |
| 100 | 0604016D8Z | DEPARTMENT OF DEFENSE CORROSION PROGRAM | 4,887 | 8,387 |
| | | Corrosion control research | | [3,500] |
| 101 | 0604400D8Z | DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT | 55,289 | 55,289 |
| 102 | 0604648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 18,577 | 18,577 |
| 103 | 0604670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING | 7,006 | 7,006 |
| 104 | 0604787D8Z | JOINT SYSTEMS INTEGRATION COMMAND (JSIC) | 19,744 | 19,744 |
| 105 | 0604828D8Z | JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM | 16,972 | 16,972 |
| 106 | 0605017D8Z | REDUCTION OF TOTAL OWNERSHIP COST | 24,647 | 24,647 |
| 107 | 0303191D8Z | JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM | 3,949 | 3,949 |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DEFENSE-WIDE** | **7,438,177** | **7,427,977** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 108 | 0604051D8Z | DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP) | 28,862 | 28,862 |
| 109 | 0604161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD | 7,628 | 7,628 |
| 110 | 0604165D8Z | PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT | 166,913 | 166,913 |
| 111 | 0604384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 332,895 | 332,895 |
| 112 | 0604709D8Z | JOINT ROBOTICS PROGRAM | 5,127 | 5,127 |
| 113 | 0604764K | ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO) | 39,911 | 39,911 |
| 114 | 0604771D8Z | JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) | 20,633 | 20,633 |
| 115 | 0605000BR | WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES | 8,735 | 8,735 |
| 116 | 0605013BL | INFORMATION TECHNOLOGY DEVELOPMENT | 11,705 | 11,705 |
| 117 | 0605018BTA | DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS) | 70,000 | 18,710 |
| | | Transfer to RDA, line 117 for DIMHRS execution | | [–30,800] |
| | | Transfer to RDAF, line 241 for DIMHRS execution | | [–20,490] |
| 118 | 0605020BTA | BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES | 197,008 | 197,008 |
| 119 | 0605021SE | HOMELAND PERSONNEL SECURITY INITIATIVE | 395 | 395 |
| 120 | 0605027D8Z | OUSD(C) IT DEVELOPMENT INITIATIVES | 5,000 | 5,000 |
| 121 | 0605140D8Z | TRUSTED FOUNDRY | 41,223 | 41,223 |
| 122 | 0605648D8Z | DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM | 4,267 | 4,267 |
| 123 | 0303141K | GLOBAL COMBAT SUPPORT SYSTEM | 18,431 | 18,431 |
| 124 | 0303158K | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 49,047 | 49,047 |
| 125 | 0807708D8Z | WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE | 1,609 | 1,609 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, DEFENSE-WIDE** | **1,009,389** | **958,099** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 126 | 0603757D8Z | TRAINING TRANSFORMATION (T2) | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

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|---|---|---|---|---|
| 127 | 0604774D8Z | DEFENSE READINESS REPORTING SYSTEM (DRRS) | 13,121 | 13,121 |
| 128 | 0604875D8Z | JOINT SYSTEMS ARCHITECTURE DEVELOPMENT | 15,247 | 15,247 |
| 129 | 0604940D8Z | CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) | 145,052 | 155,052 |
| | | Joint Gulf Range Test and Training Complex | | [3,000] |
| | | Gulf Range Mobile Instrumentation Capability | | [3,000] |
| | | Advanced SAM Hardware Simulator Development | | [4,000] |
| 130 | 0604943D8Z | THERMAL VICAR | 9,045 | 9,045 |
| 131 | 0605100D8Z | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) | 9,455 | 9,455 |
| 132 | 0605104D8Z | TECHNICAL STUDIES, SUPPORT AND ANALYSIS | 44,760 | 44,760 |
| 133 | 0605110D8Z | USD(A&T)—CRITICAL TECHNOLOGY SUPPORT | 4,914 | 4,914 |
| 134 | 0605117D8Z | FOREIGN MATERIAL ACQUISITION AND EXPLOITATION | 94,921 | 94,921 |
| 135 | 0605126J | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) | 96,909 | 96,909 |
| 136 | 0605128D8Z | CLASSIFIED PROGRAM USD(P) | [ ] | [ ] |
| 137 | 0605130D8Z | FOREIGN COMPARATIVE TESTING | 35,054 | 35,054 |
| 138 | 0605161D8Z | NUCLEAR MATTERS-PHYSICAL SECURITY | 6,474 | 6,474 |
| 139 | 0605170D8Z | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION | 14,916 | 14,916 |
| 140 | 0605200D8Z | GENERAL SUPPORT TO USD (INTELLIGENCE) | 5,888 | 5,888 |
| 141 | 0605384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 106,477 | 106,477 |
| 142 | 0605502BR | SMALL BUSINESS INNOVATION RESEARCH | | |
| 143 | 0605502C | SMALL BUSINESS INNOVATIVE RESEARCH—MDA | | |
| 144 | 0605502D8Z | SMALL BUSINESS INNOVATIVE RESEARCH | | |
| 145 | 0605502E | SMALL BUSINESS INNOVATIVE RESEARCH | | |
| 146 | 0605502S | SMALL BUSINESS INNOVATIVE RESEARCH | | |
| 147 | 0605790D8Z | SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION | 2,163 | 4,063 |
| | | Anti-tamper software systems | | [1,900] |
| 148 | 0605798D8Z | DEFENSE TECHNOLOGY ANALYSIS | 11,005 | 11,005 |
| 149 | 0605798S | DEFENSE TECHNOLOGY ANALYSIS | | |
| 150 | 0605799D8Z | FORCE TRANSFORMATION DIRECTORATE | 19,981 | 19,981 |
| 151 | 0605801KA | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) | 54,411 | 49,411 |
| | | Program Reduction | | [–5,000] |
| 152 | 0605803SE | R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION | 19,554 | 19,554 |
| 153 | 0605804D8Z | DEVELOPMENT TEST AND EVALUATION | 23,512 | 23,512 |
| 154 | 0605897E | DARPA AGENCY RELOCATION | 45,000 | 45,000 |
| 155 | 0605898E | MANAGEMENT HQ—R&D | 51,055 | 51,055 |
| 156 | 0606100D8Z | BUDGET AND PROGRAM ASSESSMENTS | 5,929 | 5,929 |
| 157 | 0606301D8Z | AVIATION SAFETY TECHNOLOGIES | 8,000 | 8,000 |
| 158 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | 1,250 | 1,250 |
| 159 | 0301555G | CLASSIFIED PROGRAMS | [ ] | [ ] |
| 160 | 0301556G | SPECIAL PROGRAM | [ ] | [ ] |
| 161 | 0303166D8Z | SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES | 30,604 | 30,604 |
| 162 | 0303169D8Z | INFORMATION TECHNOLOGY RAPID ACQUISITION | 4,667 | 4,667 |
| 163 | 0305103E | CYBER SECURITY INITIATIVE | 50,000 | 50,000 |
| 164 | 0305193D8Z | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | 20,648 | 20,648 |
| 165 | 0305193G | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | [ ] | [ ] |
| 166 | 0305400D8Z | WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT | 829 | 829 |
| 167 | 0804767D8Z | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2) | 34,306 | 34,306 |
| 168 | 0901585C | PENTAGON RESERVATION | 19,709 | 19,709 |
| 169 | 0901598C | MANAGEMENT HQ—MDA | 57,403 | 57,403 |
| 170 | 0901598D8W | IT SOFTWARE DEV INITIATIVES | 980 | 980 |
| 170A | 9999999 | OTHER PROGRAMS | 124,705 | 124,705 |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DEFENSE-WIDE** | **1,187,944** | **1,194,844** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 171 | 0604130V | DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS) | 1,384 | 1,384 |
| 172 | 0605127T | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA | 2,001 | 2,001 |
| 173 | 0605147T | OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) | 292 | 292 |
| 174 | 0607384BP | CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) | 6,198 | 6,198 |
| 175 | 0607828D8Z | JOINT INTEGRATION AND INTEROPERABILITY | 46,214 | 46,214 |
| 176 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | | |
| 177 | 0208043J | CLASSIFIED PROGRAMS | 2,179 | 2,179 |
| 178 | 0208045K | C4I INTEROPERABILITY | 74,786 | 74,786 |
| 180 | 0301144K | JOINT/ALLIED COALITION INFORMATION SHARING | 10,767 | 10,767 |
| 181 | 0301301L | GENERAL DEFENSE INTELLIGENCE PROGRAM | [ ] | [ ] |
| | | Advanced Scientific Missile Intelligence Preparation of the Battlespace (IPB) | | [2,500] |
| | | Portable Device for Latent Fingerprint Identification | | [1,800] |
| 182 | 0301318BB | HUMINT (CONTROLLED) | [ ] | [ ] |
| 183 | 0301371G | CYBER SECURITY INITIATIVE—CCP | [ ] | [ ] |
| 184 | 0301372L | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] |
| 185 | 0301555BZ | CLASSIFIED PROGRAMS | [ ] | [ ] |
| 186 | 0301556BZ | SPECIAL PROGRAM | [ ] | [ ] |
| 187 | 0302016K | NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT | 548 | 548 |
| 188 | 0302019K | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION | 17,655 | 17,655 |
| 189 | 0303126K | LONG-HAUL COMMUNICATIONS—DCS | 9,406 | 9,406 |
| 190 | 0303131K | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 9,830 | 9,830 |
| 191 | 0303135G | PUBLIC KEY INFRASTRUCTURE (PKI) | 8,116 | 8,116 |
| 192 | 0303136G | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 41,002 | 41,002 |
| 193 | 0303140D8Z | INFORMATION SYSTEMS SECURITY PROGRAM | 13,477 | 13,477 |
| 194 | 0303140G | INFORMATION SYSTEMS SECURITY PROGRAM | 408,316 | 408,316 |
| 195 | 0303140K | INFORMATION SYSTEMS SECURITY PROGRAM | | |
| 196 | 0303148K | DISA MISSION SUPPORT OPERATIONS | 1,205 | 1,205 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 197 | 0303149J | C4I FOR THE WARRIOR | 4,098 | 4,098 |
| 198 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 23,761 | 23,761 |
| 199 | 0303153K | JOINT SPECTRUM CENTER | 18,944 | 18,944 |
| 200 | 0303170K | NET-CENTRIC ENTERPRISE SERVICES (NCES) | 1,782 | 1,782 |
| 201 | 0303260D8Z | JOINT MILITARY DECEPTION INITIATIVE | 942 | 942 |
| 202 | 0303610K | TELEPORT PROGRAM | 5,239 | 5,239 |
| 203 | 0304210BB | SPECIAL APPLICATIONS FOR CONTINGENCIES | 16,381 | 16,381 |
| 204 | 0304345BQ | NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP) | [ ] | [ ] |
| 206 | 0305103D8Z | CYBER SECURITY INITIATIVE | 993 | 993 |
| 207 | 0305103G | CYBER SECURITY INITIATIVE | [ ] | [ ] |
| 208 | 0305103K | CYBER SECURITY INITIATIVE | 10,080 | 10,080 |
| 209 | 0305125D8Z | CRITICAL INFRASTRUCTURE PROTECTION (CIP) | 12,725 | 12,725 |
| 210 | 0305127BZ | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | | |
| 211 | 0305127L | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 212 | 0305146BZ | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 213 | 0305146L | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 214 | 0305183L | DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES | [ ] | [ ] |
| 215 | 0305186D8Z | POLICY R&D PROGRAMS | 6,948 | 6,948 |
| 216 | 0305193L | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | | |
| 217 | 0305199D8Z | NET CENTRICITY | 1,479 | 1,479 |
| 218 | 0305202G | DRAGON U–2 | [ ] | [ ] |
| 219 | 0305206G | AIRBORNE RECONNAISSANCE SYSTEMS | [ ] | [ ] |
| 220 | 0305207G | MANNED RECONNAISSANCE SYSTEMS | | |
| 221 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 1,407 | 1,407 |
| 222 | 0305208BQ | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 223 | 0305208G | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 224 | 0305208K | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 3,158 | 3,158 |
| 225 | 0305208L | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 226 | 0305219BB | MQ–1 PREDATOR A UAV | 2,067 | 2,067 |
| 227 | 0305229G | REAL-TIME ARCHITECTURE DEVELOPMENT (RT10) | [ ] | [ ] |
| 228 | 0305387D8Z | HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM | 2,963 | 2,963 |
| 229 | 0305600D8Z | INTERNATIONAL INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT AND INTEGRATION | 1,389 | 1,389 |
| 230 | 0305866L | DIA SUPPORT TO SOUTHCOM INTELLIGENCE ACTIVITIES | | |
| 231 | 0305880L | COMBATANT COMMAND INTELLIGENCE OPERATIONS | | |
| 232 | 0305883L | HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT | [ ] | [ ] |
| 233 | 0305884L | INTELLIGENCE PLANNING AND REVIEW ACTIVITIES | [ ] | [ ] |
| | | Technology applications for security enhancement | | [3,000] |
| 235 | 0305889G | COUNTERDRUG INTELLIGENCE SUPPORT | | |
| 236 | 0307141G | INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEV | [ ] | [ ] |
| 237 | 0307207G | AERIAL COMMON SENSOR (ACS) | [ ] | [ ] |
| 238 | 0708011S | INDUSTRIAL PREPAREDNESS | 20,514 | 51,714 |
| | | Industrial Base Innovation Fund | | [30,000] |
| | | Northwest Manufacturing Initiative | | [1,200] |
| 239 | 0708012S | LOGISTICS SUPPORT ACTIVITIES | 2,798 | 2,798 |
| 240 | 0902298J | MANAGEMENT HEADQUARTERS (JCS) | 8,303 | 8,303 |
| 241 | 1001018D8Z | NATO AGS | 74,485 | 74,485 |
| 242 | 1105219BB | MQ–9 UAV | 4,380 | 4,380 |
| 243 | 1130435BB | STORM | | |
| 244 | 1160279BB | SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG | | |
| 245 | 1160403BB | SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT | 82,621 | 72,621 |
| | | Avionics Modernization Program | | [–10,000] |
| 246 | 1160404BB | SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT | 6,182 | 1,594 |
| | | SOF Resource Business Information System | | [–4,588] |
| 247 | 1160405BB | SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT | 21,273 | 33,173 |
| | | Biometric Optical Surveillance System (BOSS) | | [2,000] |
| | | Counterproliferation Analysis and Planning System (CAPS) | | [5,000] |
| | | Advanced long endurance unattended ground sensor technologies | | [4,900] |
| 248 | 1160408BB | SOF OPERATIONAL ENHANCEMENTS | 60,310 | 60,310 |
| 249 | 1160421BB | SPECIAL OPERATIONS CV–22 DEVELOPMENT | 12,687 | 12,687 |
| 250 | 1160423BB | JOINT MULTI-MISSION SUBMERSIBLE | 43,412 | 43,412 |
| 251 | 1160425BB | SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS | | |
| 252 | 1160426BB | OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT | 1,321 | 0 |
| | | ASDS | | [–1,321] |
| 253 | 1160427BB | MISSION TRAINING AND PREPARATION SYSTEMS (MTPS) | 3,192 | 3,192 |
| 254 | 1160428BB | UNMANNED VEHICLES (UV) | | |
| 255 | 1160429BB | MC130J SOF TANKER RECAPITALIZATION | 5,957 | 5,957 |
| 256 | 1160474BB | SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS | 733 | 733 |
| 257 | 1160476BB | SOF TACTICAL RADIO SYSTEMS | 2,368 | 2,368 |
| 258 | 1160477BB | SOF WEAPONS SYSTEMS | 1,081 | 1,081 |
| 259 | 1160478BB | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | 597 | 597 |
| 260 | 1160479BB | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS | 3,369 | 4,869 |
| | | Miniature Day Night Sight for Crew Served Weapons | | [1,500] |
| 261 | 1160480BB | SOF TACTICAL VEHICLES | 1,973 | 1,973 |
| 262 | 1160482BB | SOF ROTARY WING AVIATION | 18,863 | 18,863 |
| 263 | 1160483BB | SOF UNDERWATER SYSTEMS | 3,452 | 7,452 |
| | | Transformer Technology for Combat Submersibles (TTCS) | | [4,000] |
| 264 | 1160484BB | SOF SURFACE CRAFT | 12,250 | 12,250 |
| 265 | 1160488BB | SOF PSYOP | 9,887 | 9,887 |
| 266 | 1160489BB | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | 4,944 | 4,944 |
| 267 | 1160490BB | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | 11,547 | 11,547 |
| 999 | 9999999 | OTHER PROGRAMS | 4,148,984 | 4,156,284 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE** | **5,335,215** | **5,375,206** |
| | | *DARPA execution adjustment* | | *–150,000* |
| | | **Total, RDT&E Defense-Wide** | **20,741,542** | **20,413,501** |
| | | **OPERATIONAL TEST & EVALUATION, DEFENSE** | | |
| 001 | 0605118OTE | OPERATIONAL TEST AND EVALUATION | 58,647 | 58,647 |
| 002 | 0605131OTE | LIVE FIRE TEST AND EVALUATION | 12,285 | 12,285 |
| 003 | 0605814OTE | OPERATIONAL TEST ACTIVITIES AND ANALYSES | 119,838 | 119,838 |
| | | **Total, Operational Test & Evaluation, Defense** | **190,770** | **190,770** |
| | | **TOTAL RDT&E** | **78,634,289** | **79,251,608** |

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.**

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY** | | |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 075 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 18,598 | 18,598 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY** | **18,598** | **18,598** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 160 | 0301359A | SPECIAL ARMY PROGRAM | [ ] | [ ] |
| 161 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 7,644 | 7,644 |
| 162 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 2,220 | 2,220 |
| 167 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 29,500 | 29,500 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY** | **39,364** | **39,364** |
| | | **TOTAL, RDT&E ARMY** | **57,962** | **57,962** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 026 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | | |
| 027 | 0603216N | AVIATION SURVIVABILITY | 8,000 | 0 |
| | | *Non-emergency development funding* | | *[–8,000]* |
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 9,000 | 0 |
| | | *Non-emergency development funding* | | *[–9,000]* |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY** | **17,000** | **0** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 188 | 0301303N | MARITIME INTELLIGENCE | [ ] | [ ] |
| 189 | 0301323N | COLLECTION MANAGEMENT | [ ] | [ ] |
| 190 | 0301327N | TECHNICAL RECONNAISSANCE AND SURVEILLANCE | [ ] | [ ] |
| 191 | 0301372N | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] |
| 203 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 51,900 | 51,900 |
| 210 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 6,000 | 6,000 |
| 999 | 9999999 | OTHER PROGRAMS | 32,280 | 32,280 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E** | **90,180** | **90,180** |
| | | **TOTAL, RDT&E NAVY** | **107,180** | **90,180** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE** | | |
| | | **BASIC RESEARCH** | | |
| 004 | 0301555F | CLASSIFIED PROGRAMS | [ ] | [ ] |
| 005 | 0301556F | SPECIAL PROGRAM | [ ] | [ ] |
| | | **SUBTOTAL, BASIC RESEARCH, AIR FORCE** | **0** | **0** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 116 | 0605798F | ANALYSIS SUPPORT GROUP | [ ] | [ ] |
| 123 | 0101815F | ADVANCED STRATEGIC PROGRAMS | [ ] | [ ] |
| 128 | 0205219F | MQ–9 UAV | 1,400 | 1,400 |
| 149 | 0207423F | ADVANCED COMMUNICATIONS SYSTEMS | 9,375 | 9,375 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**
**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|---|
| 150 | 0207424F | EVALUATION AND ANALYSIS PROGRAM | [ ] | [ ] |
| 164 | 0208161F | SPECIAL EVALUATION SYSTEM | [ ] | [ ] |
| 165 | 0301310F | NATIONAL AIR INTELLIGENCE CENTER | [ ] | [ ] |
| 166 | 0301314F | COBRA BALL | [ ] | [ ] |
| 167 | 0301315F | MISSILE AND SPACE TECHNICAL COLLECTION | [ ] | [ ] |
| 168 | 0301324F | FOREST GREEN | [ ] | [ ] |
| 169 | 0301386F | GDIP COLLECTION MANAGEMENT | [ ] | [ ] |
| 180 | 0304311F | SELECTED ACTIVITIES | [ ] | [ ] |
| 181 | 0304348F | ADVANCED GEOSPATIAL INTELLIGENCE (AGI) | [ ] | [ ] |
| 188 | 0305124F | SPECIAL APPLICATIONS PROGRAM | [ ] | [ ] |
| 189 | 0305127F | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 191 | 0305142F | APPLIED TECHNOLOGY AND INTEGRATION | [ ] | [ ] |
| 196 | 0305172F | COMBINED ADVANCED APPLICATIONS | [ ] | [ ] |
| 206 | 0305219F | MQ–1 PREDATOR A UAV | 1,400 | 1,400 |
| 999 | 9999999 | OTHER PROGRAMS | 17,111 | 17,111 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE** | **29,286** | **29,286** |
| | | **TOTAL, RDT&E AIR FORCE** | **29,286** | **29,286** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE** | | |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 159 | 0301555G | CLASSIFIED PROGRAMS | [ ] | [ ] |
| 160 | 0301556G | SPECIAL PROGRAM | [ ] | [ ] |
| 165 | 0305193G | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | [ ] | [ ] |
| 181 | 0301301L | GENERAL DEFENSE INTELLIGENCE PROGRAM | [ ] | [ ] |
| 182 | 0301318BB | HUMINT (CONTROLLED) | [ ] | [ ] |
| 183 | 0301371G | CYBER SECURITY INITIATIVE—CCP | [ ] | [ ] |
| 184 | 0301372L | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] |
| 185 | 0301555BZ | CLASSIFIED PROGRAMS | [ ] | [ ] |
| 186 | 0301556BZ | SPECIAL PROGRAM | [ ] | [ ] |
| 198 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 2,750 | 2,750 |
| 204 | 0304345BQ | NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP) | [ ] | [ ] |
| 207 | 0305103G | CYBER SECURITY INITIATIVE | [ ] | [ ] |
| 211 | 0305127L | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 212 | 0305146BZ | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 213 | 0305146L | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] |
| 214 | 0305183L | DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES | [ ] | [ ] |
| 218 | 0305202G | DRAGON U–2 | [ ] | [ ] |
| 219 | 0305206G | AIRBORNE RECONNAISSANCE SYSTEMS | [ ] | [ ] |
| 221 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 222 | 0305208BQ | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 223 | 0305208G | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 225 | 0305208L | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] |
| 226 | 0305219BB | MQ–1 PREDATOR A UAV | [ ] | [ ] |
| 227 | 0305229G | REAL-TIME ARCHITECTURE DEVELOPMENT (RT10) | [ ] | [ ] |
| 231 | 0305880L | COMBATANT COMMAND INTELLIGENCE OPERATIONS | [ ] | [ ] |
| 232 | 0305883L | HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT | [ ] | [ ] |
| 233 | 0305884L | INTELLIGENCE PLANNING AND REVIEW ACTIVITIES | [ ] | [ ] |
| 236 | 0307141G | INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEV | [ ] | [ ] |
| 237 | 0307207G | AERIAL COMMON SENSOR (ACS) | [ ] | [ ] |
| 999 | 9999999 | OTHER PROGRAMS | 113,076 | 113,076 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE** | **115,826** | **115,826** |
| | | **Total, RDT&E Defense-Wide** | **115,826** | **115,826** |
| | | **TOTAL RDT&E** | **310,254** | **293,254** |

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **Operation and Maintenance, Army** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **LAND FORCES** | | |
| 010 | MANEUVER UNITS | 1,020,490 | 1,020,490 |
| 020 | MODULAR SUPPORT BRIGADES | 105,178 | 105,178 |
| 030 | ECHELONS ABOVE BRIGADE | 708,038 | 708,038 |
| 040 | THEATER LEVEL ASSETS | 718,233 | 718,233 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 1,379,529 | 1,315,129 |
| | Budget realignment of combat training center transportation funding in support of helicopter training | | [–64,400] |
| 060 | AVIATION ASSETS | 850,750 | 773,350 |
| | Budget realignment in support of helicopter training | | [–77,400] |
| | **LAND FORCES READINESS** | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 2,088,233 | 2,088,233 |
| 080 | LAND FORCES SYSTEMS READINESS | 633,704 | 633,704 |
| 090 | LAND FORCES DEPOT MAINTENANCE | 692,601 | 695,601 |
| | Texas Defense Manufacturing Supply Chain Initiative | | [3,000] |
| | **LAND FORCES READINESS SUPPORT** | | |
| 100 | BASE OPERATIONS SUPPORT | 7,586,455 | 7,588,155 |
| | Fort Bliss Data Center | | [1,700] |
| 110 | FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION | 2,221,446 | 2,221,446 |
| 120 | MANAGEMENT AND OPERATIONAL HQ | 333,119 | 333,119 |
| 130 | COMBATANT COMMANDERS CORE OPERATIONS | 123,163 | 123,163 |
| 140 | ADDITIONAL ACTIVITIES | 0 | 0 |
| 150 | COMMANDERS EMERGENCY RESPONSE PROGRAM | 0 | 0 |
| 160 | RESET | 0 | 0 |
| 170 | COMBATANT COMMANDERS ANCILLARY MISSIONS | 460,159 | 460,159 |
| | **TOTAL, BA 01: OPERATING FORCES** | **18,921,098** | **18,783,998** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | |
| | **MOBILITY OPERATIONS** | | |
| 180 | STRATEGIC MOBILITY | 228,376 | 228,376 |
| 190 | ARMY PREPOSITIONING STOCKS | 98,129 | 98,129 |
| 200 | INDUSTRIAL PREPAREDNESS | 5,705 | 5,705 |
| | **TOTAL, BA 02: MOBILIZATION** | **332,210** | **332,210** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **ACCESSION TRAINING** | | |
| 210 | OFFICER ACQUISITION | 125,615 | 125,615 |
| 220 | RECRUIT TRAINING | 87,488 | 87,488 |
| 230 | ONE STATION UNIT TRAINING | 59,302 | 59,302 |
| 240 | SENIOR RESERVE OFFICERS TRAINING CORPS | 449,397 | 449,397 |
| | **BASIC SKILL/ADVANCE TRAINING** | | |
| 250 | SPECIALIZED SKILL TRAINING | 970,777 | 971,277 |
| | Rule of law increase | | [500] |
| 260 | FLIGHT TRAINING | 843,893 | 985,693 |
| | Budget realignment in support of helicopter training | | [141,800] |
| 270 | PROFESSIONAL DEVELOPMENT EDUCATION | 166,812 | 166,812 |
| 280 | TRAINING SUPPORT | 702,031 | 702,031 |
| | **RECRUITING/OTHER TRAINING** | | |
| 290 | RECRUITING AND ADVERTISING | 541,852 | 541,852 |
| 300 | EXAMINING | 147,915 | 147,915 |
| 310 | OFF-DUTY AND VOLUNTARY EDUCATION | 238,353 | 238,353 |
| 320 | CIVILIAN EDUCATION AND TRAINING | 217,386 | 217,386 |
| 330 | JUNIOR ROTC | 156,904 | 156,904 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **4,707,725** | **4,850,025** |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SECURITY PROGRAMS** | | |
| 340 | SECURITY PROGRAMS | 1,017,055 | 1,017,055 |
| | **LOGISTICS OPERATIONS** | | |
| 350 | SERVICEWIDE TRANSPORTATION | 540,249 | 540,249 |
| 360 | CENTRAL SUPPLY ACTIVITIES | 614,093 | 614,093 |
| 370 | LOGISTIC SUPPORT ACTIVITIES | 481,318 | 481,318 |
| 380 | AMMUNITION MANAGEMENT | 434,661 | 435,661 |
| | M24 Sniper Weapons System Upgrade | | [1,000] |
| | **SERVICEWIDE SUPPORT** | | |
| 390 | ADMINISTRATION | 776,866 | 776,866 |
| 400 | SERVICEWIDE COMMUNICATIONS | 1,166,491 | 1,141,491 |
| | Servicewide communications underexecution | | [–25,000] |
| 410 | MANPOWER MANAGEMENT | 289,383 | 289,383 |
| 420 | OTHER PERSONNEL SUPPORT | 221,779 | 229,029 |
| | Transfer from O&M, DW BTA for DIMHRS | | [7,250] |
| 430 | OTHER SERVICE SUPPORT | 993,852 | 993,852 |
| 440 | ARMY CLAIMS ACTIVITIES | 215,168 | 215,168 |
| 450 | REAL ESTATE MANAGEMENT | 118,785 | 118,785 |
| | **SUPPORT OF OTHER NATIONS** | | |
| 460 | SUPPORT OF NATO OPERATIONS | 430,449 | 430,449 |
| 470 | MISC. SUPPORT OF OTHER NATIONS | 13,700 | 13,700 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **7,313,849** | **7,297,099** |
| | **Total Operation and Maintenance, Army** | **31,274,882** | **31,263,332** |
| | **Operation and Maintenance, Navy** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 3,814,000 | 3,814,000 |
| 020 | FLEET AIR TRAINING | 120,868 | 120,868 |
| 030 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 52,259 | 52,259 |
| 040 | AIR OPERATIONS AND SAFETY SUPPORT | 121,649 | 121,649 |
| 050 | AIR SYSTEMS SUPPORT | 485,321 | 485,321 |
| 060 | AIRCRAFT DEPOT MAINTENANCE | 1,057,747 | 1,127,774 |
| | Aviation Depot Maintenance | | [70,027] |
| 070 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 32,083 | 32,083 |
| | **SHIP OPERATIONS** | | |
| 080 | MISSION AND OTHER SHIP OPERATIONS | 3,320,222 | 3,320,222 |
| 090 | SHIP OPERATIONS SUPPORT & TRAINING | 699,581 | 699,581 |
| 100 | SHIP DEPOT MAINTENANCE | 4,296,544 | 4,296,544 |
| 110 | SHIP DEPOT OPERATIONS SUPPORT | 1,170,785 | 1,170,785 |
| | **COMBAT OPERATIONS/SUPPORT** | | |
| 120 | COMBAT COMMUNICATIONS | 601,595 | 601,595 |
| 130 | ELECTRONIC WARFARE | 86,019 | 86,019 |
| 140 | SPACE SYSTEMS AND SURVEILLANCE | 167,050 | 167,050 |
| 150 | WARFARE TACTICS | 407,674 | 407,674 |
| 160 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY | 315,228 | 315,228 |
| 170 | COMBAT SUPPORT FORCES | 758,789 | 758,789 |
| 180 | EQUIPMENT MAINTENANCE | 186,794 | 186,794 |
| 190 | DEPOT OPERATIONS SUPPORT | 3,305 | 3,305 |
| 200 | COMBATANT COMMANDERS CORE OPERATIONS | 167,789 | 167,789 |
| 210 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 259,188 | 252,188 |
| | Reduction for National Program for Small Unit Excellence | | [–7,000] |
| | **WEAPONS SUPPORT** | | |
| 220 | CRUISE MISSILE | 131,895 | 131,895 |
| 230 | FLEET BALLISTIC MISSILE | 1,145,020 | 1,145,020 |
| 240 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 64,731 | 64,731 |
| 250 | WEAPONS MAINTENANCE | 448,777 | 460,777 |
| | Gun depot overhauls | | [12,000] |
| 260 | OTHER WEAPON SYSTEMS SUPPORT | 326,535 | 326,535 |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **BASE SUPPORT** | | |
| 270 | ENTERPRISE INFORMATION | 1,095,587 | 1,095,587 |
| 280 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 1,746,418 | 1,746,418 |
| 290 | BASE OPERATING SUPPORT | 4,058,046 | 4,058,046 |
| | **TOTAL, BA 01: OPERATING FORCES** | **27,141,499** | **27,216,526** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | |
| | **READY RESERVE AND PREPOSITIONING FORCES** | | |
| 300 | SHIP PREPOSITIONING AND SURGE | 407,977 | 407,977 |
| | **ACTIVATIONS/INACTIVATIONS** | | |
| 310 | AIRCRAFT ACTIVATIONS/INACTIVATIONS | 7,491 | 7,491 |
| 320 | SHIP ACTIVATIONS/INACTIVATIONS | 192,401 | 195,401 |
| | Navy Ship Disposal-Carrier Demonstration Program | | [3,000] |
| | **MOBILIZATION PREPAREDNESS** | | |
| 330 | FLEET HOSPITAL PROGRAM | 24,546 | 24,546 |
| 340 | INDUSTRIAL READINESS | 2,409 | 2,409 |
| 350 | COAST GUARD SUPPORT | 25,727 | 25,727 |
| | **TOTAL, BA 02: MOBILIZATION** | **660,551** | **663,551** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **ACCESSION TRAINING** | | |
| 360 | OFFICER ACQUISITION | 145,027 | 145,027 |
| 370 | RECRUIT TRAINING | 11,011 | 11,011 |
| 380 | RESERVE OFFICERS TRAINING CORPS | 127,490 | 127,490 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | |
| 390 | SPECIALIZED SKILL TRAINING | 477,383 | 477,383 |
| 400 | FLIGHT TRAINING | 1,268,846 | 1,268,846 |
| 410 | PROFESSIONAL DEVELOPMENT EDUCATION | 161,922 | 161,922 |
| 420 | TRAINING SUPPORT | 158,685 | 158,685 |
| | **RECRUITING, AND OTHER TRAINING AND EDUCATION** | | |
| 430 | RECRUITING AND ADVERTISING | 276,564 | 277,215 |
| | Navy Sea Cadet Corps | | [651] |
| 440 | OFF-DUTY AND VOLUNTARY EDUCATION | 154,979 | 154,979 |
| 450 | CIVILIAN EDUCATION AND TRAINING | 101,556 | 101,556 |
| 460 | JUNIOR ROTC | 49,161 | 49,161 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **2,932,624** | **2,933,275** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE SUPPORT** | | |
| 470 | ADMINISTRATION | 768,048 | 768,048 |
| 480 | EXTERNAL RELATIONS | 6,171 | 6,171 |
| 490 | CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT | 114,675 | 114,675 |
| 500 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 182,115 | 189,365 |
| | Transfer from O&M, DW BTA for DIMHRS | | [7,250] |
| 510 | OTHER PERSONNEL SUPPORT | 298,729 | 298,729 |
| 520 | SERVICEWIDE COMMUNICATIONS | 408,744 | 393,744 |
| | Servicewide communications underexecution | | [–15,000] |
| 530 | MEDICAL ACTIVITIES | 0 | 0 |
| | **LOGISTICS OPERATIONS AND TECHNICAL SUPPORT** | | |
| 540 | SERVICEWIDE TRANSPORTATION | 246,989 | 246,989 |
| 550 | ENVIRONMENTAL PROGRAMS | 0 | 0 |
| 560 | PLANNING, ENGINEERING AND DESIGN | 244,337 | 244,337 |
| 570 | ACQUISITION AND PROGRAM MANAGEMENT | 778,501 | 778,501 |
| 580 | HULL, MECHANICAL AND ELECTRICAL SUPPORT | 60,223 | 60,223 |
| 590 | COMBAT/WEAPONS SYSTEMS | 17,328 | 17,328 |
| 600 | SPACE AND ELECTRONIC WARFARE SYSTEMS | 79,065 | 79,065 |
| | **INVESTIGATIONS AND SECURITY PROGRAMS** | | |
| 610 | NAVAL INVESTIGATIVE SERVICE | 515,989 | 515,989 |
| | **SUPPORT OF OTHER NATIONS** | | |
| 670 | INTERNATIONAL HEADQUARTERS AND AGENCIES | 5,918 | 5,918 |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

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| | **CANCELLED ACCOUNTS** | | |
| 680 | CANCELLED ACCOUNT ADJUSTMENTS | 0 | 0 |
| 690 | JUDGMENT FUND | 0 | 0 |
| | **OTHER PROGRAMS** | | |
| 999 | OTHER PROGRAMS | 608,840 | 608,840 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **4,335,672** | **4,327,922** |
| | Unobligated balances estimate | | –100,000 |
| | **Total Operation and Maintenance, Navy** | **35,070,346** | **35,041,274** |
| | **Operation and Maintenance, Marine Corps** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **EXPEDITIONARY FORCES** | | |
| 010 | OPERATIONAL FORCES | 730,931 | 737,931 |
| | Family of shelter and tents | | [2,000] |
| | Flame Resistant Organizational Gear | | [1,500] |
| | Ultra Lightweight Camouflage Net System | | [3,500] |
| 020 | FIELD LOGISTICS | 591,020 | 591,020 |
| 030 | DEPOT MAINTENANCE | 80,971 | 80,971 |
| | **USMC PREPOSITIONING** | | |
| 050 | MARITIME PREPOSITIONING | 72,182 | 72,182 |
| 060 | NORWAY PREPOSITIONING | 5,090 | 5,090 |
| | **COMBAT OPERATIONS/SUPPORT** | | |
| 070 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 0 | 0 |
| | **BASE SUPPORT** | | |
| 080 | SUSTAINMENT, RESTORATION, & MODERNIZATION | 666,330 | 666,330 |
| 090 | BASE OPERATING SUPPORT | 2,250,191 | 2,250,191 |
| | **TOTAL, BA 01: OPERATING FORCES** | **4,396,715** | **4,403,715** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **ACCESSION TRAINING** | | |
| 100 | RECRUIT TRAINING | 16,129 | 16,129 |
| 110 | OFFICER ACQUISITION | 418 | 418 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | |
| 120 | SPECIALIZED SKILL TRAINING | 67,336 | 67,336 |
| 130 | FLIGHT TRAINING | 369 | 369 |
| 140 | PROFESSIONAL DEVELOPMENT EDUCATION | 28,112 | 28,112 |
| 150 | TRAINING SUPPORT | 330,885 | 330,885 |
| | **RECRUITING AND OTHER TRAINING EDUCATION** | | |
| 160 | RECRUITING AND ADVERTISING | 240,832 | 240,832 |
| 170 | OFF-DUTY AND VOLUNTARY EDUCATION | 64,254 | 64,254 |
| 180 | JUNIOR ROTC | 19,305 | 19,305 |
| | **BASE SUPPORT** | | |
| 190 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 0 | 0 |
| 200 | BASE OPERATING SUPPORT | 0 | 0 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **767,640** | **767,640** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE SUPPORT** | | |
| 210 | SPECIAL SUPPORT | 299,065 | 299,065 |
| 220 | SERVICEWIDE TRANSPORTATION | 28,924 | 28,924 |
| 230 | ADMINISTRATION | 43,879 | 43,879 |
| | **BASE SUPPORT** | | |
| 240 | SUSTAINMENT, RESTORATION, AND MODERNIZATION | 0 | 0 |
| 250 | BASE OPERATING SUPPORT | 0 | 0 |

OPERATION AND MAINTENANCE
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| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **371,868** | **371,868** |
| | **Total Operation and Maintenance, Marine Corps** | **5,536,223** | **5,543,223** |
| | **Operation and Maintenance, Air Force** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | PRIMARY COMBAT FORCES | 4,017,156 | 4,017,156 |
| 020 | COMBAT ENHANCEMENT FORCES | 2,754,563 | 2,754,563 |
| 030 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 1,414,913 | 1,416,413 |
| | Air Education and Training Command Range Improvements | | [1,500] |
| 050 | DEPOT MAINTENANCE | 2,389,738 | 2,389,738 |
| 060 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 1,420,083 | 1,420,083 |
| 070 | BASE SUPPORT | 2,859,943 | 2,860,183 |
| | Wage Modification for US Azores Portugese National Employees | | [240] |
| | **COMBAT RELATED OPERATIONS** | | |
| 080 | GLOBAL C3I AND EARLY WARNING | 1,411,813 | 1,411,813 |
| 090 | OTHER COMBAT OPS SPT PROGRAMS | 880,353 | 880,353 |
| 110 | TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES | 552,148 | 552,148 |
| | **SPACE OPERATIONS** | | |
| 120 | LAUNCH FACILITIES | 356,367 | 356,367 |
| 130 | SPACE CONTROL SYSTEMS | 725,646 | 725,646 |
| | **COCOM** | | |
| 140 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 608,796 | 608,796 |
| 150 | COMBATANT COMMANDERS CORE OPERATIONS | 216,073 | 216,073 |
| | **TOTAL, BA 01: OPERATING FORCES** | **19,607,592** | **19,609,332** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | |
| | **MOBILITY OPERATIONS** | | |
| 160 | AIRLIFT OPERATIONS | 2,932,080 | 2,934,080 |
| | Warner Robins Air Logistics Center Strategic Airlift Aircraft Availability Improvements | | [2,000] |
| 170 | MOBILIZATION PREPAREDNESS | 211,858 | 211,858 |
| 180 | DEPOT MAINTENANCE | 332,226 | 332,226 |
| 190 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 362,954 | 362,954 |
| 200 | BASE SUPPORT | 657,830 | 657,830 |
| | **TOTAL, BA 02: MOBILIZATION** | **4,496,948** | **4,498,948** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **ACCESSION TRAINING** | | |
| 210 | OFFICER ACQUISITION | 120,870 | 120,870 |
| 220 | RECRUIT TRAINING | 18,135 | 18,135 |
| 230 | RESERVE OFFICERS TRAINING CORPS (ROTC) | 88,414 | 88,414 |
| 240 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 372,788 | 372,788 |
| 250 | BASE SUPPORT | 685,029 | 685,029 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | |
| 260 | SPECIALIZED SKILL TRAINING | 514,048 | 514,048 |
| 270 | FLIGHT TRAINING | 833,005 | 833,005 |
| 280 | PROFESSIONAL DEVELOPMENT EDUCATION | 215,676 | 215,676 |
| 290 | TRAINING SUPPORT | 118,877 | 118,877 |
| 300 | DEPOT MAINTENANCE | 576 | 576 |
| | **RECRUITING, AND OTHER TRAINING AND EDUCATION** | | |
| 320 | RECRUITING AND ADVERTISING | 152,983 | 152,983 |
| 330 | EXAMINING | 5,584 | 5,584 |
| 340 | OFF-DUTY AND VOLUNTARY EDUCATION | 188,198 | 188,198 |
| 350 | CIVILIAN EDUCATION AND TRAINING | 174,151 | 174,151 |
| 360 | JUNIOR ROTC | 67,549 | 67,549 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **3,555,883** | **3,555,883** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |

**OPERATION AND MAINTENANCE**
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| | **LOGISTICS OPERATIONS** | | |
| 370 | LOGISTICS OPERATIONS | 1,055,672 | 1,055,672 |
| 380 | TECHNICAL SUPPORT ACTIVITIES | 735,036 | 735,036 |
| 400 | DEPOT MAINTENANCE | 15,411 | 15,411 |
| 410 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 359,562 | 359,562 |
| 420 | BASE SUPPORT | 1,410,097 | 1,410,097 |
| | **SERVICEWIDE ACTIVITIES** | | |
| 430 | ADMINISTRATION | 646,080 | 643,330 |
| | Servicewide administration | | [–10,000] |
| | Transfer from O&M, DW BTA for DIMHRS | | [7,250] |
| 440 | SERVICEWIDE COMMUNICATIONS | 581,951 | 581,951 |
| 450 | OTHER SERVICEWIDE ACTIVITIES | 1,062,803 | 1,062,803 |
| 460 | CIVIL AIR PATROL | 22,433 | 22,433 |
| | **SECURITY PROGRAMS** | | |
| 470 | SECURITY PROGRAMS | 1,148,704 | 1,148,704 |
| | **SUPPORT TO OTHER NATIONS** | | |
| 480 | INTERNATIONAL SUPPORT | 49,987 | 49,987 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **7,087,736** | **7,084,986** |
| | USAF Civilian Underexecution | | –50,000 |
| | Unobligated Balances Estimate | | –172,000 |
| | **Total Operation and Maintenance, Air Force** | **34,748,159** | **34,527,149** |
| | **Operation and Maintenance, Defense-wide** | | |
| | **BUDGET ACTIVITY 1: OPERATING FORCES** | | |
| | **DEFENSE-WIDE ACTIVITIES** | | |
| 010 | JOINT CHIEFS OF STAFF | 457,169 | 457,169 |
| 020 | SPECIAL OPERATIONS COMMAND | 3,611,492 | 3,612,992 |
| | Special Operations Forces Modular Glove System | | [1,500] |
| | **TOTAL, BUDGET ACTIVITY 1:** | **4,068,661** | **4,070,161** |
| | **BUDGET ACTIVITY 3: TRAINING AND RECRUITING** | | |
| | **DEFENSE-WIDE ACTIVITIES** | | |
| 030 | DEFENSE ACQUISITION UNIVERSITY | 115,497 | 115,497 |
| | **RECRUITING AND OTHER TRAINING EDUCATION** | | |
| 040 | NATIONAL DEFENSE UNIVERSITY | 103,408 | 103,408 |
| | **TOTAL, BUDGET ACTIVITY 3:** | **218,905** | **218,905** |
| | **BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES** | | |
| | **DEFENSE-WIDE ACTIVITIES** | | |
| 050 | AMERICAN FORCES INFORMATION SERVICE | 0 | 0 |
| 060 | CIVIL MILITARY PROGRAMS | 132,231 | 152,231 |
| | National Guard Youth Challenge Program | | [5,000] |
| | Junior ROTC | | [15,000] |
| 080 | CLASSIFIED AND INTELLIGENCE | 0 | 0 |
| 090 | DEFENSE BUSINESS TRANSFORMATION AGENCY | 139,579 | 117,829 |
| | DIMHRS Transfer to Services (Army, Navy and Air Force) | | [–21,750] |
| 100 | DEFENSE CONTRACT AUDIT AGENCY | 458,316 | 458,316 |
| 110 | DEFENSE FINANCE AND ACCOUNTING SERVICE | 0 | 0 |
| 120 | DEFENSE HUMAN RESOURCES ACTIVITY | 665,743 | 665,743 |
| 130 | DEFENSE INFORMATION SYSTEMS AGENCY | 1,322,163 | 1,322,163 |
| 150 | DEFENSE LEGAL SERVICES | 42,532 | 42,532 |
| 160 | DEFENSE LOGISTICS AGENCY | 405,873 | 414,873 |
| | Procurement and Technical Assistance Program | | [9,000] |
| 170 | DEFENSE MEDIA ACTIVITY | 253,667 | 253,667 |
| 180 | DEFENSE POW/MIA OFFICE | 20,679 | 20,679 |
| 190 | DEFENSE TECHNOLOGY SECURITY AGENCY | 34,325 | 34,325 |
| 200 | DEFENSE THREAT REDUCTION AGENCY | 385,453 | 385,453 |
| 210 | DEPARTMENT OF DEFENSE EDUCATION AGENCY | 2,302,116 | 2,305,516 |

**OPERATION AND MAINTENANCE**
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| | *SoAR Recruiting Initiative* | | [3,400] |
| 220 | DEFENSE CONTRACT MANAGEMENT AGENCY | 1,058,721 | 1,058,721 |
| 230 | DEFENSE SECURITY COOPERATION AGENCY | 721,756 | 621,756 |
| | *Security and Stabilization (1207)* | | [–100,000] |
| 240 | DEFENSE SECURITY SERVICE | 497,857 | 497,857 |
| | NATIONAL GUARD BORDER SECURITY | 0 | 0 |
| 260 | OFFICE OF ECONOMIC ADJUSTMENT | 37,166 | 38,166 |
| | *Redevelopment of Naval Station Ingleside* | | [1,000] |
| 270 | OFFICE OF THE SECRETARY OF DEFENSE | 1,955,985 | 1,977,985 |
| | *Readiness and Environmental Protection Initiative* | | [20,000] |
| | *Critical Language Training* | | [2,000] |
| 280 | WASHINGTON HEADQUARTERS SERVICE | 589,309 | 589,309 |
| | **OTHER PROGRAMS** | | |
| 999 | OTHER PROGRAMS | 13,046,209 | 13,046,209 |
| | **TOTAL, BUDGET ACTIVITY 4:** | **24,069,680** | **24,003,330** |
| | *Impact Aid* | | 30,000 |
| | *Impact aid for children with severe disabilities* | | 5,000 |
| | **Total Operation and Maintenance, Defense-Wide** | **28,357,246** | **28,327,396** |
| | **Operation and Maintenance, Army Reserve** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **LAND FORCES** | | |
| 010 | MANEUVER UNITS | 1,403 | 1,403 |
| 020 | MODULAR SUPPORT BRIGADES | 12,707 | 12,707 |
| 030 | ECHELONS ABOVE BRIGADE | 468,288 | 468,288 |
| 040 | THEATER LEVEL ASSETS | 152,439 | 152,439 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 520,420 | 520,420 |
| 060 | AVIATION ASSETS | 61,063 | 61,063 |
| | **LAND FORCES READINESS** | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 290,443 | 290,443 |
| 080 | LAND FORCES SYSTEMS READINESS | 106,569 | 106,569 |
| 090 | LAND FORCES DEPOT MAINTENANCE | 94,499 | 94,499 |
| | **LAND FORCES READINESS SUPPORT** | | |
| 100 | BASE OPERATIONS SUPPORT | 522,310 | 522,310 |
| 110 | FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION | 234,748 | 234,748 |
| 120 | ADDITIONAL ACTIVITIES | 0 | 0 |
| | **TOTAL, BA 01: OPERATING FORCES** | **2,464,889** | **2,464,889** |
| | **LOGISTICS OPERATIONS** | | |
| 130 | SERVICEWIDE TRANSPORTATION | 9,291 | 9,291 |
| | **SERVICEWIDE SUPPORT** | | |
| 140 | ADMINISTRATION | 72,075 | 72,075 |
| 150 | SERVICEWIDE COMMUNICATIONS | 3,635 | 3,635 |
| 160 | MANPOWER MANAGEMENT | 9,104 | 9,104 |
| 170 | RECRUITING AND ADVERTISING | 61,202 | 61,202 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **155,307** | **155,307** |
| | **Total Operation and Maintenance, Army Reserve** | **2,620,196** | **2,620,196** |
| | **Operation and Maintenance, Navy Reserve** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 570,319 | 570,319 |
| 020 | INTERMEDIATE MAINTENANCE | 16,596 | 16,596 |
| 030 | AIR OPERATIONS AND SAFETY SUPPORT | 3,171 | 3,171 |
| 040 | AIRCRAFT DEPOT MAINTENANCE | 125,004 | 125,004 |

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| 050 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 397 | 397 |
| | **SHIP OPERATIONS** | | |
| 060 | MISSION AND OTHER SHIP OPERATIONS | 55,873 | 55,873 |
| 070 | SHIP OPERATIONS SUPPORT & TRAINING | 592 | 592 |
| 080 | SHIP DEPOT MAINTENANCE | 41,899 | 41,899 |
| | **COMBAT OPERATIONS SUPPORT** | | |
| 090 | COMBAT COMMUNICATIONS | 15,241 | 15,241 |
| 100 | COMBAT SUPPORT FORCES | 142,924 | 142,924 |
| | **WEAPONS SUPPORT** | | |
| 110 | WEAPONS MAINTENANCE | 5,494 | 5,494 |
| | **BASE SUPPORT** | | |
| 120 | ENTERPRISE INFORMATION | 83,611 | 83,611 |
| 130 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 69,853 | 69,853 |
| 140 | BASE OPERATING SUPPORT | 124,757 | 124,757 |
| | **TOTAL, BA 01: OPERATING FORCES** | **1,255,731** | **1,255,731** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE SUPPORT** | | |
| 150 | ADMINISTRATION | 3,323 | 3,323 |
| 160 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 13,897 | 13,897 |
| 170 | SERVICEWIDE COMMUNICATIONS | 1,957 | 1,957 |
| 180 | OTHER SERVICEWIDE POWER | 0 | 0 |
| | **LOGISTICS OPERATIONS AND TECHNICAL SUPPORT** | | |
| 190 | ACQUISITION AND PROGRAM MANAGEMENT | 3,593 | 3,593 |
| | **CANCELLED ACCOUNTS** | | |
| 200 | CANCELLED ACCOUNT ADJUSTMENTS | 0 | 0 |
| 210 | JUDGMENT FUND | 0 | 0 |
| | **OTHER PROGRAMS** | | |
| 999 | OTHER PROGRAMS | 0 | 0 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **22,770** | **22,770** |
| | **Total Operation and Maintenance, Navy Reserve** | **1,278,501** | **1,278,501** |
| | **Operation and Maintenance, Marine Corps Reserve** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **EXPEDITIONARY FORCES** | | |
| 010 | OPERATING FORCES | 61,117 | 61,117 |
| 020 | DEPOT MAINTENANCE | 13,217 | 13,217 |
| 030 | TRAINING SUPPORT | 29,373 | 29,373 |
| | **BASE SUPPORT** | | |
| 040 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 25,466 | 25,466 |
| 050 | BASE OPERATING SUPPORT | 73,899 | 73,899 |
| | **TOTAL, BA 01: OPERATING FORCES** | **203,072** | **203,072** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE ACTIVITIES** | | |
| 060 | SPECIAL SUPPORT | 5,639 | 5,639 |
| 070 | SERVICEWIDE TRANSPORTATION | 818 | 818 |
| 080 | ADMINISTRATION | 10,642 | 10,642 |
| 090 | RECRUITING AND ADVERTISING | 8,754 | 8,754 |
| | **BASE SUPPORT** | | |
| 100 | BASE OPERATING SUPPORT | 0 | 0 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **25,853** | **25,853** |

**OPERATION AND MAINTENANCE**
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| | ***Total Operation and Maintenance, Marine Corps Reserve*** | **228,925** | **228,925** |
| | ***Operation and Maintenance, Air Force Reserve*** | | |
| | ***BUDGET ACTIVITY 01: OPERATING FORCES*** | | |
| | ***AIR OPERATIONS*** | | |
| 010 | PRIMARY COMBAT FORCES | 2,049,303 | 2,049,303 |
| 020 | MISSION SUPPORT OPERATIONS | 121,417 | 121,417 |
| 030 | DEPOT MAINTENANCE | 441,958 | 441,958 |
| 040 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 78,763 | 78,763 |
| 050 | BASE SUPPORT | 258,091 | 258,091 |
| | ***TOTAL, BA 01: OPERATING FORCES*** | **2,949,532** | **2,949,532** |
| | ***BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES*** | | |
| | ***SERVICEWIDE ACTIVITIES*** | | |
| 060 | ADMINISTRATION | 77,476 | 77,476 |
| 070 | RECRUITING AND ADVERTISING | 24,553 | 24,553 |
| 080 | MILITARY MANPOWER AND PERS MGMT (ARPC) | 20,838 | 20,838 |
| 090 | OTHER PERS SUPPORT (DISABILITY COMP) | 6,121 | 6,121 |
| 100 | AUDIOVISUAL | 708 | 708 |
| | ***TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES*** | **129,696** | **129,696** |
| | ***Total Operation and Maintenance, Air Force Reserve*** | **3,079,228** | **3,079,228** |
| | ***Operation and Maintenance, Army National Guard*** | | |
| | ***BUDGET ACTIVITY 01: OPERATING FORCES*** | | |
| | ***LAND FORCES*** | | |
| 010 | MANEUVER UNITS | 876,269 | 876,269 |
| 020 | MODULAR SUPPORT BRIGADES | 173,843 | 173,843 |
| 030 | ECHELONS ABOVE BRIGADE | 615,160 | 615,160 |
| 040 | THEATER LEVEL ASSETS | 253,997 | 253,997 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 34,441 | 34,441 |
| 060 | AVIATION ASSETS | 819,031 | 821,281 |
| | Joint Command Vehicle and Supporting C3 Systems | | [2,250] |
| | ***LAND FORCES READINESS*** | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 436,799 | 436,799 |
| 080 | LAND FORCES SYSTEMS READINESS | 99,757 | 99,757 |
| 090 | LAND FORCES DEPOT MAINTENANCE | 379,646 | 379,646 |
| | ***LAND FORCES READINESS SUPPORT*** | | |
| 100 | BASE OPERATIONS SUPPORT | 798,343 | 800,943 |
| | North Carolina National Guard Family Assistance Centers | | [1,600] |
| | Our Military Kids | | [1,000] |
| 110 | FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION | 580,171 | 580,471 |
| | Camp Ethan Allen Training Site Road Equipment | | [300] |
| 120 | MANAGEMENT AND OPERATIONAL HQ | 573,452 | 573,452 |
| 130 | ADDITIONAL ACTIVITIES | 0 | 0 |
| | ***TOTAL, BA 01: OPERATING FORCES*** | **5,640,909** | **5,646,059** |
| | ***BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES*** | | |
| | ***SERVICEWIDE SUPPORT*** | | |
| 140 | ADMINISTRATION | 119,186 | 119,186 |
| 150 | SERVICEWIDE COMMUNICATIONS | 48,020 | 48,020 |
| 160 | MANPOWER MANAGEMENT | 7,920 | 7,920 |
| 170 | RECRUITING AND ADVERTISING | 440,999 | 440,999 |
| | ***TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES*** | **616,125** | **616,125** |

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| | **Total Operation and Maintenance, Army National Guard** | **6,257,034** | **6,262,184** |
| | **Operation and Maintenance, Air National Guard** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | AIRCRAFT OPERATIONS | 3,347,685 | 3,347,685 |
| 020 | MISSION SUPPORT OPERATIONS | 779,917 | 779,917 |
| 030 | DEPOT MAINTENANCE | 780,347 | 780,347 |
| 040 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 302,949 | 302,949 |
| 050 | BASE SUPPORT | 606,916 | 606,916 |
| | **TOTAL, BA 01: OPERATING FORCES** | **5,817,814** | **5,817,814** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE ACTIVITIES** | | |
| 060 | ADMINISTRATION | 35,174 | 35,174 |
| 070 | RECRUITING AND ADVERTISING | 32,773 | 32,773 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **67,947** | **67,947** |
| | **Total Operation and Maintenance, Air National Guard** | **5,885,761** | **5,885,761** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 010 | US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE | 13,932 | 13,932 |
| 010 | ACQUISITION WORKFORCE DEVELOPMENT FUND | 100,000 | 100,000 |
| 010 | OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID | 109,869 | 109,869 |
| 010 | COOPERATIVE THREAT REDUCTION | 404,093 | 424,093 |
| | Program increase | | [20,000] |
| 020 | ENVIRONMENTAL RESTORATION, ARMY | 415,864 | 415,864 |
| 030 | ENVIRONMENTAL RESTORATION, NAVY | 285,869 | 285,869 |
| 040 | ENVIRONMENTAL RESTORATION, AIR FORCE | 494,276 | 494,276 |
| 050 | ENVIRONMENTAL RESTORATION, DEFENSE | 11,100 | 11,100 |
| 060 | ENVIRONMENTAL RESTORATION FORMERLY USED SITES | 267,700 | 267,700 |
| 070 | OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND | 5,000 | 0 |
| | Program decrease | | [–5,000] |
| 080 | IRAQ FREEDOM FUND | 0 | 0 |
| | **TOTAL, MISCELLANEOUS APPROPRIATIONS** | **2,107,703** | **2,122,703** |
| | **TOTAL TITLE III—OPERATION AND MAINTENANCE** | **156,444,204** | **156,179,872** |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
*(In Thousands of Dollars)*

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **Operation and Maintenance, Army** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **LAND FORCES READINESS SUPPORT** | | |
| 140 | ADDITIONAL ACTIVITIES | 36,330,899 | 36,330,899 |
| 150 | COMMANDERS EMERGENCY RESPONSE PROGRAM | 1,500,000 | 1,300,000 |
| | Program reduction | | [–200,000] |
| 160 | RESET | 7,867,551 | 7,867,551 |
| | **TOTAL, BA 01: OPERATING FORCES** | **45,698,450** | **45,498,450** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SECURITY PROGRAMS** | | |
| 340 | SECURITY PROGRAMS | 1,426,309 | 1,426,309 |
| | **LOGISTICS OPERATIONS** | | |
| 350 | SERVICEWIDE TRANSPORTATION | 5,045,902 | 5,045,902 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
*(In Thousands of Dollars)*

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **6,472,211** | **6,472,211** |
| | *Army end strength budget amendment* | | *[196,100]* |
| | **Total Operation and Maintenance, Army** | **52,170,661** | **52,166,761** |
| | **Operation and Maintenance, Navy** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 1,138,398 | 1,138,398 |
| 020 | FLEET AIR TRAINING | 2,640 | 2,640 |
| 030 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 1,212 | 1,212 |
| 040 | AIR OPERATIONS AND SAFETY SUPPORT | 26,815 | 26,815 |
| 050 | AIR SYSTEMS SUPPORT | 44,532 | 44,532 |
| 060 | AIRCRAFT DEPOT MAINTENANCE | 158,559 | 158,559 |
| | **SHIP OPERATIONS** | | |
| 080 | MISSION AND OTHER SHIP OPERATIONS | 651,209 | 651,209 |
| 090 | SHIP OPERATIONS SUPPORT & TRAINING | 22,489 | 22,489 |
| 100 | SHIP DEPOT MAINTENANCE | 1,001,037 | 1,001,037 |
| | *Transfer to base* | | |
| | **COMBAT OPERATIONS/SUPPORT** | | |
| 120 | COMBAT COMMUNICATIONS | 20,704 | 20,704 |
| 150 | WARFARE TACTICS | 15,918 | 15,918 |
| 160 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY | 16,889 | 16,889 |
| 170 | COMBAT SUPPORT FORCES | 1,891,799 | 1,891,799 |
| 180 | EQUIPMENT MAINTENANCE | 306 | 306 |
| 200 | COMBATANT COMMANDERS CORE OPERATIONS | 6,929 | 6,929 |
| 210 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 7,344 | 7,344 |
| | **WEAPONS SUPPORT** | | |
| 240 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 68,759 | 68,759 |
| 250 | WEAPONS MAINTENANCE | 82,496 | 82,496 |
| 260 | OTHER WEAPON SYSTEMS SUPPORT | 16,902 | 16,902 |
| | **BASE SUPPORT** | | |
| 280 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 7,629 | 7,629 |
| 290 | BASE OPERATING SUPPORT | 338,604 | 338,604 |
| | **TOTAL, BA 01: OPERATING FORCES** | **5,521,170** | **5,521,170** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | |
| | **READY RESERVE AND PREPOSITIONING FORCES** | | |
| 300 | SHIP PREPOSITIONING AND SURGE | 27,290 | 27,290 |
| | **MOBILIZATION PREPAREDNESS** | | |
| 330 | FLEET HOSPITAL PROGRAM | 4,336 | 4,336 |
| 350 | COAST GUARD SUPPORT | 245,039 | 245,039 |
| | **TOTAL, BA 02: MOBILIZATION** | **276,665** | **276,665** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | |
| 390 | SPECIALIZED SKILL TRAINING | 97,995 | 97,995 |
| 420 | TRAINING SUPPORT | 5,463 | 5,463 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **103,458** | **103,458** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE SUPPORT** | | |
| 470 | ADMINISTRATION | 3,899 | 3,899 |
| 480 | EXTERNAL RELATIONS | 463 | 463 |
| 500 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 563 | 563 |
| 510 | OTHER PERSONNEL SUPPORT | 2,525 | 2,525 |
| 520 | SERVICEWIDE COMMUNICATIONS | 23,557 | 23,557 |
| | **LOGISTICS OPERATIONS AND TECHNICAL SUPPORT** | | |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| 540 | SERVICEWIDE TRANSPORTATION | 223,890 | 223,890 |
| 570 | ACQUISITION AND PROGRAM MANAGEMENT | 642 | 642 |
| | **INVESTIGATIONS AND SECURITY PROGRAMS** | | |
| 610 | NAVAL INVESTIGATIVE SERVICE | 37,452 | 37,452 |
| | **OTHER PROGRAMS** | | |
| 999 | OTHER PROGRAMS | 25,299 | 25,299 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **318,290** | **318,290** |
| | **Total Operation and Maintenance, Navy** | **6,219,583** | **6,219,583** |
| | **Operation and Maintenance, Marine Corps** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **EXPEDITIONARY FORCES** | | |
| 010 | OPERATIONAL FORCES | 2,048,844 | 2,048,844 |
| 020 | FIELD LOGISTICS | 486,014 | 486,014 |
| 030 | DEPOT MAINTENANCE | 554,000 | 554,000 |
| | **USMC PREPOSITIONING** | | |
| 060 | NORWAY PREPOSITIONING | 950 | 950 |
| | **BASE SUPPORT** | | |
| 090 | BASE OPERATING SUPPORT | 121,700 | 121,700 |
| | **TOTAL, BA 01: OPERATING FORCES** | **3,211,508** | **3,211,508** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | |
| 120 | SPECIALIZED SKILL TRAINING | 6,303 | 6,303 |
| 140 | PROFESSIONAL DEVELOPMENT EDUCATION | 923 | 923 |
| 150 | TRAINING SUPPORT | 205,625 | 205,625 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **212,851** | **212,851** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **SERVICEWIDE SUPPORT** | | |
| 210 | SPECIAL SUPPORT | 2,576 | 2,576 |
| 220 | SERVICEWIDE TRANSPORTATION | 269,415 | 269,415 |
| 230 | ADMINISTRATION | 5,250 | 5,250 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **277,241** | **277,241** |
| | **Total Operation and Maintenance, Marine Corps** | **3,701,600** | **3,701,600** |
| | **Operation and Maintenance, Air Force** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | PRIMARY COMBAT FORCES | 1,582,431 | 1,582,431 |
| 020 | COMBAT ENHANCEMENT FORCES | 1,460,018 | 1,460,018 |
| 030 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 109,255 | 109,255 |
| 050 | DEPOT MAINTENANCE | 304,540 | 304,540 |
| 060 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 121,881 | 121,881 |
| 070 | BASE SUPPORT | 1,394,809 | 1,394,809 |
| | **COMBAT RELATED OPERATIONS** | | |
| 080 | GLOBAL C3I AND EARLY WARNING | 130,885 | 130,885 |
| 090 | OTHER COMBAT OPS SPT PROGRAMS | 407,554 | 407,554 |
| | **SPACE OPERATIONS** | | |
| 130 | SPACE CONTROL SYSTEMS | 38,677 | 38,677 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **COCOM** | | |
| 140 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 157,000 | 157,000 |
| | **TOTAL, BA 01: OPERATING FORCES** | **5,707,050** | **5,707,050** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | |
| | **MOBILITY OPERATIONS** | | |
| 160 | AIRLIFT OPERATIONS | 3,171,148 | 3,171,148 |
| 170 | MOBILIZATION PREPAREDNESS | 169,659 | 169,659 |
| 180 | DEPOT MAINTENANCE | 167,070 | 167,070 |
| 190 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 942 | 942 |
| 200 | BASE SUPPORT | 45,998 | 45,998 |
| | **TOTAL, BA 02: MOBILIZATION** | **3,554,817** | **3,554,817** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | |
| | **ACCESSION TRAINING** | | |
| 240 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 1,019 | 1,019 |
| 250 | BASE SUPPORT | 19,361 | 19,361 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | |
| 260 | SPECIALIZED SKILL TRAINING | 48,442 | 48,442 |
| 270 | FLIGHT TRAINING | 291 | 291 |
| 280 | PROFESSIONAL DEVELOPMENT EDUCATION | 1,500 | 1,500 |
| 290 | TRAINING SUPPORT | 1,427 | 1,427 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **72,040** | **72,040** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | |
| | **LOGISTICS OPERATIONS** | | |
| 370 | LOGISTICS OPERATIONS | 328,009 | 328,009 |
| 420 | BASE SUPPORT | 35,322 | 35,322 |
| | **SERVICEWIDE ACTIVITIES** | | |
| 430 | ADMINISTRATION | 9,000 | 9,000 |
| 440 | SERVICEWIDE COMMUNICATIONS | 178,470 | 178,470 |
| | **SECURITY PROGRAMS** | | |
| 470 | SECURITY PROGRAMS | 142,160 | 142,160 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **692,961** | **692,961** |
| | **Total Operation and Maintenance, Air Force** | **10,026,868** | **10,026,868** |
| | **Operation and Maintenance, Defense-wide** | | |
| | **BUDGET ACTIVITY 1: OPERATING FORCES** | | |
| | **DEFENSE-WIDE ACTIVITIES** | | |
| 010 | JOINT CHIEFS OF STAFF | 25,000 | 25,000 |
| 020 | SPECIAL OPERATIONS COMMAND | 2,519,935 | 2,519,935 |
| | **TOTAL, BUDGET ACTIVITY 1:** | **2,544,935** | **2,544,935** |
| | **BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES** | | |
| | **DEFENSE-WIDE ACTIVITIES** | | |
| 100 | DEFENSE CONTRACT AUDIT AGENCY | 13,908 | 13,908 |
| 130 | DEFENSE INFORMATION SYSTEMS AGENCY | 245,117 | 245,117 |
| 150 | DEFENSE LEGAL SERVICES | 115,000 | 115,000 |
| 170 | DEFENSE MEDIA ACTIVITY | 13,364 | 13,364 |
| 200 | DEFENSE THREAT REDUCTION AGENCY | 2,018 | 2,018 |
| 210 | DEPARTMENT OF DEFENSE EDUCATION AGENCY | 553,600 | 553,600 |
| 220 | DEFENSE CONTRACT MANAGEMENT AGENCY | 63,130 | 63,130 |
| 230 | DEFENSE SECURITY COOPERATION AGENCY | 1,950,000 | 1,950,000 |
| 270 | OFFICE OF THE SECRETARY OF DEFENSE | 79,047 | 79,047 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
*(In Thousands of Dollars)*

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **OTHER PROGRAMS** | | |
| 999 | OTHER PROGRAMS | 1,998,181 | 1,998,181 |
| | **TOTAL, BUDGET ACTIVITY 4:** | **5,033,365** | **5,033,365** |
| | Army end strength budget amendment | | 5,100 |
| | **Total Operation and Maintenance, Defense-Wide** | **7,578,300** | **7,583,400** |
| | **Operation and Maintenance, Army Reserve** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **LAND FORCES** | | |
| 030 | ECHELONS ABOVE BRIGADE | 86,881 | 86,881 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 40,675 | 40,675 |
| | **LAND FORCES READINESS** | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 21,270 | 21,270 |
| 080 | LAND FORCES SYSTEMS READINESS | 17,500 | 17,500 |
| | **LAND FORCES READINESS SUPPORT** | | |
| 100 | BASE OPERATIONS SUPPORT | 38,000 | 38,000 |
| | **TOTAL, BA 01: OPERATING FORCES** | **204,326** | **204,326** |
| | **Total Operation and Maintenance, Army Reserve** | **204,326** | **204,326** |
| | **Operation and Maintenance, Navy Reserve** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **AIR OPERATIONS** | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 26,673 | 26,673 |
| 020 | INTERMEDIATE MAINTENANCE | 400 | 400 |
| 040 | AIRCRAFT DEPOT MAINTENANCE | 3,600 | 3,600 |
| | **SHIP OPERATIONS** | | |
| 060 | MISSION AND OTHER SHIP OPERATIONS | 7,416 | 7,416 |
| 080 | SHIP DEPOT MAINTENANCE | 8,917 | 8,917 |
| | **COMBAT OPERATIONS SUPPORT** | | |
| 090 | COMBAT COMMUNICATIONS | 3,147 | 3,147 |
| 100 | COMBAT SUPPORT FORCES | 13,428 | 13,428 |
| | **BASE SUPPORT** | | |
| 140 | BASE OPERATING SUPPORT | 4,478 | 4,478 |
| | **TOTAL, BA 01: OPERATING FORCES** | **68,059** | **68,059** |
| | **Total Operation and Maintenance, Navy Reserve** | **68,059** | **68,059** |
| | **Operation and Maintenance, Marine Corps Reserve** | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | |
| | **EXPEDITIONARY FORCES** | | |
| 010 | OPERATING FORCES | 77,849 | 77,849 |
| | **BASE SUPPORT** | | |
| 050 | BASE OPERATING SUPPORT | 8,818 | 8,818 |
| | **TOTAL, BA 01: OPERATING FORCES** | **86,667** | **86,667** |
| | **Total Operation and Maintenance, Marine Corps Reserve** | **86,667** | **86,667** |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
*(In Thousands of Dollars)*

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | ***Operation and Maintenance, Air Force Reserve*** | | |
| | ***BUDGET ACTIVITY 01: OPERATING FORCES*** | | |
| | ***AIR OPERATIONS*** | | |
| 010 | PRIMARY COMBAT FORCES | 3,618 | 3,618 |
| 020 | MISSION SUPPORT OPERATIONS | 7,276 | 7,276 |
| 030 | DEPOT MAINTENANCE | 114,531 | 114,531 |
| 050 | BASE SUPPORT | 500 | 500 |
| | ***TOTAL, BA 01: OPERATING FORCES*** | **125,925** | **125,925** |
| | ***Total Operation and Maintenance, Air Force Reserve*** | **125,925** | **125,925** |
| | ***Operation and Maintenance, Army National Guard*** | | |
| | ***BUDGET ACTIVITY 01: OPERATING FORCES*** | | |
| | ***LAND FORCES*** | | |
| 010 | MANEUVER UNITS | 89,666 | 89,666 |
| 020 | MODULAR SUPPORT BRIGADES | 1,196 | 1,196 |
| 030 | ECHELONS ABOVE BRIGADE | 18,360 | 18,360 |
| 040 | THEATER LEVEL ASSETS | 380 | 380 |
| 060 | AVIATION ASSETS | 59,357 | 59,357 |
| | ***LAND FORCES READINESS*** | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 94,458 | 94,458 |
| | ***LAND FORCES READINESS SUPPORT*** | | |
| 100 | BASE OPERATIONS SUPPORT | 22,536 | 22,536 |
| 120 | MANAGEMENT AND OPERATIONAL HQ | 35,693 | 35,693 |
| | ***TOTAL, BA 01: OPERATING FORCES*** | **321,646** | **321,646** |
| | ***Total Operation and Maintenance, Army National Guard*** | **321,646** | **321,646** |
| | ***Operation and Maintenance, Air National Guard*** | | |
| | ***BUDGET ACTIVITY 01: OPERATING FORCES*** | | |
| | ***AIR OPERATIONS*** | | |
| 010 | AIRCRAFT OPERATIONS | 103,259 | 103,259 |
| 020 | MISSION SUPPORT OPERATIONS | 51,300 | 51,300 |
| 030 | DEPOT MAINTENANCE | 135,303 | 135,303 |
| | ***TOTAL, BA 01: OPERATING FORCES*** | **289,862** | **289,862** |
| | ***Total Operation and Maintenance, Air National Guard*** | **289,862** | **289,862** |
| | ***Afghanistan Security Forces Fund*** | | |
| 010 | INFRASTRUCTURE | 868,320 | 868,320 |
| 020 | EQUIPMENT AND TRANSPORTATION | 1,615,192 | 1,615,192 |
| 030 | TRAINING AND OPERATIONS | 272,998 | 272,998 |
| 040 | SUSTAINMENT | 1,945,887 | 1,945,887 |
| 060 | INFRASTRUCTURE | 605,584 | 605,584 |
| 070 | EQUIPMENT AND TRANSPORTATION | 279,186 | 279,186 |
| 080 | TRAINING AND OPERATIONS | 648,217 | 648,217 |
| 090 | SUSTAINMENT | 1,219,966 | 1,219,966 |
| 120 | SUSTAINMENT | 5,919 | 5,919 |
| 130 | TRAINING AND OPERATIONS | 1,500 | 1,500 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
*(In Thousands of Dollars)*

| Line | Item | FY 2010 Request | Conference Authorized |
|---|---|---|---|
| | **TOTAL, Afghanistan Security Forces Fund** | **7,462,769** | **7,462,769** |
| | **Pakistan Counterinsurgency Capability Fund** | | |
| | INFRASTRUCTURE | 41,970 | 0 |
| | Realigned from Defense to International Affairs | | [–41,970] |
| | EQUIPMENT/TRANSPORTATION | 397,907 | 0 |
| | Realigned from Defense to International Affairs | | [–397,907] |
| | TRAINING AND OPERATIONS | 67,953 | 0 |
| | Realigned from Defense to International Affairs | | [–67,953] |
| | INFRASTRUCTURE | 73,000 | 0 |
| | Realigned from Defense to International Affairs | | [–73,000] |
| | EQUIPMENT/TRANSPORTATION | 107,000 | 0 |
| | Realigned from Defense to International Affairs | | [–107,000] |
| | TRAINING AND OPERATIONS | 8,170 | 0 |
| | Realigned from Defense to International Affairs | | [–8,170] |
| | HUMANITARIAN ASSISTANCE | 4,000 | 0 |
| | Realigned from Defense to International Affairs | | [–4,000] |
| | **TOTAL, Pakistan Counterinsurgency Capability Fund** | **700,000** | **0** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 080 | IRAQ FREEDOM FUND | 115,300 | 0 |
| | Program reduction | | [–115,300] |
| | **TOTAL, MISCELLANEOUS APPROPRIATIONS** | **115,300** | **0** |
| | **TOTAL TITLE III—OPERATION AND MAINTENANCE** | **89,071,566** | **88,257,466** |

## TITLE XLIV—OTHER AUTHORIZATIONS

**SEC. 4401. OTHER AUTHORIZATIONS.**

**OTHER AUTHORIZATIONS**
*(In Thousands of Dollars)*

| Program Title | FY 2010 Request | Conference Authorized |
|---|---|---|
| **REVOLVING AND MANAGEMENT FUNDS** | | |
| **DEFENSE WORKING CAPITAL FUNDS** | | |
| DEFENSE WORKING CAPITAL FUNDS | 141,388 | 141,388 |
| DEFENSE COMMISSARY AGENCY | 1,313,616 | 1,313,616 |
| **Total, Defense Working Capital Funds** | **1,455,004** | **1,455,004** |
| **NATIONAL DEFENSE SEALIFT FUND** | | |
| **Strategic Ship Acquisition** | | |
| T–AKE | 940,115 | 940,115 |
| MLP | 120,047 | 120,047 |
| OUTFITTING AND POST DELIVERY | 29,740 | 29,740 |
| **DoD Mobilization Assets** | | |
| NATIONAL DEFENSE SEALIFT VESSEL | 1,438 | 1,438 |
| LMSR MAINTENANCE | 96,363 | 96,363 |
| DOD MOBILIZATION ALTERATIONS | 64,167 | 64,167 |
| T–AH MAINTENANCE | 37,627 | 37,627 |
| **Strategic Sealift Support** | | |
| STRATEGIC SEALIFT SUPPORT | 4,794 | 4,794 |
| **Sealift Research and Development** | | |
| RESEARCH AND DEVELOPMENT | 72,983 | 72,983 |
| **Ready Reserve Force** | | |
| READY RESERVE FORCE | 275,484 | 275,484 |
| **Total, National Defense Sealift Fund** | **1,642,758** | **1,642,758** |
| **DEFENSE COALITION SUPPORT FUND** | | |
| DEFENSE COALITION SUPPORT FUND | 22,000 | 0 |
| **Total Revolving and Management Funds** | **3,119,762** | **3,097,762** |
| **MILITARY PROGRAMS** | | |

**OTHER AUTHORIZATIONS**
(In Thousands of Dollars)

| Program Title | FY 2010 Request | Conference Authorized |
|---|---|---|
| **DEFENSE HEALTH PROGRAM** | | |
| DEFENSE HEALTH PROGRAM—O&M | 26,967,919 | 27,094,849 |
| TRICARE Continuation Pending MEDICARE Eligibility | | [4,000] |
| Transitional Dental Care (S712) | | [11,000] |
| Pre-mobilization health care coverage for Reservists and their families | | [92,000] |
| Madigan Medical Center Trauma Assistance Program | | [2,500] |
| Fort Drum Regional Health Planning Organization | | [430] |
| Extend Dental Coverage to Dependent Survivors | | [2,000] |
| Chiropractic Clinical Trials | | [5,000] |
| TRICARE Coverage for Gray-Area Retirees | | [10,000] |
| DEFENSE HEALTH PROGRAM—R&D | 613,102 | 616,102 |
| USUHS Immersive, Wide Area Virtual Environment | | [3,000] |
| DEFENSE HEALTH PROGRAM—PROCUREMENT | 322,142 | 322,142 |
| **Total Defense Health Program** | **27,903,163** | **28,033,093** |
| **CHEMICAL AGENTS AND MUNITIONS DESTRUCTION** | | |
| CHEM DEMILITARIZATION—O&M | 1,146,802 | 1,146,802 |
| CHEM DEMILITARIZATION—RDT&E | 401,269 | 401,269 |
| CHEM DEMILITARIZATION—PROC | 12,689 | 12,689 |
| **Total Chemical Agents and Munitions Destruction** | **1,560,760** | **1,560,760** |
| **DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES** | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | 1,058,984 | 1,054,234 |
| EUCOM Interagency Fusion Centers (PC2365) | | [–750] |
| PC9205 EUCOM CN Operation Support—excessive growth | | [–2,000] |
| PC9206 AFRICOM CN Operational Support—excessive growth | | [–2,000] |
| **Total Drug Interdiction and Counter-Drug Activities** | **1,058,984** | **1,054,234** |
| **OFFICE OF THE INSPECTOR GENERAL** | | |
| OFFICE OF THE INSPECTOR GENERAL—O&M | 271,444 | 287,100 |
| Second year growth plan | | [15,656] |
| OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT | 1,000 | 1,000 |
| **Total Office of the Inspector General** | **272,444** | **288,100** |
| **TOTAL OTHER AUTHORIZATIONS** | **33,915,113** | **34,033,949** |
| **Memorandum: Civil Program (non-defense)** | | |
| Armed Forces Retirement Home (Budget Function 600) | 134,000 | 134,000 |

**SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.**

**OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Program Title | FY 2010 Request | Conference Authorized |
|---|---|---|
| **REVOLVING AND MANAGEMENT FUNDS** | | |
| **DEFENSE WORKING CAPITAL FUNDS** | | |
| DEFENSE WORKING CAPITAL FUNDS | 396,915 | 396,915 |
| **Total, Defense Working Capital Funds** | **396,915** | **396,915** |
| **Total Revolving and Management Funds** | **396,915** | **396,915** |
| **MILITARY PROGRAMS** | | |
| **DEFENSE HEALTH PROGRAM** | | |
| DEFENSE HEALTH PROGRAM—O&M | 1,155,235 | 1,256,675 |
| Army end strength budget amendment | | [101,440] |
| **Total Defense Health Program** | **1,155,235** | **1,256,675** |
| **DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES** | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | 324,603 | 356,603 |
| International Support—US CENTCOM CN Training—Mi–17 Procurement | | [32,000] |
| **Total Drug Interdiction and Counter-Drug Activities** | **324,603** | **356,603** |
| **OFFICE OF THE INSPECTOR GENERAL** | | |
| OFFICE OF THE INSPECTOR GENERAL—O&M | 8,876 | 8,876 |
| **Total Office of the Inspector General** | **8,876** | **8,876** |
| **TOTAL OTHER AUTHORIZATIONS** | **1,885,629** | **2,019,069** |

## TITLE XLV—MILITARY CONSTRUCTION

### SEC. 4501. MILITARY CONSTRUCTION.

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| | Alabama | | | |
| Army | Anniston Army Depot | Industrial Area Elec System Upgrade | | 3,300 |
| ARNG | Fort McClellan | Urban Assault Course | 3,000 | 3,000 |
| Army | Redstone Arsenal | Gate 7 Access Control Point | | 3,550 |
| Def-Wide | Redstone Arsenal | Missile and Space Intel Center Eoe Complex | | 12,000 |
| | Alaska | | | |
| Air Force | Clear AFS | Power Plant Facility | 24,300 | 24,300 |
| Air Force | Eielson AFB | Arctic Utilidors—phase 1 | | 9,900 |
| Air Force | Eielson AFB | Taxiway Lighting | | 3,450 |
| Air Force | Elmendorf AFB | Red Flag Alaska Add/Alter Operations Center | 3,100 | 3,100 |
| Air Force | Elmendorf AFB | F–22 Weapons Load Training Facility | 12,600 | 12,600 |
| Def-Wide | Elmendorf AFB | Aeromedical Services/Mental Health Clinic | 25,017 | 25,017 |
| Army | Fort Richardson | Airborne Sustainment Training Complex | 6,100 | 6,100 |
| Army | Fort Richardson | Training Aids Center | 2,050 | 2,050 |
| Army | Fort Richardson | Warrior In Transition Complex | 43,000 | 43,000 |
| Army | Fort Richardson | Combat Pistol Range | | 4,900 |
| Def-Wide | Fort Richardson | Health Clinic | 3,518 | 3,518 |
| Army | Fort Wainwright | Railhead Complex | 26,000 | 26,000 |
| Army | Fort Wainwright | Aviation Unit Operations Complex | 19,000 | 19,000 |
| Army | Fort Wainwright | Aviation Task Force Complex, Ph 1, Inc 1 | 125,000 | 95,000 |
| Army | Fort Wainwright | Warrior In Transition Complex | 28,000 | 28,000 |
| | Arizona | | | |
| ARNG | Camp Navajo | Combat Pistol Qualification Course | 3,000 | 3,000 |
| Air_Guard | Davis-Monthan AFB | TFI-Predator Beddown-FOC | 5,600 | 5,600 |
| Air Force | Davis-Monthan AFB | Dormitory (144 Rm) | 20,000 | 20,000 |
| Air Force | Davis-Monthan AFB | CSAR HC–130J Simulator Facility | 8,400 | 8,400 |
| Air Force | Davis-Monthan AFB | CSAR HC–130J Rqs Operations Facility | 8,700 | 8,700 |
| Air Force | Davis-Monthan AFB | CSAR HC–130J Infrastructure | 4,800 | 4,800 |
| Army | Fort Huachuca | UAV ER/MPER/MP | 15,000 | 15,000 |
| Army | Fort Huachuca | Battalion Headquarters UAV | 6,000 | 6,000 |
| Army | Fort Huachuca | Fire Station, Two company | | 6,700 |
| Milcon, Naval Res | Phoenix | Reserve Center Move To Luke AFB, NOSC Phoenix | 10,986 | 10,986 |
| Navy | Yuma | Aircraft Maintenance Hanger (phase 1) | 27,050 | 27,050 |
| Navy | Yuma | Airfield Elec. Dist. and Contol | 1,720 | 1,720 |
| | Arkansas | | | |
| Air Force | Little Rock AFB | C–130 Flight Simulator Addition | 5,800 | 5,800 |
| Air Force | Little Rock AFB | Security Forces Operations Facility | | 10,400 |
| Army | Pine Bluff Arsenal | Fuse & Detonator Magazine, Depot Level | 25,000 | 25,000 |
| | California | | | |
| Milcon, Naval Res | Alameda | Reserve Training Center—Alameda, Ca | 5,960 | 5,960 |
| Navy | Bridgeport | Fire Station—Renovation—MWTC | 4,460 | 4,460 |
| Navy | Bridgeport | Mountain Warfare Training, Commissary | | 6,830 |
| Navy | Camp Pendleton | Anglico Operations Complex | 25,190 | 25,190 |
| Navy | Camp Pendleton | Recon Bn Operations Complex | 77,660 | 77,660 |
| Navy | Camp Pendleton | Comm/elec Maintenance Facility | 13,170 | 13,170 |
| Navy | Camp Pendleton | Expansion Of SRTTP To 7.5 MGD | 55,180 | 55,180 |
| Navy | Camp Pendleton | North Region Tertiary Treatment Plant (Incr 1) | 142,330 | 112,330 |
| Navy | Camp Pendleton | Gas/Electrical Upgrades | 51,040 | 51,040 |
| Navy | Camp Pendleton | Recruit Barracks—School of Infantry | 53,320 | 53,320 |
| Navy | Camp Pendleton | Enlisted Dining Facility | 32,300 | 32,300 |
| Navy | Camp Pendleton | Recruit Barracks—field/K–span | 23,200 | 23,200 |
| Navy | Camp Pendleton | Communications Upgrades | 79,492 | 79,492 |
| Navy | Camp Pendleton | Electrical Distribution System | 76,950 | 76,950 |
| Navy | Camp Pendleton | Operations Access Points | 12,740 | 12,740 |
| Navy | Camp Pendleton | Enlisted Dining Facility—Edson Range | 37,670 | 37,670 |
| Navy | Camp Pendleton | BEQ | 39,610 | 39,610 |
| Navy | Camp Pendleton | Recruit Marksmanship Training Facility | 13,730 | 13,730 |
| Navy | Camp Pendleton | Expand Combat Aircraft Loading Apron | 12,240 | 12,240 |
| Navy | Camp Pendleton | Aviation Transmitter/Receiver Site | 13,560 | 13,560 |
| Navy | Camp Pendleton | WFTBN Support Facilities | 15,780 | 15,780 |
| USAR | Camp Pendleton | Army Reserve Center | 19,500 | 19,500 |
| Def-Wide | Coronado | SOF Close Quarters Combat Training Facility | 15,722 | 15,722 |
| Navy | Edwards AFB | Edwards Ramp Extension | 3,007 | 3,007 |
| Def-Wide | El Centro | Aircraft Direct Fueling Station | 11,000 | 11,000 |
| Army | Fort Irwin | Mout Assault Course, Ph 4 | 9,500 | 9,500 |
| Air_Guard | Fresno Yosemite IAP ANG | 144th Squadron Operations Facility | | 9,800 |
| ARNG | Los Alamitos | Readiness Center Ph1 | 31,000 | 31,000 |
| USAR | Los Angeles | Army Reserve Center | 29,000 | 29,000 |
| Air Force | Los Angeles AFB | Consolidated Parking Area, Ph1 | | 8,000 |
| AF Reserve | March ARB | Small Arms Firing Range | | 9,800 |
| Navy | Miramar | Aircraft Parking Apron Modification | 9,280 | 9,280 |
| Navy | Monterey NSA | Marine Meteorology Center | | 10,240 |
| Def-Wide | Point Loma Annex | Replace Fuel Storage Fac Incr 2 | 92,300 | 92,300 |
| Navy | Point Loma Annex | Alter/Add Marine Mammal Surgical Center | | 2,330 |
| Navy | Point Loma Annex | Public Works Shops Consolidation | 8,730 | 8,730 |
| Navy | San Diego | Messhall Expansion | 23,590 | 23,590 |
| Air_Guard | Socal Logistics Airport | TFI-Predator Beddown—FTU/LRE Site | 8,400 | 8,400 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Air Force | Travis AFB | Construct Kc–10 Cargo Load Training Facility | 6,900 | 6,900 |
| Air Force | Travis AFB | Taxiway M Bypass Load | | 6,000 |
| Def-Wide | Travis AFB | Replace Fuel Distribution System | 15,357 | 15,357 |
| Navy | Twentynine Palms | Station Comm Facility and Infrastructure | 49,040 | 49,040 |
| Navy | Twentynine Palms | Sub-Station and Electrical Upgrades | 31,310 | 31,310 |
| Navy | Twentynine Palms | Elec. Infra. Upgrade—34.5kv To 115kv | 46,220 | 46,220 |
| Navy | Twentynine Palms | Elec. Power Plant/CO—GEN/Gas Turbine—n | 53,260 | 53,260 |
| Navy | Twentynine Palms | Water Improvements and Storage Tank | 30,610 | 30,610 |
| Navy | Twentynine Palms | Sewage System Imp. and Lift Station | 5,800 | 5,800 |
| Navy | Twentynine Palms | HTHW/chilled Water System | 25,790 | 25,790 |
| Navy | Twentynine Palms | Natural Gas System Extension | 19,990 | 19,990 |
| Navy | Twentynine Palms | Industrial Waste Water Pretreatment Sys. | 3,330 | 3,330 |
| Navy | Twentynine Palms | Laydown Site Work—north mainside | 21,740 | 21,740 |
| Navy | Twentynine Palms | Secondary elec.dist.—north mainside | 31,720 | 31,720 |
| Navy | Twentynine Palms | Construct Loads—north mainside | 29,360 | 29,360 |
| Navy | Twentynine Palms | Maint. Shop—wheeled | 16,040 | 16,040 |
| Navy | Twentynine Palms | Maint. Sunshades— wheeled | 12,580 | 12,580 |
| Navy | Twentynine Palms | Comm/Elect Maint/Storage | 12,660 | 12,660 |
| Navy | Twentynine Palms | Dining Facility—north mainside | 17,200 | 17,200 |
| Navy | Twentynine Palms | BEQ | 37,290 | 37,290 |
| Navy | Twentynine Palms | Maint. Shop—tracked | 19,780 | 19,780 |
| Navy | Twentynine Palms | BEQ | 37,290 | 37,290 |
| Navy | Twentynine Palms | Consolidated Armory— tanks | 12,670 | 12,670 |
| Air Force | Vandenberg AFB | Child Development Center | 13,000 | 13,000 |
| | Colorado | | | |
| Air_Guard | Buckley Ang Base | Add/Alter Weapons Release | | 4,500 |
| USAR | Colorado Springs | Army Reserve Center/land | 13,000 | 13,000 |
| Army | Fort Carson | Training Aids Center | 18,500 | 18,500 |
| Army | Fort Carson | Brigade Complex | 69,000 | 69,000 |
| Army | Fort Carson | Brigade Complex, Ph 1 | 102,000 | |
| Army | Fort Carson | Railroad Tracks | 14,000 | 14,000 |
| Army | Fort Carson | Warrior In Transition (WT) Complex | 56,000 | 56,000 |
| Army | Fort Carson | Automated Qualification Training Range | 11,000 | 11,000 |
| Army | Fort Carson | Modified Record Fire Range | 4,450 | 4,450 |
| Army | Fort Carson | Automated Multipurpose Machine Gun Range | 7,400 | 7,400 |
| Army | Fort Carson | Scout/recce Gunnery Complex | 16,000 | 16,000 |
| Army | Fort Carson | Urban Assault Course | 3,100 | 3,100 |
| Army | Fort Carson | Convoy Live Fire Range | 6,500 | 6,500 |
| Army | Fort Carson | Commissary | 35,000 | 35,000 |
| Army | Fort Carson | Barracks & dining, Increment 2 | 60,000 | 60,000 |
| Def-Wide | Fort Carson | SOF Battalion Ops Complex | 45,200 | 45,200 |
| Def-Wide | Fort Carson | SOF Military Working Dog Facility | 3,046 | 3,046 |
| Def-Wide | Fort Carson | Health and Dental Clinic | 52,773 | 31,900 |
| Air Force | Peterson AFB | East Gate Realignment | | 7,200 |
| Air Force | Peterson AFB | C–130 Squad Ops/AMU (TFI) | 5,200 | 5,200 |
| Air Force | Peterson AFB | National Security Space Institute | 19,900 | 19,900 |
| Chem Demil | Pueblo Depot | Ammunition Demilitarization Facility, Ph XI | 92,500 | 92,500 |
| AF Reserve | Schriever AFB | Wing Headquarters | 10,200 | 10,200 |
| Air Force | U.S. Air Force Academy | Add To Cadet Fitness Center | 17,500 | 17,500 |
| | Connecticut | | | |
| Air_Guard | Bradley National Airport | CNAF Beddown Upgrade Facilities | | 9,000 |
| USAR | Bridgeport | Army Reserve Center/land | 18,500 | 18,500 |
| Navy | New London NSB | Mk–48 Torpedo Magazine | | 6,570 |
| | Delaware | | | |
| Air Force | Dover AFB | C–5 Cargo Aircraft maint Training Facility P1 | 5,300 | 5,300 |
| Air Force | Dover AFB | Consol Comm Fac | 12,100 | 12,100 |
| Air Force | Dover AFB | Chapel Center | | 7,500 |
| | Florida | | | |
| Navy | Blount Island | Port Operations Facility | 3,760 | 3,760 |
| Air Force | Eglin AFB | F–35 Duke Control Tower | 3,420 | 3,420 |
| Air Force | Eglin AFB | Construct Dormitory (96 rm) | 11,000 | 11,000 |
| Air Force | Eglin AFB | F–35 Pol Ops Facility | 3,180 | 5,236 |
| Air Force | Eglin AFB | F–35 Hydrant Refueling System Phase 1 | 8,100 | 14,308 |
| Air Force | Eglin AFB | F–35 Parallel Taxiway lAdder | 1,440 | 2,371 |
| Air Force | Eglin AFB | F–35 JPS Flightline fillstands | 5,400 | 8,892 |
| Air Force | Eglin AFB | F–35 JP–8 West Side bulk Fuel Tank Upgrades | 960 | 1,581 |
| Air Force | Eglin AFB | F–35 Live Ordinance Load Facility | 9,900 | 9,900 |
| Air Force | Eglin AFB | F–35 A/C Parking Apron | 16,400 | 27,652 |
| Army | Eglin AFB | Operations Complex, Ph 3 | 80,000 | 80,000 |
| Army | Eglin AFB | Indoor Firing Range | 8,900 | 8,900 |
| Army | Eglin AFB | Live Fire Exercise Shoothouse | 8,000 | 8,000 |
| Army | Eglin AFB | Live Fire Exercise Breach Facility | 4,950 | 4,950 |
| Army | Eglin AFB | Non-standard Small Arms range | 3,400 | 3,400 |
| Army | Eglin AFB | Grenade Launcher Range | 1,600 | 1,600 |
| Army | Eglin AFB | Hand Grenade Qualification Course | 1,400 | 1,400 |
| Army | Eglin AFB | Urban Assault Course | 2,700 | 2,700 |
| Army | Eglin AFB | Anti-armor, Tracking & Live Fire Range | 3,400 | 3,400 |
| Army | Eglin AFB | Automated Qualification/Training Range | 12,000 | 12,000 |
| Army | Eglin AFB | Light Demolition Range | 2,200 | 2,200 |
| Army | Eglin AFB | Basic 10m–25m Firing range (zero) | 3,050 | 3,050 |
| Def-Wide | Eglin AFB | SOF Military Working Dog Facility | 3,046 | 3,046 |
| Navy | Eglin AFB | F–35 Hydrant Refueling sys, Ph 1 | 6,208 | |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Navy | Eglin AFB | F–35 Parallel Taxiway ladder | 931 | |
| Navy | Eglin AFB | F–35 A/C Parking Apron | 11,252 | |
| Navy | Eglin AFB | Bachelor Enlisted Quarters, EOD School, Phase | 26,287 | 26,287 |
| Navy | Eglin AFB | F–35 JP8 West Side Bulk Tank Upgrades | 621 | |
| Navy | Eglin AFB | F–35 Pol Operations Facility (Eglin) | 2,056 | |
| Navy | Eglin AFB | F–35 JP8 Flightline Fillstands (Eglin) | 3,492 | |
| Army | Eglin AFB (Camp Rudder) | Elevated Water Storage Tank | | 1,200 |
| Air Force | Hurlburt Field | Refueling Vehicle Maintenance Facility | 2,200 | 2,200 |
| Air Force | Hurlburt Field | Electrical Distribution Substation | 8,300 | 8,300 |
| Air Force | Hurlburt Field | Flight Test Opns Fac (413 Flts) | | 9,400 |
| Def-Wide | Hurlburt Field | SOF Simulator Facility for Mc–130 (recap) | 8,156 | 8,156 |
| Navy | Jacksonville | P–8/MMA Facilities Modification | 5,917 | 5,917 |
| Def-Wide | Jacksonville IAP | Replace Jet Fuel Storage Complex | 11,500 | 11,500 |
| Air Force | Macdill AFB | Dormitory (120 Room) | 16,000 | 16,000 |
| Air Force | Macdill AFB | Child Development Center | 7,000 | 7,000 |
| Air Force | Macdill AFB | Centcom Commandant Facility | 15,300 | 15,300 |
| Air Force | Macdill AFB | Consolidated Commo Facility | | 21,000 |
| Navy | Mayport | Fitness Ctr | | 26,360 |
| Navy | Mayport | Wharf Charlie Repair | 29,682 | 29,682 |
| Navy | Mayport | Channel Dredging | 46,303 | 46,303 |
| Army | Miami Doral | Southcom Headquarters, incr 3 | 55,400 | 55,400 |
| USAR | Panama City | Army Reserve Center/land | 7,300 | 7,300 |
| Air Force | Patrick AFB | Combat Weapons Training Facility | | 8,400 |
| Navy | Pensacola | Corry ''A'' School bachelor Enlisted Quarters R | 22,950 | 22,950 |
| Navy | Pensacola | Simulator Addition For umfo Program | 3,211 | 3,211 |
| USAR | West Palm Beach | Army Reserve Center/land | 26,000 | 26,000 |
| Navy | Whiting Field | T–6B JPATS Trng. Ops Paraloft Facility | 4,120 | 4,120 |
| | Georgia | | | |
| Navy | Albany MCLB | Wpns Maint Hardstand Fac | | 4,870 |
| USAR | Atlanta | Army Reserve Center/land | 14,000 | 14,000 |
| Army | Fort Benning | Combined Arms Collective Training Facility | 10,800 | 10,800 |
| Army | Fort Benning | Fire and Movement Range | 2,800 | 2,800 |
| Army | Fort Benning | Battle Lab | 30,000 | 30,000 |
| Army | Fort Benning | Training Area Tank Trails | 9,700 | 9,700 |
| Army | Fort Benning | Training Battalion Complex | 38,000 | 38,000 |
| Army | Fort Benning | Dining Facility | 15,000 | 15,000 |
| Army | Fort Benning | Warrior In Transition (WT) Complex | 53,000 | 53,000 |
| Army | Fort Benning | Training Battalion Complex, Ph 1 | 31,000 | 31,000 |
| Army | Fort Benning | Training Battalion Complex, Ph 1 | 31,000 | 31,000 |
| Army | Fort Benning | Trainee Barracks Complex, Ph 1 | 74,000 | 74,000 |
| ARNG | Fort Benning | Readiness Center | 15,500 | 15,500 |
| Def-Wide | Fort Benning | Wilson Es Construct Gymnasium | 2,330 | 2,330 |
| Def-Wide | Fort Benning | SOF Expand Battalion Headquarters | 3,046 | 3,046 |
| Def-Wide | Fort Benning | Blood Donor Center Replacement | 12,313 | 12,313 |
| Def-Wide | Fort Benning | Dental Clinic | 4,887 | 4,887 |
| Army | Fort Gillem | Forensic Lab | 10,800 | 10,800 |
| Army | Fort Stewart | Brigade Complex | 93,000 | 48,000 |
| Army | Fort Stewart | Automated Sniper Field Fire Range | 3,400 | 3,400 |
| Army | Fort Stewart | Warrior In Transition (WT) Complex | 49,000 | 49,000 |
| Army | Fort Stewart | Barracks & Dining, Increment 2 | 80,000 | 80,000 |
| Def-Wide | Fort Stewart | New Elementary School | 22,502 | |
| Def-Wide | Fort Stewart | New Elementary School | 22,501 | 22,501 |
| Def-Wide | Fort Stewart | Health and Dental Clinic | 26,386 | 22,200 |
| ARNG | Hunter Army Airfield | Aviation Readiness Center | | 8,967 |
| Air Force | Moody AFB | Rescue Opns/maint HQ Fac | | 10,000 |
| Air Force | Warner Robins AFB | Hot Cargo Pad/taxiway | | 6,200 |
| | Hawaii | | | |
| Def-Wide | Ford Island | Pacific Operations Facility Upgrade | 9,633 | 9,633 |
| Air Force | Hickam AFB | Ground Control Tower | | 4,000 |
| Air_Guard | Hickam AFB | TFI—F–22 LO/composite repair Facility | 26,000 | 26,000 |
| Air_Guard | Hickam AFB | TFI—F–22 Parking Apron and Taxiways | 7,000 | 7,000 |
| Navy | Navsta Pearl Harbor | Production Services Support Facility | | 25,070 |
| Navy | Oahu | Range, 1000 - Puuloa | 5,380 | 5,380 |
| Navy | Pearl Harbor | Pacflt Sub Drive-in Mag Silencing Fac (inc) | 8,645 | 8,645 |
| Navy | Pearl Harbor | APCSS Conference & Technology Learning Center | 12,775 | 12,775 |
| Navy | Pearl Harbor | Missile Magazines (5), West Loch | 22,407 | 22,407 |
| Army | Schofield Barracks | Vehicle Maintenance Shop | 63,000 | 63,000 |
| Army | Schofield Barracks | Vehicle Maintenance Shop | 36,000 | 36,000 |
| Army | Schofield Barracks | Warrior In Transition (WT) Barracks | 55,000 | 55,000 |
| Army | Schofield Barracks | Warrior In Transition Complex | 30,000 | 30,000 |
| Air Force | Wheeler AAF | Construct ASOC Complex | 15,000 | 15,000 |
| Army | Wheeler AAF | Regional SATCOM Information Center | 7,500 | 7,500 |
| | Idaho | | | |
| ARNG | Gowen Field | Combined Arms Collective Training Facility | 16,100 | 16,100 |
| Air Force | Mountain Home AFB | Logistics Readiness Center | 20,000 | 20,000 |
| | Illinois | | | |
| USAR | Chicago | Army Reserve Center | 23,000 | 23,000 |
| Milcon, Naval Res | Joliet Army Ammo Plant | Reserve Training Center—Joliet, Il | 7,957 | 7,957 |
| Air_Guard | Lincoln Capital Airport | Security Improv—Relocate Entrance | | 3,000 |
| ARNG | Milan | Readiness Center | | 5,600 |
| Air Force | Scott AFB | Aeromedical Evac Facility | | 7,400 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| | Indiana | | | |
| ARNG | Muscatatuck | Combined Arms Collective Training Facility Ph | 10,100 | 10,100 |
| Navy | Naval Support Activity Crane | Strategic Weapons Systems Engineering Facility | | 13,710 |
| | Iowa | | | |
| ARNG | Camp Dodge | US Property and Fiscal Office | | 4,000 |
| Air_Guard | Des Moines | Des Moines Alt Security Forces Fac | | 4,600 |
| | Kansas | | | |
| Army | Fort Riley | Training Aids Center | 15,500 | 15,500 |
| Army | Fort Riley | Advanced Waste Water Treatment Plant | 28,000 | 28,000 |
| Army | Fort Riley | Igloo Storage, Installation | 7,200 | 7,200 |
| Army | Fort Riley | Brigade Complex | 49,000 | 49,000 |
| Army | Fort Riley | Battalion Complex | 59,000 | 59,000 |
| Army | Fort Riley | Land Vehicle Fueling Facility | 3,700 | 3,700 |
| Army | Fort Riley | Estes Load Access Control Point | | 6,100 |
| Air_Guard | McConnell AFB | TFI-Upgrade DCGS | | 8,700 |
| ARNG | Salina Army NG Aviation Facility | Taxiway Alterations | | 2,227 |
| | Kentucky | | | |
| Chem Demil | Blue Grass Army Depot | Ammunition Demilitarization Ph X | 54,041 | 54,041 |
| Chem Demil | Blue Grass Army Depot | Blue Grass Army Depot Chem Demil Project | | 5,000 |
| Army | Fort Campbell | Installation Chapel Center | | 14,400 |
| Def-Wide | Fort Campbell | 5th SFG Language Sustainment Trng Fac | | 6,800 |
| Def-Wide | Fort Campbell | SOF Battalion Operations Complex | 29,289 | 29,289 |
| Def-Wide | Fort Campbell | SOF Military Working Dog Facility | 3,046 | 3,046 |
| Def-Wide | Fort Campbell | Health Clinic | 8,600 | 8,600 |
| Army | Fort Knox | Warrior In Transition (WT) Complex | 70,000 | 70,000 |
| | Louisiana | | | |
| Air Force | Barksdale Air Force Base | Phase Five Ramp Replacement—Aircraft Apron | | 12,800 |
| Army | Fort Polk | Multipurpose Machinegun Range | | 6,400 |
| Army | Fort Polk | Warrior In Transition (WT) Complex | 32,000 | 32,000 |
| Army | Fort Polk | Land Purchases | 17,000 | 17,000 |
| | Maine | | | |
| Air_Guard | Bangor IAP | Replace Aircraft Maint Hanger/shops | 28,000 | 28,000 |
| Navy | Portsmouth Naval Shipyard | Gate 2 Security Improvements | | 7,090 |
| | Maryland | | | |
| Army | Aberdeen PG | Analytical Chem Wing—Advanced Chem Lab | | 15,500 |
| Def-Wide | Aberdeen PG | USAMRICD Replacement, inc I | 111,400 | 111,400 |
| Air Force | Andrews AFB | Replace Munitions Storage Area | 9,300 | 9,300 |
| Air_Guard | Andrews AFB | Rpl Munitions maintenance and Storage Complex | 14,000 | 14,000 |
| Navy | Carderock Nswc Det | RDTE Support Facility, ph2 | | 6,520 |
| Army | Fort Detrick | ATL Auditorium & Trng Cntr Expand | | 7,400 |
| Army | Fort Detrick | Satellite Communications Center | 18,000 | 18,000 |
| Army | Fort Detrick | Satellite Communications Facility | 21,000 | 21,000 |
| Def-Wide | Fort Detrick | Boundary Gate At Nalin Pond | 10,750 | 10,750 |
| Def-Wide | Fort Detrick | Emergency Service Center | 16,125 | 16,125 |
| Def-Wide | Fort Detrick | USAMRIID Stage I, Inc IV | 108,000 | 108,000 |
| Def-Wide | Fort Detrick | Nibc Truck Inspection Station & RLoad | 2,932 | 2,932 |
| Army | Fort Meade | Intersection, Rockenbach Rd & Cooper Ave | | 2,350 |
| Def-Wide | Fort Meade | South Campus Utility Plant Ph 2 | 175,900 | 175,900 |
| Def-Wide | Fort Meade | NSAW Campus Chilled Water Backup | 19,100 | 19,100 |
| Def-Wide | Fort Meade | Mission Support—PSAT | 8,800 | 8,800 |
| Navy | Patuxent River NAS | Special Commo Rqts Eng Facility | | 11,043 |
| | Massachusetts | | | |
| Air_Guard | Barnes ANGB | F–15 Aircraft Ready Shelters | | 8,100 |
| ARNG | Hanscom AFB | Armed Forces Reserve Center (JFHQ) | 29,000 | 29,000 |
| Air_Guard | Otis Air National Guard Base | Composite Operations and Training Facility | | 12,800 |
| | Michigan | | | |
| Air_Guard | Alpena CRTC | Replace Troop Quarters | | 8,900 |
| Air_Guard | Battle Creek ANG Base | CNAF Bed Down Facilities | | 14,000 |
| ARNG | Fort Custer | Org Maint Shop (ADRS) | | 7,732 |
| Air_Guard | Selfridge ANG Base | A–10 Squad Operations Facility | | 7,100 |
| | Minnesota | | | |
| ARNG | Arden Hills | Readiness Center Ph2 | 6,700 | 6,700 |
| ARNG | Camp Ripley | Urban Assault Course | 1,710 | 1,710 |
| Def-Wide | Duluth IAP | Jet Fuel Stoarge Complex | 15,000 | 15,000 |
| USAR | Fort Snelling (Minneapolis) | Army Reserve Center | 12,000 | 12,000 |
| Air_Guard | Minn/St. Paul IAP 133rd AW Base | Minnesota Starbase Facility Alteration | | 1,900 |
| | Mississippi | | | |
| ARNG | Camp Shelby | Combined Arms Collective Tng Fac Add/alt | 16,100 | 16,100 |
| Air Force | Columbus AFB | Aircraft Fuel Systems Maint Dock | | 9,800 |
| Air_Guard | Gulfport-biloxi RA | Relocate Base Entrance | | 6,500 |
| AF Reserve | Keesler AFB | Aerial Port Squadron Facility | 9,800 | 9,800 |
| ARNG | Monticello | Monticello National guard Readiness Center | | 14,350 |
| | Missouri | | | |
| ARNG | Boonville | Readiness Center Add/alt | 1,800 | 1,800 |
| Army | Fort Leonard Wood | Automated-aided Instruction Facility | 27,000 | 27,000 |
| Army | Fort Leonard Wood | Wheeled Vehicle Drivers Course | 17,500 | 17,500 |
| Army | Fort Leonard Wood | Warrior In Transition Complex | 19,500 | 19,500 |
| Army | Fort Leonard Wood | Transient Advanced Trainee Barracks, Ph 1 | 99,000 | 99,000 |
| Army | Fort Leonard Wood | Health Clinic | | 7,800 |
| Def-Wide | Fort Leonard Wood | Dental Clinic Addition | 5,570 | 5,570 |
| Air_Guard | Rosecrans Memorial Airport | Replace Fire/crash rescue Station Phase I | | 9,300 |
| Air Force | Whiteman AFB | EOD Opns Complex | | 7,400 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Air Force | Whiteman AFB | Land Acquisition North & South Bdry | | 5,500 |
| | Montana | | | |
| Air Force | Malmstrom AFB | Upgrade Weapons Storage Area | | 10,600 |
| | Nebraska | | | |
| ARNG | Lincoln | Armed Forces Reserve Center (JFHQ) | 23,000 | 23,000 |
| Air_Guard | Lincoln Map | Joint Forces Operations Center—ANG Share | 1,500 | 1,500 |
| Air Force | Offutt AFB | STRATCOM Gate | | 10,400 |
| | Nevada | | | |
| ARNG | Carson City | National Guard Energy Sustainable Projects | | 2,000 |
| Air Force | Creech AFB | UAS AT/FP Security Updates | 2,700 | 2,700 |
| Navy | Naval Air Station Fallon | Warrior Physical Training Facility | | 10,670 |
| ARNG | North Las Vegas | Readiness Center | 26,000 | 26,000 |
| Air_Guard | Reno, NV | NV Air National Guard Fire Station Replacement | | 10,800 |
| | New Hampshire | | | |
| Air_Guard | Pease ANGB | Replace Squadron Operations Facilities | | 10,000 |
| | New Jersey | | | |
| Air Force | McGuire AFB | Warfighter & Family Sup Cntr | | 7,900 |
| Air_Guard | McGuire AFB | 108th Air Refuel Wng, Base Civil Eng Complex | | 9,700 |
| Army | Picatinny Arsenal | Ballistic Eval Facility, Ph 2 | | 10,200 |
| Air Force | Cannon AFB | WB—Consolidated Communication Fac | 15,000 | 15,000 |
| | New Mexico | | | |
| Def-Wide | Cannon AFB | SOF Fuel Cell Hanger (MC–130) | 41,269 | 41,269 |
| Def-Wide | Cannon AFB | SOF AMU Addition (CV–22) | 11,595 | 11,595 |
| Def-Wide | Cannon AFB | SOF Ac–130 Load Out Apron Ph1 | | 6,000 |
| Air Force | Holloman AFB | F–22a Consolidated Munitions Maint (TFI) | 5,500 | 5,500 |
| Air Force | Holloman AFB | Fire-crash Rescue Station | | 10,400 |
| Air Force | Holloman AFB | UAS Field Training Complex | | 37,500 |
| Air Force | Kirtland AFB | Add To Space RDT&E Opns Cntr | | 5,800 |
| Air Force | Kirtland AFB | MC–130J Simulator Facility | 8,000 | 8,000 |
| Air Force | Kirtland AFB | HC–130J Simulator Facility | 8,700 | 8,700 |
| ARNG | Santa Fe | Army Aviation Support Facility | 39,000 | 39,000 |
| | New York | | | |
| Army | Fort Drum | All Wx Marksmanship Facility | | 8,200 |
| Army | Fort Drum | Water System Expansion | 6,500 | 6,500 |
| Army | Fort Drum | Barracks | 57,000 | 57,000 |
| Army | Fort Drum | Warrior In Transition Complex | 21,000 | 21,000 |
| AF Reserve | Niagra Falls ARB | Indoor Small Arms Range | | 5,700 |
| USAR | Rochester | Army Reserve Center/land | 13,600 | 13,600 |
| Air_Guard | Wheeler Sack AAF | TFI-reaper LRE Beddown | | 2,700 |
| | North Carolina | | | |
| Def-Wide | Camp Lejeune | SOF Academic Instruction Facility Expansion | 11,791 | 11,791 |
| Navy | Camp Lejeune | Maintenance/OPS Complex | 52,390 | 52,390 |
| Navy | Camp Lejeune | BEQ—Wallace Creek | 34,160 | 34,160 |
| Navy | Camp Lejeune | Utility Expansion—Courthouse Bay | 56,280 | 56,280 |
| Navy | Camp Lejeune | SOI-east Facilities—Camp Geiger | 56,940 | 56,940 |
| Navy | Camp Lejeune | Field Training fac.—Devil Dog - SOI | 37,170 | 37,170 |
| Navy | Camp Lejeune | Road Network—Wallace creek | 15,130 | 15,130 |
| Navy | Camp Lejeune | MP Working Dog Kennel— relocation | 8,370 | 8,370 |
| Navy | Camp Lejeune | Consolidated Info tech/telecom Complex | 46,120 | 46,120 |
| Navy | Camp Lejeune | New Base Entry Point and Road (phase 1) | 79,150 | 79,150 |
| Navy | Camp Lejeune | BEQ—Wallace Creek | 43,480 | 43,480 |
| Navy | Camp Lejeune | BEQ—Wallace Creek | 44,390 | 44,390 |
| Navy | Camp Lejeune | BEQ—Wallace Creek | 44,390 | 44,390 |
| Navy | Camp Lejeune | BEQ—Wallace Creek | 42,110 | 42,110 |
| Navy | Camp Lejeune | Pre-trial Detainee Facility | 18,580 | 18,580 |
| Navy | Camp Lejeune | Physical Fitness Center | 39,760 | 39,760 |
| Navy | Camp Lejeune | 4th Infantry Battalion Ops Complex | 55,150 | 55,150 |
| Navy | Cherry Point MCAS | Ordnance Magazines | 12,360 | 12,360 |
| Navy | Cherry Point MCAS | EMS/fire Vehicle Facility | 10,600 | 10,600 |
| ARNG | East Flat Rock | Readiness Center Add/alt | | 2,516 |
| Army | Fort Bragg | Vehicle Maintenance Shop | 19,500 | 19,500 |
| Army | Fort Bragg | Simulations Center | 50,000 | 50,000 |
| Army | Fort Bragg | Vehicle Maintenance Shop | 17,500 | 17,500 |
| Army | Fort Bragg | Company Operations Facility | 3,300 | 3,300 |
| Army | Fort Bragg | Transient Training Barracks Complex | 16,500 | 16,500 |
| Army | Fort Bragg | Automated Sniper Field Fire Range | | 3,450 |
| Army | Fort Bragg | Automated Multipurpose Machine Gun | 4,350 | 4,350 |
| ARNG | Fort Bragg | TUAS Support Facility | | 6,038 |
| Def-Wide | Fort Bragg | Albritton JHS Addition | 3,439 | 3,439 |
| Def-Wide | Fort Bragg | Special Ops Prep & Conditioning Course | 24,600 | 24,600 |
| Def-Wide | Fort Bragg | SOF Battalion & Company HQ | 15,500 | 15,500 |
| Def-Wide | Fort Bragg | SOF Operations Support Addition | 13,756 | 13,756 |
| Def-Wide | Fort Bragg | SOF Military Working Dog Facility | 1,125 | 1,125 |
| Def-Wide | Fort Bragg | SOF Battalion Headquarters Facility | 13,000 | 13,000 |
| Def-Wide | Fort Bragg | SOF Operations Addition North | 27,513 | 27,513 |
| Def-Wide | Fort Bragg | SOF TUAV Hanger | 2,948 | 2,948 |
| Def-Wide | Fort Bragg | SOF Military Working Dog Facility | 3,046 | 3,046 |
| Def-Wide | Fort Bragg | Consolidated Health Clinic | 26,386 | 26,386 |
| Def-Wide | Fort Bragg | Health Clinic | 31,272 | 31,272 |
| Navy | New River | Apron Expansion (phase 2) | 35,600 | 35,600 |
| Navy | New River | VMMT–204 Maintenance Hanger—phase 3 | 28,210 | 28,210 |
| Navy | New River | Parallel Taxiway | 17,870 | 17,870 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Navy | New River | Tactical Support Van Pad Addition | 5,490 | 5,490 |
| Navy | New River | Gymnasium/outdoor Pool | 19,920 | 19,920 |
| Air Force | Pope AFB | Pope AFB Air Traffic Control Tower | | 9,000 |
| Air Force | Seymour Johnson AFB | Radar Approach Control Complex, Ph1 | | 6,900 |
| Army | Sunny Point Mot | Towers | 3,900 | 3,900 |
| Army | Sunny Point Mot | Lightning Protection System | 25,000 | 25,000 |
| | North Dakota | | | |
| Air Force | Grand Forks AFB | Consolidated Security Forces Facility | | 12,000 |
| Air Force | Minot AFB | Munitions Trailer Storage Facility | 1,500 | 1,500 |
| Air Force | Minot AFB | Missile Procedures Trng Operations | 10,000 | 10,000 |
| | Ohio | | | |
| USAR | Cincinnati | Army Reserve Center/land | 13,000 | 13,000 |
| Air_Guard | Mansfield Lahm Airport | TFI—Red Horse Squadron Beddown | 11,400 | 11,400 |
| Air Force | Wright-Patterson AFB | Info Tech Complex Ph 1 | 27,000 | 27,000 |
| Air Force | Wright-Patterson AFB | Conversion For Advanced Power Research Lab | 21,000 | 21,000 |
| Air Force | Wright-Patterson AFB | Replace West Ramp, phase I | | 10,600 |
| | Oklahoma | | | |
| Air Force | Altus AFB | Repair Taxiways | 20,300 | 20,300 |
| Def-Wide | Altus AFB | Replace Upload Facility | 2,700 | 2,700 |
| Army | Fort Sill | Automated Infantry Squad Battle Course | 3,500 | 3,500 |
| Army | Fort Sill | Barracks | 65,000 | 65,000 |
| Army | Fort Sill | Warrior In Transition Complex | 22,000 | 22,000 |
| Def-Wide | Fort Sill | Dental Clinic | 10,554 | 10,554 |
| Army | McAlester | High Explosive Magazine, Depot Level | 1,300 | 1,300 |
| Army | McAlester | General Purpose Storage Building | 11,200 | 11,200 |
| Air Force | Tinker AFB | T–9 Noise Suppressor | | 5,200 |
| Air Force | Tinker AFB | Building 3001 Hanger Door | 13,037 | 13,037 |
| Air Force | Vance AFB | Control Tower | | 10,700 |
| Air_Guard | Will Rogers World Airport | TFI—Air Supt Opers Sqdn (ASOS) Beddn | 7,300 | 7,300 |
| | Oregon | | | |
| ARNG | Clatsop County, Warrenton | Camp Rilea Infrastructure (Water Supply System) | | 3,369 |
| ARNG | Polk County | Readiness Center | | 12,100 |
| | Pennsylvania | | | |
| USAR | Ashley | Army Reserve Center | 9,800 | 9,800 |
| FH Con DW | Def Distro Depot | Def Distribution Depot New Cumberland | 2,859 | 2,859 |
| USAR | Harrisburg | Army Reserve Center | 7,600 | 7,600 |
| USAR | Newton Square | Army Reserve Center/land | 20,000 | 20,000 |
| AF Reserve | Pittsburgh AFR Base | Visiting Quarters Phase 1 | | 12,400 |
| USAR | Uniontown | Army Reserve Center/land | 11,800 | 11,800 |
| | Rhode Island | | | |
| Navy | Newport | Officer Training Command Quarters | 45,803 | 45,803 |
| Navy | Newport | Renovate of Senior Enlisted Academy | | 10,550 |
| Navy | Newport | Renovate Perry Hall | | 8,530 |
| | South Carolina | | | |
| Navy | Beaufort | Widebody Aircraft Fuel Lane | 1,280 | 1,280 |
| Milcon, Naval Res | Charleston | Reserve Vehicle Maintenance Facility | 4,240 | 4,240 |
| Army | Charleston NWS | Staging Area | 4,100 | 4,100 |
| Army | Charleston NWS | Railroad Tracks | 12,000 | 12,000 |
| Army | Charleston NWS | Pier and Loading/Unloading Ramps | 5,700 | 5,700 |
| ARNG | Eastover | Army Aviation Support Facility Add/Alt | 26,000 | 26,000 |
| Army | Fort Jackson | Advanced Skills Trainee Barracks | 32,000 | 32,000 |
| Army | Fort Jackson | Modified Record Fire Range | 3,600 | 3,600 |
| Army | Fort Jackson | Training Battalion Complex | 66,000 | 66,000 |
| Army | Fort Jackson | Infiltration Course | 1,900 | 1,900 |
| ARNG | Greenville | Army Aviation Support Facility | 40,000 | 40,000 |
| Air_Guard | McEntire JNGB | Joint Force headquarters Building | | 1,300 |
| Navy | Parris Island | Electrical SubStation and Improvements | 6,972 | 6,972 |
| Air Force | Shaw AFB | Add/Alter USAFCENT HQ | | 21,183 |
| | South Dakota | | | |
| ARNG | Camp Rapid | Joint Force HQ Readiness Center Supplement | | 7,890 |
| ARNG | Camp Rapid | Troop Medical Clinic Addition and Alteration | | 1,950 |
| Air Force | Ellsworth AFB | Add/Alter Deployment Center | | 14,500 |
| Air_Guard | Joe Foss Field | Add and Alter Munitions Maintenance Complex | | 1,300 |
| Air_Guard | Joe Foss Field | Above Ground Multi-cubicle Magazine Storage | | 1,300 |
| | Tennessee | | | |
| Air_Guard | 164 AirLift Wing, Mem | 164th AirLift Wing ANG Eng Maint Trng Fac | | 9,800 |
| | Texas | | | |
| ARNG | Austin | Armed Forces Reserve Center | 16,500 | 16,500 |
| ARNG | Austin | Field Maintenance Shop, joint | 5,700 | 5,700 |
| USAR | Austin | Armed Forces Reserve Center/AMSA | 20,000 | 20,000 |
| USAR | Bryan | Army Reserve Center | | 12,200 |
| Navy | Corpus Christi | Operational Facilities for T–6 | 19,764 | 19,764 |
| Air Force | Dyess AFB | C–130J Alter Hanger | 4,500 | 4,500 |
| Army | Fort Bliss | Vehicle Maintenance Shop | 16,000 | 16,000 |
| Army | Fort Bliss | Brigade Staging Area Complex | 14,800 | 14,800 |
| Army | Fort Bliss | Digital Multipurpose Range Complex | 45,000 | 45,000 |
| Army | Fort Bliss | Fire and Military Police Stations | 16,500 | 16,500 |
| Army | Fort Bliss | Aircraft Fuel Storage | 10,800 | 10,800 |
| Army | Fort Bliss | Vehicle Maintenance Shop | 20,000 | 20,000 |
| Army | Fort Bliss | Automated Sniper Field Fire Range | 4,250 | 4,250 |
| Army | Fort Bliss | Known Distance Range | 4,750 | 4,750 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Army | Fort Bliss | Automated Multipurpose Machine Gun Range | 6,900 | 6,900 |
| Army | Fort Bliss | Scout/recce Gunnery Complex | 17,000 | 17,000 |
| Army | Fort Bliss | Light Demolition Range | 2,400 | 2,400 |
| Army | Fort Bliss | Automated Infantry Platoon Battle Course | 7,000 | 7,000 |
| Army | Fort Bliss | Simulation Center | 23,000 | 23,000 |
| Army | Fort Bliss | Vehicle Maintenance & Company Ops Fac | 31,000 | 31,000 |
| Def-Wide | Fort Bliss | Health and Dental Clinic | 30,295 | 24,600 |
| Def-Wide | Fort Bliss | Hospital Replacement Incl | 86,975 | 86,975 |
| USAR | Fort Bliss | Army Reserve Center | 9,500 | 9,500 |
| Army | Fort Hood | Vehicle Maintenance Shop | 23,000 | 23,000 |
| Army | Fort Hood | Urban Assault Course | 2,400 | 2,400 |
| Army | Fort Hood | Automated Multipurpose Machine Gun Range | 6,700 | 6,700 |
| Army | Fort Hood | Family Life Center | | 10,800 |
| Def-Wide | Fort Hood | Alter Fuel Pump House and Fill Stand | 3,000 | 3,000 |
| Army | Fort Sam Houston | Access Control Point and Road Improvements | 10,800 | 10,800 |
| Army | Fort Sam Houston | General Instruction building | 9,000 | 9,000 |
| Milcon, Naval Res | Fort Worth NAS/JRB | Replace Joint Base Comms | | 6,170 |
| Air Force | Goodfellow AFB | Joint Intel Tech Trng fac, Ph 1 (tfi) | 18,400 | 18,400 |
| Air Force | Goodfellow AFB | Student Dormitory (100 rm) | 14,000 | 14,000 |
| Air Force | Goodfellow AFB | Consolidated Learning Center | | 12,000 |
| USAR | Houston | Army Reserve Center/land | 24,000 | 24,000 |
| Air_Guard | Kelly Field Annex | Add/Alter Aircraft Maint Shops | | 7,900 |
| Navy | Kingsville NAS | Solar Panel Array | | 4,470 |
| AF Reserve | Lackland AFB | C–5 Ground Training Schoolhouse Addition | 1,500 | 1,500 |
| Air Force | Lackland AFB | Evasion, Conduct After Capture Trng | 4,879 | 4,879 |
| Air Force | Lackland AFB | Recruit Dormitory 2, phase 2 | 77,000 | 77,000 |
| Air Force | Lackland AFB | Bmt Satellite Classroom/dining Fac | 32,000 | 32,000 |
| Def-Wide | Lackland AFB | Dental Clinic replacement | 29,318 | 29,318 |
| Def-Wide | Lackland AFB | Ambulatory Care Center, phase 1 | 72,610 | 72,610 |
| USAR | Robstown | Tactical Equip Maint Facility | | 10,200 |
| Milcon, Naval Res | San Antonio | Reserve Training Center | 2,210 | 2,210 |
| USAR | San Antonio | Army Reserve Center | 20,000 | 20,000 |
| Air Force | Sheppard Air Force Base | ENJJPT Operations Complex, Phase 1 | | 13,450 |
| | Utah | | | |
| Def-Wide | Camp Williams | IC CNCI Data Center (Incr. 2) | 800,000 | 600,000 |
| Army | Dugway Proving Ground | Water Treatment Systems | 25,000 | 25,000 |
| AF Reserve | Hill AFB | Reserve Squad Ops/AMU Facility | 3,200 | 3,200 |
| Air Force | Hill AFB | F–22A Radar Cross Section Testing Fac | 21,053 | 21,053 |
| Air Force | Hill AFB | PCC Apron Northwest End Taxiway | | 5,100 |
| | Vermont | | | |
| Air_Guard | Burlington IAP | Fire Crash and Rescue Station Addition and Alteration | | 6,000 |
| ARNG | Ethan Allen Firing Range | BOQ Additions and Improvements | | 1,996 |
| | Virginia | | | |
| Def-Wide | Dahlgren | Aegis BMD Facility Expansion | 24,500 | 24,500 |
| Navy | Dahlgren | Electromagnetic Research and Engineering Facility | | 3,660 |
| Def-Wide | Dam Neck | SOF Operations Facility inc III | 15,967 | 15,967 |
| Navy | Dam Neck | SOF Cafeteria | | 14,170 |
| Army | Fort A.P. Hill | Automated Infantry Platoon Battle Course | 4,900 | 4,900 |
| Army | Fort A.P. Hill | Field Training Area | 9,000 | 9,000 |
| Army | Fort A.P. Hill | Training Aids Center | 9,100 | 9,100 |
| Army | Fort Belvoir | Flight Control Tower | 8,400 | 8,400 |
| Army | Fort Belvoir | Road and Access Control Point | 9,500 | 9,500 |
| Army | Fort Belvoir | Road and Infrastructure Improvements | 20,000 | |
| Army | Fort Lee | Defense Access Roads | | 5,000 |
| ARNG | Fort Pickett | Regional Training Institute Ph2 | 32,000 | 32,000 |
| Army | Ft. Eustis | Upgrade Marshalling Area | | 8,900 |
| Air Force | Langley AFB | West & Lasalle Gates Force Protection/access | 10,000 | 10,000 |
| Def-Wide | Little Creek | SOF Support Activity Operation Facility | 18,669 | 18,669 |
| Navy | Little Creek | Naval Construction Division Operations Fac | 13,095 | 13,095 |
| Navy | Norfolk | E–2D Trainer Facility | 11,737 | 11,737 |
| Navy | Norfolk | Facility Upgrades For E–2D Program | 6,402 | 6,402 |
| Milcon, Naval Res | Oceana Naval Air Station | C–40 Hanger | 30,400 | 30,400 |
| Def-Wide | Pentagon | Pentagon Electrical Upgrade | 19,272 | 19,272 |
| Def-Wide | Pentagon | Secondary Uninterruptible Power Raven Rock | 8,400 | 8,400 |
| Navy | Portsmouth | Ship Repair Pier replacement (Incr. 1) | 226,969 | 126,969 |
| Navy | Quantico | Student Quarters—TBS (phase 4) | 32,060 | 32,060 |
| Navy | Quantico | Battalion Training Facility—MSGBN | 10,340 | 10,340 |
| Navy | Quantico | MC Information Operations Center—MCIOC | 29,620 | 29,620 |
| Navy | Quantico | Aircraft Trainer | 3,170 | 3,170 |
| Navy | Quantico | Dining Facility - TBS | 14,780 | 14,780 |
| Navy | Quantico | South Mainside Electrical SubStation | 15,270 | 15,270 |
| | Washington | | | |
| Navy | Bangor | Limited Area Production/strg Cmplx (inc 6) | 87,292 | 87,292 |
| Navy | Bremerton | Enclave Fencing/ parking, Silverdale WA | 67,419 | 67,419 |
| Navy | Bremerton | CVN Maintenance Pier replacement (inc 2) | 69,064 | 69,064 |
| Navy | Everett NS | Small Craft Launch | | 3,810 |
| Air Force | Fairchild AFB | SERE Force Support Complex, Phase I | | 11,000 |
| Air Force | Fairchild AFB | TFI Refuel Veh Maint Facility | | 4,150 |
| Def-Wide | Fairchild AFB | Replace Fuel Distribution System | 7,500 | 7,500 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Army | Fort Lewis | Live Fire Exercise Shoothouse | 2,550 | 2,550 |
| Army | Fort Lewis | Animal Building | 3,050 | 3,050 |
| Army | Fort Lewis | Brigade Complex, Inc 4 | 102,000 | 102,000 |
| Army | Fort Lewis | Modified Record Fire Range | 4,100 | 4,100 |
| Army | Fort Lewis | Ft Lewis-Mcchord AFB Joint Access | | 9,000 |
| Def-Wide | Fort Lewis | SOF Support Company Facility | 14,500 | 14,500 |
| Def-Wide | Fort Lewis | Health and Dental Clinic | 15,636 | 15,636 |
| Navy | Indian Island NM | Ord Storage Pads W/2 Covers | | 13,130 |
| Navy | Spokane | Jnt Pers Recovery agency Specialized SERE Tra | 12,707 | 12,707 |
| | West Virginia | | | |
| Air_Guard | Martinsburg | C–5 Taxiway Upgrades | | 19,500 |
| Navy | Navy, Sugar Grove | Emergency Services Center | | 10,990 |
| ARNG | St. Albans Armory | Readiness Center Additions | | 2,000 |
| | Wisconsin | | | |
| USAR | Fort McCoy | Combined Arms Collective Training Facility | 25,000 | 25,000 |
| USAR | Fort McCoy | Range Utility Upgrade | | 3,850 |
| Air_Guard | General Mitchell IAP | Upgrade Corrosion Control Hanger | | 5,000 |
| | Wyoming | | | |
| Air_Guard | Cheyenne Airport | Squadron Operations | | 1,500 |
| Air Force | F. E. Warren AFB | ADAL Missile Service Complex | 9,100 | 9,100 |
| | Zu | | | |
| Air Force | Unspecified Worldwide | Recission Pl 110–417 UAS Maint Complex | | –22,000 |
| Air Force | Unspecified Worldwide | Recission Pl 110–417 UAS Ops Complex | | –15,500 |
| BRAC 05 | Unspecified Worldwide | Base Realignment and Closure 2005 | 7,479,498 | 7,455,498 |
| BRAC IV | Unspecified Worldwide | Base Realignment and Closure IV | 396,768 | 496,768 |
| Army | Various Locations | Brigade Combat Team Stationing | | –166,000 |
| Army | Various Locations | Trainee Troop Housing | | 350,000 |
| | Afghanistan | | | |
| Air Force | Bagram Air Base | Passenger Terminal | 22,000 | 22,000 |
| Army | Bagram Air Base | Fuel System Ph 6 | 12,000 | 12,000 |
| Army | Bagram Air Base | Fuel System Ph 7 | 5,000 | 5,000 |
| Army | Bagram Air Base | Coalition Operation Center | 49,000 | 49,000 |
| Army | Bagram Air Base | APS Compound | 38,000 | |
| Army | Bagram Air Base | Aviation Support Facility | 2,600 | 2,600 |
| Army | Bagram Air Base | Barracks | 18,500 | 18,500 |
| Army | Bagram Air Base | Command and Control Facility | 38,000 | |
| Army | Bagram Air Base | Perimeter Fence and Guard Towers | 7,000 | |
| | Bahrain | | | |
| Navy | SW Asia | Waterfront Development phase 2 | 41,526 | 41,526 |
| | Belgium | | | |
| Def-Wide | Brussels | Replace Elementary School (shape) | 38,124 | 38,124 |
| Army | Mons | NATO SOF Operational Support | | 20,000 |
| Def-Wide | Brussels | NATO Headquarters | | 41,400 |
| | Colombia | | | |
| Air Force | Palanquero Ab | Palanquero AB Development | 46,000 | 46,000 |
| | Czech Republic | | | |
| Def-Wide | Various Locations | Recission Pl 110–417 Emcr Site | | –108,560 |
| | Djibouti | | | |
| Navy | Camp Lemonier | Interior Paved Roads Phase A | 7,275 | 7,275 |
| Navy | Camp Lemonier | Ammo Supply Point | 21,689 | 21,689 |
| Navy | Camp Lemonier | Security Fencing I | 8,109 | 8,109 |
| Navy | Camp Lemonier | Fire Station | 4,772 | 4,772 |
| | Germany | | | |
| Army | Ansbach | Barracks | 17,500 | 17,500 |
| Army | Ansbach | Barracks | 14,200 | 14,200 |
| FH Con Army | Baumholder | Family Housing Replacement Constru(138 Units) | 18,000 | 18,000 |
| Def-Wide | Boeblingen | New Elementary School | | 50,000 |
| Def-Wide | Kaiserlautern AB | Kaiserslautern Complex-phase 1 | 19,380 | 19,380 |
| Def-Wide | Kaiserlautern AB | Kaiserslautern HS Replace School | 74,165 | 74,165 |
| Army | Kleber Kaserne | Barracks | 20,000 | 20,000 |
| Army | Landstuhl | Warrior In Transition (WT) Complex | 25,000 | |
| Air Force | Ramstein AB | Construct Age Maint Complex | 11,500 | 11,500 |
| Air Force | Ramstein AB | Contingency Response Group Command | 23,200 | 23,200 |
| Air Force | Spangdahlem AB | Fitness Ctr | 23,500 | 23,500 |
| Def-Wide | Weisbaden | Wiesbaden HS New Cafeteria and Kitchen | 5,379 | 5,379 |
| FH Con Army | Weisbaden | Family Housing replacement Const Inc 2 | 10,000 | 10,000 |
| FH Con Army | Weisbaden | Family Housing replacement Const Inc 2 | 11,000 | 11,000 |
| FH Con Army | Weisbaden | Family Housing replacement Const Inc 2 | 11,000 | 11,000 |
| | Greece | | | |
| Def-Wide | Souda Bay | Fuel Storage Tanks & Pipeline Rpl | 24,000 | 24,000 |
| | Guam | | | |
| Def-Wide | Agana Naval Air Station | Replace Gas Cylander Storage Facility | 4,900 | 4,900 |
| Air Force | Andersen AFB | Postal Service Center | | 3,500 |
| Air Force | Andersen AFB | Strike Fol Electrical Infrastructure | 33,750 | 33,750 |
| Air Force | Andersen AFB | NW Field ATFP Perimeter Fence and Road | 4,752 | 4,752 |
| Air Force | Andersen AFB | Commando Warrior Operations Fac | 4,200 | 4,200 |
| Air Force | Andersen AFB | NW Field Combat Spt Vehicle Maint Fac | 15,500 | 15,500 |
| ARNG | Barrigada | Readiness Center | 30,000 | 30,000 |
| Def-Wide | Guam | Hospital Replacement incr I | 259,156 | 259,156 |
| FH Con Navy | Guam | Replace Guam N. Tipalao ph III | 20,730 | 20,730 |
| Navy | Guam | Consolidated Slc Training & CSS–15 HQ Fac | 45,309 | 45,309 |
| Navy | Guam | Military Working Dog Relocation, Apra Harbor | 27,070 | 14,000 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| Navy | Guam | Defense Access Road improvements | 48,860 | 48,860 |
| Navy | Guam | AAFB North Ramp Utilities Incr 1 | 21,500 | 21,500 |
| Navy | Guam | AAFB North Ramp Parking incr 1 | 88,797 | 88,797 |
| Navy | Guam | Apra Harbor Wharves Imp. Incr 1 | 167,033 | 127,033 |
| Navy | Guam | Torpedo Exercise Support Building | 15,627 | 15,627 |
| Def-Wide | Various Locations | Unspecified Various locations | | |
| | Guantanamo | | | |
| Def-Wide | Guantanamo Bay | Replace Fuel Storage Tanks | 12,500 | 12,500 |
| | Italy | | | |
| Air Force | Sigonella | Global Hawk Aircraft Maint and Ops Complex | 31,300 | 31,300 |
| Army | Vicenza | Bde Complex—Operations spt Fac, Incr 3 | 23,500 | 23,500 |
| Army | Vicenza | Bde Complex—Barracks/community, Incr 3 | 22,500 | 22,500 |
| | Japan | | | |
| Army | Okinawa | Training Aids Center | 6,000 | 6,000 |
| Army | Sagamihara | Training Aids Center | 6,000 | 6,000 |
| | Korea | | | |
| Army | Camp Humphreys | Vehicle Maintenance Shop | 19,000 | 19,000 |
| Army | Camp Humphreys | Vehicle Maintenance Shop | 18,000 | 18,000 |
| Army | Camp Humphreys | Fire Stations | 13,200 | 13,200 |
| Def-Wide | K–16 Airfield | Convert Warehouses | 5,050 | 5,050 |
| Def-Wide | Osan AB | Replace Hydrant Fuel System | 28,000 | 28,000 |
| FH Con Navy | Pusan | Constr Chinhae Welcome Ctr/warehouse | 4,376 | 4,376 |
| | Kuwait | | | |
| Army | Camp Arifjan | APS Warehouses | 82,000 | 82,000 |
| Air Force | Al Musannah AB | War Reserve Material Compound | 47,000 | |
| Air Force | Al Musannah AB | AirLift Ramp and Fuel Facilities | 69,000 | |
| | Poland | | | |
| Def-Wide | Various Locations | Recission Pl 110–417 European Interceptor Site | | –42,600 |
| | Puerto Rico | | | |
| USAR | Caguas | Army Reserve Center/land | 12,400 | 12,400 |
| | Qatar | | | |
| Air Force | Al Udeid, Qatar | Blatchford-preston Complex Ph Ii | 60,000 | 60,000 |
| | Spain | | | |
| Navy | Rota | Reception Airfield Facilities | 26,278 | 26,278 |
| | Turkey | | | |
| Air Force | Incirlik Ab | Construct Consolidated Community Ctr | 9,200 | 9,200 |
| | United Kingdom | | | |
| Def-Wide | Menwith Hill Station | MHS PSC Construction | 37,588 | 37,588 |
| Def-Wide | Raf Mildenhall | Connect Fuel Tank Distribution Pipe Ln | 4,700 | 4,700 |
| Def-Wide | Royal Air Force Alconbury | Medical/dental Clinic replacement | 14,227 | 14,227 |
| Def-Wide | Royal Air Force Lakenheath | Liberty IS—Gymnasium | 4,509 | 4,509 |
| | Virgin Islands | | | |
| ARNG | St. Croix | Regional Training Institute Ph1 | 20,000 | 20,000 |
| | Zc | | | |
| Air Force | Classified Location | Classified Planning & Design | 3,000 | 3,000 |
| | Zu | | | |
| NSIP | NATO Security Invest Prgm | NATO Security Investment Program | 276,314 | 197,414 |
| AF Reserve | Unspecified Worldwide | Planning and Design | 1,976 | 3,869 |
| AF Reserve | Unspecified Worldwide | Minor Construction | 800 | 800 |
| Air Force | Unspecified Worldwide | Unspecified minor construction | 18,000 | 20,000 |
| Air Force | Unspecified Worldwide | Planning & design | 79,363 | 100,562 |
| Air_Guard | Unspecified Worldwide | Minor Construction | 9,000 | 17,005 |
| Air_Guard | Unspecified Worldwide | Planning & design | 10,061 | 13,021 |
| Army | Unspecified Worldwide | Minor Construction FY 10 | 23,000 | 25,000 |
| Army | Unspecified Worldwide | Planning & design FY 10 | 153,029 | 175,519 |
| Army | Unspecified Worldwide | Host Nation Support FY 10 | 25,000 | 25,000 |
| ARNG | Unspecified Worldwide | Unspecified Minor construction | 10,300 | 29,682 |
| ARNG | Unspecified Worldwide | Planning and Design | 23,981 | 47,429 |
| Def-Wide | Unspecified Worldwide | | | |
| Def-Wide | Unspecified Worldwide | Unspecified Minor construction | 6,800 | 6,800 |
| Def-Wide | Unspecified Worldwide | Planning and Design | 8,855 | 8,855 |
| Def-Wide | Unspecified Worldwide | Unspecified Minor construction | 4,100 | 4,100 |
| Def-Wide | Unspecified Worldwide | Minor Construction | 3,717 | 3,717 |
| Def-Wide | Unspecified Worldwide | Planning and Design | 2,000 | 2,000 |
| Def-Wide | Unspecified Worldwide | Planning and Design | 10,534 | 10,534 |
| Def-Wide | Unspecified Worldwide | Unspecified Minor construction | 6,022 | 6,022 |
| Def-Wide | Unspecified Worldwide | Planning and Design | 4,425 | 4,425 |
| Def-Wide | Unspecified Worldwide | JEP Exercise Related construction | 7,861 | 7,861 |
| Def-Wide | Unspecified Worldwide | Minor Construction | 4,525 | 4,525 |
| Def-Wide | Unspecified Worldwide | Planning and Design | 72,974 | 72,974 |
| Def-Wide | Unspecified Worldwide | Energy Conservation Improvement Program | 90,000 | 123,013 |
| Def-Wide | Unspecified Worldwide | Contingency construction | 10,000 | 10,000 |
| Def-Wide | Unspecified Worldwide | Unspecified Minor construction | 3,000 | |
| Def-Wide | Unspecified Worldwide | Planning and Design | 35,579 | 19,079 |
| Def-Wide | Unspecified Worldwide | Planning and Design | 3,575 | 3,575 |
| FH Con AF | Unspecified Worldwide | Construction improvements | 61,737 | 61,737 |
| FH Con AF | Unspecified Worldwide | Classified Project | 50 | 50 |
| FH Con AF | Unspecified Worldwide | Planning and Design | 4,314 | 4,314 |
| FH Con Army | Unspecified Worldwide | Construction improvements (2428 Units) | 219,300 | 219,300 |
| FH Con Army | Unspecified Worldwide | Family Housing P&D | 3,936 | 3,936 |
| FH Con Navy | Unspecified Worldwide | Improvements | 118,692 | 118,692 |
| FH Con Navy | Unspecified Worldwide | Design | 2,771 | 2,771 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | Conference Agreement |
|---|---|---|---|---|
| FH Ops AF | Unspecified Worldwide | Utilities Account | 81,686 | 81,686 |
| FH Ops AF | Unspecified Worldwide | Management Account | 1,557 | 1,557 |
| FH Ops AF | Unspecified Worldwide | Management Account | 51,334 | 51,334 |
| FH Ops AF | Unspecified Worldwide | Services Account | 20,183 | 20,183 |
| FH Ops AF | Unspecified Worldwide | Furnishings Account | 39,182 | 39,182 |
| FH Ops AF | Unspecified Worldwide | Miscellaneous Account | 1,543 | 1,543 |
| FH Ops AF | Unspecified Worldwide | Leasing Account | 548 | 548 |
| FH Ops AF | Unspecified Worldwide | Leasing | 102,858 | 102,858 |
| FH Ops AF | Unspecified Worldwide | Maintenance Account | 1,911 | 1,911 |
| FH Ops AF | Unspecified Worldwide | Maintenance (RPMA & RPMC) | 148,318 | 148,318 |
| FH Ops AF | Unspecified Worldwide | Housing Privatization | 53,816 | 53,816 |
| FH Ops Army | Unspecified Worldwide | Utilities Account | 81,650 | 81,650 |
| FH Ops Army | Unspecified Worldwide | Operations | 87,263 | 87,263 |
| FH Ops Army | Unspecified Worldwide | Miscellaneous Account | 1,177 | 1,177 |
| FH Ops Army | Unspecified Worldwide | Leasing | 205,685 | 205,685 |
| FH Ops Army | Unspecified Worldwide | Maintenance of Real Property | 115,854 | 115,854 |
| FH Ops Army | Unspecified Worldwide | Privatization Support Costs | 31,789 | 31,789 |
| FH Ops DW | Unspecified Worldwide | Furnishings Account | 4,426 | 4,426 |
| FH Ops DW | Unspecified Worldwide | Leasing | 33,579 | 33,579 |
| FH Ops DW | Unspecified Worldwide | Utilities Account | 274 | 274 |
| FH Ops DW | Unspecified Worldwide | Furnishings Account | 19 | 19 |
| FH Ops DW | Unspecified Worldwide | Services Account | 29 | 29 |
| FH Ops DW | Unspecified Worldwide | Management Account | 309 | 309 |
| FH Ops DW | Unspecified Worldwide | Maintenance 0f Real Property | 366 | 366 |
| FH Ops DW | Unspecified Worldwide | Recission (Public Law 110–5) | | |
| FH Ops DW | Unspecified Worldwide | Operations | 35 | 35 |
| FH Ops DW | Unspecified Worldwide | Leasing | 10,108 | 10,108 |
| FH Ops DW | Unspecified Worldwide | Maintenance of Real Property | 69 | 69 |
| FH Ops Navy | Unspecified Worldwide | Utilities Account | 53,956 | 53,956 |
| FH Ops Navy | Unspecified Worldwide | Furnishings Account | 14,624 | 14,624 |
| FH Ops Navy | Unspecified Worldwide | Management Account | 60,278 | 60,278 |
| FH Ops Navy | Unspecified Worldwide | Miscellaneous Account | 457 | 457 |
| FH Ops Navy | Unspecified Worldwide | Services Account | 16,462 | 16,462 |
| FH Ops Navy | Unspecified Worldwide | Leasing | 101,432 | 101,432 |
| FH Ops Navy | Unspecified Worldwide | Maintenance of Real Property | 94,184 | 94,184 |
| FH Ops Navy | Unspecified Worldwide | Privatization Support Costs | 27,147 | 27,147 |
| FHIF | Unspecified Worldwide | Family Housing improvement Fund | 2,600 | 2,600 |
| HOAP | Unspecified Worldwide | Homeowners Assistance program | 23,225 | 300,000 |
| Milcon, Naval Res | Unspecified Worldwide | Planning and Design | 2,371 | 2,951 |
| Navy | Unspecified Worldwide | Unspecified minor construction | 12,483 | 12,483 |
| Navy | Unspecified Worldwide | Planning and Design | 166,896 | 179,652 |
| USAR | Unspecified Worldwide | Unspecified minor construction | 3,600 | 3,600 |
| USAR | Unspecified Worldwide | Planning and Design | 22,262 | 22,716 |
| AF Reserve | Unspecified Worldwide | Programmatic Plus Up | | 55,000 |
| Air_Guard | Unspecified Worldwide | Programmatic Plus Up | | 30,000 |
| ARNG | Unspecified Worldwide | Programmatic Plus Up | | 30,000 |
| Milcon, Naval Res | Unspecified Worldwide | Programmatic Plus Up | | 55,000 |
| USAR | Unspecified Worldwide | Programmatic Plus Up | | 30,000 |
| | | **Total FY2010 Authorizations** | **22,946,036** | **23,879,856** |
| | | Prior Year Savings | | **–175,800** |
| | | General Reduction | | **–529,091** |
| | | **Grand Total** | **22,946,036** | **23,174,965** |

**SEC. 4502. 2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING.**

**2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING**
(In Thousands of Dollars)

| Account | State and Location | Project Title | Project Authorization | Conference Authorization |
|---|---|---|---|---|
| | AL | | | |
| Army | Anniston (Pelham Range) | Armed Forces Reserve Center | 8,000 | 8,000 |
| Army | Birmingham | Armed Forces Reserve Center | 10,000 | 10,000 |
| Army | Mobile | Armed Forces Reserve Center | 20,430 | 20,430 |
| Defense Wide | Redstone Arsenal | Von Braun Complex | 0 | 27,800 |
| Army | Tuscaloosa | Armed Forces Reserve Center | 18,000 | 18,000 |
| | AR | | | |
| Army | Camden | Armed Forces Reserve Center | 9,800 | 9,800 |
| Army | El Dorado | Armed Forces Reserve Center | 14,000 | 14,000 |
| Army | Hot Springs | Armed Forces Reserve Center | 14,600 | 14,600 |
| Army | Pine Bluff | Armed Forces Reserve Center | 15,500 | 15,500 |
| | AZ | | | |
| Army | Marana | Armed Forces Reserve Center | 31,000 | 31,000 |
| | CA | | | |
| Navy | Barstow | Industrial Machine Shop Facility | 14,131 | 14,130 |
| Navy | China Lake | Shipboard Shock Test Facility | 3,160 | 3,160 |
| Navy | China Lake | Weapons Dynamics RDT&E Center | 5,970 | 5,970 |
| | CT | | | |
| Army | Middletown | Armed Forces Reserve Center, Incr 2 | 37,000 | 37,000 |
| | DC | | | |
| Navy | Washington | Navy Systems Management Activity Relocation (INCR II of II) | 71,929 | 71,929 |
| Navy | Washington | Renovate 3rd Floor Building 176, Washington Navy Yard | 750 | 750 |
| | FL | | | |
| Army | Eglin AFB | Special Forces Complex, Incr 2 | 8,000 | 8,000 |
| Air Force | Eglin AFB | BRAC F–35 Live Ordnance Load Area (LOLA) | 6,624 | 6,624 |
| Air Force | Eglin AFB | CE Facility | 2,000 | 2,000 |
| Air Force | Eglin AFB | F–35 (JSF) Duke Field Control Tower | 2,280 | 2,280 |
| Air Force | Eglin AFB | Fitness Facility | 2,750 | 2,750 |
| Air Force | Eglin AFB | STOVL Simulated Carrier Practice Landing Deck | 27,690 | 27,690 |
| Air Force | Eglin AFB | School Age Facility | 2,600 | 2,600 |
| Air Force | Eglin AFB | Security Forces Facility | 890 | 890 |
| Air Force | Eglin AFB | Taxiway Extension | 13,000 | 13,000 |
| Air Force | Eglin AFB | Traffic Management Cargo Processing Facility | 900 | 900 |
| | GA | | | |
| Army | Benning | AAFES Troop Store | 1,950 | 1,950 |
| Army | Benning | Armed Forces Reserve Center | 18,000 | 18,000 |
| Army | Benning | Equipment Concentration Site | 43,000 | 43,000 |
| Army | Benning | General Instruction Complex 2, Incr 2 | 58,000 | 58,000 |
| Army | Benning | Maneuver Ctr HQ & CDI Bldg Expansion | 42,000 | 42,000 |
| Army | Benning | Medical Facility, Incr 2 | 77,000 | 77,000 |
| | IA | | | |
| Army | Cedar Rapids | Armed Forces Reserve Center | 42,000 | 42,000 |
| Army | Iowa AAP | Armed Forces Reserve Center | 27,000 | 27,000 |
| Army | Muscatine | Armed Forces Reserve Center | 8,800 | 8,800 |
| | IL | | | |
| Army | Rock Island | Army Headquarters Building Renovation | 20,000 | 20,000 |
| | KY | | | |
| Army | Campbell | Armed Forces Reserve Center | 5,900 | 5,900 |
| Army | Campbell | Headquarters Building, Group | 14,800 | 14,800 |
| Army | Knox | Armed Forces Reserve Center | 2,300 | 2,300 |
| | MD | | | |
| Army | Aberdeen PG | C4ISR, Phase 2, Incr 2 | 156,000 | 156,000 |
| Defense Wide | Bethesda (WRNMMC) | Medical Center Addition—Increment 3 | 108,850 | 108,850 |
| Defense Wide | Bethesda (WRNMMC) | Traffic Mitigation Increment 1 | 18,400 | 18,400 |
| Defense Wide | Bethesda (WRNMMC) | Site Utility Infrastructure Upgrade for NICoE | 0 | 6,500 |
| Army | Detrick | Joint Bio-Med RDA Management Center | 8,300 | 8,300 |
| Army | Forest Glenn | Museum | 12,200 | 12,200 |
| Defense Wide | Fort Meade | Construct DISA Building | 131,662 | 131,662 |
| Army | Fort Meade | Defense Media Activity, Incr 2 | 17,000 | 17,000 |
| | ME | | | |
| Navy | Brunswick | Marine Corps Reserve Center | 12,960 | 12,960 |
| | MI | | | |
| Army | Detroit Arsenal | Administrative Office Buildings, Incr 2 | 0 | 21,384 |
| Army | Detroit Arsenal | Weapons Systems Support and Training | 8,300 | 8,300 |
| Army | Ft. Custer (Augusta) | Armed Forces Reserve Center | 18,500 | 18,500 |
| Air Force | Selfridge ANGB | A10 Arm/Disarm Apron | 1,350 | 1,350 |
| Air Force | Selfridge ANGB | Repair Munitions Admin Building 891 | 3,100 | 3,100 |
| Air Force | Selfridge ANGB | Upgrade Munitions Maintenance Shop | 1,650 | 1,650 |
| Air Force | Selfridge ANGB | Upgrade Munitions Missile Maintenance Bays | 2,350 | 2,350 |
| | MO | | | |
| Army | Kirksville | Armed Forces Reserve Center | 6,600 | 6,600 |
| | MT | | | |
| Army | Great Falls | Armed Forces Reserve Center | 7,600 | 7,600 |

**2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING**
(In Thousands of Dollars)

| Account | State and Location | Project Title | Project Authorization | Conference Authorization |
|---|---|---|---|---|
| | NC | | | |
| Army | Bragg | Band Training Facility | 4,200 | 4,200 |
| Army | Bragg | Headquarters Bldg, FORSCOM/USARC, Incr 3 | 124,000 | 124,000 |
| Army | Wilmington | Armed Forces Reserve Center | 17,500 | 17,500 |
| | ND | | | |
| Army | Fargo | Armed Forces Reserve Center | 11,200 | 11,200 |
| | NE | | | |
| Army | Columbus | Armed Forces Reserve Center | 9,300 | 9,300 |
| Army | McCook | Armed Forces Reserve Center | 7,900 | 7,900 |
| | NJ | | | |
| Army | Camden | Armed Forces Reserve Center | 21,000 | 21,000 |
| | NY | | | |
| Army | West Point | US Military Academy Prep School, Incr 2 | 0 | 98,000 |
| | OH | | | |
| Army | Columbus | Armed Forces Reserve Center, Incr 2 | 0 | 30,218 |
| Navy | Akron | Armed Forces Reserve Center | 13,840 | 13,840 |
| | OK | | | |
| Army | Sill | Joint Fires & Effects Simulator Building | 28,000 | 28,000 |
| Air Force | Will Rogers World APT AGS | Relocate Global Air Traffic Operation Program Office | 1,200 | 1,200 |
| | PA | | | |
| Army | Allentown | Armed Forces Reserve Center | 15,000 | 15,000 |
| Army | Tobyhanna | Electronics Maintenance Shop, Depot Level | 3,200 | 3,200 |
| Air Force | Willow Grove ARS, NAS Willow Grove JRB | Establish Enclave | 4,000 | 4,000 |
| | RI | | | |
| Army | Bristol | Armed Forces Reserve Center | 17,500 | 17,500 |
| | SC | | | |
| Navy | Charleston | SPAWAR Data Center | 9,670 | 9,670 |
| Navy | Goose Creek | Consolidated Brig Addition | 9,790 | 9,790 |
| Army | Shaw AFB | Headquarters Building, Third US Army, Incr 2 | 55,000 | 55,000 |
| | TN | | | |
| Army | Chattanooga | Armed Forces Reserve Center | 8,900 | 8,900 |
| | TX | | | |
| Army | Bliss | Brigade Combat Team Complex #3, Incr 3 | 110,000 | 110,000 |
| Army | Bliss | Combat Aviation Brigade Complex, Incr 3 | 94,000 | 94,000 |
| Army | Bliss | Hospital Add/Alt, WBAMC | 24,000 | 0 |
| Army | Bliss | Hospital Replacement | 89,000 | 89,000 |
| Army | Bliss | Tactical Equipment Maintenance Facility 2 | 104,000 | 104,000 |
| Army | Brownsville | Armed Forces Reserve Center | 15,000 | 15,000 |
| Army | Huntsville | Armed Forces Reserve Center | 16,000 | 16,000 |
| Army | Kingsville | Armed Forces Reserve Center | 17,500 | 17,500 |
| Air Force | Lackland AFB | Joint Base San Antonio Headquarters Facility | 8,500 | 8,500 |
| Army | Lufkin | Armed Forces Reserve Center | 15,500 | 15,500 |
| Air Force | Randolph AFB | Renovate Building 38 | 2,050 | 2,050 |
| Army | Red River | Armed Forces Reserve Center | 14,200 | 14,200 |
| Defense Wide | Fort Sam Houston | San Antonio Military Medical Center (North) Incr 3 | 0 | 163,750 |
| Army | Sam Houston | Add/Alt Building 2270 | 18,000 | 18,000 |
| Army | Sam Houston | Housing, Enlisted Permanent Party | 10,800 | 10,800 |
| Army | Sam Houston | IMCOM Campus Area Infrastructure | 11,000 | 11,000 |
| Army | Sam Houston | Headquarters Bldg, IMCOM | 48,000 | 48,000 |
| | VA | | | |
| Army | Belvoir | Infrastructure Support, Incr 3 | 13,000 | 13,000 |
| Army | Belvoir | Infrastructure Support, Incr 3 | 39,400 | 39,400 |
| Army | Belvoir | NARMC HQ Building | 17,500 | 17,500 |
| Defense Wide | Fort Belvoir | NGA Headquarters Facility | 0 | 168,749 |
| Defense Wide | Fort Belvoir | Hospital Replacement—Increment 4 | 140,750 | 140,750 |
| Defense Wide | Fort Belvoir | Dental Clinic | 12,600 | 12,600 |
| Defense Wide | Fort Belvoir | Office Complex Increment 3 | | 360,533 |
| Army | Eustis | Bldg 705 Renv (AAA & 902d MI) | 1,600 | 1,600 |
| Army | Eustis | Headquarters Bldg, IMCOM Eastern Region | 5,700 | 5,700 |
| Army | Eustis | Headquarters Building, TRADOC, Incr 2 | 34,300 | 34,300 |
| Army | Eustis | Joint Task Force—Civil Support | 19,000 | 19,000 |
| Army | Eustis | Renovation for ACA and NETCOM | 4,800 | 4,800 |
| Army | Lee | AAFES Troop Store | 1,850 | 1,850 |
| Army | Lee | Administrative Building (DCMA) | 28,000 | 28,000 |
| Army | Lee | Combat Service Support School, Ph 1, Incr 4 | 0 | 30,000 |
| Army | Lee | Combat Service Support School, Ph 2, Incr 3 | 137,000 | 137,000 |
| Army | Lee | Combat Service Support School, Ph 3, Incr 2 | 145,000 | 145,000 |
| Army | Lee | Consolidated Troop Med/Dntl Clinic | 20,000 | 20,000 |
| Army | Lee | HQs, Transportation Management Detachment | 1,200 | 1,200 |
| Army | Lee | USMC Training Facilities | 25,000 | 25,000 |
| Navy | Arlington | Crystal Park 5 to Arlington Service Center | 33,660 | 33,660 |
| Navy | Chesapeake | Joint Regional Correctional Facility (INCR II of II) | 0 | 47,560 |
| Navy | Norfolk | Building 1558 Renovations for SPAWAR | 2,510 | 2,510 |

**2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING**
(In Thousands of Dollars)

| Account | State and Location | Project Title | Project Authorization | Conference Authorization |
|---|---|---|---|---|
| | WV | | | |
| Army | Elkins | Armed Forces Reserve Center | 22,000 | 22,000 |
| Army | Fairmont | Armed Forces Reserve Center | 21,000 | 21,000 |
| Army | Spencer-Ripley | Armed Forces Reserve Center | 19,540 | 19,540 |
| | WW | | | |
| Army | Various | Planning and Design | 26,100 | 26,100 |
| Army | Various | Environmental | 147,693 | 147,693 |
| Navy | Various | Environmental | 16,529 | 16,529 |
| Air Force | Various | Environmental | 19,454 | 19,454 |
| Defense Wide | Various | Environmental | 0 | 0 |
| Army | Various | Operation and Maintenance | 1,169,334 | 1,169,334 |
| Navy | Various | Operation and Maintenance | 322,495 | 322,495 |
| Air Force | Various | Operation and Maintenance | 288,459 | 288,459 |
| Defense Wide | Various | Operation and Maintenance | 836,715 | 836,715 |
| Army | Various | MilPers PCS | 0 | 0 |
| Navy | Various | MilPers PCS | 6,504 | 6,504 |
| Air Force | Various | MilPers PCS | 3,970 | 3,970 |
| Defense Wide | Various | MilPers PCS | 0 | 0 |
| Army | Various | Other | 311,138 | 311,138 |
| Navy | Various | Other | 20,115 | 20,115 |
| Air Force | Various | Other | 23,443 | 23,443 |
| Defense Wide | Various | Other | 412,320 | 412,320 |
| Defense Wide | Various | Other | | |
| | | Subtotal BRAC 2005 FY 2010, Army | | 4,057,037 |
| | | Subtotal BRAC 2005 FY 2010, Navy | | 591,572 |
| | | Subtotal BRAC 2005 FY 2010, Air Force | | 418,260 |
| | | Subtotal BRAC 2005 FY 2010, Defense Wide | | 2,388,629 |
| | | **Total BRAC 2005 FY 2010 All Categories** | **5,934,740** | **7,455,498** |
| Army | Various | Base Realignment and Closure IV, Army | | 138,723 |
| Navy | Various | Base Realignment and Closure IV, Navy | | 228,000 |
| Air Force | Various | Base Realignment and Closure IV, Air Force | | 127,364 |
| Defense Wide | Various | Base Realignment and Closure IV, Defense Wide | | 2,681 |
| | | **Total BRAC IV for FY 2010** | | **496,768** |

**SEC. 4503. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.**

**MILITARY CONSTRUCTION FOR OVERSEAS CONTIGENCY OPERATIONS**
(In Thousands of Dollars)

| Service | Country and Location | Project | Request | Conference Authorized |
|---|---|---|---|---|
| | Afghanistan | | | |
| Army | Airborne | Dining Facility | 2,200 | 2,200 |
| Army | Airborne | Waste Management Area | 5,600 | 5,600 |
| Army | Altimur | Dining Facility | 2,150 | 2,150 |
| Army | Altimur | Waste Management Area | 5,600 | 5,600 |
| Army | Asadabad | Waste Management Area | 5,500 | 5,500 |
| Air Force | Bagram Air Base | Cargo Terminal | 13,800 | 13,800 |
| Air Force | Bagram Air Base | Aviation Operations & Maintenance Facilities | 8,900 | 8,900 |
| Air Force | Bagram Air Base | Expeditionary Fighter Shelter | 6,400 | 6,400 |
| Army | Bagram Air Base | Troop Housing Phase 3 | 22,000 | 0 |
| Army | Bagram Air Base | Drainage System, Ph 2 | 21,000 | 21,000 |
| Army | Bagram Air Base | APS Compound | 0 | 38,000 |
| Army | Bagram Air Base | Barracks | 0 | 0 |
| Army | Bagram Air Base | Perimeter Fence and Guard Towers | 0 | 7,000 |
| Army | Bagram Air Base | Command and Control Facility | 0 | 38,000 |
| Army | Bagram Air Base | Access Roads | 21,000 | 21,000 |
| Army | Bagram Air Base | Command and Control Facility | 4,500 | 4,500 |
| Army | Bagram Air Base | Medlog Warehouse | 3,350 | 3,350 |
| Army | Blessing | Waste Management Area | 5,600 | 5,600 |
| Army | Bostick | Waste Management Area | 5,500 | 5,500 |
| Air Force | Dwyer | Cargo Handling Area | 4,900 | 4,900 |
| Army | Dwyer | Contingency Housing Phase 1 | 8,600 | 0 |
| Army | Dwyer | Contingency Housing Phase 2 | 6,900 | 0 |
| Army | Dwyer | Fuel System, Ph 1 | 5,800 | 5,800 |
| Army | Dwyer | Waste Management Complex | 6,900 | 6,900 |
| Army | Dwyer | Dining Facility | 6,600 | 6,600 |
| Army | Frontenac | Dining Facility | 2,200 | 2,200 |
| Army | Frontenac | Contingency Housing | 3,800 | 0 |
| Army | Gardez | Tactical Runway | 28,000 | 28,000 |
| Army | Gardez | Dining Facility | 2,200 | 2,200 |
| Army | Gardez | Contingency Housing | 8,400 | 0 |
| Army | Gardez | Fuel System, Ph 1 | 6,000 | 6,000 |
| Army | Ghazni | Waste Management Complex | 5,500 | 5,500 |
| Army | Jalalabad | Dining Facility | 4,350 | 4,350 |
| Army | Jalalabad | Ammunition Supply Point | 35,000 | 35,000 |
| Army | Jalalabad | Contingency Housing | 6,900 | 0 |
| Army | Jalalabad | Perimeter Fencing | 2,050 | 2,050 |
| Army | Joyce | Dining Facility | 2,100 | 2,100 |
| Army | Joyce | Waste Management Area | 5,600 | 5,600 |
| Army | Kabul | USFOR–A Headquarters & Housing | 98,000 | 98,000 |
| Army | Kabul | Camp Phoenix West Expansion | 39,000 | 39,000 |
| Air Force | Kandahar | Secure RSOI Facility | 9,700 | 9,700 |
| Air Force | Kandahar | Tactical Airlift Apron | 29,000 | 29,000 |
| Air Force | Kandahar | Refueler Apron/Relocate HCP | 66,000 | 66,000 |
| Air Force | Kandahar | CAS Apron Expansion | 25,000 | 25,000 |
| Air Force | Kandahar | ISR Apron Expansion | 40,000 | 40,000 |
| Air Force | Kandahar | Aviation Operations & Maintenance Facilities | 10,500 | 10,500 |
| Air Force | Kandahar | Expeditionary Fighter Shelter | 6,400 | 6,400 |
| Air Force | Kandahar | Cargo Helicopter Apron | 32,000 | 32,000 |
| Air Force | Kandahar | Relocate North Airfield Road | 16,000 | 16,000 |
| Army | Kandahar | Troup Housing Phase 2 | 4,250 | 0 |
| Army | Kandahar | Command and Control Facility | 4,500 | 4,500 |
| Army | Kandahar | Tanker Truck Offload Facility | 23,000 | 23,000 |
| Army | Kandahar | Command and Control Facility | 4,500 | 4,500 |
| Army | Kandahar | Command and Control Facility | 4,500 | 4,500 |
| Army | Kandahar | Southpark Roads | 11,000 | 11,000 |
| Army | Kandahar | Waste Management Complex | 10,000 | 10,000 |
| Army | Kandahar | Warehouse | 20,000 | 20,000 |
| Army | Kandahar | Theater Vehicle Maintenance Facility | 55,000 | 55,000 |
| Army | Maywand | Dining Facility | 2,200 | 2,200 |
| Army | Maywand | Waste Management Area | 5,600 | 5,600 |
| Army | Methar-lam | Waste Management Area | 4,150 | 4,150 |
| Army | Salerno | Waste Management Complex | 5,500 | 5,500 |
| Army | Salerno | Electrical Distribution Grid | 2,600 | 2,600 |
| Army | Salerno | Fuel System, Ph 1 | 12,800 | 12,800 |
| Army | Salerno | Dining Facility | 4,300 | 4,300 |
| Army | Salerno | Runway Upgrade | 25,000 | 25,000 |
| Air Force | Shank | Cargo Handling Area | 4,900 | 4,900 |

**MILITARY CONSTRUCTION FOR OVERSEAS CONTIGENCY OPERATIONS**
(In Thousands of Dollars)

| Service | Country and Location | Project | Request | Conference Authorized |
|---|---|---|---|---|
| Army | Shank | Dining Facility | 4,350 | 4,350 |
| Army | Shank | Electrical Distribution Grid | 4,600 | 4,600 |
| Army | Shank | Waste Management Complex | 8,100 | 8,100 |
| Army | Shank | Water Distribution System | 2,650 | 2,650 |
| Army | Shank | Troup Housing Phase 2 | 8,600 | 0 |
| Army | Sharana | Rotary Wing Parking | 32,000 | 32,000 |
| Army | Sharana | Ammunition Supply Point | 14,000 | 14,000 |
| Army | Sharana | Aircraft Maintenance Facilities | 12,200 | 12,200 |
| Army | Sharana | Electrical Distribution Grid | 2,600 | 2,600 |
| Air Force | Tarin Kowt | Cargo Handling Area | 4,900 | 4,900 |
| Army | Tarin Kowt | Fuel System Phase 2 | 11,800 | 11,800 |
| Army | Tarin Kowt | Waste Management Area | 6,800 | 6,800 |
| Army | Tarin Kowt | Ammunition Supply Point | 35,000 | 35,000 |
| Army | Tarin Kowt | Dining Facility | 2,200 | 2,200 |
| Air Force | Tombstone/Bastion | Strategic Airlift Apron Expansion | 32,000 | 32,000 |
| Air Force | Tombstone/Bastion | CAS Apron Expansion | 40,000 | 40,000 |
| Air Force | Tombstone/Bastion | ISR Apron | 41,000 | 41,000 |
| Air Force | Tombstone/Bastion | Secure RSOI Facility | 10,000 | 10,000 |
| Air Force | Tombstone/Bastion | Cargo Handling Area | 18,000 | 18,000 |
| Air Force | Tombstone/Bastion | Aviation Operations & Maintenance Facs | 8,900 | 8,900 |
| Air Force | Tombstone/Bastion | Expeditionary Fighter Shelter | 6,300 | 6,300 |
| Army | Tombstone/Bastion | Basic Load Ammunition Holding Area | 7,500 | 7,500 |
| Army | Tombstone/Bastion | Dining Facility | 8,900 | 8,900 |
| Army | Tombstone/Bastion | Entry Control Point and Access Roads | 14,200 | 14,200 |
| Army | Tombstone/Bastion | Fuel System, Ph 2 | 14,200 | 14,200 |
| Army | Tombstone/Bastion | Roads | 4,300 | 4,300 |
| Army | Tombstone/Bastion | Troop Housing Phase 3 | 3,250 | 0 |
| Army | Tombstone/Bastion | Troop Housing Phase 4 | 3,800 | 0 |
| Army | Tombstone/Bastion | Level 3 Medical Facility | 16,500 | 16,500 |
| Army | Tombstone/Bastion | Water Supply and Distribution System | 6,200 | 6,200 |
| Air Force | Wolverine | Cargo Handling Area | 4,900 | 4,900 |
| Army | Wolverine | Dining Facility | 4,350 | 4,350 |
| Army | Wolverine | Fuel System, Ph 1 | 5,800 | 5,800 |
| Army | Wolverine | Waste Management Complex | 6,900 | 6,900 |
| | Belgium | | | |
| Army | Mons | NATO SOF Operational Support | | |
| | ZU | | | |
| Air Force | Unspecified Worldwide. | Planning and Design | 35,000 | 29,000 |
| Army | Unspecified Worldwide. | Minor Construction | 20,000 | 20,100 |
| Army | Unspecified Worldwide. | Planning and Design | 76,284 | 76,284 |
| NSA | Unspecified Worldwide. | Classified Project | 6,000 | 0 |
| NSA | Unspecified Worldwide. | Planning and Design | 600 | 0 |
| | | **Grand Total Military Construction** | **1,404,984** | **1,398,984** |

**TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.**

**DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
(In Thousands of Dollars)

| Program | FY 2010 Request | Conference Authorized |
|---|---|---|
| **Electricity Delivery & Energy Reliability** | | |
| **Electricity Delivery & Energy Reliability** | | |
| Infrastructure security & energy restoration | 6,188 | 6,188 |
| **Weapons Activities** | | |
| **Directed stockpile work** | | |
| **Life extension programs** | | |
| W76 Life extension program | 209,196 | 209,196 |
| **Total, Life extension programs** | **209,196** | **209,196** |
| **Stockpile systems** | | |
| B61 Stockpile systems | 124,456 | 124,456 |
| W76 Stockpile systems | 65,497 | 65,497 |
| W78 Stockpile systems | 50,741 | 50,741 |
| W80 Stockpile systems | 19,064 | 19,064 |
| B83 Stockpile systems | 35,682 | 35,682 |
| W87 Stockpile systems | 51,817 | 51,817 |
| W88 Stockpile systems | 43,043 | 43,043 |
| **Total, Stockpile systems** | **390,300** | **390,300** |
| **Weapons dismantlement and disposition** | | |
| Operation and maintenance | 84,100 | 94,100 |
| **Total, Weapons dismantlement and disposition** | **84,100** | **94,100** |
| **Stockpile services** | | |
| Production support | 301,484 | 301,484 |
| Research and development support | 37,071 | 37,071 |
| R&D certification and safety | 143,076 | 153,076 |
| Dynamic plutonium experiment—NTS | | [10,000] |
| Management, technology, and production | 200,223 | 200,223 |
| Plutonium infrastructure sustainment | 149,201 | 149,201 |
| **Total, Stockpile services** | **831,055** | **841,055** |
| **Total, Directed stockpile work** | **1,514,651** | **1,534,651** |
| **Campaigns:** | | |
| **Science campaign** | | |
| Advanced certification | 19,400 | 19,400 |
| Primary assessment technologies | 80,181 | 80,181 |
| Dynamic materials properties | 86,617 | 86,617 |
| Academic alliances | 30,251 | 30,251 |
| Advanced radiography | 22,328 | 22,328 |
| Secondary assessment technologies | 77,913 | 77,913 |
| **Total, Science campaign** | **316,690** | **316,690** |
| **Engineering campaign** | | |
| Enhanced surety | 42,000 | 47,000 |
| Program increase | | [5,000] |
| Weapon systems engineering assessment technology | 18,000 | 18,000 |
| Nuclear survivability | 21,000 | 21,000 |
| Enhanced surveillance | 69,000 | 69,000 |
| **Total, Engineering campaign** | **150,000** | **155,000** |
| **Inertial confinement fusion ignition and high yield campaign** | | |
| Ignition | 106,734 | 106,734 |
| NIF diagnostics, cryogenics and experimental support | 72,252 | 73,252 |
| National Ignition Campaign program increase | | [1,000] |
| Pulsed power inertial confinement fusion | 5,000 | 5,000 |
| Joint program in high energy density laboratory plasmas | 4,000 | 4,000 |
| Facility operations and target production | 248,929 | 266,629 |
| Omega operations | | [6,500] |
| National Ignition Campaign program increase | | [11,200] |
| **Total, Inertial confinement fusion and high yield campaign** | **436,915** | **455,615** |
| **Advanced simulation and computing campaign** | | |
| Operation and maintenance | 556,125 | 556,125 |
| **Total, Advanced simulation and computing campaign** | **556,125** | **556,125** |

**DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
(In Thousands of Dollars)

| Program | FY 2010 Request | Conference Authorized |
|---|---|---|
| **Readiness Campaign** | | |
| Stockpile readiness | 5,746 | 5,746 |
| High explosives and weapon operations | 4,608 | 4,608 |
| Nonnuclear readiness | 12,701 | 12,701 |
| Tritium readiness | 68,246 | 68,246 |
| Advanced design and production technologies | 8,699 | 8,699 |
| **Total, Readiness campaign** | **100,000** | **100,000** |
| **Total, Campaigns** | **1,559,730** | **1,583,430** |
| **Readiness in technical base and facilities (RTBF)** | | |
| Operation of facilities | 1,342,303 | 1,360,303 |
| Pantex Plant program increase | | [8,000] |
| Y–12 National Security Complex program increase | | [10,000] |
| **Total, Operation of facilities** | **1,342,303** | **1,360,303** |
| Program readiness | 73,021 | 73,021 |
| Material recycle and recovery | 69,542 | 69,542 |
| Containers | 23,392 | 23,392 |
| Storage | 24,708 | 24,708 |
| **Subtotal, Readiness in technical base and facilities (RTBF)** | **1,532,966** | **1,550,966** |
| **Construction:** | | |
| 10–D–501 Nuclear facilities risk reduction Y–12 National Security Complex, Oakridge, TN | 12,500 | 12,500 |
| 99–D–141 Pit disassembly and conversion facility, Savannah River Site, Aiken, SC | 30,321 | 30,321 |
| 09–D–007, LANSCE—Refurbishment, Los Alamos National Laboratory, NM | 0 | 24,000 |
| Program increase in support of RTBF | | [24,000] |
| 09–D–404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM | 0 | 5,000 |
| Program increase in support of RTBF | | [5,000] |
| 08–D–801 High pressure fire loop (HPFL), Pantex, TX | 31,910 | 31,910 |
| 08–D–804 TA–55 Reinvestment project, Los Alamos National Laboratory | 0 | |
| 08–D–802 High Explosive Pressing Facility, Pantex Plant, Amarillo, TX | 0 | |
| 06–D–140 Project engineering design (PED), various locations | 70,678 | 70,678 |
| 06–D–402 NTS replace fire stations 1 & 2 Nevada Test Site, NV | 1,473 | 1,473 |
| 04–D–125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM | 55,000 | 55,000 |
| 04–D–128 TA–18 Criticality experiments facility (CEF), Los Alamos National Laboratory, Nevada Test Site, NV | 1,500 | 1,500 |
| **Total, Construction** | **203,382** | **232,382** |
| **Total, Readiness in technical base and facilities** | **1,736,348** | **1,783,348** |
| **Secure transportation asset** | | |
| Operation and equipment | 138,772 | 138,772 |
| Program direction | 96,143 | 96,143 |
| **Total, Secure transportation asset** | **234,915** | **234,915** |
| **Nuclear counterterrorism incident response** | **221,936** | **221,936** |
| **Facilities and infrastructure recapitalization program** | | |
| Operation and maintenance | 144,959 | 144,959 |
| Construction | | |
| 07–D–253 TA 1 heating systems modernization (HSM) Sandia National Laboratory | 9,963 | 9,963 |
| **Total, Construction** | **9,963** | **9,963** |
| **Total, Facilities and infrastructure recapitalization program** | **154,922** | **154,922** |
| **Site stewardship** | | |
| Environmental projects and operations | 41,288 | 41,288 |
| Nuclear materials integration | 20,000 | 20,000 |
| Stewardship planning | 29,086 | 29,086 |
| **Total, Site stewardship** | **90,374** | **90,374** |
| **Safeguards and security** | | |
| **Defense nuclear security** | | |
| Operation and maintenance | 700,044 | 700,044 |
| **Construction:** | | |
| 10–D–701 Security improvements project Y–12 National Security Complex, Oak Ridge, TN | 49,000 | 49,000 |
| **Total, Construction** | **49,000** | **49,000** |
| **Total, Defense nuclear security** | **749,044** | **749,044** |
| Cyber security | 122,511 | 122,511 |
| **Total, Safeguards and security** | **871,555** | **871,555** |
| **Use of prior year balances** | | –42,000 |
| **Total, Weapons Activities** | **6,384,431** | **6,433,131** |

***Defense Nuclear Nonproliferation***

**DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
(In Thousands of Dollars)

| Program | FY 2010 Request | Conference Authorized |
|---|---|---|
| **Nonproliferation and verification research and development** | | |
| Operation and maintenance | 297,300 | 337,300 |
| **Nonproliferation and international security** | 207,202 | 187,202 |
| **International nuclear materials protection and cooperation** | 552,300 | 592,050 |
| MPC&A | | [39,750] |
| **Elimination of weapons-grade plutonium production program** | 24,507 | 24,507 |
| **Fissile materials disposition** | | |
| **U.S. surplus fissile materials disposition** | | |
| Operation and maintenance | | |
| U.S. plutonium disposition | 90,896 | 90,896 |
| U.S. uranium disposition | 34,691 | 34,691 |
| Supporting activities | 1,075 | 1,075 |
| **Total, Operation and maintenance** | **126,662** | **126,662** |
| **Construction:** | | |
| 99–D–143 Mixed oxide fuel fabrication facility, Savannah River Site, SC | 504,238 | 504,238 |
| 99–D–141–02 Waste solidification building, Savannah River, SC | 70,000 | 70,000 |
| **Total, Construction** | **574,238** | **574,238** |
| **Total, U.S. surplus fissile materials disposition** | **700,900** | **700,900** |
| Russian surplus materials disposition | 1,000 | 1,000 |
| **Total, Fissile materials disposition** | **701,900** | **701,900** |
| **Global threat reduction initiative** | 353,500 | 333,500 |
| **Subtotal, Defense Nuclear Nonproliferation** | **2,136,709** | **2,176,459** |
| **Total, Defense Nuclear Nonproliferation** | **2,136,709** | **2,176,459** |
| **Naval Reactors** | | |
| **Naval reactors development** | | |
| **Operation and maintenance** | | |
| Operation and maintenance | 935,533 | 935,533 |
| **Total, Operation and maintenance** | **935,533** | **935,533** |
| **Construction:** | | |
| 10–D–903, KAPL Security upgrades, Schnectady, NY | 1,500 | 1,500 |
| 10–D–904, NRF infrastructure upgrades, ID | 700 | 700 |
| 09–D–190, PED, Infrastructure upgrades, KAPL, Schnectady, NY | 1,000 | 1,000 |
| 09–D–902, NRF Production Support Complex, ID | 6,400 | 6,400 |
| 08–D–190 NRF Project engineering and design Expended Core Facility M–290 receiving/discharge station, ID | 9,500 | 9,500 |
| 07–D–190 Materials research and technology complex, BAPL, Pittsburgh, PA | 11,700 | 11,700 |
| **Total, Construction** | **30,800** | **30,800** |
| **Total, Naval reactors development** | **966,333** | **966,333** |
| Program direction | 36,800 | 36,800 |
| **Total, Naval Reactors** | **1,003,133** | **1,003,133** |
| **Office Of The Administrator** | | |
| Office of the administrator | 431,074 | 431,074 |
| Use of prior year balances | –10,320 | –10,320 |
| **Total, Office Of The Administrator** | **420,754** | **420,754** |
| **Total, National Nuclear Security Administration** | **9,945,027** | **10,033,477** |
| **Defense Environmental Cleanup** | | |
| **Closure sites:** | | |
| Closure sites administration | 8,225 | 8,225 |
| Miamisburg | 33,243 | 33,243 |
| **Total, Closure sites** | **41,468** | **41,468** |
| **Hanford site:** | | |
| **2012 accelerated completions** | | |
| Nuclear facility D&D river corridor closure project | 327,955 | 327,955 |
| Nuclear material stabilization and disposition PFP | 118,087 | 118,087 |
| SNF stabilization and disposition | 55,325 | 55,325 |
| **Total, 2012 accelerated completions** | **501,367** | **501,367** |
| **2035 accelerated completions** | | |
| Nuclear facility D&D—remainder of Hanford | 70,250 | 70,250 |
| Richland community and regulatory support | 21,940 | 21,940 |
| Soil and water remediation—groundwater vadose zone | 176,766 | 176,766 |

**DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
*(In Thousands of Dollars)*

| Program | FY 2010 Request | Conference Authorized |
|---|---|---|
| Solid waste stabilization and disposition 200 area | 132,757 | 132,757 |
| **Total, 2035 accelerated completions** | **401,713** | **401,713** |
| **Total, Hanford site** | **903,080** | **903,080** |
| **Idaho National Laboratory:** | | |
| SNF stabilization and disposition—2012 | 14,768 | 14,768 |
| Solid waste stabilization and disposition | 137,000 | 137,000 |
| Radioactive liquid tank waste stabilization and disposition | 95,800 | 95,800 |
| **Construction** | | |
| 06–D–401 Sodium bearing waste treatment project, Idaho | 83,700 | 83,700 |
| Soil and water remediation—2012 | 71,000 | 71,000 |
| Idaho community and regulatory support | 3,900 | 3,900 |
| **Total, Idaho National Laboratory** | **406,168** | **406,168** |
| **NNSA sites** | | |
| Lawrence Livermore National Laboratory | 910 | 910 |
| NNSA Service Center/SPRU | 17,938 | 17,938 |
| Nevada | 65,674 | 65,674 |
| California site support | 238 | 238 |
| Sandia National Laboratories | 2,864 | 2,864 |
| Los Alamos National Laboratory | 189,000 | 189,000 |
| **Total, NNSA sites and Nevada off-sites** | **276,624** | **276,624** |
| **Oak Ridge Reservation:** | | |
| Building 3019 | 38,900 | 38,900 |
| Nuclear facility D & D ORNL | 38,900 | 38,900 |
| Nuclear facility D & D Y–12 | 34,000 | 34,000 |
| Nuclear facility D & D, E. Tennessee technology park | 100 | 100 |
| OR reservation community and regulatory support | 6,253 | 6,253 |
| Solid waste stabilization and disposition—2012 | 35,615 | 35,615 |
| **Total, Oak Ridge Reservation** | **153,768** | **153,768** |
| **Office of River Protection:** | | |
| **Waste treatment and immobilization plant** | | |
| **Construction:** | | |
| 01–D–416 Waste treatment and immobilization plant | | |
| 01–D–16A Low activity waste facility | 100,000 | 100,000 |
| 01–D–16B Analytical laboratory | 55,000 | 55,000 |
| 01–D–16C Balance of facilities | 50,000 | 50,000 |
| 01–D–16D High level waste facility | 160,000 | 160,000 |
| 01–D–16E Pretreatment facility | 325,000 | 325,000 |
| **Total, Waste treatment and immobilization plant** | **690,000** | **690,000** |
| **Tank farm activities** | | |
| Rad liquid tank waste stabilization and disposition | 408,000 | 408,000 |
| **Total, Office of River protection** | **1,098,000** | **1,098,000** |
| **Savannah River sites:** | | |
| **Nuclear material stabilization and disposition** | | |
| Nuclear material stabilization and disposition | 385,310 | 385,310 |
| **Construction:** | | |
| 08–D–414 Project engineering and design Plutonium Vitrification Facility, VL | 6,315 | 6,315 |
| **Total, Nuclear material stabilization and disposition** | **391,625** | **391,625** |
| **2035 accelerated completions** | | |
| SR community and regulatory support | 18,300 | 18,300 |
| Spent nuclear fuel stabilization and disposition | 38,768 | 38,768 |
| **Total, 2035 accelerated completions** | **57,068** | **57,068** |
| **Tank farm activities** | | |
| Radioactive liquid tank waste stabilization and disposition | 527,138 | 527,138 |
| **Construction:** | | |
| 05–D–405 Salt waste processing facility, Savannah River | 234,118 | 234,118 |
| **Total, Tank farm activities** | **761,256** | **761,256** |
| **Total, Savannah River site** | **1,209,949** | **1,209,949** |
| **Waste Isolation Pilot Plant** | | |
| Waste isolation pilot plant | 144,902 | 144,902 |
| Central characterization project | 13,730 | 13,730 |
| Transportation | 33,851 | 33,851 |
| Community and regulatory support | 27,854 | 27,854 |
| **Total, Waste Isolation Pilot Plant** | **220,337** | **220,337** |
| Program direction | 355,000 | 355,000 |

**DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
(In Thousands of Dollars)

| Program | FY 2010 Request | Conference Authorized |
|---|---|---|
| Program support | 34,000 | 34,000 |
| **Safeguards and Security:** | | |
| Waste Isolation Pilot Project | 4,644 | 4,644 |
| Oak Ridge Reservation | 32,400 | 32,400 |
| West Valley | 1,859 | 1,859 |
| Paducah | 8,190 | 8,190 |
| Portsmouth | 17,509 | 17,509 |
| Richland/Hanford Site | 82,771 | 82,771 |
| Savannah River Site | 132,064 | 132,064 |
| **Total, Safeguards and Security** | **279,437** | **279,437** |
| Technology development | 55,000 | 55,000 |
| Uranium enrichment D&D fund contribution | 463,000 | 463,000 |
| **Subtotal, Defense environmental cleanup** | **5,495,831** | **5,495,831** |
| **UNDISTRIBUTED** | | |
| Realignment to support NNSA Weapons Activities | 0 | |
| Transfer to Title II | 0 | |
| **Total, Defense Environmental Cleanup** | **5,495,831** | **5,495,831** |
| **Other Defense Activities** | | |
| **Health, safety and security** | | |
| Health, safety and security | 337,757 | 337,757 |
| Program direction | 112,125 | 112,125 |
| **Total, Health, safety and security** | **449,882** | **449,882** |
| **Office of Legacy Management** | | |
| Legacy management | 177,618 | 177,618 |
| Program direction | 12,184 | 12,184 |
| **Total, Office of Legacy Management** | **189,802** | **189,802** |
| **Nuclear energy** | | |
| **Infrastructure** | | |
| **Idaho facilities management** | | |
| INL infrastructure O&M | 83,358 | 83,358 |
| **Total, Infrastructure** | **83,358** | **83,358** |
| **Total, Nuclear energy** | **83,358** | **83,358** |
| Defense related administrative support | 122,982 | 122,982 |
| Office of hearings and appeals | 6,444 | 6,444 |
| **Total, Other Defense Activities** | **852,468** | **852,468** |
| **Defense Nuclear Waste Disposal** | | |
| Defense nuclear waste disposal | 98,400 | 98,400 |
| **Total, Environmental & other defense activities** | **6,446,699** | **6,446,699** |
| **Total, Atomic Energy Defense Activities** | **16,391,726** | **16,480,176** |
| **Total, Department of Energy** | **16,397,914** | **16,486,364** |

**DIVISION E—MATTHEW SHEPARD AND JAMES BYRD, JR. HATE CRIMES PREVENTION ACT**

Sec. 4701. Short title.
Sec. 4702. Findings.
Sec. 4703. Definitions.
Sec. 4704. Support for criminal investigations and prosecutions by State, local, and tribal law enforcement officials.
Sec. 4705. Grant program.
Sec. 4706. Authorization for additional personnel to assist State, local, and tribal law enforcement.
Sec. 4707. Prohibition of certain hate crime acts.
Sec. 4708. Statistics.
Sec. 4709. Severability.
Sec. 4710. Rule of construction.
Sec. 4711. Guidelines for hate-crimes offenses.
Sec. 4712. Attacks on United States servicemen.
Sec. 4713. Report on mandatory minimum sentencing provisions.

**SEC. 4701. SHORT TITLE.**

This division may be cited as the ''Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act''.

**SEC. 4702. FINDINGS.**

Congress makes the following findings:

(1) The incidence of violence motivated by the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim poses a serious national problem.

(2) Such violence disrupts the tranquility and safety of communities and is deeply divisive.

(3) State and local authorities are now and will continue to be responsible for prosecuting the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias. These authorities can carry out their responsibilities more effectively with greater Federal assistance.

*(4) Existing Federal law is inadequate to address this problem.*

*(5) A prominent characteristic of a violent crime motivated by bias is that it devastates not just the actual victim and the family and friends of the victim, but frequently savages the community sharing the traits that caused the victim to be selected.*

*(6) Such violence substantially affects interstate commerce in many ways, including the following:*

*(A) The movement of members of targeted groups is impeded, and members of such groups are forced to move across State lines to escape the incidence or risk of such violence.*

*(B) Members of targeted groups are prevented from purchasing goods and services, obtaining or sustaining employment, or participating in other commercial activity.*

*(C) Perpetrators cross State lines to commit such violence.*

*(D) Channels, facilities, and instrumentalities of interstate commerce are used to facilitate the commission of such violence.*

*(E) Such violence is committed using articles that have traveled in interstate commerce.*

*(7) For generations, the institutions of slavery and involuntary servitude were defined by the race, color, and ancestry of those held in bondage. Slavery and involuntary servitude were enforced, both prior to and after the adoption of the 13th amendment to the Constitution of the United States, through widespread public and private violence directed at persons because of their race, color, or ancestry, or perceived race, color, or ancestry. Accordingly, eliminating racially motivated violence is an important means of eliminating, to the extent possible, the badges, incidents, and relics of slavery and involuntary servitude.*

*(8) Both at the time when the 13th, 14th, and 15th amendments to the Constitution of the United States were adopted, and continuing to date, members of certain religious and national origin groups were and are perceived to be distinct ''races''. Thus, in order to eliminate, to the extent possible, the badges, incidents, and relics of slavery, it is necessary to prohibit assaults on the basis of real or perceived religions or national origins, at least to the extent such religions or national origins were regarded as races at the time of the adoption of the 13th, 14th, and 15th amendments to the Constitution of the United States.*

*(9) Federal jurisdiction over certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.*

*(10) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal assistance to States, local jurisdictions, and Indian tribes.*

***SEC. 4703. DEFINITIONS.***

*(a) AMENDMENT.—Section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 2096) is amended by inserting ''gender identity,'' after ''gender,''.*

*(b) THIS DIVISION.—In this division—*

*(1) the term ''crime of violence'' has the meaning given that term in section 16 of title 18, United States Code;*

*(2) the term ''hate crime'' has the meaning given that term in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 2096), as amended by this Act;*

*(3) the term ''local'' means a county, city, town, township, parish, village, or other general purpose political subdivision of a State; and*

*(4) the term ''State'' includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States.*

***SEC. 4704. SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS BY STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT OFFICIALS.***

*(a) ASSISTANCE OTHER THAN FINANCIAL ASSISTANCE.—*

*(1) IN GENERAL.—At the request of a State, local, or tribal law enforcement agency, the Attorney General may provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that—*

*(A) constitutes a crime of violence;*

*(B) constitutes a felony under the State, local, or tribal laws; and*

*(C) is motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim, or is a violation of the State, local, or tribal hate crime laws.*

*(2) PRIORITY.—In providing assistance under paragraph (1), the Attorney General shall give priority to crimes committed by offenders who have committed crimes in more than one State and to rural jurisdictions that have difficulty covering the extraordinary expenses relating to the investigation or prosecution of the crime.*

*(b) GRANTS.—*

*(1) IN GENERAL.—The Attorney General may award grants to State, local, and tribal law enforcement agencies for extraordinary expenses associated with the investigation and prosecution of hate crimes.*

*(2) OFFICE OF JUSTICE PROGRAMS.—In implementing the grant program under this subsection, the Office of Justice Programs shall work closely with grantees to ensure that the concerns and needs of all affected parties, including community groups and schools, colleges, and universities, are addressed through the local infrastructure developed under the grants.*

*(3) APPLICATION.—*

*(A) IN GENERAL.—Each State, local, and tribal law enforcement agency that desires a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and accompanied by or containing such information as the Attorney General shall reasonably require.*

*(B) DATE FOR SUBMISSION.—Applications submitted pursuant to subparagraph (A) shall be submitted during the 60-day period beginning on a date that the Attorney General shall prescribe.*

*(C) REQUIREMENTS.—A State, local, and tribal law enforcement agency applying for a grant under this subsection shall—*

*(i) describe the extraordinary purposes for which the grant is needed;*

*(ii) certify that the State, local government, or Indian tribe lacks the resources necessary to investigate or prosecute the hate crime;*

*(iii) demonstrate that, in developing a plan to implement the grant, the State, local, and tribal law enforcement agency has consulted and coordinated with nonprofit, nongovernmental victim services programs that have experience in providing services to victims of hate crimes; and*

*(iv) certify that any Federal funds received under this subsection will be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subsection.*

*(4) DEADLINE.—An application for a grant under this subsection shall be approved or denied by the Attorney General not later than 180 business days after the date on which the Attorney General receives the application.*

*(5) GRANT AMOUNT.—A grant under this subsection shall not exceed $100,000 for any single jurisdiction in any 1-year period.*

*(6) REPORT.—Not later than December 31, 2011, the Attorney General shall submit to Congress a report describing the applications submitted for grants under this subsection, the award of such grants, and the purposes for which the grant amounts were expended.*

*(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2010, 2011, and 2012.*

***SEC. 4705. GRANT PROGRAM.***

*(a) AUTHORITY TO AWARD GRANTS.—The Office of Justice Programs of the Department of Justice may award grants, in accordance with such regulations as the Attorney General may prescribe, to State, local, or tribal programs designed to combat hate crimes committed by juveniles, including programs to train local law enforcement officers in identifying, investigating, prosecuting, and preventing hate crimes.*

*(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.*

***SEC. 4706. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT.***

*There are authorized to be appropriated to the Department of Justice, including the Community Relations Service, for fiscal years 2010, 2011, and 2012 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 249 of title 18, United States Code, as added by section 4707 of this division.*

***SEC. 4707. PROHIBITION OF CERTAIN HATE CRIME ACTS.***

*(a) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:*

***''§249. Hate crime acts***

*''(a) IN GENERAL.—*

*''(1) OFFENSES INVOLVING ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.—Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—*

*''(A) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and*

*''(B) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—*

*''(i) death results from the offense; or*

*''(ii) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.*

*''(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—*

*''(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person—*

*''(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and*

*''(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—*

*''(I) death results from the offense; or*

*''(II) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.*

*''(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—*

*''(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—*

''(I) across a State line or national border; or

''(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

''(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

''(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

''(iv) the conduct described in subparagraph (A)—

''(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

''(II) otherwise affects interstate or foreign commerce.

''(3) OFFENSES OCCURRING IN THE SPECIAL MARITIME OR TERRITORIAL JURISDICTION OF THE UNITED STATES.—Whoever, within the special maritime or territorial jurisdiction of the United States, engages in conduct described in paragraph (1) or in paragraph (2)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (2)(B)) shall be subject to the same penalties as prescribed in those paragraphs.

''(b) CERTIFICATION REQUIREMENT.—

''(1) IN GENERAL.—No prosecution of any offense described in this subsection may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

''(A) the State does not have jurisdiction;

''(B) the State has requested that the Federal Government assume jurisdiction;

''(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-motivated violence; or

''(D) a prosecution by the United States is in the public interest and necessary to secure substantial justice.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

''(c) DEFINITIONS.—In this section—

''(1) the term 'bodily injury' has the meaning given such term in section 1365(h)(4) of this title, but does not include solely emotional or psychological harm to the victim;

''(2) the term 'explosive or incendiary device' has the meaning given such term in section 232 of this title;

''(3) the term 'firearm' has the meaning given such term in section 921(a) of this title;

''(4) the term 'gender identity' means actual or perceived gender-related characteristics; and

''(5) the term 'State' includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States.

''(d) STATUTE OF LIMITATIONS.—

''(1) OFFENSES NOT RESULTING IN DEATH.—Except as provided in paragraph (2), no person shall be prosecuted, tried, or punished for any offense under this section unless the indictment for such offense is found, or the information for such offense is instituted, not later than 7 years after the date on which the offense was committed.

''(2) DEATH RESULTING OFFENSES.—An indictment or information alleging that an offense under this section resulted in death may be found or instituted at any time without limitation.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''249. Hate crime acts.''.

**SEC. 4708. STATISTICS.**

(a) IN GENERAL.—Subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting ''gender and gender identity,'' after ''race,''.

(b) DATA.—Subsection (b)(5) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting '', including data about crimes committed by, and crimes directed against, juveniles'' after ''data acquired under this section''.

**SEC. 4709. SEVERABILITY.**

If any provision of this division, an amendment made by this division, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this division, the amendments made by this division, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

**SEC. 4710. RULE OF CONSTRUCTION.**

For purposes of construing this division and the amendments made by this division the following shall apply:

(1) IN GENERAL.—Nothing in this division shall be construed to allow a court, in any criminal trial for an offense described under this division or an amendment made by this division, in the absence of a stipulation by the parties, to admit evidence of speech, beliefs, association, group membership, or expressive conduct unless that evidence is relevant and admissible under the Federal Rules of Evidence. Nothing in this division is intended to affect the existing rules of evidence.

(2) VIOLENT ACTS.—This division applies to violent acts motivated by actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of a victim.

(3) CONSTRUCTION AND APPLICATION.—Nothing in this division, or an amendment made by this division, shall be construed or applied in a manner that infringes any rights under the first amendment to the Constitution of the United States. Nor shall anything in this division, or an amendment made by this division, be construed or applied in a manner that substantially burdens a person's exercise of religion (regardless of whether compelled by, or central to, a system of religious belief), speech, expression, or association, unless the Government demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest, if such exercise of religion, speech, expression, or association was not intended to—

(A) plan or prepare for an act of physical violence; or

(B) incite an imminent act of physical violence against another.

(4) FREE EXPRESSION.—Nothing in this division shall be construed to allow prosecution based solely upon an individual's expression of racial, religious, political, or other beliefs or solely upon an individual's membership in a group advocating or espousing such beliefs.

(5) FIRST AMENDMENT.—Nothing in this division, or an amendment made by this division, shall be construed to diminish any rights under the first amendment to the Constitution of the United States.

(6) CONSTITUTIONAL PROTECTIONS.—Nothing in this division shall be construed to prohibit any constitutionally protected speech, expressive conduct or activities (regardless of whether compelled by, or central to, a system of religious belief), including the exercise of religion protected by the first amendment to the Constitution of the United States and peaceful picketing or demonstration. The Constitution of the United States does not protect speech, conduct or activities consisting of planning for, conspiring to commit, or committing an act of violence.

**SEC. 4711. GUIDELINES FOR HATE-CRIMES OFFENSES.**

Section 249(a) of title 18, United States Code, as added by section 4707 of this Act, is amended by adding at the end the following:

''(4) GUIDELINES.—All prosecutions conducted by the United States under this section shall be undertaken pursuant to guidelines issued by the Attorney General, or the designee of the Attorney General, to be included in the United States Attorneys' Manual that shall establish neutral and objective criteria for determining whether a crime was committed because of the actual or perceived status of any person.''.

**SEC. 4712. ATTACKS ON UNITED STATES SERVICEMEN.**

(a) IN GENERAL.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following:

**''§ 1389. Prohibition on attacks on United States servicemen on account of service**

''(a) IN GENERAL.—Whoever knowingly assaults or batters a United States serviceman or an immediate family member of a United States serviceman, or who knowingly destroys or injures the property of such serviceman or immediate family member, on account of the military service of that serviceman or status of that individual as a United States serviceman, or who attempts or conspires to do so, shall—

''(1) in the case of a simple assault, or destruction or injury to property in which the damage or attempted damage to such property is not more than $500, be fined under this title in an amount not less than $500 nor more than $10,000 and imprisoned not more than 2 years;

''(2) in the case of destruction or injury to property in which the damage or attempted damage to such property is more than $500, be fined under this title in an amount not less than $1000 nor more than $100,000 and imprisoned not more than 5 years; and

''(3) in the case of a battery, or an assault resulting in bodily injury, be fined under this title in an amount not less than $2500 and imprisoned not less than 6 months nor more than 10 years.

''(b) EXCEPTION.—This section shall not apply to conduct by a person who is subject to the Uniform Code of Military Justice.

''(c) DEFINITIONS.—In this section—

''(1) the term 'Armed Forces' has the meaning given that term in section 1388;

''(2) the term 'immediate family member' has the meaning given that term in section 115; and

''(3) the term 'United States serviceman'—

''(A) means a member of the Armed Forces; and

''(B) includes a former member of the Armed Forces during the 5-year period beginning on the date of the discharge from the Armed Forces of that member of the Armed Forces.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 67 of title 18, United States Code, is amended by adding at the end the following:

''1389. Prohibition on attacks on United States servicemen on account of service.''.

**SEC. 4713. REPORT ON MANDATORY MINIMUM SENTENCING PROVISIONS.**

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Sentencing Commission shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on mandatory minimum sentencing provisions under Federal law.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall include—

(1) a compilation of all mandatory minimum sentencing provisions under Federal law;

(2) an assessment of the effect of mandatory minimum sentencing provisions under Federal law on the goal of eliminating unwarranted sentencing disparity and other goals of sentencing;

(3) an assessment of the impact of mandatory minimum sentencing provisions on the Federal prison population;

(4) an assessment of the compatibility of mandatory minimum sentencing provisions under Federal law and the sentencing guidelines system established under the Sentencing Reform

*Act of 1984 (Public Law 98–473; 98 Stat. 1987) and the sentencing guidelines system in place after Booker v. United States, 543 U.S. 220 (2005);*

*(5) a description of the interaction between mandatory minimum sentencing provisions under Federal law and plea agreements;*

*(6) a detailed empirical research study of the effect of mandatory minimum penalties under Federal law;*

*(7) a discussion of mechanisms other than mandatory minimum sentencing laws by which Congress can take action with respect to sentencing policy; and*

*(8) any other information that the Commission determines would contribute to a thorough assessment of mandatory minimum sentencing provisions under Federal law.*

*Amend the title to as to read: ''A bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.*

*And the Senate agree to the same.*

Congresswoman Ellen O. Tauscher resigned from the U.S. House of Representatives on June 26, 2009. Congressman John M. McHugh resigned from the U.S. House of Representatives on September 21, 2009.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed on conference:

IKE SKELTON,
JOHN M. SPRATT, Jr.,
SOLOMON P. ORTIZ,
NEIL ABERCROMBIE,
SILVESTRE REYES,
VIC SNYDER,
ADAM SMITH,
LORETTA SANCHEZ,
ROBERT A. BRADY,
ROBERT E. ANDREWS,
SUSAN A. DAVIS,
JAMES R. LANGEVIN,
RICK LARSEN,
JIM COOPER,
JIM MARSHALL,
MADELEINE Z. BORDALLO,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

ALCEE L. HASTINGS,
ADAM B. SCHIFF,

From the Committee on Education and Labor, for consideration of secs. 243, 551–553, 585, 2833, and 2834 of the House bill and secs. 531–534, and 3136 of the Senate amendment, and modifications committed to conference:

LYNN C. WOOLSEY,
JASON ALTMIRE,
JUDY BIGGERT,

From the Committee on Energy and Commerce, for consideration of secs. 247, 315, and 601 of the House bill and secs. 311, 601, 2835, and 3118 of the Senate amendment, and modifications committed to conference:

HENRY A. WAXMAN,
EDWARD J. MARKEY,

From the Committee on Foreign Affairs, for consideration of secs. 812, 907, 912, 1011, 1013, 1046, 1201, 1211, 1213–1215, 1226, 1230A, 1231, 1236, 1239, 1240, Title XIII, secs. 1513, 1516, 1517, and 2903 of the House bill and secs. 1021, 1023, 1201–1203, 1205–1208, 1211–1214, Subtitle D of Title XII, Title XIII, and sec. 1517 of the Senate amendment, and modifications committed to conference:

HOWARD L. BERMAN,
GARY L. ACKERMAN,
ILEANA ROS-LEHTINEN,

From the Committee on Homeland Security, for consideration of sec. 1101 of the House bill, and modifications committed to conference:

BENNIE G. THOMPSON,
DINA TITUS,
GUS M. BILIRAKIS,

From the Committee on House Administration, for consideration of Subtitle H of Title V of the Senate amendment, and modifications committed to conference:

MICHAELA E. CAPUANO,
CHARLES A. GONZALEZ,
DANIEL E. LUNGREN,

From the Committee on Judiciary, for consideration of secs. 583, 584, 1021, and 1604 of the House bill and secs. 821, 911, 1031, 1033, 1056, 1086, and Division E of the Senate amendment, and modifications committed to conference:

JERROLD NADLER,
ZOE LOFGREN,

From the Committee on Natural Resources, for consideration of secs. 1091 and 2308 of the Senate amendment, and modifications committed to conference:

NICK J. RAHALL II,

From the Committee on Oversight and Government Reform, for consideration of secs. 321, 322, 326–329, 335, 537, 666, 814, 815, 834, 1101–1107, 1110–1113, and Title II of Division D of the House bill and secs. 323, 323A–323C, 814, 822, 824, 901, 911, 1056, 1086, 1101–1105, and 1162 of the Senate amendment, and modifications committed to conference:

EDOLPHUS TOWNS,
STEPHEN F. LYNCH,

From the Committee on Science and Technology, for consideration of secs. 248, 819, 836, and 911 of the House bill and secs. 801, 814, 833, 834, 912 and Division F of the Senate amendment, and modifications committed to conference:

BART GORDON,
DAVID WU,

From the Committee on Small Business, for consideration of secs. 830 of the House bill and secs. 833, 834 838, 1090 and Division F of the Senate amendment, and modifications committed to conference:

NYDIA M. VELÁZQUEZ,
GLENN C. NYE,

From the Committee on Transportation and Infrastructure, for consideration of secs. 315, 601, and 2811 of the House bill and secs. 311, 601, 933, 2835, 3301, 6002, 6007, 6008, 6012 and 6013 of the Senate amendment, and modifications committed to conference:

ELIJAH J. CUMMINGS,
LAURA RICHARDSON,

From the Committee on Veterans' Affairs, for consideration of secs. 525, 583, 584, and sec. 121 of Division D of the House bill and secs. 573–575, 617, 711, Subtitle E of Title X, secs. 1084, and 1085 of the Senate amendment, and modifications committed to conference:

CIRO D. RODRIGUEZ,

*Managers on the Part of the House.*

CARL LEVIN,
ROBERT C. BYRD,
JOSEPH I. LIEBERMAN,
JACK REED,
DANIEL K. AKAKA,
BILL NELSON,
BEN NELSON,
EVAN BAYH,
JIM WEBB,
CLAIRE MCCASKILL,
MARK UDALL,
KAY R. HAGAN,
MARK BEGICH,
ROLAND W. BURRIS,
JOHN MCCAIN,
SUSAN M. COLLINS,
PAUL G. KIRK, Jr.,

*Managers on the Part of the Senate.*

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

SUMMARY STATEMENT OF CONFERENCE ACTIONS

*Explanation of funding summary*

The administration's budget request for national defense discretionary programs for fiscal year 2010 was $680.2 billion. This amount was primarily comprised of $550.2 billion for the base budget of which $533.8 billion was for the Department of Defense and $16.4 billion was for the Department of Energy. The discretionary budget request also included $130.0 billion for overseas contingency operations. In total, the conference agreement authorizes $680.2 billion, which matches the request. The conference agreement authorizes $550.2 billion for the base budget and $130.0 billion for overseas contingency operations. The agreement accommodates a budget amendment received on August 13, 2009, to reallocate approximately $1.0 billion from lower-priority Department of Defense contingency operations' requirements to expand the Army's active component by up to 22,000 personnel in 2010.

The administration's budget for national defense also included discretionary programs outside the jurisdiction of the committees, discretionary programs that do not require further authorizations, mandatory programs that are part of current law, and a new mandatory proposal dealing with concurrent receipt. When these programs are added the total request for national defense equaled $693.1 billion as re-estimated by the Congressional Budget Office. The bill is consistent with this level with one exception. The administration's concurrent receipt proposal was not included in this bill as acceptable and specific offsets were not proposed by the administration.

The following two tables summarize the direct authorizations and the equivalent budget authority levels for fiscal year 2010 defense programs. The first table summarizes the conference agreement on national defense authorizations. It also includes a memorandum of non-defense authorizations in the agreement. The second table summarizes the total budget authority implication for national defense by adding funding for items that are not within the jurisdiction of the committees or that do not require an annual authorization.

**SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010**
(In Thousands of Dollars)

| | Authorization Request | Conference Change | Conference Authorization |
|---|---|---|---|
| **DISCRETIONARY AUTHORIZATIONS WITHIN THE JURISDICTION OF THE ARMED SERVICES COMMITTEES** | | | |
| **Department of Defense Authorizations—Base Bill** | | | |

**SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010**
(In Thousands of Dollars)

| | Authorization Request | Conference Change | Conference Authorization |
|---|---|---|---|
| **Division A: Department of Defense Authorization** | | | |
| **Title I—PROCUREMENT** | | | |
| Aircraft Procurement, Army | 5,315,991 | –205,639 | 5,110,352 |
| Missile Procurement, Army | 1,370,109 | –2,000 | 1,368,109 |
| Weapons & Tracked Combat Vehicles, Army | 2,451,952 | –12,900 | 2,439,052 |
| Procurement of Ammunition, Army | 2,051,895 | 7,000 | 2,058,895 |
| Other Procurement, Army | 9,907,151 | –456,288 | 9,450,863 |
| Joint Improvised Explosive Device Defeat Fund | 564,850 | –564,850 | |
| Aircraft Procurement, Navy | 18,378,312 | 463,800 | 18,842,112 |
| Weapons Procurement, Navy | 3,453,455 | –7,436 | 3,446,019 |
| Procurement of Ammunition, Navy & Marine Corps | 840,675 | –26,660 | 814,015 |
| Shipbuilding & Conversion, Navy | 13,776,867 | | 13,776,867 |
| Other Procurement, Navy | 5,661,176 | –50,595 | 5,610,581 |
| Procurement, Marine Corps | 1,600,638 | 3,100 | 1,603,738 |
| Aircraft Procurement, Air Force | 11,966,276 | –741,905 | 11,224,371 |
| Procurement of Ammunition, Air Force | 822,462 | | 822,462 |
| Missile Procurement, Air Force | 6,300,728 | –263,269 | 6,037,459 |
| Other Procurement, Air Force | 17,293,141 | –159,473 | 17,133,668 |
| Mine Resistant Ambush Protection Veh Fund | | 600,000 | 600,000 |
| Procurement, Defense-Wide | 3,984,352 | 106,464 | 4,090,816 |
| Rapid Acquisition Fund | 79,300 | –79,300 | |
| National Guard and Reserve Equipment | | 600,000 | 600,000 |
| **Subtotal, PROCUREMENT** | **105,819,330** | **–789,951** | **105,029,379** |
| **Title II—RESEARCH, DEVELOPMENT, TEST & EVALUATION** | | | |
| RDT&E, Army | 10,438,218 | 200,316 | 10,638,534 |
| RDT&E, Navy | 19,270,932 | 336,229 | 19,607,161 |
| RDT&E, Air Force | 27,992,827 | 408,815 | 28,401,642 |
| RDT&E, Defense-Wide | 20,741,542 | –328,041 | 20,413,501 |
| Operational Test & Evaluation, Defense | 190,770 | | 190,770 |
| **Subtotal, RESEARCH, DEVELOPMENT, TEST & EVALUATION** | **78,634,289** | **617,319** | **79,251,608** |
| **Title III—OPERATION AND MAINTENANCE** | | | |
| Operation and Maintenance, Army | 31,274,882 | –11,550 | 31,263,332 |
| Operation and Maintenance, Navy | 35,070,346 | –29,072 | 35,041,274 |
| Operation and Maintenance, Marine Corps | 5,536,223 | 7,000 | 5,543,223 |
| Operation and Maintenance, Air Force | 34,748,159 | –221,010 | 34,527,149 |
| Operation and Maintenance, Defense-Wide | 28,357,246 | –29,850 | 28,327,396 |
| Operation and Maintenance, Army Reserve | 2,620,196 | | 2,620,196 |
| Operation and Maintenance, Navy Reserve | 1,278,501 | | 1,278,501 |
| Operation and Maintenance, Marine Corps Reserve | 228,925 | | 228,925 |
| Operation and Maintenance, Air Force Reserve | 3,079,228 | | 3,079,228 |
| Operation and Maintenance, Army National Guard | 6,257,034 | 5,150 | 6,262,184 |
| Operation and Maintenance, Air National Guard | 5,885,761 | | 5,885,761 |
| US Court of Appeals for The Armed Forces, Defense | 13,932 | | 13,932 |
| Defense Acquisition Development Workforce Fund | 100,000 | | 100,000 |
| Overseas Humanitarian, Disaster And Civic Aid | 109,869 | | 109,869 |
| CooperativeThreat Reduction | 404,093 | 20,000 | 424,093 |
| Environmental Restoration, Army | 415,864 | | 415,864 |
| Environmental Restoration, Navy | 285,869 | | 285,869 |
| Environmental Restoration, Air Force | 494,276 | | 494,276 |
| Environmental Restoration, Defense-Wide | 11,100 | | 11,100 |
| Environmental Restoration Formerly Used Sites | 267,700 | | 267,700 |
| Overseas Contingency Operations Transfer Fund | 5,000 | –5,000 | |
| **Subtotal, OPERATION AND MAINTENANCE** | **156,444,204** | **–264,332** | **156,179,872** |
| **Title IV—MILITARY PERSONNEL** | **136,016,281** | | **136,016,281** |
| **Title XIV—OTHER AUTHORIZATIONS** | | | |
| Defense Working Capital Funds | 141,388 | | 141,388 |
| Defense Commissary Agency | 1,313,616 | | 1,313,616 |
| National Defense Sealift Fund | 1,642,758 | | 1,642,758 |
| Defense Coalition Support Fund | 22,000 | –22,000 | |
| Defense Health Program | 27,903,163 | 129,930 | 28,033,093 |
| Chemical Agents & Munitions Destruction, Defense | 1,560,760 | | 1,560,760 |
| Drug Interdiction & Counter-Drug Activities, Defense | 1,058,984 | –4,750 | 1,054,234 |
| Office of the Inspector General | 272,444 | 15,656 | 288,100 |
| **Subtotal, OTHER AUTHORIZATIONS** | **33,915,113** | **118,836** | **34,033,949** |
| **Division B: Military Construction Authorization** | | | |
| **MILITARY CONSTRUCTION** | | | |

**SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010**
(In Thousands of Dollars)

| | Authorization Request | Conference Change | Conference Authorization |
|---|---|---|---|
| Military Construction, Army | 3,660,779 | 58,640 | 3,719,419 |
| Military Construction, Navy and Marine Corps | 3,763,264 | 5,739 | 3,769,003 |
| Military Construction, Air Force | 1,145,434 | 270,492 | 1,415,926 |
| Military Construction, Defense-Wide | 3,097,526 | –274,703 | 2,822,823 |
| Chemical Demilitarization Construction | 146,541 | 5,000 | 151,541 |
| NATO Security Investment Program | 276,314 | –78,900 | 197,414 |
| Military Construction, Army National Guard | 426,491 | 155,565 | 582,056 |
| Military Construction, Army Reserve | 374,862 | 56,704 | 431,566 |
| Military Construction, Naval Reserve | 64,124 | 61,750 | 125,874 |
| Military Construction, Air National Guard | 128,261 | 235,965 | 364,226 |
| Military Construction, Air Force Reserve | 27,476 | 84,793 | 112,269 |
| **Subtotal, MILITARY CONSTRUCTION** | **13,111,072** | **581,045** | **13,692,117** |
| **FAMILY HOUSING** | | | |
| Family Housing Construction, Army | 273,236 | | 273,236 |
| Family Housing O&M, Army | 523,418 | | 523,418 |
| Family Housing Construction, Navy & Marine Corps | 146,569 | | 146,569 |
| Family Housing O&M, Navy & Marine Corps | 368,540 | | 368,540 |
| Family Housing Construction, Air Force | 66,101 | | 66,101 |
| Family Housing O&M, Air Force | 502,936 | | 502,936 |
| Family Housing Construction, Defense-Wide | 2,859 | | 2,859 |
| Family Housing O&M, Defense-Wide | 49,214 | | 49,214 |
| Homeowners Assistance Fund | 23,225 | 276,775 | 300,000 |
| DoD Family Housing Improvement Fund | 2,600 | | 2,600 |
| **Subtotal, FAMILY HOUSING** | **1,958,698** | **276,775** | **2,235,473** |
| **BRAC** | | | |
| Base Realignment and Closure Account 1990 | 396,768 | 100,000 | 496,768 |
| Base Realignment and Closure Account 2005 | 7,479,498 | –24,000 | 7,455,498 |
| **Subtotal, BRAC** | **7,876,266** | **76,000** | **7,952,266** |
| Prior Year Savings | | –175,800 | –175,800 |
| General Reduction FY 10 (Title XX) | | –529,091 | –529,091 |
| **Subtotal, MILITARY CONSTRUCTION, FAMILY HOUSING & BRAC** | **22,946,036** | **228,929** | **23,174,965** |
| General Transfer Authority (non-add) | [5,000,000] | [–1,000,000] | [4,000,000] |
| **SUBTOTAL, DEPARTMENT OF DEFENSE (051)** | **533,775,253** | **–89,199** | **533,686,054** |
| **Department of Energy Authorization (Division C)** | | | |
| **Electricity Delivery and Energy Reliability** | **6,188** | | **6,188** |
| **NATIONAL NUCLEAR SECURITY ADMINISTRATION** | | | |
| Weapons Activities | 6,384,431 | 48,700 | 6,433,131 |
| Defense Nuclear Nonproliferation | 2,136,709 | 39,750 | 2,176,459 |
| Naval Reactors | 1,003,133 | | 1,003,133 |
| Office of the Administrator | 420,754 | | 420,754 |
| **Subtotal NATIONAL NUCLEAR SECURITY ADMINISTRATION** | **9,945,027** | **88,450** | **10,033,477** |
| **ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES** | | | |
| Defense Environmental Cleanup | 5,495,831 | | 5,495,831 |
| Other Defense Activities | 852,468 | | 852,468 |
| Defense Nuclear Waste Disposal | 98,400 | | 98,400 |
| **Subtotal ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES** | **6,446,699** | | **6,446,699** |
| **TOTAL, DEPARTMENT OF ENERGY** | **16,397,914** | **88,450** | **16,486,364** |
| **Independent Federal Agency Authorization** | | | |
| Defense Nuclear Facilities Safety Board | 26,086 | | 26,086 |
| **Subtotal, DEFENSE NUCLEAR FACILITIES SAFETY BOARD** | **26,086** | | **26,086** |
| **SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053)** | **16,424,000** | **88,450** | **16,512,450** |
| **TOTAL, NATIONAL DEFENSE (050)—BASE BILL** | **550,199,253** | **–749** | **550,198,504** |
| **Department of Defense Authorizations—Overseas Contingency Operations (Title XV)** | | | |
| **Division A: Department of Defense Authorization** | | | |
| **Title XV—OVERSEAS CONTINGENCY OPERATIONS (OCO)** | | | |

**SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010**
(In Thousands of Dollars)

| | Authorization Request | Conference Change | Conference Authorization |
|---|---|---|---|
| **PROCUREMENT** | | | |
| Aircraft Procurement, Army | 1,636,229 | | 1,636,229 |
| Missile Procurement, Army | 531,570 | –50,000 | 481,570 |
| Procurement of WTCV, Army | 759,466 | | 759,466 |
| Procurement of Ammunition, Army | 370,635 | | 370,635 |
| Other Procurement, Army | 6,225,966 | –625,640 | 5,600,326 |
| Joint Improvised Explosive Device Defeat Fund | 1,535,000 | 564,850 | 2,099,850 |
| Aircraft Procurement, Navy | 916,553 | –13,356 | 903,197 |
| Weapons Procurement, Navy | 73,700 | –23,000 | 50,700 |
| Procurement of Ammunition, Navy and MC | 710,780 | –28,823 | 681,957 |
| Other Procurement, Navy | 318,018 | –25,000 | 293,018 |
| Procurement, Marine Corps | 1,164,445 | –104,177 | 1,060,268 |
| Aircraft Procurement, Air Force | 936,441 | –156,000 | 780,441 |
| Procurement of Ammunition, AF | 256,819 | | 256,819 |
| Missile Procurement, AF | 36,625 | | 36,625 |
| Other Procurement, Air Force | 2,321,549 | | 2,321,549 |
| Mine Resistant Ambush Protected Vehicle Fund | 5,456,000 | 600,000 | 6,056,000 |
| Procurement, Defense-Wide | 491,430 | –1,450 | 489,980 |
| **Subtotal, PROCUREMENT, OCO** | **23,741,226** | **137,404** | **23,878,630** |
| **RESEARCH, DEVELOPMENT, TEST & EVALUATION** | | | |
| RDT&E, Army | 57,962 | | 57,962 |
| RDT&E, Navy | 107,180 | –17,000 | 90,180 |
| RDT&E, Air Force | 29,286 | | 29,286 |
| RDT&E, Defense-Wide | 115,826 | | 115,826 |
| **Subtotal, RDT&E, OCO** | **310,254** | **–17,000** | **293,254** |
| **OPERATION AND MAINTENANCE** | | | |
| Operation & Maintenance, Army | 52,170,661 | –3,900 | 52,166,761 |
| Operation & Maintenance, Navy | 6,219,583 | | 6,219,583 |
| Operation & Maintenance, Marine Corps | 3,701,600 | | 3,701,600 |
| Operation & Maintenance, Air Force | 10,026,868 | | 10,026,868 |
| Operation & Maintenance, Defense-Wide | 7,578,300 | 5,100 | 7,583,400 |
| Operation & Maintenance, Army Reserve | 204,326 | | 204,326 |
| Operation & Maintenance, Navy Reserve | 68,059 | | 68,059 |
| Operation & Maintenance, Marine Corps Reserve | 86,667 | | 86,667 |
| Operation & Maintenance, Air Force Reserve | 125,925 | | 125,925 |
| Operation & Maintenance, Army National Guard | 321,646 | | 321,646 |
| Operation & Maintenance, Air National Guard | 289,862 | | 289,862 |
| Afghanistan Security Forces Fund | 7,462,769 | | 7,462,769 |
| Pakistan Counterinsurgency Capability Fund | 700,000 | –700,000 | |
| Iraq Freedom Fund | 115,300 | –115,300 | |
| **Subtotal, OPERATION AND MAINTENANCE, OCO** | **89,071,566** | **–814,100** | **88,257,466** |
| **MILITARY PERSONNEL, OCO** | **13,586,341** | **560,000** | **14,146,341** |
| **OTHER AUTHORIZATIONS** | | | |
| Defense Working Capital Funds | 396,915 | | 396,915 |
| Defense Health Program | 1,155,235 | 101,440 | 1,256,675 |
| Drug Interdiction and Counter-Drug Activities, Defense | 324,603 | 32,000 | 356,603 |
| Office of the Inspector General | 8,876 | | 8,876 |
| **Subtotal, OTHER AUTHORIZATIONS, OCO** | **1,885,629** | **133,440** | **2,019,069** |
| Special Transfer Authority (non-add) | [4,000,000] | | [4,000,000] |
| **Division B: Military Construction Authorization** | | | |
| **MILITARY CONSTRUCTION** | | | |
| Military Construction, Army | 923,884 | 600 | 924,484 |
| Military Construction, Air Force | 474,500 | | 474,500 |
| Military Construction, Defense-Wide | 6,600 | –6,600 | |
| **Subtotal, MILITARY CONSTRUCTION, OCO** | **1,404,984** | **–6,000** | **1,398,984** |
| **TOTAL, OVERSEAS CONTINGENCY OPERATIONS** | **130,000,000** | **–6,256** | **129,993,744** |
| **TOTAL, DEPARTMENT OF DEFENSE** | **663,775,253** | **–95,455** | **663,679,798** |
| **GRAND TOTAL, NATIONAL DEFENSE** | **680,199,253** | **–7,005** | **680,192,248** |
| **MEMORANDUM: NON-DEFENSE AUTHORIZATIONS** | | | |
| Title IV—Armed Forces Retirement Home (Function 600) | 134,000 | | 134,000 |
| Title XII—Voice Act (Function 150) | | 55,000 | 55,000 |

**SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2010**
(In Thousands of Dollars)

| | Authorization Request | Conference Change | Conference Authorization |
|---|---|---|---|
| Title XXXIV—Naval Petroleum and Oil Shale Reserves (Function 270) | 23,627 | | 23,627 |
| Title XXXV—Maritime Administration (Function 400) | 152,900 | | 152,900 |

**NATIONAL DEFENSE BUDGET AUTHORITY IMPLICATION**
(In Thousands of Dollars)

| | Authorization Request | Conference Change | Conference Authorization |
|---|---|---|---|
| **Summary, Discretionary Authorizations Within the Jurisdiction of the Armed Services Committee** | | | |
| SUBTOTAL, DEPARTMENT OF DEFENSE (051) | 533,775,253 | –89,199 | 533,686,054 |
| SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053) | 16,424,000 | 88,450 | 16,512,450 |
| TOTAL, NATIONAL DEFENSE (050)—BASE BILL | 550,199,253 | –749 | 550,198,504 |
| TOTAL, OVERSEAS CONTINGENCY OPERATIONS | 130,000,000 | –6,256 | 129,993,744 |
| **GRAND TOTAL, NATIONAL DEFENSE** | **680,199,253** | **–7,005** | **680,192,248** |
| **Base National Defense Discretionary Programs that are Not In the Jurisdiction of the Armed Services Committee or Do Not Require Additional Authorization** | | | |
| Defense Production Act Purchases | 38,246 | | 38,246 |
| National Science Center, Army | 25 | | 25 |
| Disposal of DOD Real Property | 10,393 | | 10,393 |
| Lease of DOD Real Property | 8,856 | | 8,856 |
| DOD Overseas Military Facility Investment Recovery | 1,227 | | 1,227 |
| **Subtotal, Budget Sub-Function 051** | **58,747** | | **58,747** |
| Formerly Utilized Sites Remedial Action Program | 134,000 | | 134,000 |
| **Subtotal, Budget Sub-Function 053** | **134,000** | | **134,000** |
| Other Discretionary Programs | 6,751,000 | | 6,751,000 |
| **Subtotal, Budget Sub-Function 054** | **6,751,000** | | **6,751,000** |
| **Total Defense Discretionary Adjustments (050)** | **6,943,747** | | **6,943,747** |
| **OCO National Defense Discretionary Programs that are Not In the Jurisdiction of the Armed Services Committee** | | | |
| FBI Salaries and Expenses | 101,066 | | 101,066 |
| **Subtotal, Budget Sub-Function 054** | **101,066** | | **101,066** |
| **Budget Authority Implication, National Defense Discretionary** | | | |
| Department of Defense—Military (051) | 663,834,000 | –95,455 | 663,738,545 |
| Atomic Energy Defense Activities (053) | 16,558,000 | 88,450 | 16,646,450 |
| Defense-Related Activities (054) | 6,852,066 | | 6,852,066 |
| **Total BA Implication, National Defense Discretionary** | **687,244,066** | **–7,005** | **687,237,061** |
| **National Defense Mandatory Programs, Current Law (CBO Estimates)** | | | |
| Concurrent receipt accrual payments to the Military Retirement Fund | 4,376,000 | | 4,376,000 |
| Concurrent receipt policy proposal | 330,000 | –330,000 | |
| Revolving, trust and other DOD Mandatory | 1,240,000 | | 1,240,000 |
| Offsetting receipts | –1,741,000 | | –1,741,000 |
| **Subtotal, Budget Sub-Function 051** | **4,205,000** | **–330,000** | **3,875,000** |
| Energy employees occupational illness compensation programs and other | 1,377,000 | | 1,377,000 |
| Expansion of Authority of EEOIC Ombudsman | | 1,000 | 1,000 |
| **Subtotal, Budget Sub-Function 053** | **1,377,000** | **1,000** | **1,378,000** |
| Radiation exposure compensation trust fund | 32,000 | | 32,000 |
| Payment to CIA retirement fund and other | 291,000 | | 291,000 |
| **Subtotal, Budget Sub-Function 054** | **323,000** | | **323,000** |
| **Total National Defense Mandatory (050)** | **5,905,000** | **–329,000** | **5,576,000** |
| **Budget Authority Implication, National Defense Discretionary and Mandatory** | | | |
| Department of Defense—Military (051) | 668,039,000 | –425,455 | 667,613,545 |
| Atomic Energy Defense Activities (053) | 17,935,000 | 89,450 | 18,024,450 |
| Defense-Related Activities (054) | 7,175,066 | | 7,175,066 |
| **Total BA Implication, National Defense Discretionary and Mandatory** | **693,149,066** | **–336,005** | **692,813,061** |

*DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS*

TITLE I—PROCUREMENT

BUDGET ITEMS

*Paladin Integration Management*

The budget request included $96.5 million in Weapons and Tracked Combat Vehicles, Army, for M109A6 Paladin Integration Management (PIM).

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to a $91.5 million decrease for PIM procurement as requested by the Army.

*Standard Missile-3 procurement*

The budget request included $168.7 million in Procurement, Defense-wide, for procurement of Standard Missile-3 (SM–3) Block IA interceptors for the Aegis Ballistic Missile Defense (BMD) system.

The House bill would authorize the budget request.

The Senate amendment would authorize the budget request.

The conference agreement would authorize $191.9 million in Procurement, Defense-wide, for procurement of SM–3 Block IA missiles, an increase of $23.2 million.

The conferees note that on September 17, 2009, the President announced a new missile defense architecture for Europe that will rely heavily on the SM–3 interceptor, to be used both on ships and on land. The first phase of the architecture, to be deployed in 2011, would include deployment of Aegis BMD ships equipped with SM–3 Block IA

interceptors to defend against existing Iranian short- and medium-range ballistic missiles. The conferees believe it would be valuable to increase the inventory of SM–3 Block IA interceptors to defend against Iran's existing ballistic missile capabilities.

*National Guard and Reserve Equipment—Overview*

The budget request for fiscal year 2010 included an authorization request for National Guard and Reserve Equipment procurement within various accounts in the Department of Defense.

The House bill would authorize $600.0 million specifically for National Guard and Reserve Equipment.

The Senate amendment would provide no authorization for National Guard and Reserve Equipment.

The conferees recommend an authorization of $600.0 million for National Guard and Reserve Equipment. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

The conferees expect that the National Guard and Reserve forces to use this funding to procure high priority equipment that would be used by these units in their critical dual mission role of full-spectrum combat operations and domestic civil support missions.

ITEMS OF SPECIAL INTEREST

*VH–71 Presidential helicopter program*

In April 2009, the administration proposed in budget documents, including a document called ''Terminations, Reductions, and Savings, Fiscal Year 2010,'' to terminate the Presidential helicopter replacement (VH–71) program and initiate a new Presidential helicopter replacement program.

The Secretary of Defense announced on April 6, 2009, the cancellation of the VH–71 program, after that program experienced a history of excessive and uncontrolled cost growth and persistent slips in its delivery schedule. On May 15, 2009, the Under Secretary of Defense for Acquisitions, Technology, and Logistics issued an acquisition decision memorandum implementing the Secretary's decision and the Department of the Navy issued a stop-work order on the program. Subsequently, on June 1, 2009, the Secretary of the Navy canceled the System Development and Design contract for the program.

While the conferees agree that cancellation of the program was warranted under the circumstances, they are disappointed that:

(1) the Nation has invested more than $3.0 billion in this program and has little to show for that investment;

(2) the Navy invested considerable time and talent in trying to implement the acquisition program without success; and

(3) the ''requirements'' system failed to do its fair share of trading requirements or adding resources when the acquisition program ran into immovable obstacles.

During this process, the Navy and its acquisition system failed to receive adequate support, resources, and authority from the Office of the Secretary of Defense (OSD) and the White House Military Office (WHMO) to execute a successful acquisition program. The conferees understand that despite the many warnings and expert advice from the Government Accountability Office, Navy acquisition officials were directed by OSD and WHMO to execute a schedule-driven program and were unable to adhere to prudent acquisition practices.

The conferees note that a June 5, 2009, Congressional Research Service report cites Navy estimates that a new acquisition program would probably cost between $10.0 billion and $17.0 billion.

Therefore, given that level of possible investment, the conferees strongly encourage the Department of Defense and the Executive Branch to consider a complete range of alternatives for meeting requirements. The conferees believe that such consideration must include evaluating both single- and multi-platform solutions to meet the complete transportation requirements of the President, and evaluating costs, consider the investment already made in the VH–71 program for possible use for some portion of the mission within a multi-platform solution. The conferees also believe that a program to replace the Presidential helicopter presents a particularly valuable opportunity for the Department of Defense to demonstrate the right way to develop and procure major weapon systems. Accordingly, the conferees expect that, in implementing such a program, the Department will fully comply with the letter and the spirit of the recently enacted Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23).

Subtitle A—Authorization of Appropriations

LEGISLATIVE PROVISIONS ADOPTED

*Authorization of appropriations (secs. 101–106)*

The House bill contained provisions (secs. 101–106) that would authorize the recommended fiscal year 2010 funding levels for procurement for the Army, Navy, Marine Corps, Air Force, Defense-wide activities, and National Guard and reserve equipment, and Rapid Acquisition Fund.

The Senate amendment contained provisions (secs. 101–104) that would authorize the recommended fiscal year 2010 funding levels for procurement for the Army, Navy, Marine Corps, Air Force, and Defense-wide activities.

The conferees agree to include provisions that would authorize the recommended fiscal year 2010 funding levels for procurement for the Army, Navy, Marine Corps, Air Force, Defense-wide activities, National Guard and reserve equipment, and Mine Resistant Ambush Protected Vehicle Fund.

*Relation to funding table (sec. 107)*

The Senate amendment contained a provision that would specify that the amounts authorized to be appropriated by sections 101, 102, 103, and 104 of the amendment would be available, in accordance with the requirements of section 4001 of the amendment, for projects, programs, and activities, and in the amounts, specified in the funding table in section 4101 of the amendment.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Army Programs

*Procurement of future combat systems spin out early-infantry brigade combat team equipment (sec. 111)*

The House bill contained a provision (sec. 112) that would limit the Army to the procurement of one brigade set of Future Combat Systems spin out early-infantry brigade combat team equipment in order to allow for adequate testing prior to full-rate production.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Army to increase the quantity of equipment procured through low-rate initial production provided that the Under Secretary of Defense for Acquisition, Technology, and Logistics makes certain certifications with respect to the program's strategy and baseline, testing, technology readiness, and independent cost estimates.

Subtitle C—Navy Programs

*Littoral Combat Ship program (sec. 121)*

The House bill contained a provision (sec. 121) that would restructure the cost cap for the Littoral Combat Ship (LCS) program, subject to certain prerequisites and certifications. The bill would also authorize the Secretary to obligate funds to compile a technical data package necessary for future competition.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide authority to the Secretary of the Navy to implement a new acquisition strategy, as requested by the Secretary, that would utilize a block-buy approach for the procurement of LCS vessels during the period of fiscal year 2010 through 2014, and would include authority to obligate funds for economic order quantity buys and cost reduction initiatives, should such measures improve overall program affordability. The conferees note that, unlike a multiyear procurement, a block-buy is useful here in that it conveys a long-term commitment by the Government to execute the program in a way that allows the Government to extract economic advantages from its purchases. However, a block-buy does not bind the government to performance under a multiyear contract, thereby subjecting the government to liability for cancellation or termination costs in the event of non-performance under the contract.

In addition, the amendment would apply a revised cost cap to the fiscal 2011 ships, which could be waived under certain circumstances. The amendment would also require the Navy to obtain a technical data package from the winning LCS contractor.

The conferees support the revised acquisition strategy for the program, which is based upon many of the principles long advocated by the conferees, including enhancing competition, assuring more program stability, achieving more efficient construction rates, incentivizing industry investment, and increasing commonality.

The conferees recognize that the existing cost cap for the LCS program has been effective, prohibiting the Navy from awarding an unaffordable contract in fiscal year 2010. Consequently, the conferees agree to retain a cost cap, while giving the Secretary of the Navy significant discretion in the award of the fiscal year 2010 through 2014 ships. The conferees intend the cost cap described in subsection (c)(1) to apply to the fiscal year 2011 ships and any additional ship constructed through 2014 at the shipyard that is a member of the contractor team selected in response to the solicitation for the fiscal year 2010 ships.

The conferees expect that, if contractors and suppliers respond to this solicitation with aggressive pricing proposals that result in a more affordable program, the government will guarantee long-term stability in the procurement plan. The conferees believe that, with aggressive construction yard investment and ''design for affordability'' changes, costs for vessels should continue to decline (in constant dollars) over the period of the block-buy.

The amendment would also require that the Navy report yearly on specific costs incurred in the construction of LCS vessels and adjustments to the cost caps. The conferees intend that this annual report would assist in providing strong oversight on the costs of this program. If the Navy and contractors are unable to achieve significant cost savings under this new acquisition strategy, the conferees' support for this program will not be assured.

*Treatment of Littoral Combat Ship program as a major defense acquisition program (sec. 122)*

The Senate amendment contained a provision (sec. 111) that would require the Littoral Combat Ship program be designated as a major defense acquisition program.

The House bill contained no similar provision.

The House recedes.

The conferees note that the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23), if interpreted properly, would require this program already to be so designated.

*Report on strategic plan for homeporting the Littoral Combat Ship (sec. 123)*

The Senate amendment contained a provision (sec. 112) that would require the Secretary of the Navy to submit a strategic plan for homeporting vessels in the Littoral Combat Ship program.

The House bill contained no similar provision.

The House recedes with technical amendments.

*Advance procurement funding (sec. 124)*

The House bill contained a provision (sec. 123) that would authorize the Secretary of the Navy to use advance procurement funds to enter into contracts for production planning and other related support services that reduce overall procurement lead time of the vessel. Additionally, this section would authorize the Secretary to enter into contracts for advance construction efforts for the aircraft carrier designated CVN–79, if the Secretary determines that cost savings, construction efficiencies, or workforce stability would be achieved through the use of such contracts.

The Senate amendment contained no similar provision.

The Senate recedes.

*Procurement programs for future naval surface combatants (sec. 125)*

The Senate amendment contained a provision (sec. 113) that would prevent the Navy from obligating any funds for building surface combatants after 2011 until the Navy conducts particular analyses, and completes certain tasks that should be required at the beginning of major defense acquisition programs. The committee report (S. Rept. 111–35) also would direct that the Secretary of the Navy obligate no more than 50 percent of the funds authorized for fiscal year 2010 in PE 24201N, CG(X), until the Navy submits a plan for implementing the requirements of this section to the congressional defense committees.

The House bill contained no similar provision.

The House recedes with technical amendments. The conferees agree to direct that the Secretary submit the plan for implementing the requirements of this section to the congressional defense committees at the same time as the President submits the budget request for fiscal year 2011.

*Ford-class aircraft carrier report (sec. 126)*

The House bill contained a provision (sec. 122) that would require the Secretary of the Navy to make an assessment of the cost of shifting to 5-year intervals for the construction of aircraft carriers, including the effect of such shifting of that interval on other programs. The House bill would have placed a limitation on the use of any funds for the aircraft carrier, designated CVN–79, for shifting to a 5–year interval.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the limitation on the use of funds for CVN–79.

The conferees note that a 5–year interval for aircraft carrier construction, as proposed by the Secretary of Defense, may be the appropriate course of action for the Department of the Navy. However, the conferees are concerned that this decision may not have been made following a rigorous cost-benefit analysis. Therefore, the conferees expect that the Secretary of the Navy will take no further action to preclude the ability of the Secretary to award a construction contract for CVN–79 in fiscal year 2012 or the aircraft carrier designated CVN–80 in fiscal year 2016, consistent with the Annual Long-Range Plan for Construction of Naval Vessels for Fiscal Year 2009, until he completes the required assessment and fully informs the congressional defense committees of any such a decision.

*Report on service life extension program for Oliver Hazard Perry class frigates (sec. 127)*

The Senate amendment contained a provision (sec. 114) that would require the Secretary of the Navy to submit a report on a service life extension program for the Oliver Hazard Perry class frigates.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Conditional multiyear procurement authority for F/A–18E, F/A–18F, or EA–18G aircraft (sec. 128)*

The House bill contained a provision (sec. 124) that would authorize the Secretary of the Navy to buy F/A–18E/F or EA–18G aircraft under a multiyear contract.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would, notwithstanding only that element within section 2306b(i)(1) of title 10, United States Code, that requires the Secretary of Defense to provide required certifications (in this case) by March 1, 2009, and authorize the Secretary of the Navy to buy F/A–18E/F or EA–18G aircraft under a multiyear contract, but only if that multiyear contract otherwise fully complies with the requirements of section 2306b of title 10, United States Code. In addition, the amendment would require by March 1, 2010, that the Secretary of the Defense submit to the congressional defense committees a report on how the findings and conclusions of the Quadrennial Defense Review and 30–year aviation procurement plan have informed the Department's acquisition strategy with regard to the F/A–18E/F and EA–18G aircraft programs-of-record.

The conferees note that the authority granted under this provision would expire on May 1, 2010, unless the Secretary of the Navy provides Congress written notification that the Department intends to execute the authority provided by this provision, but that administrative processes or other contracting activities necessary for execution of this authority cannot be completed by May 1, 2010. The provision would require that any such notification: (1) include a date certain for execution of the authority; and (2) specify a date no later than September 30, 2010, for such completion.

With this provision, the conferees convey general support for the Department's current plans to ensure that it meets the Navy's forward presence and operational requirements, while the F–35B and F–35C are being developed and ultimately fielded. However, this provision is also intended to reflect the conferees continuing concerns that, in light of the continuing increase in the strike-fighter shortfall, definitive actions that mitigate the stated shortfall cannot be delayed for too much longer. Should the Quadrennial Defense Review and the 30–year aviation procurement plan warrant a change in the programs-of-record for either the F/A–18E/F or EA–18G, the conferees expect that the Department of the Defense will give full and fair consideration to buying additional F/A–18E/F or EA–18G aircraft under a multiyear contract.

On August 17, 2009, the Under Secretary of Defense for Acquisition, Technology, and Logistics provided the congressional defense committees with a report, required by section 123 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), detailing a cost and benefit comparison between an annual and multiyear F/A–18E/F and EA–18G aircraft procurement through fiscal year 2015. In that report, the Under Secretary, using the current pricing agreement data provided by the contractor, estimated that the savings that the Navy could expect to achieve, procuring the remaining program of record 89 F/A–18E/F and EA–18G aircraft, equated to 6.48 percent, or $315.0 million. The conferees expect that, should the Navy exercise the authority granted under this provision, the contractors and suppliers would respond to any solicitation with aggressive pricing proposals that would allow the Navy to achieve greater savings.

In view of the lateness with which the Department submitted the fiscal year 2010 budget to Congress, the conferees agree to grant this narrow exception to the requirements of section 2306b, title 10, United States Code, as amended in the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). However, the conferees fully expect the Department to address with due diligence and spirit of intent, items of interest addressed by conferees in section 811 of the statement of managers (H. Rept. 110–477) accompanying that Act. Finally, the conferees expect that all subsequent multiyear procurement authority requests from the Department of Defense will be fully compliant with the requirements set forth in section 2306b, title 10, United States Code.

Subtitle D—Air Force Programs

*Report on the procurement of 4.5 generation fighter aircraft (sec. 131)*

The House bill contained a provision (sec. 133) that would report on various aspects of potential procurement of 4.5 generation fighter aircraft.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delete references in the provision to multiyear procurement and certifications.

The conferees agree that the investment strategy that the Department of the Air Force intends to help the Department of Defense transition from, the capability provided by the current tactical fighter force to a smaller but more flexible, lethal and capable strike fighter force, will be challenging. As the Air Force implements that strategy but where circumstances warrant, the conferees expect the Air Force will analyze the viability of procuring additional 4.5 generation fighter aircraft under a multiyear contract and, where those conditions required to be present under Section 2306b of title 10, United States Code, as amended, exist, submit a multiyear procurement proposal to Congress, accompanied with certifications required under Section 2306b of title 10, United States Code, as amended.

With this provision, the conferees merely intend for the Air Force to conduct, and provide the congressional defense committees with, the analysis necessary to support, where warranted, a multiyear purchase of additional 4.5 generation fighter aircraft, specifically defined under this provision to capture the F–15, F–16, and F–18 that have advanced radar, data-link and avionics capabilities and the capability to deploy advanced armaments. The conferees do not intend that this provision will modify in any way the requirements of Section 2306b of title 10, United States Code, as amended, by section 811 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law

110–181), and the statement of managers accompanying those amendments (H. Rept. 110–477).

*Revised availability of certain funds available for the F–22A fighter aircraft (sec. 132)*

The House bill contained a provision (sec. 131) that would repeal section 134 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417).

The Senate amendment contained a similar provision (sec. 122) that would (1) repeal section 134; and (2) allow the Secretary of the Air Force to reallocate fiscal year 2009 F–22A advanced procurement funds to other F–22A priorities.

The House recedes.

*Preservation and storage of unique tooling for F–22 fighter aircraft (sec. 133)*

The House bill contained a provision (sec. 132) that would require the Secretary of the Air Force to develop a plan for the preservation and storage of unique tooling related to the production of hardware and end items for F–22 fighter aircraft which would: (1) ensure that the Secretary preserves and stores such tooling in a manner that allows the production of such hardware and end items to be restarted after a period of idleness; (2) identify the costs of restarting production with respect to the supplier base of such hardware and end items; and (3) identify any contract modifications, additional facilities, or funding that the Secretary determines necessary to carry out the plan. This section would also prevent the Secretary from spending any funds to dispose of F–22 production tooling until 45 days after the Secretary submits the required report.

The Senate amendment contained a similar provision.

The Senate recedes with a technical amendment.

*AC–130 gunships (sec.134)*

The Senate amendment contained a provision (sec.125) that would require a report on the service life of AC–130 gunships and an analysis of alternatives for any gunship modernization requirements identified by the 2009 Quadrennial Defense Review.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Report on E–8C Joint Surveillance and Target Attack Radar System re-engining (sec. 135)*

The Senate amendment contained a provision (sec. 126) that would require the Secretary of the Air Force to provide a report on various aspects of the Air Force's plan to provide new engines to the E–8C joint surveillance and target attack radar system (JSTARS) aircraft. The provision would also prevent the Air Force from taking any action that would disrupt execution of that re-engining program until the Secretary submits that report.

The House bill no similar provision.

The House recedes.

*Repeal of requirement to maintain certain retired C–130E aircraft (sec. 136)*

The House bill contained a provision (sec. 136) that would amend section 134 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to repeal the requirement to maintain certain retired C–130E aircraft.

The Senate amendment contained no similar provision.

The Senate recedes.

*Limitation on retirement of C–5 aircraft (sec. 137)*

The Senate amendment contained a provision (sec. 121) that would prevent the Air Force from retiring any C–5 aircraft until certain conditions are met. These include: (1) completing operational testing of the C–5 Reliability Enhancement and Re-engining Program; (2) providing a report by the Director of Operational Testing on the results of that operational testing; and (3) delivering reports on the economic and risk analyses that led to any decision to retire the aircraft before the end of their useful service lives.

The House bill contained no similar provision.

The House recedes with an amendment that would, among other things, reduce the required waiting period after notification by the Secretary and eliminate the requirement that any aircraft retired be maintained in Type 1000 storage.

*Reports on strategic airlift aircraft (sec. 138)*

The House bill contained a provision (sec. 134) that would require the Secretary of the Air Force, in consultation with the Director of the Air National Guard, to submit a report to the congressional defense committees on the proposed force structure and basing of strategic airlift aircraft at least 120 days before the date on which any C–5 aircraft is retired.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) change the reporting period to 90 days before any retirement; and (2) remove a reporting requirement related to military construction funding increases.

*Strategic airlift force structure (sec. 139)*

The House bill contained a provision (sec. 135) that would increase the minimum required strategic airlift force structure by amending subsection (g)(1) of section 8062 of title 10, United States Code, by striking ''2008'' and inserting ''2009,'' and by striking ''299'' and inserting ''316.''

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle E—Joint and Multiservice Matters

*Body armor procurement (sec. 141)*

The House bill contained a provision (sec. 141) that would require the Secretary of Defense to establish within each military service procurement account a separate procurement budget line item assigned for body armor investment and funding transparency.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment. The conferees do not intend that this provision should limit the military departments' ability to use other rapid development or acquisition authorities to ensure the fastest possible exploitation of body armor material improvements, production, or fielding to our deployed or deploying forces.

*Unmanned cargo-carrying-capable aerial vehicles (sec. 142)*

The House bill contained a provision (sec. 142) that would prohibit obligation or expenditure of procurement funding for an unmanned cargo-carrying-capable aerial vehicle until 15 days after the Department had certified that the Joint Requirements Oversight Council has approved a joint and common requirement for such a vehicle type.

The Senate amendment contained no similar provision.

The Senate recedes.

*Modification of nature of data link for use by tactical unmanned aerial vehicles (sec. 143)*

The Senate amendment contained a provision (sec. 131) that would amend section 141(a)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) to add Internet Protocol-capable communications relays as an additional standard for Department of Defense unmanned aerial vehicles.

The House bill contained no similar provision.

The House recedes, with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Elimination of F–22A aircraft procurement funding*

The Senate amendment contained a provision (sec. 106) that eliminated funding from the bill as reported by the Senate Committee on Armed Services that would have authorized additional F–22A procurement funding.

The House bill contained no similar provision and no authorization of funding for additional procurement of F–22A in fiscal year 2010.

The Senate recedes.

The conferees agree not to authorize funding for additional procurement of F–22A in fiscal year 2010.

*Restriction on obligation of funds for Army tactical radio systems*

The House bill contained a provision (sec. 111) that would restrict the obligation of funds for all Army tactical radio sets except for those approved by the joint tactical radio system (JTRS) joint program office and those specifically procured to meet an operational needs statement or joint urgent operational need statement.

The Senate amendment contained no similar provision.

The House recedes.

The conferees are concerned that the Army lacks clear requirements, or a comprehensive acquisition strategy, for the procurement and upgrade of its tactical radio systems. Given the billions of dollars requested each year by the Army for communications equipment, and the importance of this equipment in ongoing combat operations, the conferees are alarmed that the Army has been unable to put a disciplined acquisition process in place to procure the needed equipment in a manner that avoids waste, fosters true competition, moves the Army away from reliance on legacy radio systems, and anticipates and bridges to next generation radio communications.

The conferees believe that despite clear congressional intent and guidance, the Army continues to rely on legacy radio systems awarded through a marginally competitive process, has failed to update requirements, has not provided adequate internal oversight and discipline to its radio acquisition plans, and is potentially jeopardizing its ability to create and transition affordably to the future battlefield network. For example, the Army has yet to adjust its requirements for the various models of the JTRS program 6 months after the Department of Defense's (DOD) termination of the Future Combat Systems program. In addition, the Army, in the fiscal year 2010 budget, requested $135.0 million in funding for the Single Channel Ground and Airborne Radio system despite the fact that Congress had already provided funding adequate to procure the current acquisition objective. Finally, the Army has yet to develop a plan to integrate into its inventory or requirements more than 20,000 vehicular radio sets procured from commercial sources that the Army still claims do not meet full Army requirements despite their use in combat operations for more than 5 years.

The conferees understand that managing the requirements and acquisition system for such a large and diverse set of equipment is not easy, especially with the funding demands of ongoing combat operations. Therefore, instead of dictating specific legislative guidance for fiscal year 2010, the conferee's urge the Army in 2010 to reassess its tactical radio requirements, make all needed adjustments based on force structure and programmatic changes, and deliver to Congress

as part of its fiscal year 2012 budget submission a new comprehensive tactical radio plan that addresses the numerous concerns expressed by Congress. The conferees also urge senior Army and DOD leaders to take a direct role in developing this new plan, in order to ensure that the various competing interests and demands within the Army are reconciled and accounted for in the new path forward.

*Competitive bidding for procurement of steam turbines for ship service turbine generators and main propulsion turbines for Ohio-class submarine replacement program*

The Senate bill contained a provision (sec. 115) that would require the Secretary of the Navy to take measures to ensure appropriate competition is conducted for procurement of steam turbines for both the ships service turbine generators and main engines of the Ohio-class submarine replacement program.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that section 202 of the Weapons Systems Acquisition Reform Act of 2009 (Public Law 111–23) requires that the Secretary of Defense ensure that the acquisition strategy for each major defense acquisition program include measures to preserve the option of competition through the life of the program. Such a requirement would apply to the Ohio-class replacement program.

The Secretary of the Navy should consider means of preserving competition for this program at the system, subsystem, and component level to the maximum extent practicable. In particular, the conferees agree that steam turbines for this new class of submarine should be procured in a competitive environment. The conferees direct that, if the Secretary of the Navy were to decide in favor of sole source procurement of steam turbines, the Secretary must forward the justification required by section 2302 of title 10, United States Code, to the congressional defense committees not later than 30 days prior to awarding such a contract.

*Multiyear procurement authority for DDG–51 Burke-class destroyers*

The House bill contained a provision (sec. 125) that would authorize the Secretary of the Navy to enter into a multiyear contract, beginning in fiscal year 2010, for procuring DDG–51 Burke-class destroyers.

The Senate amendment contained no similar provision.

The House recedes.

*Conversion of certain vessels; leasing rates*

The House bill contained a provision (sec. 126) that would permit the Secretary of the Navy to use up to $35.0 million from the Weapons Procurement, Navy, account to lease and convert vessels that have defaulted on construction loan guarantees: (1) that have become the property of the United States; and (2) for which, the Maritime Administrator has a right of disposal.

The Senate amendment contained no similar provision.

The House recedes.

The conferees agree that the Navy should, in trying to make near-term additions to the high speed vessel fleet, consider fully the possibility of using vessels within the control of the Maritime Administration.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### BUDGET ITEMS

*Minerva*

The conferees note the potential of social science research to contribute to vital national security missions. The conferees are concerned over the dearth of social science expertise within the Department, and believe that as new initiatives are started or expanded, such as the Minerva Initiative and the Human Terrain System, that lack of organic expertise is becoming more acute and apparent.

The conference agreement includes an authorization of $13.3 million in PE 61103A for the Minerva Research Initiative, a portion of the roughly $20.0 million being requested for this purpose across the Department of Defense. The conferees direct that at least $5.0 million of the Initiative's fiscal year 2010 funding be used to develop in-house Department of Defense capabilities at defense laboratories and schools consistent with the research goals of the Minerva Initiative. The conferees support the greater development of in-house social science capabilities in order to reduce dependencies on contractors on the battlefield, and to enable the Department to more effectively fund, manage, and oversee extramural social science research activities.

*Electromagnetic gun*

The budget request included $11.7 million in PE 63004A, $4.1 million in PE 62618A, and $6.4 million in PE 61104A for activities related to the Army's Electromagnetic (EM) Gun initiative.

The House bill would authorize the budget request for these programs.

The Senate amendment would authorize reductions of $11.5 million in PE 63004A and $2.0 million in PE 62618A for these programs.

The conferees agree to authorize reductions of $11.5 million in PE 63004A and $2.0 million in PE 62618A for these programs. The conferees note that the Army has terminated its program to develop a vehicle-mounted EM gun due to significant questions raised about the technical feasibility of the program. The conferees further note that the Army still has a need to develop advanced lethality capabilities, leveraging technologies and mechanisms such as advanced energetic materials, hypervelocity, and novel penetrators. Therefore, the conferees authorize increases of $2.0 million in PE 62618A and $6.5 million in PE 63004A for advanced lethality research efforts.

The conferees note that the Army's reassessment of the large planned investments of its limited science and technology resources into the EM gun program and the ultimate termination of the effort was largely based on the independent analyses of the program performed by the JASON scientific advisory board, the Office of the Director of Defense Research and Engineering, and the Defense Advanced Research Projects Agency. The conferees are concerned that internal Army scientific and technical organizations appear to have been unable to identify and highlight the technical shortfalls in the envisioned program to decision-makers, and further that the Army did not task the National Research Council's Board on Army Science and Technology to examine the technical feasibility of the program.

The conferees believe that the Army should place a higher priority on robust technical analysis of modernization programs. The difficulties that the EM gun and Future Combat Systems development efforts have encountered can be partially attributed to a lack of independent, technically informed discussion within the Army's decision making process. The conferees recommend that the Secretary and Chief of Staff of the Army closely examine how they obtain independent technical advice to support technical and programmatic decision-making.

*Joint Future Theater Lift*

The budget request included $8.5 million in PE 63801A for Aviation Advanced Development.

The House bill would authorize the requested amount.

The Senate amendment would authorize an additional $50.0 million for risk reduction activities for the Joint Future Theater Lift (JFTL). The Senate amendment also would require a report from the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) by December 1, 2009.

The conferees do not expect that additional funds will be appropriated for JFTL risk-reduction activities, and therefore agree to authorize the requested amount for Army Aviation Advanced Development. The conferees also agree to modify the reporting requirement contained in the Senate amendment.

The conferees direct the USD(AT&L), in coordination with the Chairman of the Joint Requirements Oversight Council, to report to the congressional defense committees coincident with submission of the fiscal year 2011 budget request with answers to the following questions:

1. What is the Department's acquisition strategy regarding a C–130 replacement and what is the schedule for such a program?

2. What is the Department's strategy for maintaining the advanced tiltrotor industrial base?

3. Are there operational benefits of a vertical takeoff and landing heavy transport worth paying a premium over the acquisition cost of a conventional fixed wing transport?

4. Does the operational requirement justify proceeding with an acquisition strategy requiring investing in a heavy lift vertical takeoff and landing transport program of record without first building a technology prototype to demonstrate technical feasibility and cost?

*Future combat system non-line-of-sight cannon*

The budget request included $58.2 million in PE 64647A for the contract termination liability associated with the cancellation of the Future Combat Systems non-line-of-sight cannon.

The House bill would authorize a decrease of $58.2 million in PE 64660A for excess contract termination liability.

The Senate amendment would authorize an identical decrease.

The conferees agree to authorize a decrease of $27.0 million in PE 64647A for excess contract termination liability.

*Future combat system manned ground vehicles and common ground vehicle*

The budget request included $368.6 million in PE 64660A for the contract termination liability associated with the cancellation of the Future Combat Systems manned ground vehicle.

The House bill would authorize a decrease of $268.6 million in PE 64660A for excess contract termination liability.

The Senate amendment would authorize a decrease of $368.6 million in PE 64660A for excess contract termination liability.

The conferees agree to authorize a decrease of $184.0 million in PE 64660A for excess contract termination liability.

*Life support systems*

The budget request contained $10.7 million in PE 64706F for life support systems development.

The House bill would add $7.0 million for the advanced common ejection seat 5 (ACES 5) development program.

The Senate amendment would approve the budget request.

The conferees agree to authorize an additional $2.4 million for the ACES 5 program within PE 64706F.

The conferees understand that the ACES 5 program might be able to serve as a competitor for the ejection seat system in the F–35

Joint Strike Fighter program. At this time, the F–35 Joint Program Office is considering the procurement of only one ejection seat system for all variants of the F–35 aircraft.

This approach raises a broader question about the implementation of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23). Section 202 of that Act requires that the Secretary of Defense ensure that the acquisition strategy of every major defense acquisition program (MDAP) includes ''measures to ensure competition, or the option of competition, at both the prime contract level and the subcontract level (at such tier or tiers as are appropriate) of such program throughout the life-cycle of such program as a means to improve contractor performance.'' The Act also lists a number of measures that such competition may include if such measures are cost-effective. These measures include dual sourcing and unbundling of contracts.

The conferees believe that the F–35 ejection seat system could be such a system where the benefits of competition would be cost-effective. The conferees believe that there may be other systems as well, such as training systems, logistics management systems, etc., that could lend themselves to increasing the competitive options for the F–35 program. As the Defense Department's largest MDAP, the conferees believe the F-35 program should be one of the first to benefit from implementation of the Weapon Systems Acquisition Reform Act of 2009. The conferees expect that, over the next budget cycle, the Department and the F–35 Program Executive Office (PEO) will develop a specific plan for how the F–35 PEO will implement the provisions of that Act.

*Wide-area airborne surveillance*

The budget request included $46.0 million in PE 35206F for Research, Development, Test, and Evaluation of the Gorgon Stare wide-area airborne surveillance system (WAAS); $19.9 million in Aircraft Procurement Air Force, Line 25, and $13.0 million in Operations and Maintenance, Air Force. The budget request also included $39.0 million in PE 35206F to begin development of the WAAS program of record following the Gorgon Stare quick reaction capability (QRC).

The House bill would authorize the requested amounts.

The Senate amendment would authorize no funds to continue the Gorgon Stare Quick Reaction Capability (QRC).

The conferees are concerned that the Air Force is rushing to develop a WAAS program of record in fiscal year 2010 with the requirement, the mission, and the concept of operations remaining ill-defined. Based on the limited analysis done on systems with similar mission requirements, it is evident that Gorgon Stare does not currently have the resolution required to meet the full mission set of requirements. It is also evident that the technology required to meet the full mission set is several years away and program personnel are hoping that the technology required will evolve on a schedule to provide affordable capabilities.

The conferees believe that the Department should proceed expeditiously to deploy the Gorgon Stare QRC and Blue Devil to support ongoing military operations and to determine the value of WAAS imagery, in conjunction with other types of sensors, to support ground force overwatch operations and high-value individual targeting.

The conferees agree that WAAS technology development programs should be pursued to provide the necessary resolution and associated technology required and only at such time as technology readiness levels are satisfactorily demonstrated should a program of record be initiated.

The conferees direct that the Under Secretary of Defense for Acquisition, Technology, and Logistics provide to the congressional defense and intelligence committees, not later than April 1, 2010, a report, for each WAAS project for which funding is requested in the fiscal year 2011 budget request, detailing:

(1) the operational requirement, including requirements for observing, identifying, and tracking individuals;

(2) the results of operations research studies associated with the WAAS requirement for high-value targeting, forensic analysis, and overwatch of ground operations;

(3) the concept of operations for each;

(4) lessons learned from the deployment of Constant Hawk, Angel Fire, and Gorgon Stare quick reaction capability;

(5) the number of sensors and orbits planned for each service and platform;

(6) the resolution, frame rate, area coverage, and look angles required to support operational requirements to track vehicles and individuals;

(7) data processing advances, data storage requirements, processing, exploitation, distribution requirements, and their associated costs and budgets to meet operational requirements;

(8) the relationship between the WAAS program of record and the Long Endurance, Multi-intelligence hybrid airship program; and

(9) the requirements and plans for multi-sensor integration, tipping and cueing necessary for the WAAS program of record to meet operational requirements.

*Irregular Warfare Support*

The budget request included $43.8 million in PE 63121D8Z for Special Operations and Low Intensity Conflict advanced development, including funding for the Irregular Warfare Support Program (IWSP), in the base budget, and no funding in this PE in Research, Development, Test, & Evaluation for Overseas Contingency Operations (OCO).

The House bill would authorize an increase of $100.0 million in this PE in Research, Development, Test, & Evaluation for OCO for expansion of IWSP.

The Senate amendment would authorize the budget request in PE 63121D8Z for both the base and OCO budget.

The conferees agree to authorize the requested amount in PE 63121D8Z for both the base and OCO budget. The conferees recognize the importance of enhancing the counterterrorism and counterinsurgency capabilities of the Department of Defense (DOD), and the government as a whole, through the types of innovative projects and activities undertaken and proposed by IWSP within the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)).

The conferees are aware of concerns about whether this program office within ASD(SO/LIC) is the appropriate location for a substantial effort to support the combatant commands through unconventional, creative, and multi-disciplinary (military, cultural, social, ideological, economic, and legal) approaches to counterinsurgency and counterterrorism. The conferees are more concerned, however, that: (1) this small program office in the Office of the Secretary of Defense appears to be the only entity in the Department, and perhaps in the executive branch, engaged in these types of activities; and (2) that so little funding is requested each year to sustain such activities and to scale up those that prove to be successful. The conferees are aware that the Commander of the International Security Assistance Force (ISAF) in Afghanistan, General Stanley McChrystal, requested substantial, specific support from the IWSP office on an urgent basis, citing a ''critical gap'' in capabilities.

The conferees direct the ASD(SO/LIC) to inform the congressional defense committees, within 90 days of enactment of this Act, how DOD intends to respond to the ISAF Commander's request. The conferees also direct the Assistant Secretary to provide a report to the congressional defense committees, coincident with the submission of the fiscal year 2011 budget request, describing all activities and programs within DOD and elsewhere in the executive branch that are similar to those projects underway or proposed by IWSP, their level of funding, and the executing organization. The report also should include an assessment of the results to date and the potential utility of the ongoing and proposed IWSP programs, at their present scope and if they were to be scaled up substantially.

*Ground-Based Interceptor vendor base sustainment*

The budget request included $982.9 million in PE 63882C for the Ground-based Midcourse Defense element of the Ballistic Missile Defense System, including funds for the Ground-Based Interceptor (GBI). The request did not include funds for continued sustainment of the active vendor base for GBIs.

The House bill would authorize the budget request.

The Senate amendment would authorize the budget request.

The conference agreement includes an authorization of $1.0 billion in PE 63882C, an additional $20.0 million for sustainment of the GBI vendor base.

The conferees note a number of new developments since the budget submission that affect consideration of the GBI vendor base. In late summer, the Department of Defense approved the new Integrated Master Test Plan for the Ballistic Missile Defense System. The Missile Defense Agency acknowledges that it will need an additional seven GBIs to implement the new test plan. These GBIs would be in addition to the ones currently on contract, and would require new production. In September, 2009, the Missile Defense Agency informed the congressional defense committees that a recently finished study of the GBI vendor base concluded that additional funding in fiscal year 2010 would permit sustainment of active GBI vendors and reduce the amount of funding that would be needed for the same function in fiscal year 2011. The conferees believe such additional funding will help keep active vendors producing needed parts, and will reduce risk to the future production of GBIs for the test program.

*National Cyber Range*

The budget request included $50.0 million in PE 35103E for Defense Advanced Research Projects Agency (DARPA)-funded efforts in Comprehensive National Cybersecurity Initiative.

The House bill would authorize the budget request.

The Senate amendment would authorize a decrease of $19.6 million for the DARPA National Cyber Range (NCR) program.

The conferees agree to authorize the budget request for the NCR program. The conferees agree that DARPA is uniquely qualified to develop the test tools and infrastructure needed to assess potential future cyber capabilities. The conferees also agree that DARPA is not qualified to provide for the long-term operation of this type of infrastructure, which is intended to be shared between the Federal Government, industry and academia, and that there has been insufficient attention paid to the transition of this

resource to an organization that can operate, maintain, and sustain the capability. The conferees note that DARPA has indicated that it ''envisions transitioning the NCR program to a U.S. government operational partner after prototype development in the late 2010/early 2011 timeframe.'' However, this partner has yet to be identified to the conferees' knowledge and no funding has been programmed in any other organization's budget to support continued operations of the NCR.

The conferees note that there has been a proliferation of network testbeds across the Department of Defense, the Federal Government, and even among contractors that operate program-specific testbeds. This creates an environment of unnecessary duplication and waste of resources and expertise. The conferees note that the Director of the Test Resource Management Center is currently assessing the Department's overall capabilities for network systems testing, including for cyber security capabilities. The conferees look forward to reviewing the results of this assessment, and urge the leadership of the Department to pay greater attention to ensure a comprehensive approach to development, testing, and evaluation of cyber operations systems and capabilities.

ITEM OF SPECIAL INTEREST

*Utilization of Future Combat Systems contract vehicles*

The conferees note that, consistent with the direction of the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Army intends to continue some second-tier technology development efforts that were initiated under the Future Combat Systems (FCS) program, including the development of active protection systems. The conferees understand that this work continues to be funded through the FCS Lead Systems Integrator (LSI) contract vehicle, despite the termination of the FCS program, thereby potentially incurring additional costs to the government. The conferees believe that any use of FCS contract vehicles for continuing FCS-related technology development efforts should only be temporary, and that the work should be transitioned into new contract vehicles as soon as practicable. The conferees direct the Secretary of the Army to report to the congressional defense committees no later than 45 days after the date of enactment of this Act, as to the contract vehicles being used to continue FCS-related technology development work, the plan and schedule for the establishment of new contract vehicles, and the role of the LSI in these programs.

Subtitle A—Authorization of Appropriations

*Authorization of appropriations (sec. 201)*

The House bill contained a provision (sec. 201) that would authorize appropriations for fiscal year 2010 for the use of the Department of Defense for research, development, test, and evaluation.

The Senate bill contained a similar provision (sec. 201).

The agreement includes a provision that would authorize appropriations for fiscal year 2010 for the use of the Department of Defense for research, development, test, and evaluation.

*Relation to funding table (sec. 202)*

The Senate amendment contained a provision (sec. 201(b)) that would authorize funds in this title in accordance with the requirements of section 4001 and in the amounts specified in the funding table in section 4201.

The House bill contained no similar provision.

The House recedes.

Subtitle B—Program Requirements, Restrictions, and Limitations

*Extension and enhancement of Global Research Watch Program (sec. 211)*

The Senate amendment contained a provision (sec. 215) that would extend and enhance the Global Research Watch program.

The House bill contained no similar provision.

The House recedes.

*Permanent authority for the Joint Defense Manufacturing Technology Panel (sec. 212)*

The Senate amendment contained a provision (sec. 214) that would provide permanent authority for the Joint Defense Manufacturing Technology Panel.

The House bill contained no similar provision.

The House recedes.

*Elimination of report requirements regarding defense science and technology program (sec. 213)*

The Senate amendment contained a provision (sec. 217) that would modify report requirements related to the defense science and technology program.

The House bill contained no similar provision.

The House recedes with an amendment that would eliminate the reporting requirement that is the subject of the Senate provision. The conferees continue to support strong and stable investment in defense science and technology programs in order to support the development of advanced warfighting capabilities.

The conferees note that the recent JASON report entitled ''S&T [Science and Technology] for National Security'' raised a number of critical concerns with respect to the Department of Defense's (DOD) basic research program. The JASONs observed that ''important aspects of the DOD basic research programs are broken''' and that ''throwing more money at the problems will not fix them.'' The study group further observed that ''basic research funding is not exploited to seed inventions and discoveries that can shape the future; investments tend to be technological expenditures at the margin'' and that ''the portfolio balance of DOD basic research is generally not critically reviewed by independent, technically knowledgeable individuals,'' adding that the Office of the Director of Defense Research and Engineering ''has too little time, staff, and authority to do this properly.'' Finally, the JASONs observed that ''civilian career paths in the DOD research labs and program management are not competitive to other opportunities in attracting outstanding young scientists and retaining the best people.''

The conferees note that the Secretary of Defense has called for significant increases in investments in basic research, and the conferees have supported that effort in this authorization act. However, given the significant concerns that a respected, independent review board have raised with the program, the conferees will carefully review how the DOD reacts to the JASON study and what steps it takes to address the issues raised in the study, before authorizing further increases in the basic research program.

*Authorization for the Secretary of the Navy to purchase infrastructure and government purpose rights license associated with the Navy-Marine Corps Intranet (sec. 214)*

The House bill contained a provision (sec. 211) that would limit the obligation of funds for the Navy Next-Generation Enterprise Network (NGEN) program until a detailed architectural specification for the network was submitted to the congressional defense committees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide the Secretary of the Navy with the authority to enter into one or more contracts for the purpose of purchasing infrastructure, technical data, and intellectual property related to the Navy-Marine Corps Intranet (NMCI) program. The intent of the provision is to authorize the Secretary of the Navy to establish contractual arrangements that would permit budgeting for these purchases over multiple years.

The conferees note that the purchase of the infrastructure and intellectual property related to the NMCI program is a critical step in the development and procurement of NGEN. The conferees are concerned that the Navy and the current NMCI contractor have yet to come to an agreement on the valuation, or terms of purchase, of the critical elements of NMCI that are the subject of this provision. As the NMCI program has been in planning and execution for over 10 years and represents a large investment of Department of Defense resources, it is a poor reflection on Navy planning and Office of the Secretary of Defense oversight that the detailed plans for the completion of the NMCI program and the transition to NGEN are still so uncertain.

The conferees direct that the Secretary of the Navy provide a detailed discussion of the use of the authority provided by the provision as part of the reporting requirement established by section 1034 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417).

*Limitation on expenditure of funds for Joint Multi-Mission Submersible program (sec. 215)*

The House bill contained a provision (sec. 212) that would require the Secretary of Defense, in consultation with the Director of National Intelligence, to complete an assessment of the feasibility of implementing a cost-sharing agreement between the Department of Defense and the intelligence community pertaining to the Joint Multi-Mission Submersible Program. The provision would also prohibit the expenditure of funds for the Joint Multi-Mission Submersible Program until such an assessment is complete.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would prohibit the expenditure of funds for the Joint Multi-Mission Submersible Program to proceed beyond Defense Acquisition Milestone B Approval until such time as the Secretary of Defense, in consultation with the Director of National Intelligence, certifies that the agreement reached as a result of the assessment represents the most effective and affordable means of delivery for meeting a validated program requirement. The conferees expect that the required assessment will take into account any past use of submersible assets by the Department of Defense and the intelligence community.

The conferees strongly support the Department's decision to designate the Joint Multi-Mission Submersible Program as an Acquisition Category 1D Special Interest program, significantly increasing the level of program oversight from what was given to the Advanced SEAL Delivery System.

*Separate program elements required for research and development of individual body armor and associated components (sec. 216)*

The House bill contained a provision (sec. 213) that would require the Secretary of Defense to establish within each military service research, development, test, and evaluation account a separate program element assigned to the research and development of individual body armor.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment. The conferees do not intend that this provision should limit the military departments' ability to use other rapid development or acquisition authorities to ensure the fastest possible exploitation of body armor material improvements, production, or fielding to our deployed or deploying forces.

*Separate procurement and research, development, test, and evaluation line items and program elements for the F–35B and F–35C Joint Strike Fighter aircraft (sec. 217)*

The House bill contained a provision (sec. 214) that would require the Secretary of Defense to ensure that the Department of Defense procurement and research, development, test, and evaluation program and budget exhibits provide separate data for the Navy and Marine Corps variants of the Joint Strike Fighter aircraft (F–35C and F–35B, respectively).

The Senate amendment contained no similar provision.

The Senate recedes.

*Restriction on obligation of funds for Army tactical ground network program pending receipt of report (sec. 218)*

The House bill contained a provision (sec. 216) that would restrict the obligation of 75 percent of fiscal year 2010 Future Combat Systems (FCS) research and development funds pending receipt of the milestone review report required by section 214(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would narrow the scope of the funding limitation to the Army tactical ground network program.

The conferees are concerned that despite termination of the FCS Brigade Combat Team program in June 2009, the Office of the Secretary of Defense (OSD) has not issued specific guidance to the Army with regard to network hardware and software development which could lead to a stop work order for, or modification to, the base FCS contract. As a result, the conferees note that, according to the Department's budget documentation, the Army continues to spend millions of dollars a day on a contract for which no approved program of record currently exists. The conferees note that the Army was directed in June 2009 to establish a separate, new major defense acquisition program for an Army tactical ground network, but that no such program has been established. In addition, OSD and the Army have yet to determine the new program's acquisition strategy, structure, estimated cost, or technology readiness levels, all of which the conferees consider essential to ensure that the new Army tactical ground network program complies with existing DOD policy and the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23).

Therefore, the conferees have agreed to an amendment that would restrict the obligation of certain funds for the new Army tactical ground network program until Congress receives additional detailed information on the new program from the Under Secretary of Defense for Acquisition, Technology, and Logistics.

*Programs for ground combat vehicle and self-propelled howitzer capabilities for the Army (sec. 219)*

The House bill contained a provision (sec. 219) that would require the Secretary of Defense to carry out programs to develop and field new or upgraded Army ground combat vehicle and self-propelled artillery capabilities.

The Senate amendment contained a similar provision (sec. 218).

The managers note that cancelation of the Non-Line of Sight Cannon (NLOS-C) vehicle leaves the Army solely dependent upon the Paladin Integrated Management (PIM) program for upgrading its self-propelled howitzer fleet. The managers direct the Army to prioritize the development and fielding of the PIM upgrade program. In doing so, it should ensure that maximum value is derived from the many years of research and development on the Crusader and NLOS-C programs. Efforts should be made to integrate relevant mature technologies from NLOS-C to the PIM.

The House recedes.

*Guidance on budget justification materials describing funding requested for operation, sustainment, modernization, and personnel of major ranges and test facilities (sec. 220)*

The Senate amendment contained a provision (sec. 213) that that would clarify and standardize the information required in budget justification materials delivered to Congress describing amounts requested for funding of major range and test facilities.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Assessment of technological maturity and integration risk of Army modernization programs (sec. 221)*

The Senate amendment contained a provision (sec. 219) that would require the Director of Defense Research and Engineering (DDRE) to review and assess the technological maturity and integration risk of the technologies critical to the development and deployment of systems and technologies related to the platforms, sensors, and networks of Army modernization programs.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the requirements of the required technology assessment.

The conferees note that the restructuring of the Future Combat Systems (FCS) program has resulted in a number of continuing changes in the nomenclature and execution of Army modernization programs. The intent of this provision is to require an assessment of the technological maturity and integration risk of all critical systems and technologies supportive of Army modernization efforts that were formerly within the FCS program. As the required assessment is initiated, the conferees direct that the DDRE consult with Congress on which systems are included and excluded from the assessment.

*Assessment of activities for technology modernization of the combat vehicle and armored tactical wheeled vehicle fleets (sec. 222)*

The Senate amendment contained a provision (sec. 220) that would require an independent assessment of the strategy for technology for modernization of combat and tactical wheeled vehicle fleets.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the timing of the delivery of the assessment and clarify that the assessment should cover the combat vehicle fleet and armored tactical wheeled vehicle fleet.

Subtitle C—Missile Defense Programs

*Sense of Congress on ballistic missile defense (sec. 231)*

The House bill contained a provision (sec. 224) that would express the sense of Congress reaffirming support for protecting the United States against limited ballistic missile attack.

The Senate amendment contained a related provision (sec. 241) that would express the sense of the Congress on the development, testing, fielding, and maintenance of ballistic missile defense systems that are capable of defending the United States, its forward-deployed forces, allies, and other friendly nations from the threat of ballistic missile attacks from nations such as North Korea and Iran.

The House recedes with a clarifying amendment.

The conferees note that the terms ''operationally effective'' and ''cost effective'' encompass the qualities of affordable, reliable, suitable, and survivable missile defense systems.

*Assessment and plan for the Ground-based Midcourse Defense element of the Ballistic Missile Defense System (sec. 232)*

The House bill contained a provision (sec. 222) that would require the Secretary of Defense to establish a sustainment and modernization program for the Ground-based Midcourse Defense (GMD) element of the Ballistic Missile Defense System (BMDS), to ensure the long-term reliability, availability, maintainability, and supportability of the GMD element.

The Senate amendment contained a similar provision (sec. 243) that would require the Secretary of Defense to conduct a detailed assessment of the GMD element, and establish a plan for the GMD element, and to submit reports on the assessment and the plan at about the time of the submission of the budget request for fiscal year 2011. The assessment and the plan would each include consideration of issues related to the ability of the GMD element to maintain its operational effectiveness over the course of its service life.

The House recedes with an amendment that would add a statement of the sense of Congress that the Secretary of Defense should ensure the reliability, availability, maintainability, and supportability of the GMD element throughout its service life. The amendment would also require the assessment of, and the plan for, the GMD element.

The conferees note that the GMD element is expected to have a service life of approximately 20 years, and stress the importance of ensuring that the GMD element should remain operationally effective throughout its service life. In order to ensure this effectiveness, the Department of Defense should take appropriate actions to preserve the reliability, availability, and maintainability of the GMD element over its entire service life.

The conferees note that these actions include maintaining the ability to produce any Ground-Based Interceptors (GBIs) needed for the element, including those needed to implement the newly approved Integrated Master Test Plan (IMTP). The Missile Defense Agency (MDA) recently acknowledged a need for seven additional GBIs for that purpose. Accordingly, the conferees urge MDA to take appropriate actions to reduce risk to the production capability for the additional GBIs, and for future GBI refurbishment and sustainment work. The conferees agree to authorize additional funding for the active GBI vendor base, as described elsewhere in this report.

The conferees note that a number of developments have occurred since the submission of the budget request, which affect the GMD element. These include the approval of the IMTP, the acknowledgment of a need for seven additional test GBIs, a new GBI industrial base study, and the decision to build seven silos at Missile Field 2 at Fort Greely, Alaska, and to decommission Missile Field 1. The conferees expect MDA to keep the congressional defense committees informed in a

timely manner of any such changes in the future that would affect the reliability, availability, and maintainability of the GMD element.

*Continued production of Ground-Based Interceptor missile and operation of Missile Field 1 at Fort Greely, Alaska (sec. 233)*

The Senate amendment contained a provision (sec. 245) that would require the Secretary of Defense to not allow a break in the production of the Ground-Based Interceptor (GBI) missiles for the Ground-based Midcourse Defense (GMD) element until the Department of Defense completes the Ballistic Missile Defense Review and makes a determination on how many GBIs will be needed to support the service life of the GMD element. The provision would also require the Secretary to ensure that Missile Field 1 at Fort Greely, Alaska, is not completely decommissioned until seven GBI silos have been emplaced at Missile Field 2 at Fort Greely, and would require the Secretary to ensure that no irreversible decision is made with respect to the disposition of GBI silos at Missile Field 2 until 60 days after submitting the reports required in another section of the Senate amendment that would describe the Department's assessment of, and plan for, the GMD element.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

*Limitation on availability of funds for acquisition or deployment of missile defenses in Europe (sec. 234)*

The House bill contained a provision (sec. 223) that would limit the availability of fiscal year 2010 or future funds for the acquisition (other than initial long-lead procurement) or deployment of operational interceptors of a long-range missile defense system in Europe until the Secretary of Defense submits a report certifying that the proposed interceptor and the proposed radars to be deployed as part of such missile defense system have demonstrated, through successful, operationally realistic flight testing, a high probability of working in an operationally effective manner and the ability to accomplish the mission.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the specific reference to the radars and clarify that the certification would include information about the ability of the proposed ballistic missile defense system to accomplish the mission.

The conferees note that this provision would extend a limitation contained in section 233(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417, 122 Stat. 4393).

*Authorization of funds for development and deployment of alternative missile defense systems in Europe (sec. 235)*

The House bill contained a provision (sec. 226) that would authorize the use of $353.1 million in fiscal year 2009 and 2010 funds authorized or otherwise made available for the Missile Defense Agency for the development of missile defenses in Europe to be used for the development and deployment of an alternative missile defense system that would protect Europe and the United States, subject to a certification by the Secretary of Defense that the alternative defense system is expected to meet certain conditions.

The Senate amendment contained a similar provision (sec. 246) that would authorize the use of the fiscal year 2009 and 2010 funds for the development and deployment of alternative missile defense systems designed to protect Europe, and the United States in the case of long-range missile threats, from the threats posed by current and future Iranian ballistic missiles of all ranges, if the Secretary certifies that the alternative systems are expected to meet certain conditions. The provision also included a rule of construction stating that it would not limit or prevent the Department of Defense from pursuing the development or deployment of operationally effective and cost effective missile defense systems in Europe.

The House recedes with an amendment that would add a requirement for an independent assessment of the operational effectiveness and cost-effectiveness of the alternative missile defense architecture announced by the President on September 17, 2009. The Secretary of Defense would be required to submit a report to the congressional defense committees by June 1, 2010, on the independent assessment.

The conference agreement would authorize the use of $309.0 million in fiscal year 2009 and 2010 funds, the amount of funding available other than for military construction, for alternative European missile defense systems or their subsystems. The conferees expect the Department of Defense to promptly provide to the congressional defense committees an expenditure plan for any of these funds planned to be used for such missile defense systems in Europe pursuant to a certification by the Secretary.

*Comprehensive plan for test and evaluation of the ballistic missile defense system (sec. 236)*

The Senate amendment contained a provision (sec. 242) that would require the Secretary of Defense to establish a comprehensive plan for the developmental and operational test and evaluation of the Ballistic Missile Defense System. The provision would require the Secretary of Defense to submit a report to the congressional defense committees setting forth the plan by March 1, 2011.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to submit the report by March 1, 2010.

*Study on discrimination capabilities of ballistic missile defense system (sec. 237)*

The House bill contained a provision (sec. 227) that would require the Secretary of Defense to enter into an arrangement with the JASON Defense Advisory Panel to conduct a study on the discrimination capabilities of the Ballistic Missile Defense System. The provision would require the Secretary to submit to the appropriate congressional committees a report on the study.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Ascent phase missile defense strategy and plan (sec. 238)*

The House bill contained a provision (sec. 225) that would require the Secretary of Defense to submit to the congressional defense committees a strategy for ascent phase missile defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that the Secretary's report would include both a strategy and a plan for ascent phase missile defense.

*Extension of deadline for study on boost-phase missile defense (sec. 239)*

The Senate amendment contained a provision (sec. 247) that would extend by 4 months the deadline for the submission of the boost-phase missile defense study required by section 232 of the Duncan Hunter National Defense Act for Fiscal Year 2009 (Public Law 110–417).

The House bill contained no similar provision.

The House recedes.

Subtitle D—Reports

*Repeal of requirement for biennial joint warfighting science and technology plan (sec. 241)*

The Senate amendment contained a provision (sec. 251) that would eliminate the biennial Joint Warfighting Science and Technology Plan reporting requirement.

The House bill contained no similar provision.

The House recedes.

*Modification of reporting requirement for defense nanotechnology research and development program (sec. 242)*

The Senate amendment contained a provision (sec. 252) that would modify the reporting requirement for the defense nanotechnology research and development program.

The House bill contained no similar provision.

The House recedes.

*Comptroller General assessment of coordination of energy storage device requirements, purchases, and investments (sec. 243)*

The House bill contained a provision (sec. 231) that would require a Comptroller General assessment of energy storage device requirements and investments.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the details of the required assessment.

*Annual Comptroller General report on the F–35 Lightning II aircraft acquisition program (sec. 244)*

The House bill contained a provision (sec. 232) that would require the Comptroller General to conduct, during the period from 2010 to 2015, an annual review of the F–35 Lightning II Aircraft acquisition program.

The Senate amendment contained no similar provision.

The Senate recedes.

*Report on integration of Department of Defense Intelligence, Surveillance, and Reconnaissance capabilities (sec. 245)*

The House bill contained a provision (sec. 233) that would limit the obligation and expenditure of funds to 25 percent of the amount authorized to be appropriated for program element 35884L until 30 days after the Under Secretary of Defense for Intelligence submits all elements of the report required under section 923(d)(1) of the National Defense Authorization Act for 2004 (Public Law 108–136).

The Senate amendment contained no similar provision.

Senate recedes with an amendment that would limit the obligation and expenditure of funds to 50 percent of program element 11815F.

*Report on future research and development of man-portable and vehicle-mounted guided missile systems (sec. 246)*

The House bill contained a provision (sec. 234) that would require a report from the Secretary of the Army on the Army's future plans for upgrades to and replacement of selected missile systems. The provision would also limit the obligation of funds pending submission of the report.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Report on the development of command and control systems (sec. 247)*

The House bill contained a provision (sec. 217) that would limit the obligation of funds

for the Net Enabled Command Capability (NECC) system.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a report detailing the Department of Defense's (DOD) plans for consolidating the systems and technologies of the NECC program into the Global Command and Control System (GCCS) family of systems.

The conferees note the NECC program was originally intended to modernize DOD command and control systems, building them into a web-based, open architecture, interoperable set of systems that would better support joint warfighting operational capabilities. However, the NECC program has not managed to overcome significant technical, programmatic, and bureaucratic challenges and so is expected to be terminated or significantly restructured in the near future.

The conferees direct that the Department of Defense merge the NECC program and the GCCS family of systems and transition appropriate technologies from NECC into the GCCS family of systems. The conferees further expect that lessons learned from the attempted development of NECC be incorporated as DOD develops a plan of governance and development for next-generation command and control systems. The conferees note that the evolution of the GCCS family of systems into a more capable system may be best served using an incremental, spiral approach to modernizing the GCCS family of systems, deploying modular, operationally useful, and tested capabilities while moving towards a net-centric, web-based, standards-based service oriented architecture.

Since both the NECC program and the GCCS family of systems are currently undergoing significant restructuring, the conferees direct that the Department actively engage with the congressional defense committees during the development of the report required by this provision to ensure that the intent of the conferees is satisfied.

*Evaluation of Extended Range Modular Sniper Rifle Systems (sec. 248)*

The Senate amendment contained a provision (sec. 253) that would require the Assistant Secretary of the Army for Acquisition, Logistics, and Technology to conduct a comparative evaluation of extended range modular sniper rifles.

The House bill contained no similar provision.

The House recedes with an amendment that would strike language making available unobligated balances from prior years' appropriations.

Subtitle E—Other Matters

*Enhancement of duties of Director of Department of Defense Test Resource Management Center with respect to the major range and test facility base (sec. 251)*

The House bill contained a provision (sec. 241) that would authorize the Director of the Test Resource Management Center (TRMC) to have access to all of the data and records he or she needs to make recommendations to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) on test resource issues.

The Senate amendment contained a provision (sec. 212) that would similarly authorize access to data and records, as well as authorizing the Director, TRMC to review changes to major test range funding before those changes are implemented.

The House recedes with a clarifying amendment.

The conferees note that the intent of this provision is to facilitate the Director, TRMC's ability to conduct appropriate oversight and analysis of changes to the Major Range and Test Facility Base (MTRFB) made outside the existing budget review mechanisms, and to enhance the Director's access to information. It is not the conferees intent to create a new administrative function so onerous that it detracts from the ability of the service testing organizations to accomplish their designated missions. The conferees' intent is to authorize the Director, TRMC to review and advise the USD(AT&L) on changes to test facilities and resources that would result in the inability to adequately test critical defense systems, or that would place an undue burden on programs or other elements of the MRTFB. The provision is not intended to convey new authority to the Director, TRMC to unilaterally restrict service or agency efforts to execute improvements or upgrades, or to improve operational efficiency.

Therefore, the conferees direct that the USD(AT&L) work in conjunction with the Director, TRMC and appropriate service and agency organizations to establish procedures under which the review processes and access to records and data authorized by this provision are not overly intrusive and do not place an undue burden, in terms of workload or funding, on service and agency personnel and resources.

*Establishment of program to enhance participation of historically black colleges and universities and minority-serving institutions in defense research programs (sec. 252)*

The House bill contained a provision (sec. 243) that would authorize a program to enhance participation of historically black colleges and minority-serving institutions in defense research programs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the details of the program, modify the description of the types of institutions that could participate in the program, and authorize the Secretary of Defense, if so desired, to limit the participation of institutions that can successfully compete for research funding outside the program.

*Extension of authority to award prizes for advanced technology achievements (sec. 253)*

The House bill contained a provision (sec. 244) that would extend the authority for organizations within the Department of Defense to award prizes for advanced technology development.

The Senate amendment contained an identical provision (sec. 216).

The conference agreement includes the provision.

*Authority for National Aeronautics and Space Administration federally funded research and development centers to participate in merit-based technology research and development programs (sec. 254)*

The House bill contained a provision (sec. 248) that would authorize federally funded research and development centers of the National Aeronautics and Space Administration respond to Department of Defense broad agency announcements for research funding opportunities.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Next generation bomber aircraft (sec. 255)*

The Senate amendment contained a provision (sec. 124) that would make a series of findings with respect to the next-generation bomber and that would declare that it is the policy of the United States to support a development program for next-generation bomber technologies.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

*F–35 and alternate propulsion system program*

The Senate amendment contained a provision (sec. 211) that would: (1) increase in funding for procurement of UH–1Y/AH–1Z rotary wing aircraft and for management reserves for the F–35 Joint Strike Fighter program; and (2) prohibit the obligation of funds authorized to be appropriated for development or procurement of an alternate propulsion system for the F–35 until the Secretary of Defense certifies in writing to the congressional defense committees that development and procurement of the alternate propulsion system would: (a) reduce life cycle costs of the F–35; (b) improve operational readiness of the fleet of F–35 aircraft; (c) will not disrupt the F–35 research, development, test, and evaluation (RDT&E) and procurement phases of the program; and (d) will not result in the procurement of fewer F–35 aircraft during the life cycle of the program.

The House bill contained a provision (sec. 218) that would limit obligations for the F–35 RDT&E program to 75 percent until 15 days after the later of the dates on which: (1) the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies in writing to the congressional defense committees that all fiscal year 2010 funds for the F–35 competitive propulsion system have been obligated; (2) the Secretary of Defense submits the report on F/A–18 multiyear procurement costs required by section 123 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417); and (3) the Department submits the 30–year aircraft procurement plan required by section 231a of title 10, United States Code.

The House bill also contained a provision (sec. 242) that would require the Secretary of Defense to include in annual budget requests submitted to the President, beginning in 2011, such amounts as are necessary for the full funding of continued development and procurement of a competitive propulsion system for the F–35.

Both the House and Senate recede from their respective provisions.

The conferees agree to authorize the budget request for 30 F–35 aircraft in Aircraft Procurement, Navy, and Aircraft Procurement, Air Force. The conferees also agree to authorize an increase of a total of $430.0 million in RDT&E, Navy, and RDT&E, Air Force for continued F136 engine development; and $130.0 million in Aircraft Procurement, Air Force, for F136 engine procurement. The conferees expect that the Secretary of Defense will comply with the direction in section 213 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), and ensure that sufficient annual amounts are obligated and expended, in each fiscal year, for the continued development and procurement of two options for the F–35 propulsion system in order to ensure the development and competitive production of the F–35 propulsion system.

*Restriction on obligation of funds pending submission of Selected Acquisition Report*

The House bill contained a provision (sec. 215) that would restrict certain research and development accounts pending submission of comprehensive annual Selected Acquisition Reports for seven Army programs.

The Senate amendment contained no similar provision.

The House recedes.

*Integrated Air and Missile Defense system project*

The House bill contained a provision (sec. 221) that would restrict the availability of fiscal year 2010 funds for the Army's Integrated Air and Missile Defense project until

the Secretary of Defense certifies to the congressional defense committees that certain conditions have been met.

The Senate amendment contained no similar provision.

The House recedes.

*Systems engineering and prototyping program*

The Senate amendment contained a provision (sec. 221) that would establish a systems engineering and prototyping program in the Department of Defense.

The House bill contained no similar provision.

The Senate recedes.

*Sense of Congress reaffirming the requirement to thoroughly consider the role of ballistic missile defenses during the Quadrennial Defense Review and the Nuclear Posture Review*

The House bill contained a provision (sec. 228) that would express the sense of Congress that the Secretary of Defense should thoroughly consider the role of ballistic missile defenses during the Quadrennial Defense Review and the Nuclear Posture Review.

The Senate amendment contained no similar provision.

The House recedes.

*Executive agent for advanced energetics*

The House bill contained a provision (sec. 245) that would have established an executive agent for advanced energetics within the Department of Defense.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note the importance of advanced energetic materials in the development of next-generation defense capabilities. The conferees direct the Under Secretary of Defense for Acquisition, Technology, and Logistics to provide a report describing the plan and process it is using to address the concerns raised in the original House provision (sec. 245). The report should clearly indicate how the activities envisioned to be undertaken by the proposed executive agent are currently being executed with existing Departmental processes. The report should be provided to the congressional defense committees no later than October 1, 2010.

*Study on thorium-liquid fueled reactors for Naval forces*

The House bill contained a provision (sec. 246) that would have directed the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to carry out jointly a study on the use of thorium-liquid fueled nuclear reactors for naval propulsion.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that while there may be credible research initiatives to explore the use of molten salt reactors for commercial power generation, the use of molten salt reactors on naval vessels is not currently technically feasible and a requirement to perform a study on the use of molten salt reactors is premature. This is due to technology challenges with material construction (molten salt reactors are inherently corrosive to metals), storage of the liquid fuel, and radiation shielding for the crew from a non-solid fuel reactor. The conferees recommend that the Navy continue to monitor the progress of technology development in commercial application of molten salt reactors, including licensing, for potential future application.

*Visiting National Institutes of Health Senior Neuroscience Fellowship Program*

The House bill contained a provision (sec. 247) that would establish a neuroscience fellowship program within the Department of Defense.

The Senate amendment contained no similar provision.

The House recedes.

The conferees direct the Department of Defense to continue to support neuroscience research to support the development of military capabilities.

TITLE III—OPERATION AND MAINTENANCE

BUDGET ITEM

*Commercial imagery augmentation*

The budget request included classified amounts in Operations and Maintenance, Defense-wide, in the National Geospatial Intelligence Agency budget to begin acquiring the equivalent capacity of two additional 1.1-meter electro-optical (EO) imaging satellites.

The House bill would authorize the Department of Defense (DOD) to implement the initiative as requested.

The Senate amendment would direct DOD to acquire the capacity of one 1.5-meter EO satellite in lieu of one of the two proposed 1.1-meter satellite equivalents ''on a schedule keyed to the risks identified'' by the Secretary of Defense in congressional testimony.

The conferees agree that DOD should consider obtaining the capabilities of 1.5-meter aperture EO satellites for multiple reasons: to hedge against the risk of gaps in national intelligence collection capabilities; to determine how well 1.5-meter EO satellites can meet imagery collection requirements; to better support combatant commander requirements for point-target and area imagery; and to ensure that U.S. industry retains world leadership in commercial remote sensing.

The conferees agree that the DOD should plan to acquire the capacity of one or more 1.5-meter satellites by the middle of the coming decade, consistent with the administration's plans for replenishment in the mid-decade timeframe, and with the estimates of the time needed to develop and construct 1.5-meter aperture satellites.

The conferees understand that fulfilling this plan would require that the fiscal year 2011 budget request include funding to begin the process of acquiring the capacity of a 1.5-meter aperture satellite. The conferees expect that it will take at least 60 months to deliver a 1.5-meter EO satellite (1 year of non-recurring development and 4 years to build the satellite).

The conferees direct the Secretary of Defense to develop a plan to acquire the capacity of at least one 1.5-meter aperture EO satellite on the schedule outlined above and provide this plan to the congressional defense and intelligence committees when the fiscal year 2011 budget request is submitted.

The conferees also agree on the need to review the existing limitation on the resolution of the imagery that the space commercial data providers (CDP) are allowed to sell commercially. The conferees agree that controls remain necessary on what targets the CDPs can image for commercial sale, but are skeptical that the current limit on resolution makes sense. The conferees direct that the Secretary of Defense request that the Office of Science and Technology Policy undertake an interagency review of current regulatory policy. The conferees further request that the administration provide the results of this review to the congressional intelligence and defense committees by June 1, 2010.

ITEM OF SPECIAL INTEREST

*Navy depot maintenance*

The conferees note that the budget request for ship maintenance would leave $200.0 million in deferred maintenance in fiscal year 2010 for active and reserve ships at a time when it is questionable whether the Navy can sustain ship material readiness while serving as a key element of the Nation's strategic reserve force. The conferees also note that depot maintenance programs were identified by the Chief of Naval Operations as the sole priorities in the Navy's unfunded priority list for fiscal year 2010 that was submitted to the committee.

The conferees are very concerned that continued underfunding of these critical sustainment programs jeopardizes ship material readiness, reduces the service life of the fleet, drives up long-term sustainment costs, and increases strategic risk for the Nation. The conferees urge the Secretary of the Navy to fully resource ship depot maintenance requirements in the future.

While the House and Senate bills added funding to meet 100 percent of the Navy's ship depot maintenance requirement for fiscal year 2010, the conferees note that the House and Senate appropriations committees chose not to provide additional funding, leaving the conferees no option but to authorize at the appropriators' level or risk hollow budget authority. The conferees understand this decision was based on Government Accountability Office analysis of the Navy's historical execution of its ship depot maintenance budget.

Likewise, the conferees have provided additional funding for Navy aviation depot maintenance at the same level as the allowable appropriation but still short of the Navy's unfunded requirement.

The conferees urge the Secretary of the Navy to take action as necessary to demonstrate that the Navy can successfully execute its depot maintenance account to the fullest extent to ensure material readiness.

Subtitle A—Authorization of Appropriations

*Operation and maintenance funding (sec. 301)*

The House bill contained a provision (sec. 301) that would authorize fiscal year 2010 funding levels for all operation and maintenance accounts.

The Senate amendment contained a similar provision (sec. 301).

The conference agreement includes this provision.

*Relation to funding table (sec. 302)*

The Senate amendment contained a provision (sec. 301(b)) that would authorize funds in this title in accordance with the requirements of section 4001 and in the amounts specified in the funding table in section 4301.

The House bill contained no similar provision.

The House recedes.

Subtitle B—Environmental Provisions

*Clarification of requirement for use of available funds for Department of Defense participation in conservation banking programs (sec. 311)*

The House bill contained a provision (sec. 311) that would clarify the authorization for use of funds for Department of Defense participation in conservation banking programs.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Reauthorization of title I of Sikes Act (sec. 312)*

The House bill contained a provision (sec. 312) that would reauthorize title I of the Sikes Act (16 U.S.C. 670f).

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that extends the authorization through fiscal year 2014.

*Authority of secretary of a military department to enter into interagency agreements for land management on Department of Defense installations (sec. 313)*

The House bill contained a provision (sec. 313) that would authorize the secretaries of the military departments to enter into interagency agreements for land management on Department of Defense installations.

The Senate amendment contained no similar provision.

The Senate recedes.

*Reauthorization of pilot program for invasive species management for military installations in Guam (sec. 314)*

The House bill contained a provision (sec. 314) that would reauthorize the pilot program for invasive species management for military installations in Guam.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that extends the program through fiscal year 2014.

*Reimbursement of Environmental Protection Agency for certain costs in connection with the Former Nansemond Ordnance Depot Site, Suffolk, Virginia (sec. 315)*

The House bill contained a provision (sec. 315) that would authorize the Secretary of Defense to reimburse the Environmental Protection Agency for certain costs in connection with the Former Nansemond Ordnance Depot Site, Suffolk, Virginia.

The Senate amendment contained an identical provision (sec. 311).

The Senate recedes.

*Procurement and use of munitions (sec. 316)*

The House bill contained a provision (sec. 316) that would require the Secretary of Defense to develop methods to account for the full life-cycle costs of munitions, undertake a review of live-fire practices for the purpose of reducing unexploded ordnance and munitions-constituent contamination, and to submit to Congress a report on the methods developed pursuant to this section and recommendations for reducing life-cycle costs of munitions, unexploded ordnance, and munitions-constituent contamination.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Prohibition on disposing of waste in open-air burn pits (sec. 317)*

The House bill contained a provision (sec. 317) that would require the Secretary of Defense to prohibit the disposal of certain waste in open-air burn pits during contingency operations lasting longer than 1 year. The provision would also require the Secretary to issue regulations and to provide a report to Congress.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require: (1) the Secretary to issue regulations that prohibit the disposal of certain waste in open-air burn pits during contingency operations except in circumstances in which the Secretary determines that no alternative disposal method is feasible; (2) notification to congressional defense committees when the Secretary determines that no alternative disposal method is feasible; and (3) a report on the use of open-air burn pits by the United States armed forces. For purposes of this provision, ''waste'' is defined as: (1) hazardous waste as defined by the Solid Waste Disposal Act; (2) medical waste; and (3) other waste as designated by the Secretary.

*Military munitions response sites (sec. 318)*

The House bill contained a provision (sec. 318) that would require the Secretary of Defense to specify in the annual budget submission to Congress the funding levels requested for the Military Munitions Response Program and the Installation Restoration Program. The provision would also clarify that the inventories required by section 2710(a)(2) of title 10, United States Code, must include identification of sites by county and would require additional information in the Defense Environmental Program's annual report to Congress.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle C—Workplace and Depot Issues

*Public-private competition required before conversion of any Department of Defense function performed by civilian employees to contractor performance (sec. 321)*

The House bill contained a provision (sec. 321) that would eliminate the de minimis standard from section 2461 of title 10, United States Code.

The Senate amendment contained an identical provision (sec. 323A). The conference agreement includes this provision.

*Time limitation on duration of public-private competitions (sec. 322)*

The House bill contained a provision (sec. 322) that would establish an 18-month time limitation on public-private competitions, starting with the date on which preliminary planning begins.

The Senate amendment contained a provision (sec. 323B) that would establish a time limitation of 30 months for single function activities and 36 months for multi-function activities.

The Senate recedes with an amendment that would establish a time limitation of 24 months, while providing the Secretary of Defense with the flexibility to extend the time for a competition (up to specified limits) in certain circumstances.

*Policy regarding installation of major modifications and upgrades (sec. 323)*

The House bill contained a provision (sec. 323) that would amend section 2460 of title 10, United States Code, to include the installation of major modifications and upgrades to major weapon systems in the definition of depot-level maintenance and repair.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the Sense of Congress that no changes should be made to: (1) the Department of Defense policy that in the annual allocation of depot-level maintenance and repair work under section 2466 of title 10, United States Code, the installation of major modifications and upgrades are considered to be part of the definition of depot-level maintenance; and (2) the interpretation and application of that policy as of the date of the enactment of this Act.

*Modification of authority for Army industrial facilities to engage in cooperative activities with non-Army entities (sec. 324)*

The House bill contained a provision (sec. 324) that would modify and clarify the authority of the Army to enter in cooperative activities with non-Army entities.

The Senate amendment contained a similar provision (sec. 321).

The House recedes.

*Temporary suspension of public-private competitions for conversion of Department of Defense functions to performance by a contractor (sec. 325)*

The House bill contained a provision (sec. 327) that would suspend for 3 years the authority of the Secretary of Defense to initiate public-private competitions for the conversion of Department of Defense functions to contractor performance.

The Senate amendment contained a provision (sec. 323) that would suspend such authority until the Secretary of Defense certifies that the Department of Defense is in compliance with the requirements of section 2330a of title 10, United States Code.

The Senate recedes with an amendment that would suspend the authority to initiate public-private competitions until the Secretary certifies that the Department is in compliance with certain statutory requirements. Based on the timing of a required review and report, the earliest date on which this certification could be made would be October 15, 2010.

*Requirement for debriefings related to conversion of functions from performance by Federal employees to performance by a contractor (sec. 326)*

The House bill contained a provision (sec. 328) that would require that federal employee representatives receive pre- and post-award debriefings in any case where a public-private competition results in the conversion of a function from performance by federal employees to performance by a contractor.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment clarifying that such debriefings will be available: (1) to federal employee representatives designated pursuant to section 3551(2)(B) of title 31, United States Code; and (2) to the same extent and under the same circumstances as such debriefings would be available to an offeror in such a competition.

*Amendments to bid protest procedures by Federal employees and agency officials in conversions of functions from performance by Federal employees to performance by a contractor (sec. 327)*

The House bill contained a provision (sec. 329) that would clarify language in section 3551 of title 31, United States Code, addressing bid protests filed on behalf of federal employees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment deleting language that would have expanded standing in bid protests.

*Improvement of inventory management practices (sec. 328)*

The Senate amendment contained a provision (sec. 322) that would require the Secretary of Defense to develop a comprehensive plan for improving its inventory management systems.

The House bill contained no similar provision.

The House recedes.

*Modification of date for submittal to Congress of annual report on funding for public and private performance of depot-level maintenance and repair workloads (sec. 329)*

The Senate amendment contained a provision (sec. 325) that would amend section 2466(d)(1) of title 10, United States Code, by replacing April 1 of each year with 90 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code.

The House bill contained no similar provision.

The House recedes.

Subtitle D—Energy Security

*Authorization of appropriations for Director of Operational Energy (sec. 331)*

The House bill contained a provision (sec. 331) that would authorize $5.0 million for the Office of the Director of Operational Energy Plans and Programs.

The Senate amendment contained an identical provision (sec 334).

The conference agreement includes this provision.

*Extension and expansion of reporting requirements regarding Department of Defense energy efficiency programs (sec. 332)*

The Senate amendment contained a provision (sec. 332) that would expand Department of Defense reporting requirements regarding energy efficiencies, energy projects and investments, best practices, and recommendations on areas which could improve.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Report on implementation of Comptroller General recommendations on fuel demand management at forward-deployed locations (sec. 333)*

The House bill contained a provision (sec. 332) that would require the Director of Operational Energy Plans and Programs of the Department of Defense (DOD) to submit a report on the implementation of the recommendations made by the Comptroller General in their report entitled, ''Increased Attention on Fuel Demand Management at DOD's Forward-Deployed Locations Could Reduce Operational Risks and Costs.''

The Senate amendment contained no similar provision.

The Senate recedes.

*Report on use of renewable fuels to meet energy requirements of Department of Defense (sec. 334)*

The House bill contained a provision (sec. 333) that would direct the Secretary of Defense to consider renewable fuels and to assess and report on the use of renewable fuels in aviation, maritime, and ground transportation fleets.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Energy security on Department of Defense installations (sec. 335)*

The Senate amendment contained a provision (sec. 331) that would require the Secretary of Defense to develop a plan for identifying and addressing areas in which the electricity needed to carry out military missions on Department of Defense installations is vulnerable to disruption.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) clarify that the Secretary should consider cost effectiveness in developing the required strategy; and (2) delete a paragraph providing the Secretary with contracting authority to achieve the purposes of the section. The conferees conclude that the Secretary already has broad contracting authority to execute projects that support the national defense.

Subtitle E—Reports

*Annual report on procurement of military working dogs (sec. 341)*

The House bill contained a provision (sec. 341) that would require an annual report on the procurement of military working dogs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would sunset the reporting requirement after 5 years and clarify the contents of the report.

The conferees note that the provision would require that certain information be provided with regard to working dogs provided by different sources. The conferees expect that report will identify each source by State or country.

*Plan for managing vegetative encroachment at training ranges (sec. 342)*

The Senate amendment contained a provision (sec. 342) that would require the Secretary of Defense to report on the extent to which vegetation and overgrowth limits the use of military land for training, to identify the installations impacted by overgrowth, to provide a plan to address the constraints caused by vegetation, and to provide updates to the plan, as necessary. The Senate provision would have required this information be included in the Department of Defense's annual sustainable range report.

The House bill contained no similar provision.

The House recedes with an amendment that would make the report a single report separate from the Department of Defense's sustainable range report.

*Comptroller General report on the sustainment strategy for the AV–8B Harrier aircraft (sec. 343)*

The House bill contained a provision (sec. 325) that would require a report and cost-benefit analysis on the planned maintenance internal events and concurrent modifications performed on the AV–8B Harrier weapon system.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Comptroller General to conduct a review of the sustainment strategy and produce the accompanying report.

*Study on Army modularity (sec. 344)*

The Senate amendment contained a provision (sec. 341) that would require the Secretary of Defense to contract for an independent study on the current and planned modularity structures of the Army.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle F—Other Matters

*Authority for airlift transportation at Department of Defense rates for non-Department of Defense Federal cargoes (sec. 351)*

The House bill contained a provision (sec. 351) that would allow the Secretary of Defense to charge other Federal Government agencies the same rate for airlift services as the Department charges internal Department of Defense customers, whenever the Secretary determines that such action would promote efficiency and would not have any negative effect on national security objectives.

The Senate amendment contained no similar provision.

The Senate recedes.

*Policy on ground combat and camouflage utility uniforms (sec. 352)*

The House bill contained a provision (sec. 352) that would direct the Secretary of Defense, in consultation with the Defense Logistics Agency, to require that future ground combat uniforms be standardized in order to ensure increased interoperability of ground combat forces, and reduce tactical risks encountered when military personnel wear a different uniform from their counterparts in the other military services in a combat area.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish, as policy of the United States, that the design and fielding of all future ground combat and camouflage utility uniforms of the armed forces may uniquely reflect the identity of the individual military services, provided that the ground combat and utility uniforms, to the maximum extent practicable provide members of every service an equivalent level of performance, functionality, and protection commensurate with their respective assigned combat missions, minimize the risk to the individual, and provide interoperability with other components of individual war fighter systems. The Senate amendment would direct the Comptroller General to conduct an assessment of the ground combat uniforms and camouflage utility uniforms currently in use in the Department of Defense, and report within 180 days of enactment of this Act. The Senate amendment would also require the Secretaries of the military departments, consistent with their title 10 authority over acquisition matters, to establish joint criteria for future ground combat uniforms.

The conferees note that this section is not intended to impair or reduce the authority of special operations forces under section 167 of this title to design and employ combat uniforms to meet their specific mission requirements. However, the conferees believe that the technological advances and improvements made in support of special operations forces uniform requirements should be shared across the Department for incorporation in other uniforms when appropriate and cost-effective.

The conferees note that Department of Defense Instruction (DODI) 4140.63, dated August 5, 2008, establishes the Joint Clothing and Textiles Governance Board and assigns the Director, Defense Logistics Agency (DLA) as chair of the Board. The conferees also note that DODI 4140.63 prescribes that the Director, DLA is responsible to ''ensure collaboration and DoD-wide integration of clothing and textile activities'' and shall ''participate as an advisor on joint Service boards and committees established to facilitate research, development and inter-service product standardization opportunities''. In establishing the joint criteria for future ground combat uniforms, the conferees expect that the Secretaries of the military departments will collaborate with the Director, DLA.

*Condition-based maintenance demonstration programs (sec. 353)*

The House bill contained a provision (sec. 355) that would authorize the Secretaries of the Army and Navy to conduct 12-month condition-based maintenance (CBM) demonstration programs on specific tactical wheeled vehicle systems and on four systems or components of the guided missile destroyer class of surface combatant ships.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize CBM demonstration programs on selected tactical wheeled vehicles and selected systems or components of surface combatant ships, such as guided missile destroyers. The Senate amendment would allow the services flexibility in the selection of systems which include on-board diagnostic systems suitable to such a program, would promote open architecture, and would ensure competition and best value to the Department of Defense.

*Extension of arsenal support program initiative (sec. 354)*

The House bill contained a provision (sec. 357) that would extend the Arsenal Support Program Initiative (ASPI) for an additional year pending the findings of a comprehensive depot study which will assess a wide range of manufacturing activities to include ASPI.

The Senate amendment contained a similar provision (sec. 324).

The House recedes with a technical amendment.

The conferees remain concerned that cost savings to the Army have not been significant and encourage the Army to explore the

use of other existing and readily available authorities to accomplish the same goals as ASPI.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Exception to alternative fuel procurement requirement*

The House bill contained a provision (sec. 335) that would amend section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140) to specify that federal agencies are not prohibited from entering into contracts to purchase generally-available fuels that are not alternative or synthetic fuels or predominantly produced from nonconventional petroleum sources in certain circumstances.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that section 526 was not intended to preclude the Department of Defense from purchasing the fuel that it needs for national defense from the generally-available fuel supply. The conferees believe that clarification would be helpful and that such clarification should take place in the context of pending energy or climate change legislation.

*Termination of certain public-private competitions for conversion of Department of Defense functions to performance by a contractor*

The House bill contained a provision (sec. 326) that would halt all ongoing public-private competitions being conducted by the Department of Defense pursuant to Office of Management and Budget Circular A–76, and establish a review and approval process for recommencing such competitions.

The Senate amendment contained a provision (sec. 323) that would terminate public-private competitions that exceed certain time limitations.

The conference agreement does not include either provision.

*Defense Science Board review of alternative fuel goals and certification activities*

The Senate amendment contained a provision (sec. 333) that would direct the Secretary of the Air Force to continue alternative aviation fuel initiatives with specific goals, and would require a notification to Congress if the goals were adjusted. The provision would direct the Army, Navy, and Air Force to submit annual reports on goals and progress to research, test, and certify the use of alternative fuels in their respective aircraft fleets. The provision would also direct the Defense Science Board to assess the feasibility and advisability of achieving the alternative fuel goals.

The House bill contained a provision (sec. 334) that would establish a goal for the Department of Defense to procure 25 percent of the total quantity of aviation fuel consumed by the Department in the contiguous United States from renewable aviation fuel sources in fiscal year 2025 and each subsequent fiscal year.

Both the Senate and House recede.

The conferees direct the Defense Science Board to report to the Secretary of Defense and to the Director of Operational Energy Plans and Programs, not later than February 1, 2011, on the alternative fuel certification efforts of the military services. The report shall include a review and comparison of the military services' existing alternative fuel goals and alternative fuel certification activities, including a comparison of the different types of alternative fuels being considered by each service, an assessment of the technological and economic achievability of the services' current goals, a review of the role of renewable fuels in the services' alternative fuel strategies and a detailed summary of resources being applied to renewable fuels as compared with non-renewable alternatives, an assessment of the military utility of military goals for domestic alternative fuel use, an assessment of the military utility of technologies that reduce fuel consumption by forward-deployed forces, consideration of the environmental impacts of the different types of alternative fuels under consideration or use by each of the services in comparison with fuels from conventional petroleum sources, an assessment of the advisability of the services' current alternative fuel goals, and recommendations for the Department of Defense and military services relating to fuel use in the future.

*Report on status of Air National Guard and Air Force Reserve*

The Senate bill contained a provision (sec. 343) that would require a report from the Secretary of Defense on the status and readiness of the Air National Guard and Air Force Reserve.

The House bill contained no similar provision.

The Senate recedes.

*Restriction on use of funds for counterthreat finance efforts*

The House bill contained a provision (sec. 353) that would require the Secretary of Defense to limit Department of Defense (DOD) financial support of counterthreat finance (CTF) efforts to only those activities carried out by DOD personnel and supporting DOD contract personnel until a report is provided to the congressional defense committees describing the nature, extent, and expected future cost requirements associated with the mission.

The Senate amendment contained no similar provision.

The House recedes.

The conferees, however, direct the Secretary of Defense to provide a classified report to the congressional defense committees 120 days after the enactment of this Act outlining each counterthreat finance activity currently being conducted by the Department of Defense, including the defense intelligence agencies, and including those efforts the Department may be a part of but for which other government agencies may be the lead. The outline of each program should include a description of the activity, the component of the Department leading the activity, the level of funding and manpower, the source of funding, the authority under which the activity is being conducted, and, if applicable, other government agencies involved in the activity. The report should also include counter threat finance challenges, if any, related to funding, authorities, interagency issues, and any other matters deemed appropriate by the Secretary.

*Limitation on obligation of funds pending submission of classified justification material*

The House bill contained a provision (sec. 354) that would limit the obligation of funds authorized to be appropriated for the Office of the Secretary of Defense for budget activity four, line 270, until classified justification material is provided to Congress.

Senate amendment contained no similar provision.

The House recedes.

*Study on distribution of hemostatic agents*

The House bill contained a provision (sec. 356) that would require the Secretary of Defense to submit a report on the distribution of hemostatic agents to service members serving in Iraq and Afghanistan.

The Senate amendment contained no similar provision.

The House recedes.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

*End strengths for active forces (sec. 401)*

The House bill contained a provision (sec. 401) that would authorize the following end strengths for active-duty personnel of the armed forces as of September 30, 2010: Army, 547,400; Navy, 328,800; Marine Corps, 202,100; and Air Force, 331,700.

The Senate bill contained an identical provision (sec. 401).

The agreement includes a provision that would authorize an active-duty end strength for the Army of 562,400.

The conferees remain concerned about the stress on all of the services, but most particularly the Army and the Marine Corps. To help ease this stress, the conferees support the President's request for increased active-duty end strengths for all components, totaling over 55,000 more active-duty service members than authorized in 2009. After passage of the House and the Senate bills, the administration submitted a budget amendment to Congress that proposed additional Army active-duty end strength of 15,000, funded out of 2010 overseas contingency operation funds. In light of the budget amendment, and the continued stress on the Army, the conferees believe the Army should be authorized the additional end strength requested by the President.

End strength levels for the active forces for fiscal year 2010 are set forth in the following table:

| Service | FY 2009 authorized | FY 2010 | | Change from | |
|---|---|---|---|---|---|
| | | Request | Recommendation | FY 2010 request | FY 2009 authorized |
| Army | 532,400 | 562,400 | 562,400 | 0 | 30,000 |
| Navy | 326,323 | 328,800 | 328,800 | 0 | 2,477 |
| Marine Corps | 194,000 | 202,100 | 202,100 | 0 | 8,100 |
| Air Force | 317,050 | 331,700 | 331,700 | 0 | 14,650 |
| DOD Total | 1,369,773 | 1,425,000 | 1,425,000 | 0 | 55,227 |

*Revision in permanent active duty end strength minimum levels (sec. 402)*

The House bill contained a provision (sec. 402) that would establish the following minimum end strengths for active-duty personnel as of September 30, 2010: Army, 547,400; Navy, 328,800; Marine Corps, 202,100; and Air Force 331,700.

The Senate amendment contained no similar provision.

The Senate recedes.

Minimum end strength levels for active forces are set forth in the following table:

| Service | FY 2009 authorized | FY 2010 Recommendation | Change from FY 2009 |
|---|---|---|---|
| Army | 532,400 | 547,400 | 15,000 |
| Navy | 325,300 | 328,800 | 3,500 |
| Marine Corps | 194,000 | 202,100 | 8,100 |
| Air Force | 317,050 | 331,700 | 14,650 |
| DOD Total | 1,368,750 | 1,410,000 | 41,250 |

*Additional authority for increases of Army active-duty end strengths for fiscal years 2011 and 2012 (sec. 403)*

The House bill contained a provision (sec. 403) that would authorize the Secretary of Defense to increase the Army's active-duty end strength by 30,000 over the fiscal year 2010 level during fiscal years 2011 and 2012 provided the Secretary included the cost of such increases in the annual budget request for those fiscal years.

The Senate amendment contained a provision (sec. 402) that would authorize the Secretary of Defense to increase the active-duty end strength of the Army by 30,000 over the fiscal year 2010 level during fiscal year 2010 provided that the Secretary funded the increase through Department of Defense reserve funds or an emergency supplemental, and in fiscal years 2011 and 2012 provided the Secretary included the costs of such increases in the annual budget request for those fiscal years.

The Senate recedes.

Subtitle B—Reserve Forces

*End strengths for Selected Reserve (sec. 411)*

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves as of September 30, 2010: the Army National Guard of the United States, 358,200; the Army Reserve, 205,000; the Navy Reserve, 65,500; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 106,700; the Air Force Reserve, 69,500; and the Coast Guard Reserve, 10,000.

The Senate amendment contained a similar provision (sec. 411).

The Senate recedes.

End strength levels for the Selected Reserve are set forth in the following table:

| Service | FY 2009 authorized | FY 2010 | | Change from | |
|---|---|---|---|---|---|
| | | Request | Conferee recommendation | FY 2010 request | FY 2009 authorized |
| Army National Guard | 352,600 | 358,200 | 358,200 | 0 | 5,600 |
| Army Reserve | 205,000 | 205,000 | 205,000 | 0 | 0 |
| Navy Reserve | 66,700 | 65,500 | 65,500 | 0 | −1,200 |
| Marine Corps Reserve | 39,600 | 39,600 | 39,600 | 0 | 0 |
| Air National Guard | 106,756 | 106,700 | 106,700 | 0 | −56 |
| Air Force Reserve | 67,400 | 69,500 | 69,500 | 0 | 2,100 |
| Coast Guard Reserve | 10,000 | 10,000 | 10,000 | 0 | 0 |
| DOD Total | 838,056 | 844,500 | 844,500 | 0 | 6,444 |

*End strengths for Reserves on active duty in support of the Reserves (sec. 412)*

The House bill contained a provision (sec. 412) that would authorize the following end strengths for Reserves on active duty in support of the reserve components as of September 30, 2010: the Army National Guard of the United States, 32,060; the Army Reserve, 16,261; the Navy Reserve, 10,818; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 14,555; and the Air Force Reserve, 2,896.

The Senate amendment contained an identical provision (sec. 412).

The conference agreement includes the provision.

End strength levels for reserves on active duty in support of the reserves are set forth in the following table:

| Service | FY 2009 authorized | FY 2010 | | Change from | |
|---|---|---|---|---|---|
| | | Request | Recommendation | FY 2010 request | FY 2009 authorized |
| Army National Guard | 32,060 | 32,060 | 32,060 | 0 | 0 |
| Army Reserve | 16,170 | 16,261 | 16,261 | 0 | 91 |
| Navy Reserve | 11,099 | 10,818 | 10,818 | 0 | −281 |
| Marine Corps Reserve | 2,261 | 2,261 | 2,261 | 0 | 0 |
| Air National Guard | 14,360 | 14,555 | 14,555 | 0 | 195 |
| Air Force Reserve | 2,733 | 2,896 | 2,896 | 0 | 163 |
| DOD Total | 78,683 | 78,851 | 78,851 | 0 | 168 |

*End strengths for military technicians (dual status) (sec. 413)*

The House bill contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2010: the Army Reserve, 8,395; the Army National Guard of the United States, 27,210; the Air Force Reserve, 10,417; and the Air National Guard of the United States, 22,313.

The Senate amendment contained an identical provision (sec. 413).

The conference agreement includes the provision.

End strength levels for military technicians (dual status) are set forth in the following table:

| Service | FY 2009 authorized | FY 2010 | | Change from | |
|---|---|---|---|---|---|
| | | Request | Recommendation | FY 2010 request | FY 2009 authorized |
| Army Reserve | 8,395 | 8,154 | 8,395 | 241 | 0 |
| Army National Guard | 27,210 | 26,901 | 27,210 | 309 | 0 |
| Air Force Reserve | 10,003 | 10,417 | 10,417 | 0 | 414 |
| Air National Guard | 22,452 | 22,313 | 22,313 | 0 | −139 |
| DOD Total | 68,060 | 67,785 | 68,335 | 550 | 275 |

*Fiscal year 2010 limitation on number of non-dual status technicians (sec. 414)*

The House bill contained a provision (sec. 414) that would establish the following maximum end strengths for the reserve components of the Army and Air Force for non-dual status technicians as of September 30, 2010: the Army National Guard of the United States, 2,191; the Air National Guard of the United States, 350; the Army Reserve, 595; and the Air Force Reserve, 90.

The Senate amendment contained a similar provision (sec. 414) that would establish a maximum end strength for the Army National Guard for non-dual status technicians of 1,600.

The House recedes.

The conferees understand that the operational tempo for the reserve components has increased during the current conflicts, and that higher tempo in turn necessitates higher numbers of full-time support personnel to support the reserve components. Consequently, Congress has acted in recent

years to increase the number of Army full-time support personnel, including military technicians. In some cases, Congress has authorized more full-time support personnel than was requested by the administration. The conferees understand that the Army continues to assess their temporary and permanent full-time support requirements and is working on a comprehensive study that will address its needs.

Under a Presidential waiver of end strength limitations, the Army National Guard's non-dual status technician population is now over 3,000 strong, despite the 1,600 cap on permanent end strength. As such, the conferees feel it is prudent to wait for the result of the full-time support report, as well as the report on non-dual status technician requirements found elsewhere in this Act, before increasing the permanent cap. The purpose of the Presidential waiver authority is precisely to satisfy short-term emergency needs. In light of the reports still outstanding and the current strength of the Army National Guard's non-dual status technician population under the Presidential waiver, the conferees feel that the permanent cap of 1,600 remains sufficient for fiscal year 2010.

*Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415)*

The House bill contained a provision (sec. 415) that would authorize the maximum number of reserve component personnel who may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2010 to provide operational support.

The Senate amendment contained an identical provision (sec. 415).

The conference agreement includes this provision.

*Submittal of options for creation of trainees, transients, holdees, and students account for the Army National Guard (sec. 416)*

The House bill contained a provision (sec. 416) that would require the Secretary of the Army to report to the congressional defense committees on options for the creation of a trainee, transients, holdees, and students (TTHS) account within the Army National Guard.

The Senate amendment contained a similar provision (sec. 416).

The Senate recedes with a technical amendment.

*Report on requirements of the National Guard for non-dual status technicians (sec. 417)*

The Senate amendment contained a provision (sec. 511) that would require the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives within 180 days of the date of enactment of this Act on the roles, duties, and requirements for non-dual status technicians in the National Guard.

The House bill contained no similar provision.

The House recedes with an amendment that would add to the report elements a description of the demands for non-dual status technicians given current operational tempo and a description of the current and anticipated demands of the National Guard for non-dual status technicians as a result of the evolution of the National Guard into an operational force.

*Expansion of authority of secretaries of the military departments to increase certain end strengths to include Selected Reserve end strengths (sec. 418)*

The Senate amendment contained a provision (sec. 417) that would amend section 115(g) of title 10, United States Code, to authorize the secretaries of the military departments to increase their authorized Selected Reserve end strengths by up to 2 percent.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle C—Authorization of Appropriations

*Military personnel (sec. 421)*

The House bill contained a provision (sec. 421) that would authorize appropriations for military personnel.

The Senate amendment contained a similar provision (sec. 421).

The conference agreement includes this provision.

The following are the changes from the budget request for the military personnel accounts:

*[Changes in millions of dollars]*

| | |
|---|---|
| Increase in military pay raise | 351.0 |
| Post Deployment/Mobilization Respite Absence Program | 59.0 |
| Mental health assessments | 3.0 |
| Substance abuse study | 1.5 |
| Critical and Strategic Languages Program | 5.0 |
| Limitations on collections | 15.0 |
| Army additional recruitment incentives | 5.0 |
| Mental health HPSP scholarships | 20.0 |
| Community support for families with special needs | 50.0 |
| Family Supplemental Subsistence Allowance | 0.5 |
| Psychology officer | 0.2 |
| Reimbursement for exceptional travel for medical benefits | 10.0 |
| Reduction of unobligated military personnel balances | −520.2 |
| Total | 0.0 |

*Repeal of delayed one-time shift of military retirement payments (sec. 422)*

The House bill contained a provision (sec. 422) that would repeal section 1002 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), which required a one-time delay in military retirement payments from September 1, 2013, to October 1, 2013.

The Senate amendment contained no similar provision.

The Senate recedes.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

*Grade of Legal Counsel to the Chairman of the Joint Chiefs of Staff (sec. 501)*

The Senate amendment contained a provision (sec. 503) that would amend section 156(c) of title 10, United States Code, to require that an officer appointed to serve as Legal Counsel to the Chairman of the Joint Chiefs of Staff be appointed in the regular grade of brigadier general or rear admiral (lower half).

The House bill contained no similar provision.

The House recedes.

*Modification of limitations on general and flag officers on active duty (sec. 502)*

The Senate amendment contained a provision (sec. 501) that would amend sections 525, 526, and 721 of title 10, United States Code, to implement section 506 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) to modify the distribution and authorized end strengths of general and flag officers on active duty.

The House bill contained no similar provision.

The House recedes with an amendment that would add a requirement that the Secretary of Defense submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of: (1) the provisions of title 10, United States Code, that exclude commissioned officers of the armed forces on active duty in general and flag officer grades from the limitations on the authorized strengths of general and flag officers; (2) whether the authorized numbers of general and flag officers in active status under section 12004(a) of title 10, United States Code, are adequate to provide the reserve components a sufficient number of general and flag officers on active status in order to meet increased authorizations for active duty service and provide these officers with appropriate opportunities for joint responsibility and joint officer development; and (3) whether the requirements for general and flag officer positions resulting from recommendations for statutory authority to specify the grade of the Chief of the Navy Dental Corps, the Chief and Deputy Chief of Chaplains in the Air Force, the Chief of the Army Medical Specialist Corps, and the establishment of the Vice Chief of the National Guard Bureau are necessary in light of recent legislative modifications of applicable provisions of law.

*Revisions to annual report requirement on joint officer management (sec. 503)*

The House bill contained a provision (sec. 511) that would amend section 667 of title 10, United States Code, to align the reporting requirement on joint officer management with joint programs and policies of the Department of Defense, and remove the requirement to report on the joint qualifications of critical occupational specialty officers and the analysis of assignments of officers after designation as joint qualified officers.

The Senate amendment contained a similar provision (sec. 502).

The Senate recedes.

The conferees believe that the limitation contained in section 668(b)(1)(B) of title 10, United States Code, that excludes assignments as instructor at joint professional military education Phase I courses from the joint duty assignment list may be inappropriate and could negatively impact the quality of instructors. The conferees intend to address this issue in the National Defense Authorization Act for Fiscal Year 2011 with the goal of improving instructor quality.

*Extension of temporary increase in maximum number of days leave members may accumulate and carryover (sec. 504)*

The House bill contained a provision (sec. 501) that would extend to December 31, 2012, the temporary authority for service members to accumulate and carryover 75 days of leave from one fiscal year to the next.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the temporary authority to September 30, 2013.

*Computation of retirement eligibility for enlisted members of the Navy who complete the Seaman to Admiral (STA–21) officer candidate program (sec. 505)*

The House bill contained a provision (sec. 503) that would amend section 6328 of title 10,

United States Code, to exclude from years of service for retirement purposes the months of active service spent in pursuit of a baccalaureate degree under the Seaman to Admiral (STA–21) program of the Navy of officer candidates selected after January 1, 2011.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit this provision to officer candidates selected for this program after the date of enactment of this Act and allow this service to be included in computing retirement eligibility for officers subject to involuntary separation or retirement due to disability.

*Independent review of judge advocate requirements of the Department of the Navy (sec. 506)*

The Senate amendment contained a provision (sec. 541) that would establish an independent panel to review the judge advocate requirements of the Department of the Navy.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle B—General Service Authorities

*Continuation on active duty of reserve component members during physical disability evaluation following mobilization and deployment (sec. 511)*

The Senate amendment contained a provision (sec. 654) that would amend section 1218 of title 10, United States Code, to require retention on active duty of reserve component members following mobilization and deployment to an area in which imminent danger pay is authorized until completion of any required physical or mental disability evaluation unless the member requests termination of active duty. The provision would require counseling of members who request termination of active duty about the consequences of such action.

The House bill contained no similar provision.

The House recedes.

*Medical examination required before administrative separation of members diagnosed with or reasonably asserting post-traumatic stress disorder or traumatic brain injury (sec. 512)*

The House bill contained a provision (sec. 521) that would amend chapter 59 of title 10, United States Code, to require a medical examination of a member who has been deployed overseas in support of a contingency operation to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury before the member may be involuntarily separated under conditions other than honorable. The provision would also amend section 1553 of title 10, United States Code, to require that a discharge review board render a decision within 6 months of receipt of an application for relief and include in its membership a physician, clinical psychologist, or psychiatrist when reviewing a discharge or dismissal of a former member of the armed forces who, while a member, was deployed in support of a contingency operation and has been diagnosed as experiencing post-traumatic stress disorder or traumatic brain injury.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would require discharge review boards to accord applications for relief based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury sufficient priority, based on medical and humanitarian circumstances, to expedite a final decision. The amendment would also require the Secretary of Defense, not later than 240 days after the date of enactment of this Act, to submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the detailed procedures and policies used to implement this provision.

*Legal assistance for additional reserve component members (sec. 513)*

The House bill contained a provision (sec. 598) that would amend section 1044(a)(4) of title 10, United States Code, to authorize the service secretary, rather than the Secretary of Defense, to prescribe the mobilization authority and period of active duty necessary to authorize legal assistance to members of reserve components following release from active duty under a call or order to active duty for more than 30 days.

The Senate amendment contained no similar provision.

The Senate recedes.

*Limitation on scheduling of mobilization or pre-mobilization training for reserve units when certain suspension of training is likely (sec. 514)*

The Senate amendment contained a provision (sec. 633) that would authorize travel and transportation allowances for reserve component service members on active duty for more than 30 days to travel from a temporary duty station to their permanent duty station and back again when training is suspended at the temporary duty station for a period of 5 days or more.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the secretaries of the military departments to avoid scheduling mobilization or pre-mobilization training for a unit of a reserve component at a temporary duty location outside the normal commuting distance of the unit if a suspension of training of at least 5 days is anticipated during such training. The amendment would authorize the secretary concerned to waive the applicability of this limitation when the secretary determines it is in the national security interests of the United States to do so. Finally, the amendment would require the secretary concerned to notify the congressional defense committees when such waivers are granted or when unanticipated suspensions of training occur.

*Evaluation of test of utility of test preparation guides and education programs in improving qualifications of recruits for the Armed Forces (sec. 515)*

The House bill contained a provision (sec. 522) that would amend section 546(d) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to clarify that the evaluation of job performance required to complete the test of the utility of using test preparation guides to improve the qualification test scores of new recruits will be derived from existing sources, including performance ratings, separations, promotions, awards and decorations, and reenlistment statistics.

The Senate amendment contained no similar provision.

The Senate recedes.

*Report on presence in the Armed Forces of members associated or affiliated with groups engaged in prohibited activities (sec. 516)*

The House bill contained a provision (sec. 524) that would amend section 504 of title 10, United States Code, to prohibit the recruitment, enlistment, or retention in the armed forces of a person associated or affiliated with a group associated with hate-related violence against groups or persons or the United States Government. The provision would also require a report to the Committees on Armed Service of the Senate and the House of Representatives on the presence in the armed forces of members associated or affiliated with a group associated with hate-related violence and describing actions to discharge such members and describing actions to prevent such persons from enlisting in the armed forces.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense, in consultation with the Attorney General, to submit a report not later than 180 days after the date of enactment of this Act on active participation by members of the armed forces in prohibited activities as defined by Department of Defense Directive 1325.6, and the policies of the Department of Defense to prevent individuals who are active participants in such prohibited activities from enlisting in the armed forces.

Subtitle C—Education and Training

*Detail of commissioned officers as students at schools of psychology (sec. 521)*

The Senate amendment contained a provision (sec. 523) that would amend chapter 101 of title 10, United States Code, to authorize the secretary of each military department to detail up to 25 commissioned officers each year as students at accredited schools of psychology for training leading to the degree of Doctor of Philosophy in clinical psychology.

The House bill contained no similar provision.

The House recedes.

*Appointment of persons enrolled in Advanced Course of the Army Reserve Officers' Training Corps at military junior colleges as cadets in Army Reserve or Army National Guard of the United States (sec. 522)*

The House bill contained a provision (sec. 531) that would amend section 2107a(h) of title 10, United States Code, to increase from 17 to 22 the number of cadets at each of the military junior colleges who may be enrolled in the financial assistance program for specially selected members as cadets in the Army Reserve and Army National Guard of the United States.

The Senate amendment contained no similar provision.

The Senate recedes.

*Expansion of criteria for appointment as member of the Board of Regents of the Uniformed Services University of the Health Sciences (sec. 523)*

The Senate amendment contained a provision (sec. 522) that would amend section 2113a(b)(1) of title 10, United States Code, to authorize appointment of individuals with experience in the fields of health care, higher education administration, or public policy as members of the Board of Regents of the Uniformed Services University of the Health Sciences.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Use of Armed Forces Health Professions Scholarship and Financial Assistance Program to increase number of health professionals with skills to assist in providing mental health care (sec. 524)*

The House bill contained a provision (sec. 535) that would amend sections 2121 and 2124 of title 10, United States Code, to increase the authorized number of Armed Forces Health Professions Scholarship and Financial Assistance Program scholarships from 6,000 to 6,300 and to require that a portion of the scholarships be allocated for social work, clinical psychology, psychiatry, and other disciplines that contribute to mental health care programs of the military departments.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove a funding limitation of $20.0 million.

*Department of Defense undergraduate nurse training program (sec. 525)*

The House bill contained a provision (sec. 933) that would require the Secretary of Defense to establish a School of Nursing within the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of Defense to establish a School of Nursing and to enter into agreements with one or more academic institutions to establish and operate an undergraduate nurse training program under which participants would earn a nursing degree and serve as a member of a uniformed service. The amendment would also require submission of a plan to establish an undergraduate nurse training program to the Committees on Armed Services of the Senate and House of Representatives not later than 180 days after the date of enactment of this Act. This plan must provide for the establishment of a pilot program to increase the number of nurses in the armed forces.

The conferees acknowledge the need for additional nurse officers in the military services and intend that the Department of Defense pursue the most cost-effective option for increasing the number of military nurses. The conferees encourage the Secretary of Defense to incorporate as many of the programs listed in section 955(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) as possible. The conferees note the discussions between the Department of Defense and Texas A&M Health Science Center referenced on page 35 of the report to Congress required by section 955(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

*Increase in number of private sector civilians authorized for admission to National Defense University (sec. 526)*

The House bill contained a provision (sec. 532) that would amend section 2167 of title 10, United States Code, to increase from 10 to 20 the maximum number of private sector employees who work in organizations relevant to national security who may be authorized admission to the professional military education program at the National Defense University.

The Senate amendment contained no similar provision.

The Senate recedes.

*Appointments to military service academies from nominations made by Delegate from the Commonwealth of the Northern Mariana Islands (sec. 527)*

The House bill contained a provision (sec. 533) that would amend sections 4342(a)(10), 6954(a)(10), and 9342(a)(10) of title 10, United States Code, to increase from 1 to 2 the number of cadets or midshipmen appointed to each military service academy from nominations made by the Delegate from the Commonwealth of the Northern Mariana Islands.

The Senate amendment contained no similar provision.

The Senate recedes.

*Athletic association for the Air Force Academy (sec. 528)*

The House bill contained a provision (sec. 537) that would authorize the Secretary of the Air Force to establish a nonprofit corporation, to be known as the Air Force Academy Athletic Association, to support the athletic programs of the Air Force Academy.

The Senate amendment contained a similar provision (sec. 524).

The House recedes with a clarifying amendment.

The conferees are mindful that the United States Military Academy and the United States Naval Academy have benefited for many years from their working relationship with the Army Athletic Association and Naval Academy Athletic Association respectively. The conferees expect the Secretary of the Army and Secretary of the Navy to provide their assessment of the need for additional legislation regarding their respective athletic associations in view of this provision.

*Language training centers for members of the Armed Forces and civilian employees of the Department of Defense (sec. 529)*

The House bill contained a provision (sec. 534) that would require the Secretary of Defense to carry out a pilot program to establish at least three language training centers at accredited universities, senior military colleges, or other similar institutions of higher education to create the foundational critical and strategic language and regional area expertise for members of the armed forces, including reserve component members and Reserve Officers' Training Corps candidates, and civilian employees of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of Defense to carry out a program to establish language training centers at accredited universities, senior military colleges, or other similar institutions of higher education for the purposes of accelerating the development of foundational expertise in critical and strategic languages and regional area studies for members of the armed forces, including reserve component members and Reserve Officers' Training Corps candidates, and civilian employees of the Department of Defense.

Subtitle D—Defense Dependents' Education

*Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 531)*

The House bill contained a provision (sec. 551) that would authorize $50.0 million for continuation of the Department of Defense (DOD) assistance program to local educational agencies that are impacted by enrollment of dependent children of military members and DOD civilian employees. This provision would also authorize $15.0 million for assistance to local educational agencies with significant changes in enrollment of school-aged dependents of military members and civilian employees due to base closures, force structure changes, or force relocations.

The Senate amendment contained a similar provision (sec. 531) that would authorize $30.0 million and $10.0 million for each assistance program, respectively.

The House recedes with an amendment that would authorize $30.0 million for continuation of assistance to agencies impacted by enrollment of DOD military and civilian employee dependents, and $14.0 million for assistance to agencies with significant changes in enrollment of children due to base closures, force structure changes, or force relocations.

*Impact aid for children with severe disabilities (sec. 532)*

The Senate amendment contained a provision (sec. 532) that would authorize $5.0 million in Operation and Maintenance, Defense-wide, for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)), using the formula set forth in section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), for continuation of the Department of Defense's assistance to local educational agencies that benefit dependents with severe disabilities.

The House bill contained no similar provision.

The House recedes.

*Two-year extension of authority for assistance to local educational agencies with enrollment changes due to base closures, force structure changes, or force relocations (sec. 533)*

The Senate amendment contained a provision (sec. 533) that would extend for 2 years, from September 30, 2010, to September 30, 2012, the authority of the Secretary of Defense to provide financial assistance to local educational agencies with enrollment changes due to base closures, force structure changes, or force relocations.

The House bill contained no similar provision.

The House recedes.

*Authority to extend eligibility for enrollment in Department of Defense elementary and secondary schools to certain additional categories of dependents (sec. 534)*

The Senate amendment contained a provision (sec. 538) that would authorize the Secretary of Defense to enroll in a Department of Defense education program a dependent not otherwise eligible for enrollment who is the dependent of a member of a foreign armed force residing on a military installation in the United States, or a dependent of a deceased service member who died in the line of duty in a combat-related operation, as designated by the Secretary.

The House bill contained no similar provision.

The House recedes with an amendment clarifying that this provision would authorize enrollment only at Department of Defense schools.

*Permanent authority for enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe (sec. 535)*

The House bill contained a provision (sec. 553) that would make permanent the temporary authority provided to the Secretary of Defense in section 571 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to enroll on a space-required, tuition-free basis a limited number of dependents of foreign military members who are assigned to the Supreme Headquarters Allied Powers, Europe, in the Department of Defense dependents' education system in Mons, Belgium.

The Senate amendment contained a similar provision (sec. 534).

The Senate recedes.

*Determination of number of weighted student units for local educational agencies for receipt of basic support payments under impact aid (sec. 536)*

The House bill contained a provision (sec. 552) that would amend the Elementary and Secondary Education Act of 1965 (Public Law 89–10) to change the requisite number of federally connected children that attend area schools daily in order for a school district to receive impact aid from 6,500 to 5,000 students.

The Senate amendment contained no similar provision.

The Senate recedes.

*Study on options for educational opportunities for dependent children of members of the Armed Forces when public schools attended by such children are determined to need improvement (sec. 537)*

The Senate amendment contained a provision (sec. 535) that would require the Secretary of Defense, in consultation with the Secretary of Education, to conduct a study on options for educational opportunities that are, or may be, available for dependent children of members of the armed forces who do not attend Department of Defense dependents' schools when the public elementary and secondary schools are determined to be in need of improvement.

The House bill contained no similar provision.

The House recedes with an amendment that would remove vouchers from the options to be studied.

*Comptroller General audit of assistance to local educational agencies for dependent children of members of the Armed Forces (sec. 538)*

The Senate amendment contained a provision (sec. 537) that would require the Comptroller General to conduct an audit of the utilization by local educational agencies of Department of Defense supplemental impact aid assistance provided to support the education of dependent children of service members.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the list of impact aid statutes to be assessed by the Comptroller General.

*Sense of Congress on the Interstate Compact on Educational Opportunity for Military Children (sec. 539)*

The Senate amendment contained a provision (sec. 536) that would express the sense of the Senate to endorse the Interstate Compact on Educational Opportunity for Military Children developed by the Council of State Governments, in cooperation with the Department of Defense, commend States that have successfully enacted it, and encourage all remaining States to enact the Interstate Compact.

The House bill contained no similar provision.

The House recedes with a technical amendment.

The conferees acknowledge that incongruous State requirements for school enrollment, eligibility, placement, and graduation create unique challenges for military families whose school-aged children move, on average, six to nine times between kindergarten and high school graduation. The conferees believe that enactment of the Interstate Compact, which includes development of State councils to provide for coordination among government agencies and military installations, will improve educational opportunities and support for military school-aged children.

Subtitle E—Missing or Deceased Persons

*Additional requirements for accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing in conflicts occurring before enactment of new system for accounting for missing persons (sec. 541)*

The House bill contained a provision (sec. 561) that would amend section 1509 of title 10, United States Code, to require the Secretary of Defense to implement a comprehensive and fully resourced program to account for missing persons from all conflicts beginning with World War II. The provision would expand the prisoner of war/missing in action (POW/MIA) community to include other elements of the Department which are involved in the accounting for and recovery of missing persons, such as the Defense Intelligence Agency's Stony Beach program. Finally, the provision would require the Secretary of Defense to take necessary measures to ensure that the number of missing persons annually accounted for increases to 200 by 2015 and 350 by 2020.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to ensure adequate resources are provided to the POW/MIA accounting community necessary to account for 200 persons annually by 2015. The conferees understand that accounting for 200 persons annually by 2015 represents a significant increase from the current accounting effort. Given that more than 80,000 service members remain missing from the Nation's conflicts from World War II to the present, and that achieving the fullest possible accounting of those missing has been a long-standing national priority, the conferees believe that the Department should make every effort to increase the number of persons accounted for annually. As accounting efforts become more difficult with the passage of time, the conferees urge the Secretary of Defense to increase annual accounting to 350 by 2020.

*Policy and procedures on media access and attendance by family members at ceremonies for the dignified transfer of remains of members of the Armed Forces who die overseas (sec. 542)*

The House bill contained a provision (sec. 562) that would codify the Department of Defense policy on media access at ceremonies for the dignified transfer of remains from a theater of combat operations to Dover Air Force Base.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to prescribe a policy not later than April 1, 2010, guaranteeing media access at ceremonies conducted for the dignified transfer of remains of members who die while located or serving overseas when approved by the military decedent's primary next of kin. The amendment would also amend section 411f of title 37, United States Code, to authorize service secretaries to provide round trip transportation to primary next of kin and family members of a service member who dies while located or serving overseas.

*Report on expansion of authority of a member to designate persons to direct disposition of the remains of a deceased member (sec. 543)*

The House bill contained a provision (sec. 563) that would require the Secretary of Defense to report to Congress on the potential effects of expanding the list of persons under section 1482(c) of title 10, United States Code, eligible to be designated as the person authorized to direct disposition of remains to persons who are not family members of the deceased.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Sense of Congress on the recovery of the remains of members of the Armed Forces who were killed during World War II in the battle of Tarawa Atoll (sec. 544)*

The House bill contained a provision (sec. 564) that would express the sense of the Congress reaffirming its support for the recovery of remains of service members killed in all wars, recognizing the courage and sacrifice of the members of the armed forces who fought on Tarawa Atoll, acknowledging the dedicated research and efforts undertaken to identify and locate remains from Tarawa Atoll, and encouraging the Department of Defense to review its research and, if appropriate, pursue new efforts to increase the recovery of remains from Tarawa Atoll.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle F—Decorations and Awards

*Authorization and request for award of Medal of Honor to Anthony T. Kaho'ohanohano for acts of valor during the Korean War (sec. 551)*

The House bill contained a provision (sec. 572) that would waive the time limitation contained in section 3744 of title 10, United States Code, and would authorize and request the President to award the Medal of Honor to former Private First Class Anthony T. Kaho'ohanohano for acts of valor during the Korean War.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Authorization and request for award of Distinguished-Service Cross to Jack T. Stewart for acts of valor during the Vietnam War (sec. 552)*

The House bill contained a provision (sec. 573) that would waive the time limitation contained in section 3744 of title 10, United States Code, and would authorize and request the Secretary of the Army to award the Distinguished-Service Cross to former Captain Jack T. Stewart for acts of valor during the Vietnam War.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Authorization and request for award of Distinguished-Service Cross to William T. Miles, Jr., for acts of valor during the Korean War (sec. 553)*

The House bill contained a provision (sec. 574) that would waive the time limitation contained in section 3744 of title 10, United States Code, and would authorize and request the Secretary of the Army to award the Distinguished-Service Cross to former Sergeant First Class William T. Miles, Jr., for acts of valor during the Korean War.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle G—Military Family Readiness Matters

*Establishment of online resources to provide information about benefits and services available to members of the Armed Forces and their families (sec. 561)*

The Senate amendment contained a provision (sec. 577) that would require the service secretaries to provide certain information to service members and their families at certain points in their career concerning service and veteran benefits, including disability and survivor benefits and mandatory offsets thereto. The provision would also require the service secretaries to provide biennial notice of benefits to all service members, perform public outreach on benefits, and to establish and maintain a website providing comprehensive benefit information to service members and their families. Finally, the provision would require the Secretary of Defense to report to Congress within 1 year on the implementation of the provision.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense

to establish and maintain a website to provide comprehensive benefit information to service members and their families, and to conduct public service outreach on the availability of the website.

The conferees remain concerned that service members and their families lack essential information about the compensation, benefits, services, and programs available to them. Similarly, the conferees believe that many service members, retirees, their families, and their survivors, are unaware, to their detriment, of disability and survivor benefits and statutorily-mandated offsets affecting those benefits. The conferees urge the Department to take necessary initiatives to enhance the knowledge and understanding of service members, retirees, and their survivors concerning pay and compensation matters, veteran benefits, and survivor benefits.

*Additional members on Department of Defense Military Family Readiness Council (sec. 562)*

The Senate amendment contained a provision (sec. 551) that would mandate the addition of two members to the Department of Defense Military Family Readiness Council. One representative would be from the National Guard, and the other representative would be from a reserve component other than the National Guard, and each would be appointed by the Secretary of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would specify that one representative must be from the Army National Guard or Air National Guard, and the other must be from the Army Reserve, Navy Reserve, Marine Corps Reserve, or the Air Force Reserve. The amendment would also limit these representatives' terms to 3 years, as well as require that the Guard representative rotate between the Army National Guard and the Air National Guard, and the reserve component representative that is not National Guard must rotate among the specified reserve components.

*Support for military families with special needs (sec. 563)*

The House bill contained a provision (sec. 710B) that would require coverage under the TRICARE program for any treatment of autism spectrum disorders that a health care professional determines to be medically necessary, and would prohibit the Secretary of Defense from considering applied behavior analysis or other structured behavior programs as special education services not otherwise authorized under TRICARE.

The Senate amendment contained a provision (sec. 553) that would require the Secretary to develop and implement a policy and program to provide community support for military dependent children with autism and their families, including two or more pilot projects to evaluate the effectiveness of various approaches to provide such support.

The House recedes with an amendment that would establish an Office of Community Support for Military Families with Special Needs within the Office of the Under Secretary of Defense for Personnel and Readiness, which would have the responsibility to develop and implement a comprehensive policy and program of support for military families with special needs, to establish the capability to provide timely access to information and referral services, and to oversee the expansion of case management and individualized support services provided by the military departments. The amendment would also authorize the Secretary to establish a foundation to enhance the Department of Defense's programs, training, and research.

The conferees agree to an increase of $50.0 million to be available for this purpose, which is reflected in the tables for this Act.

The conferees believe that expanding support for families with special needs is a critical requirement for the all-volunteer force. Regrettably such programs have not been a priority for the Department, as evidenced by its failure to implement requirements for expanded services for autism support as required by section 587 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). The conferees are also concerned that enrollment in the Exceptional Family Member Program, which is crucial to ensuring that the needs of eligible dependents are met, is far lower than necessary to reach the estimated 220,000 family members who are eligible for such enrollment.

The conferees expect that implementation of this section will result in substantial improvements in identification and outreach to larger numbers of individuals who need support and coordination of available services, expansion of case management services, more direct training and counseling for parents and families, and timely access to information and referral to both Department of Defense and other federal, State, and local special needs resources and services.

The conferees direct the Secretary to examine ways to mitigate the challenges for families who may be disadvantaged by relocation during their military service, and to ensure that enrollment in the Exceptional Family Member Program, or any successor to that program, is perceived as a positive and necessary family readiness resource.

The conferees applaud those who, through their advocacy for families with autism, have illuminated the shortfalls in support for families with all special needs that this section is intended to address.

*Pilot program to secure internships for military spouses with Federal agencies (sec. 564)*

The House bill contained a provision (sec. 581) that would authorize the Secretary of Defense to establish an internship pilot program for certain military spouses to obtain employment with other federal agencies or departments that could potentially lead to career portability and advancement. The provision would also require a report on the utilization and effectiveness of the pilot program, and the Secretary's recommendation on the need to extend, modify, or terminate the program authority.

The Senate amendment contained no similar provision.

The Senate recedes.

*Family and medical leave for family of servicemembers (sec. 565)*

The House bill contained a provision (sec. 585) that would expand coverage of exigency leave available under the Family and Medical Leave Act of 1993 (Public Law 103–3) to eligible family members of active-duty service members deployed to a foreign country. The provision would also modify the definition of a covered active-duty service member, and expand coverage of such members to include a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the armed forces at any time during the period of 5 years preceding the date on which the veteran receives treatment.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide for similar expansion of eligibility for family and medical leave under title 5, United States Code, for federal civil service employees.

*Deadline for report on sexual assault in the Armed Forces by Defense Task Force on Sexual Assault in the Military Services (sec. 566)*

The Senate amendment contained a provision (sec. 571) that would amend section 576(e)(1) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) to change the date for the report of the Defense Task Force on Sexual Assault in the Military Services to December 1, 2009.

The House bill contained no similar provision.

The House recedes.

*Improved prevention and response to allegations of sexual assault involving members of the Armed Forces (sec. 567)*

The House bill contained a provision (sec. 592) that would require a Comptroller General report on the capacity of each military service to investigate and adjudicate allegations of sexual assault, a sexual assault prevention program developed by the Secretary of Defense, a report by the Secretary of Defense evaluating the availability of sexual assault forensic examinations in combat zones, and collection of statistical information on the issuance of military protective orders involving either the victim or alleged perpetrator of a sexual assault.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Comptroller General report on progress made in implementing recommendations to reduce domestic violence in military families (sec. 568)*

The House bill contained a provision (sec. 582) that would require the Comptroller General to review and assess the progress made by the Department of Defense in implementing the recommendations contained in the Comptroller General report entitled ''Military Personnel: Progress made in implementing Recommendations to reduce Domestic Violence, but Further Management Action Needed'' (GA0–06–540). The provision would require the Comptroller General to report the results of this review and assessment to the congressional defense committees not later than 180 days after enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Report on impact of domestic violence on military families (sec. 569)*

The House bill contained a provision (sec. 586) that would require the Comptroller General to submit to Congress a report on the impact of domestic violence on military families, and to include an assessment of such impact and information on progress being made to ensure care and services are provided to children exposed to domestic violence.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense, rather than the Comptroller General, to submit the report, and would clarify a reporting deadline.

*Report on international intrafamilial abduction of children of members of the Armed Forces (sec. 570)*

The House bill contained a provision (sec. 588) that would express a sense of Congress that intra-familial abduction to foreign countries of children of members of the armed forces constitutes a grave violation of the rights of military parents whose children are abducted and poses a significant threat to the psychological well-being and development of the abducted children. The provision also required recurring reports on the programs, projects, and activities carried out by the Department of Defense to assist members of the armed forces whose children are abducted.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than 180 days after enactment of this Act, on international intrafamilial abduction of children of members of the armed forces and an assessment of assistance available to parents of abducted children, measures taken to prevent abduction of children of military personnel, and education available to military parents on the risks of international intrafamilial child abduction.

*Assessment of impact of deployment of members of the Armed Forces on their dependent children (sec. 571)*

The Senate amendment contained a provision (sec. 554) that would require the Secretary of Defense to undertake a comprehensive assessment of the impact of deployment on dependent children and adolescents of military service members. The provision would also require the Secretary to conduct a review of the mental health care and counseling services available to children of service members; whether the status of a service member as active duty or reserve affects the access of a military child to such services; and whether and to what extent waiting lists, geographic distance, and other factors may obstruct military childrens' receipt of such services.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary also to address children of deployed service members in families in which one parent is in the armed forces, both parents are in the armed forces, and the service member is a single parent.

The conferees note that the requirement for the Secretary to review the mental health care and counseling services available to dependent children is addressed elsewhere in this Act.

*Report on child custody litigation involving service of members of the Armed Forces (sec.572)*

The House bill contained a provision (sec. 584) that would amend title II of the Servicemembers Civil Relief Act (50 U.S.C. 521 et seq.) to provide that if a motion for change of custody of a child of a service member is filed while the service member is deployed in support of a contingency operation, no court may enter an order modifying or amending any previous judgment or order, or issue a new order, that changes custody arrangements for that child that existed as of the date of the deployment of the service member, except that a court may enter a temporary custody order if the court finds that it is in the best interest of the child. The provision would also preclude a court from considering the absence of a service member by reason of deployment, or possibility of deployment, in determining the best interest of the child.

The Senate amendment contained a provision (sec. 555) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than June 1, 2010, a report on reported judicial cases involving child custody disputes in which the service of a deployed or deploying member of the armed forces, active or reserve, was an issue in a child custody dispute.

The House recedes with an amendment that would change the date for the report on judicial cases involving child custody disputes to March 31, 2010.

The conferees believe that actions need to be taken by the Secretary of Defense and by military leaders and legal assistance personnel to assist in preventing, where possible, legal disputes over child custody involving military members who are custodial parents.

The conferees have raised concerns in previous conference agreements since 2008 that service members who have been awarded custody of minor children but who are required to deploy in defense of the Nation or be absent from their children as a result of their military duties are vulnerable to litigation by non-custodial, biological parents. The conferees believe that providing assistance and education regarding measures service members can take in advance of deployment to prevent child custody disputes will serve to prevent many lawsuits and minimize the distraction of having to fight to retain custody of children while our service members are deployed. Further, the conferees are concerned that service members faced with the risk of losing custody of children as a result of military service may opt to leave the military, and potential recruits may choose not to join a military service.

The conferees commend the several States that have enacted legislation to address child custody circumstances that arise from the current demands of military service.

The conferees believe that the Secretary of Defense must also take steps to assist deployed members of the armed forces in child custody disputes that arise as a result of their military service. Although the Secretary has concluded that it would be unwise to push for federal legislation in an area that is typically a matter of state law concern, he did identify several steps that the Department should take to address this issue.

The conferees commend the Secretary for his initiative, and ask that he report to the Committees on Armed Services of the Senate and the House of Representatives not later than 180 days after enactment of this Act on the measures the Department has taken to prevent child custody litigation involving military members who are custodial parents to include contacting the governors of each of the States that have yet to pass legislation addressing the special considerations of child custody cases in the military to urge them to pass such legislation, asking the Chief of the National Guard Bureau to follow up with the Adjutant General of those States on the issue of child custody in the military, including concerns over child custody matters on the list of 10 key quality of life issues that will be presented to governors, outreach activities by the Department of Defense Regional State Liaisons with States whose legislatures have not addressed military custody concerns, efforts by the Judge Advocate General of the Army, Navy, and Air Force and the Staff Judge Advocate to the Commandant of the Marine Corps to work with the American Bar Association to publicize and support the national pro bono project of the American Bar Association, and engaging with the military services to update and standardize the family care plans to provide for long-term and short-term care, care and support for children, and financial arrangements including power of attorney when the service members are deployed. The conferees request a second and final report assessing the effectiveness of these actions no later than 1 year after the initial report.

*Comptroller General report on child care assistance for members of the Armed Forces (sec. 573)*

The Senate amendment contained a provision (sec. 561) that would require the Comptroller General to submit a report on financial assistance for child care provided by the Department of Defense to members of the reserve components who are deployed in connection with a contingency operation.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the scope of the report to include an assessment of the financial assistance for child care provided to all active-duty service members, as well as to members of the reserve components who are deployed in connection with a contingency operation.

Subtitle H—Military Voting

*Short Title (sec. 575)*

The Senate amendment contained a provision (sec. 581) that would cite this subtitle as the ''Military and Overseas Voter Empowerment Act''.

The House bill contained no similar provision.

The House recedes.

*Clarification regarding delegation of State responsibilities to local jurisdictions (sec. 576)*

The Senate amendment contained a provision (sec. 583) that would authorize a State to delegate its responsibilities in carrying out the requirements under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) imposed as a result of the provisions of and amendments made by this Act to jurisdictions of the State.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Establishment of procedures for absent uniformed services voters and overseas voters to request and for States to send voter registration applications and absentee ballot applications by mail and electronically (sec. 577)*

The Senate amendment contained a provision (sec. 584) that would amend section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) to require States to establish procedures for absent uniformed services voters and overseas voters to request, and for States to send, voter registration and absentee ballot applications by mail and electronically with respect to general, special, primary and runoff elections for federal office. The provision would also require each State to designate not less than one means of electronic communication for use by absentee uniform service voters and overseas voters.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Establishment of procedures for States to transmit blank absentee ballots by mail and electronically to absent uniformed services voters and overseas voters (sec. 578)*

The Senate amendment contained a provision (sec. 585) that would amend section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) to require States to establish procedures for transmitting by mail and electronically blank absentee ballots to absent uniformed services voters and overseas voters with respect to general, special, primary and runoff elections for federal elections.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Ensuring absent uniformed services voters and overseas voters have time to vote (sec. 579)*

The Senate amendment contained a provision (sec. 586) that would amend section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) (42 U.S.C. 1973ff–1(a))1)) to require States to transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter at least 45 days before an election for federal office unless the request is received

less than 45 days before the election or a hardship exemption is approved by the Presidential designee responsible for federal functions under UOCAVA. The provision also amends section 102(a) of UOCAVA to require States holding a runoff election for federal office to establish a written plan that would provide that absentee ballots are made available to absent uniformed services voters and overseas voters in a manner that gives them sufficient time to vote in the runoff election.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Procedures for collection and delivery of marked absentee ballots of absent overseas uniformed services voters (sec. 580)*

The Senate amendment contained a provision (sec. 587) that would amend section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) to require the Presidential designee in coordination with the United States Postal Service to establish procedures for collecting marked absentee ballots of absent overseas uniformed voters and for delivering such marked absentee ballots to the appropriate election officials not later than the date by which an absentee ballot must be received in order to be counted in a federal election. The provision would also require chief State election officials to develop a free access system by which an absent uniformed services voter or overseas voter may determine whether the absentee ballot of the absent uniformed services voter or overseas voter has been received by the appropriate State election official.

The House bill contained no similar provision.

The House recedes.

*Federal write-in absentee ballot (sec. 581)*

The Senate amendment contained a provision (sec. 588) that would amend section 103 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–2) to require the Presidential designee to prescribe a federal write-in absentee ballot for general, special, primary, and runoff elections for federal office and to require the Presidential designee to adopt procedures to promote and expand the use of the federal write-in absentee ballot as a back-up measure to vote in elections for federal office. This provision would also require the Presidential designee to use technological advances to implement a system under which absentee voters may obtain a list of all candidates in federal elections and submit the marked federal write-in absentee ballot.

The House bill contained no similar provision.

The House recedes.

*Prohibiting refusal to accept voter registration and absentee ballot applications, marked absentee ballots, and Federal write-in absentee ballots for failure to meet certain requirements (sec. 582)*

The Senate amendment contained a provision (sec. 589) that would amend section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) to prohibit a State from refusing to accept and process any otherwise valid voter registration application, absentee ballot application, or marked absentee ballot solely on the basis of notarization requirements or restrictions on paper or envelope type.

The House bill contained no similar provision.

The House recedes.

*Federal Voting Assistance Program Improvements (sec. 583)*

The House bill contained a provision (sec. 587) that would establish the Overseas Voting Advisory Board.

The Senate amendment contained a provision (sec. 590) that would amend the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) (42 U.S.C. 1973ff et seq.) to require: (1) the Presidential designee to develop online portals of information to inform absent uniformed services voters regarding voter registration and absentee ballot procedures for elections for federal office; and (2) to establish a program to notify absentee uniformed services voters of voter registration information and resources, the availability of the federal postcard application, and the availability of the federal write-in absentee ballot on the military Global Network. The provision would also amend section 102 of UOCAVA to require each service secretary to designate an office on each installation as a voter registration agency designated under section 7(a)(2) of the National Voter Registration Act of 1993 (Public Law 103–31), and authorize the Secretary of Defense to designate pay, personnel, and identification offices as designated voter registration agencies.

The House recedes with an amendment that would amend chapter 80 of title 10, United States Code, to require service secretaries to designate offices on military installations to provide absent uniformed services voters and their family members with written information on voter registration procedures and absentee ballot procedures, information and assistance to register to vote in federal elections, information and assistance to update the individual's voter registration information, and information and assistance to request an absentee ballot.

*Development of standards for reporting and storing certain data (sec. 584)*

The Senate amendment contained a provision (sec. 591) that would amend section 101(b) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)) to require the Presidential designee to work with the Election Assistance Commission and the chief State election official of each State, to develop standards for States to report data on the number of absentee ballots transmitted and received from absentee uniformed and overseas voters and such other data as the Presidential designee determines appropriate, and for the Presidential designee to store the data.

The House bill contained no similar provision.

The House recedes.

*Repeal of provisions relating to use of single application for all subsequent elections (sec. 585)*

The Senate amendment contained a provision (sec. 592) that would amend subsections (a) through (d) of section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–3) to repeal the requirement that States use an absent uniformed voter's application for registration and absentee ballot for the next two regularly scheduled general elections for federal office.

The House bill contained no similar provision.

The House recedes.

*Reporting requirements (sec. 586)*

The Senate amendment contained a provision (sec. 593) that would amend the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-et seq.) to require the Presidential designee to submit a report, not later than 180 days after the date of enactment of this Act, to the relevant congressional committees on the status of implementation of procedures established for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters, an assessment of the effectiveness of the Voting Assistance Officer Program of the Department of Defense, and a detailed description of voter registration assistance for absent uniformed services voters required elsewhere in this Act.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Annual report on enforcement (sec. 587)*

The Senate amendment contained a provision (sec. 594) that would amend section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) (42 U.S.C. 1973f–4) to require the Attorney General to submit an annual report to Congress on any civil action brought for declaratory or injunctive relief necessary to carry out UOCAVA.

The House bill contained no similar provision.

The House recedes.

*Requirements payments (sec. 588)*

The Senate amendment contained a provision (sec. 595) that would amend section 251(b) of the Help America Vote Act of 2002 (HAVA) (42 U.S.C. 15401(b)) to provide that States shall use a requirements payment made under section 357(4) of HAVA only to meet requirements under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) imposed as a result of the provisions and amendments made by this Act.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Technology pilot program (sec. 589)*

The Senate amendment contained a provision (sec. 596) that would authorize the Presidential designee to establish one or more pilot programs under which the feasibility of new election technology is tested for the benefit of absent uniformed services voters and overseas voters claiming rights under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle I—Other Matters

*Clarification of performance policies for military musical units and musicians (sec. 591)*

The Senate amendment contained a provision (sec. 572) that would amend section 974 of title 10, United States Code, to clarify the restrictions on performances in competition with local musicians and the authority of military musical units and musicians to support official events that are funded, in whole or in part, by appropriated or non-appropriated funds.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Navy grants for purposes of Naval Sea Cadet Corps (sec. 592)*

The House bill contained a provision (sec. 591) that would amend chapter 647 of title 10, United States Code, to authorize the Secretary of the Navy to make grants to support the purposes of Naval Sea Cadet Corps, a federally chartered corporation.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Modification of matching fund requirements under National Guard Youth Challenge Program (sec. 593)*

The House bill contained a provision (sec. 593) that would amend section 509(d)(1) of

title 32, United States Code, to increase the maximum cost share of the Department of Defense (DOD) for state National Guard Youth Challenge Programs from 60 to 75 percent of the costs of the program, beginning October 1, 2009.

The Senate amendment contained a similar provision (sec. 576) that would also authorize the Department of Defense to fund 100 percent of a new program's costs during the first 2 years of operation.

The Senate recedes.

The conferees are aware that the National Guard Youth Challenge Program is an effective youth outreach and mentoring program that benefits both the States in which it operates and the Nation, and that there is continued pressure for the Department of Defense to assume a larger funding role for this program. The conferees understand that the Department currently allows States to include in-kind, non-cash support as part of the statutorily mandated State share of the cost of operating the program.

To better understand the nature and extent to which the States' required contributions for operation of the program are fulfilled by monetary contributions and also by in-kind, non-cash support, the conferees direct the Secretary of Defense to report to the Committees on Armed Service of the Senate and the House of Representatives no later than 180 days after enactment of this Act on: 1) the annual overall cost in each State over the last 3 years of operating the Challenge program; 2) the annual amounts of cash and value of in-kind contributions by each State for those years; 3) a description of the in-kind, non-cash contributions that made up each State's required share; and 4) the total DOD cash contribution, to include personnel costs, to support the program in each State for the last 3 years. The conferees also direct the Secretary of Defense to prescribe regulations to clearly define and specify the criteria for allowable in-kind, non-cash support for both the Department and the participating States that will fulfill the requirement of section 509(d)(1) of title 32, United States Code.

*Expansion of Military Leadership Diversity Commission to include reserve component representatives (sec. 594)*

The House bill contained a provision (sec. 595) that would amend section 596(b)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) by including reserve component representatives in the membership of the Military Leadership Diversity Commission.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Expansion of suicide prevention and community healing and response training under the Yellow Ribbon Reintegration Program (sec. 595)*

The House bill contained a provision (sec. 596) that would require the Office for Reintegration Programs in the Department of Defense to establish, as part of the Yellow Ribbon Reintegration Program, a program to provide National Guard and reserve members and their families, in coordination with community programs, with training in suicide prevention and community healing and response to suicide.

The Senate amendment contained a similar provision (sec. 557).

The House recedes.

*Comprehensive plan on prevention, diagnosis, and treatment of substance use disorders and disposition of substance abuse offenders in the Armed Forces (sec. 596)*

The Senate amendment contained a provision (sec. 552) that would require the Secretary of Defense to conduct a comprehensive review of and report on the programs and activities of the Department of Defense for the prevention, diagnosis, and treatment of substance abuse disorders and the policies of the Department relating to the disposition of substance abuse offenders. The provision would also require a study by an independent entity on substance abuse disorder programs for members of the armed forces and require the Secretary of Defense to submit a comprehensive plan to improve these programs, activities, and policies to the Committees on Armed Services of the Senate and the House of Representatives.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would require the reestablishment of regional long-term inpatient substance abuse treatment programs.

The conferees note that overall responsibility for substance abuse programs is a personnel function of the military departments, but that medical treatment policy is formulated and resourced by the Assistant Secretary of Defense for Health Affairs. The conferees expect a better integration of these functions.

The conferees note the success of regional residential rehabilitation programs that the Department of Defense disestablished in the 1990s, and consequently this provision would require the Department of Defense to re-establish this capability.

*Reports on Yellow Ribbon Reintegration Program and other reintegration programs (sec. 597)*

The Senate amendment contained a provision (sec. 558) that would require the Secretary of Defense to report on the various reintegration programs being administered in support of National Guard and reserve members and their families, to include assessments of various elements of the Yellow Ribbon Reintegration Program and administration of the program.

The House bill contained no similar provision.

The House recedes with an amendment that would create two separate reporting requirements; one on the various reintegration programs being administered in support of National Guard and reserve members and their families, and one on the Yellow Ribbon Reintegration Program, and would add to the required reporting elements for the Yellow Ribbon Reintegration Program a list of accounts from which funds for the program were derived during the last fiscal year and why funds from those accounts were chosen.

*Reports on progress in completion of certain incident information management tools (sec. 598)*

The House bill contained a provision (sec. 597) that would require the Secretary of Defense to report to the Committees on Armed Services of the Senate and House of Representatives, not later than 120 days after the enactment of this Act and every 6 months thereafter, on the progress with respect to the completion of the Defense Incident-Based Reporting System (DIBRS).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would also require reports on progress with respect to the completion of the Defense Sexual Assault Incident Database (DSAID).

The conferees are concerned that the Department of Defense has failed to take the steps necessary to ensure compliance with section 563 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417). The Department of Defense's experience with the Defense Integrated Military Human Resources System, and the Defense Personal Property System, among others, demonstrate that a centralized, joint military program office with proven information system acquisition expertise, as well as necessary resourcing, personnel, and organizational authority is essential for success. The lack of progress in implementing DIBRS illustrates the problems the DSAID will encounter if it is not managed properly. The conferees expect the Department of Defense, not just the Sexual Assault Prevention and Response Office, to take the measures necessary to complete these critical information systems.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Rank requirement for officer serving as Chief of the Navy Dental Corps to correspond to Army and Air Force requirements*

The House bill contained a provision (sec. 502) that would amend section 5138(a) of title 10, United States Code, to require that the Chief of the Dental Corps of the Navy be appointed in the grade of rear admiral.

The Senate amendment contained no similar provision.

The House recedes.

A separate provision in this Act would require the Secretary of Defense to include an assessment of this provision in a report on general and flag officers.

*Chief and Deputy Chief of Chaplains of the Air Force*

The Senate amendment contained a provision (sec. 504) that would amend chapter 805 of title 10, United States Code, to establish in statute the positions of Chief and Deputy Chief of Chaplains in the Air Force and require their appointment in the grades of major general and brigadier general, respectively.

The House bill contained no similar provision.

The Senate recedes.

A separate provision in this Act would require the Secretary of Defense to include an assessment of this provision in a report on general and flag officers.

*Grade of commissioned officers in uniformed medical accession programs*

The Senate amendment contained a provision (sec. 521) that would amend sections 2114(b) and 2121(c) of title 10, United States Code, to authorize medical students attending the Uniformed Services University of the Health Sciences (USUHS) and students participating in the armed forces Health Professions Scholarship and Financial Assistance Programs (HPSP) who have prior commissioned service to serve, while on active duty, in pay grade O–1, or in pay grade O–2 if they meet specified promotion criteria prescribed by the service secretary. The amendment would also amend section 2004a of title 10, United States Code, to provide that an officer detailed as a student at a medical school would serve on active duty in the same grade with the same entitlement to pay as specified in section 2114(b) of title 10, United States Code.

The House bill contained no similar provision.

The Senate recedes.

The conferees believe that the requirement that USUHS and HPSP students remain in the grade of O–1 throughout their 4-year course of medical study appears to be a vestige of the conscription era. This requirement lacks adequate justification at a time when the Army, Navy, and Air Force urgently need to attract and retain highly capable and motivated medical officers who, per section 2114(a) of title 10, United States Code, demonstrate ''dedication to a career in the uniformed services.'' In this regard, the conferees question this requirement when no

other category of commissioned officer currently is denied regular promotion opportunity. If the Department of Defense desires to retain the policy in section 2114(b), the conferees expect the services, in consultation with the Surgeons General of the Army, Navy, and Air Force, to explain why it should be retained, and whether it should also be applied to other categories of military officers in a student status.

*Inclusion of email address on Certificate of Release or Discharge from Active Duty (DD Form 214)*

The House bill contained a provision (sec. 523) that would amend section 596 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to require the Secretary of Defense to modify the Certificate of Release or Discharge from Active Duty (DD Form 214) in order to permit a member of the armed forces to include an email address on the form.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that Department of Defense Instruction 1336.01, issued on August 20, 2009, provides that if the service member elects, the member's email address will be included on the DD Form 214.

*Secure electronic delivery of Certificate of Release or Discharge from Active Duty*

The House bill contained a provision (sec. 525) that would amend section 596 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to require the Secretary of Veterans Affairs to develop and implement a secure electronic method of forwarding the Certificate of Release or Discharge from Active Duty (DD Form 214) to the appropriate state or local office of the Department of Veterans Affairs.

The Senate amendment contained no similar provision.

The House recedes.

*Establishment of Junior Reserve Officer's Training Corps units for students in grades above sixth grade*

The House bill contained a provision (sec. 536) that would amend section 2031 of title 10, United States Code, to authorize service secretaries to carry out a pilot program to establish and support Junior Officer's Training Corps (JROTC) units at public and private educational institutions that are not secondary educational institutions to permit the enrollment of students in a grade above the sixth grade in JROTC.

The Senate amendment contained no similar provision.

The House recedes.

*Sense of Senate on preparation and coordination of family care plans*

The Senate amendment contained a provision (sec. 556) that would express the sense of the Senate that a properly prepared and coordinated family care plan is essential for service members who have custody of a child pursuant to a court order or separation agreement.

The House bill contained no similar provision.

The Senate recedes.

*Award of Vietnam Service Medal to veterans who participated in Mayaguez rescue operation*

The House bill contained a provision (sec. 571) that would authorize the secretary of a military department to award the Vietnam Service Medal to eligible veterans in lieu of any Armed Forces Expeditionary Medal awarded to the veteran for participation in the Mayaguez rescue operation.

The Senate amendment contained no similar provision.

The House recedes.

*Guarantee of residency for spouses of military personnel for voting purposes*

The Senate amendment contained a provision (sec. 573) that would amend section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) to provide that, for the purposes of voting in federal, state, or local elections, a person who is absent from a state because the person is accompanying the person's spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence, be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State, to have acquired a residence or domicile in any other State, or to have become a resident in or a resident of any other State.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that this provision was included in S.475, the Military Spouses Residency Relief Act, which passed in the Senate on August 4, 2009, and is under review by the Committee on Veterans' Affairs of the House of Representatives.

*Determination for tax purposes of residence of spouses of military personnel*

The Senate amendment contained a provision (sec. 574) that would amend section 511 of the Servicemembers Civil Relief Act (50 U.S.C. App. 571) to provide that a spouse of a service member shall neither lose nor acquire a residence or domicile for purposes of taxation with respect to the person, personal property, or income of the spouse by reason of being absent or present in any tax jurisdiction of the United States solely to be with the service member in compliance with the service member's military orders if the residence or domicile is the same for the service member and the spouse.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that this provision was included in S.475, the Military Spouses Residency Relief Act, which passed in the Senate on August 4, 2009, and is under review by the Committee on Veterans' Affairs of the House of Representatives.

*Retroactive Award of Army Combat Action Badge*

The House bill contained a provision (sec. 575) that would authorize the Secretary of the Army to award the Army Combat Action Badge to a person who, while a member of the Army, participated in combat between December 7, 1941, and September 18 2001, if the Secretary determines that the person has not been previously recognized in an appropriate manner for such participation.

The Senate amendment contained no similar provision.

The House recedes.

*Suspension of land rights residency requirement for spouses of military personnel*

The Senate amendment contained a provision (sec. 575) that would amend section 508 of the Servicemembers Civil Relief Act (50 U.S.C. App. 568) to suspend for spouses of military personnel residency requirements for land rights under laws relating to federally owned lands, including mining and mineral leasing laws.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that this provision was included in S.475, the Military Spouses Residency Relief Act, which passed in the Senate on August 4, 2009, and is under review by the Committee on Veterans' Affairs of the House of Representatives.

*Establishment of Combat Medevac Badge*

The House bill contained a provision (sec. 576) that would require service secretaries to issue a Combat Medevac Badge to each qualified person who, while a member of military service, served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance.

The Senate amendment contained no similar provision.

The House recedes.

*Findings*

The Senate amendment contained a provision (sec. 582) that would express the following congressional findings: (1) the right to vote is a fundamental right; (2) due to logistical, geographic, operational, and environmental barriers, military and overseas voters are burdened by many obstacles that impact their ability to vote and register to vote, the most critical of which include problems transmitting balloting materials and not being given enough time to vote; (3) States play an essential role in facilitating the ability of military and overseas voters to register to vote and have their ballots cast and counted, especially with respect to implementing improvements in absentee voter registration and absentee ballot procedures; (4) the Department of Defense educates military and overseas voters about their rights under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) and plays an indispensable role in taking measures which allow military and overseas voters to have their votes count; and (5) local, State, and Federal Government entities involved with getting ballots to military and overseas voters must work in cooperation to provide voter registration services and balloting materials in a secure and expeditious manner.

The House bill contained no similar provision.

The Senate recedes.

*Modification of Servicemembers Civil Relief Act regarding termination or suspension of service contracts and effect of violation of interest rate limitation*

The House bill contained a provision (sec. 583) that would amend section 305A of the Servicemembers Civil Relief Act (50 U.S.C. App. 535a) to authorize a service member to terminate or suspend a contract for cellular phone service, telephone exchange service, multichannel video programming service, Internet access service, water, electricity, oil, gas, or other utility if the service member receives orders to deploy in support of a contingency operation or for a permanent change of station that does not support the contract.

The Senate amendment contained no similar provision.

The House recedes.

*Modification of Servicemembers Civil Relief Act regarding residential and motor vehicle leases*

The House bill contained a provision (sec. 594) that would amend section 305(e) of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) to require that rent amounts for leases of premises and motor vehicles that are unpaid for the period preceding the effective date of the lease termination be paid on a prorated basis and to prohibit early termination charges.

The Senate amendment contained no similar provision.

The House recedes.

## TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

### Subtitle A—Pay and Allowances

*Fiscal year 2010 increase in military basic pay (sec. 601)*

The House bill contained a provision (sec. 601) that would authorize a pay raise for the

members of the uniformed services of 3.4 percent effective January 1, 2010. This across-the-board pay raise is 0.5 percent above the Administration request.

The Senate amendment contained an identical provision (sec. 601).

The conference agreement includes this provision.

*Increase in maximum monthly amount of supplemental subsistence allowance for low-income members with dependents (sec. 602)*

The Senate amendment contained a provision (sec. 603) that would amend section 402a of title 37, United States Code, to increase the maximum monthly amount of the supplemental subsistence allowance from $500 to $1,100 per month. The provision would also require the Secretary of Defense to submit to the congressional defense committees by September 1, 2010, a plan, in consultation with the Secretary of Agriculture, to ensure members of the armed forces and their dependents need not rely on the Supplemental Nutrition Assistance Program (SNAP) under chapter 51 of title 7, United States Code, for nutritional assistance.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to report on the advisability of requiring service members to notify their commands if they participate in SNAP and on a method for accurately determining how many service members participate in SNAP.

*Special compensation for members of the uniformed services with catastrophic injuries or illnesses requiring assistance in everyday living (sec. 603)*

The House bill contained a provision (sec. 602) that would authorize special monthly compensation for members of the uniformed services with a combat-related catastrophic injury or illness who are certified by a physician as requiring assistance in performing functions necessary in everyday living. The provision would cap the amount of special compensation at the amount authorized for aid and attendance compensation for veterans under section 1114(r) of title 38, United States Code, and would terminate following the separation, death, or recovery of the service member.

The Senate amendment contained a similar provision (sec. 617) that would authorize special monthly compensation for members of the uniformed services whose injury or illness was incurred or aggravated in the line of duty. The provision would cap the amount of special compensation at the amount authorized for aid and attendance compensation for veterans under section 1114(r)(2) of title 38, United States Code.

The House recedes with an amendment that would authorize special compensation for service members with a catastrophic injury or illness incurred or aggravated in the line of duty if, in the absence of such assistance, the member would require hospitalization or other institutional care.

The conferees believe it is imperative that the Department of Defense and the Department of Veterans Affairs ensure the seamless transition of care of all service members retiring for disability. This provision would recognize that family members are making life altering sacrifices in order to care for service members at home. By aligning the authority available under this provision with the authority to provide aid and attendance compensation for veterans under section 1114 of title 38, United States Code, the conferees expect there to be no gaps in coverage and care for catastrophically injured service members transitioning from the Department of Defense to the Department of Veterans Affairs.

*Benefits under Post-Deployment/Mobilization Respite Absence program for certain periods before implementation of program (sec. 604)*

The House bill contained a provision (sec. 663) that would authorize the secretaries of the military departments, under regulations prescribed by the Secretary of Defense, to provide any member or former member of the armed forces up to $200 for each day of administrative absence that such member would have earned between January 19, 2007, and the date of their respective service's implementation of the Post-Deployment/Mobilization Respite Absence program, up to a maximum of 40 days, had the program been implemented during that time. The authority would expire 1 year from the date of enactment of this Act.

The Senate amendment contained a similar provision (sec. 604).

The House recedes with an amendment that would remove the 40 day limitation on the number of days that may be compensated under this provision.

*Report on housing standards and housing surveys used to determine basic allowance for housing (sec. 605)*

The House bill contained a provision (sec. 604) that would require the Secretary of Defense to review the housing standards used to calculate the monthly rates of basic allowance for housing (BAH) and to report on the findings of the study, including recommended changes to the housing standards and associated cost estimates, by July 1, 2010.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would include in the study a review of the process and schedule for conducting surveys used to establish locality rates in housing areas that form the basis for changes to monthly BAH rates with the goal of ensuring that amounts budgeted for housing costs are sufficient to cover actual costs.

*Comptroller General comparative assessment of military and private-sector pay and benefits (sec. 606)*

The Senate amendment contained a provision (sec. 602) that would require the Comptroller General to conduct a comprehensive study comparing military pay and benefits with comparable private-sector pay and benefits and to report to the congressional defense committees on the study by April 1, 2010.

The House bill contained no similar provision.

The House recedes with an amendment clarifying that the purpose of the study is to assess how the differences in pay and benefits affect recruiting and retention of members of the armed forces.

Subtitle B—Bonuses and Special and Incentive Pays

*One-year extension of certain bonus and special pay authorities for reserve forces (sec. 611)*

The House bill contained provisions (sections 611 and 101D) that would extend for 1 year the authority to pay the Selected Reserve reenlistment bonus; the Selected Reserve affiliation or enlistment bonus; the special pay for enlisted members assigned to certain high-priority units; the Ready Reserve enlistment bonus for persons without prior service; the Ready Reserve enlistment and reenlistment bonus for persons with prior service; the Selected Reserve enlistment and reenlistment bonus for persons with prior service; and income replacement payments for certain reserve component members.

The Senate amendment contained a similar provision (sec. 611).

The Senate recedes.

*One-year extension of certain bonus and special pay authorities for health care professionals (sec. 612)*

The House bill contained provisions (sections 612 and 102D) that would extend for 1 year the authority to pay the nurse officer candidate accession bonus; the repayment of education loans for certain health professionals who serve in the Selected Reserve; accession and retention bonuses for psychologists; the accession bonus for registered nurses; incentive special pay for nurse anesthetists; special pay for Selected Reserve health professionals in critically short wartime specialties; the accession bonus for dental officers; the accession bonus for pharmacy officers; the accession bonus for medical officers in critically short wartime specialties; and the accession bonus for dental specialist officers in critically short wartime specialties.

The Senate amendment contained a similar provision (sec. 612).

The Senate recedes.

*One-year extension of special pay and bonus authorities for nuclear officers (sec. 613)*

The House bill contained provisions (sections 613 and 103D) that would extend for 1 year the authority to pay the special pay for nuclear-qualified officers extending their period of active service; the nuclear career accession bonus; and the nuclear career annual incentive bonus.

The Senate amendment contained a similar provision (sec. 613).

The Senate recedes.

*One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities (sec. 614)*

The House bill contained provisions (sections 614 and 104D) that would extend for 1 year the general bonus authority for enlisted members; the general bonus authority for officers; the special bonus and incentive pay authorities for nuclear officers; the special aviation incentive pay and bonus authorities; and the special bonus and incentive pay authorities for officers in the health professions. The provision would also extend for 1 year the authority to pay hazardous duty pay; assignment pay or special duty pay; the skill incentive pay or proficiency bonus; and the retention bonus for members with critical military skills or assigned to high priority units.

The Senate amendment contained a similar provision (sec. 614).

The Senate recedes.

*One-year extension of authorities relating to payment of other title 37 bonuses and special pays (sec. 615)*

The House bill contained provisions (sections 615 and 105D) that would extend for 1 year the authority to pay the aviation officer retention bonus; assignment incentive pay; the reenlistment bonus for active members; the enlistment bonus; the accession bonus for new officers in critical skills; the incentive bonus for conversion to military occupational specialty to ease personnel shortage; the incentive bonus for transfer between armed forces; and the accession bonus for officer candidates.

The Senate amendment contained a similar provision (sec. 615).

The Senate recedes with a technical amendment.

*One-year extension of authorities relating to payment of referral bonuses (sec. 616)*

The House bill contained provisions (sections 616 and 106D) that would extend for 1 year the authority to pay the health professions referral bonus and the Army referral bonus under sections 1030 and 3252 of title 10, United States Code, respectively.

The Senate amendment contained a similar provision (sec. 616).

The Senate recedes.

*Technical corrections and conforming amendments to reconcile conflicting amendments regarding continued payment of bonuses and similar benefits for certain members (sec. 617)*

The House bill contained provisions (sections 617 and 107D) that would make technical and conforming amendments to sections 303a and 373 of title 37, United States Code, to reconcile provisions concerning the payment of bonuses that were included in the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) and the Hubbard Act (Public Law 110–317).

The Senate amendment contained no similar provision.

The Senate recedes.

*Proration of certain special and incentive pays to reflect time during which a member satisfies eligibility requirements for the special or incentive pay (sec. 618)*

The House bill contained a provision (sec. 618) that would clarify that the monthly payment of hostile fire pay, imminent danger pay, hazardous duty pay, assignment or special duty pay, and skill incentive pay may be prorated to reflect the actual qualifying service that active and reserve component members performed during the month.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would make the provision effective on the date of enactment of this Act.

*Additional assignment pay or special duty pay authorized for members agreeing to serve in Afghanistan for extended periods (sec. 619)*

The House bill contained a provision (sec. 619) that would authorize the Secretary of Defense to establish a demonstration program that would allow the payment of assignment or special duty pay in amounts exceeding the maximum monthly cap for service members, particularly those demonstrating critical language proficiency, who agree to serve in Afghanistan for 6 years. The provision would also require the Secretary to submit to Congress an annual report on the Department's use of this authority. The authority would expire December 31, 2012.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide an exception to the maximum monthly cap on assignment or special duty pay under section 352 of title 37, United States Code, for qualified service members demonstrating critical language proficiency who agree to serve in Afghanistan for a minimum of 3 years.

*Temporary authority for monthly special pay for members of the Armed Forces subject to continuing active duty or service under stop-loss authorities (sec. 620)*

The Senate amendment contained a provision (sec. 618) that would authorize the secretaries of the military departments to pay, until June 30, 2011, stop-loss special pay in an amount not to exceed $500 per month for service members on active-duty or in an active status in a reserve component whose enlistment or period of obligated service is extended, or whose retirement is suspended, pursuant to stop-loss authorities.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the stop-loss special pay for service members on active-duty.

*Army authority to provide additional recruitment incentives (sec. 621)*

The House bill contained a provision (sec. 662) that would amend section 681 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) to extend from December 31, 2009, to December 31, 2012, the authority of the Secretary of the Army to develop and implement Army recruiting and incentive programs and permit new recruitment incentives provided that the total number of ongoing recruitment programs is limited to four at the same time.

The Senate amendment contained a provision (sec. 651) that would amend section 681 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) to authorize the continuation of an Army recruitment incentive for 3 years from the date the recruitment incentive is first provided.

The Senate recedes with an amendment that would combine the provisions.

*Report on recruitment and retention of members of the Air Force in nuclear career fields (sec. 622)*

The Senate amendment contained a provision (sec. 657) that would require the Secretary of the Air Force to submit a report to the congressional defense committees on the efforts of the Air Force to attract and retain qualified individuals for service that involved the operation, maintenance, handling, or security of nuclear weapons. The report would be due no later than 180 days after the date of enactment of this Act.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle C—Travel and Transportation Allowances

*Travel and transportation for survivors of deceased members of the uniformed services to attend memorial ceremonies (sec. 631)*

The Senate amendment contained a provision (sec. 635) that would authorize the secretary concerned to provide round trip travel and transportation allowances to eligible relatives of a member of the uniformed services who dies while on active duty in order for the eligible relatives to travel to a memorial service.

The House bill contained no similar provision.

The House recedes.

*Travel and transportation allowances for designated individuals of wounded, ill, or injured members of the uniformed services for duration of inpatient treatment (sec. 632)*

The House bill contained a provision (sec. 632) that would amend section 411h of title 37, United States Code, to authorize the secretary concerned to provide travel and transportation allowances for designated individuals to visit certain wounded, ill, or injured service members for the duration of inpatient treatment. The authority would include up to three roundtrips in any 60-day period for a maximum of three designated individuals per injured service member.

The Senate amendment contained a similar provision (sec. 631) that would also clarify the definition of ''seriously injured'' in section 411h of title 37, United States Code, to include serious mental disorders.

The House recedes with a technical amendment.

*Authorized travel and transportation allowances for non-medical attendants for very seriously and seriously wounded, ill, or injured members (sec. 633)*

The House bill contained a provision (sec. 633) that would authorize the secretary concerned to provide travel and transportation benefits to non-medical attendants serving very seriously or seriously wounded, ill, or injured service members when such persons are designated as non-medical attendants by the injured service members and proper medical authorities agree that the designee is qualified to serve as a non-medical attendant and would contribute to the health and welfare of the service member.

The Senate amendment contained a similar provision (sec. 632).

The Senate recedes.

*Reimbursement of travel expenses of members of the Armed Forces on active duty and their dependents for travel for specialty care under exceptional circumstances (sec. 634)*

The Senate amendment contained a provision (sec. 634) that would amend section 1074i of title 10, United States Code, to authorize the Secretary of Defense to provide, in exceptional circumstances, reimbursement for the travel expenses of active-duty beneficiaries and their dependents otherwise ineligible for reimbursement.

The House bill contained no similar provision.

The House recedes.

*Report on adequacy of weight allowances for transportation of baggage and household effects for members of the uniformed services (sec. 635)*

The House bill contained a provision (sec. 634) that would authorize an increased weight allowance for shipping household goods during permanent changes of station for noncommissioned officers in the grades of E–5 through E–9.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to submit a report to the congressional defense committees by July 1, 2010, that reviews the weight allowances provided for the transportation of baggage and household goods and that includes any recommendations for changing the weight allowances, including the estimated cost of such changes, as the Secretary considers appropriate.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

*Transition assistance for reserve component members injured while on active duty (sec. 641)*

The Senate amendment contained a provision (sec. 656) that would require service secretaries to provide to reserve component members injured on active duty: (1) information on the availability of care and administrative processing through community based warrior transition units, (2) the location of the nearest community based warrior transition unit, and (3) an opportunity to consult with a member of the applicable judge advocate general's corps, or other qualified legal assistance attorney, regarding the member's eligibility for compensation, disability, or other transitional benefits.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the requirement to provide an opportunity to consult with a judge advocate or other legal assistance attorney. The conferees believe that, while the counseling regarding the member's eligibility for compensation, disability, or other transitional benefits is vitally important, such counseling can be provided by properly trained personnel who are not licensed attorneys.

*Recomputation of retired pay and adjustment of retired grade of Reserve retirees to reflect service after retirement (sec. 642)*

The House bill contained provisions (sections 641 and 111D) that would authorize the secretaries of the military departments to recompute the retired pay and adjust the retired grade of reserve retirees who have been recalled to an active status in the Selected

Reserve for at least 2 years. The provision would authorize the secretaries concerned to reduce the 2-year service requirement for members recalled to serve in the position of adjutant general or assistant adjutant general when the members serve at least 6 months in such position but fail to complete the 2-year service requirement due to the requirements of applicable State law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require adjutants general or assistant adjutants general to serve at least 1 year in such positions before their retired pay could be recomputed or their retired grade adjusted, and that would change the effective date of the provision to the date of enactment of this Act.

*Election to receive retired pay for non-regular service upon retirement for service in an active reserve status performed after attaining eligibility for regular retirement (sec. 643)*

The House bill contained provisions (sections 642 and 112D) that would authorize members of the reserve components who serve in an active status in the Selected Reserve for at least 2 years after becoming eligible for an active-duty retirement to elect to receive a non-regular retirement. The provision would also authorize the secretary of a military department to reduce the 2-year requirement for a member recalled to serve in the position of adjutant general or assistant adjutant general within the National Guard when the member serves at least 6 months but fails to complete the 2 years of service by operation of State law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize members of the reserve components who have served at least 2 years in the Selected Reserve and who have already qualified for an active-duty retirement to elect to receive the non-regular retirement, but at the rates applicable at the time they leave active service in the Selected Reserve. The amendment would also require adjutants general and assistant adjutants general to serve at least 1 year before becoming eligible to elect non-regular retirement. Finally, the amendment would make this authority effective on the date of enactment of this Act.

*Report on re-determination process for permanently incapacitated dependents of retired and deceased members of the Armed Forces (sec. 644)*

The Senate amendment contained a provision (sec. 1073) that would require the Secretary of Defense to submit a report on the re-determination process of the Department of Defense used to determine the eligibility of permanently incapacitated dependents of retired and deceased service members for benefits provided under laws administered by the Secretary.

The House bill contained no similar provision.

The House recedes with a technical change.

*Treatment as active service for retired pay purposes of service as member of Alaska Territorial Guard during World War II (sec. 645)*

The Senate amendment contained a provision (sec. 659) that would require that service in the Alaska Territorial Guard during World War II be treated as active service for the purposes of computing military retired pay.

The House bill contained no similar provision.

The House recedes.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

*Limitation on Department of Defense entities offering personal information services to members and their dependents (sec. 651)*

The House bill contained a provision (sec. 652) that would prohibit the Secretary of Defense from authorizing a Department of Defense entity to offer or provide Internet, telephone, or television services directly to users using Department resources, personnel, or equipment, or compete for contracts to provide such personal information services directly to users if users will be charged a fee to recover the cost incurred to provide the services or earn a profit. The prohibition would apply unless a private sector vendor is not available or the interests of the user population would be best served by allowing the government to provide the services.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow a Department of Defense entity to provide such services under circumstances specified by the Secretary of Defense as being in the best interest of the government or military users in general.

*Report on impact of purchasing from local distributors all alcoholic beverages for resale on military installations on Guam (sec. 652)*

The House bill contained a provision (sec. 653) that would require the Comptroller General to report, within 90 days of enactment of this Act, to the Committees on Armed Services of the Senate and the House of Representatives on the impact of requiring that all alcoholic beverages intended for resale on military installations on Guam be purchased from local sources.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would require the report within 180 days of enactment of this Act.

Subtitle F—Other Matters

*Limitations on collection of overpayments of pay and allowances erroneously paid to members (sec. 661)*

The House bill contained a provision (sec. 661) that would reduce the maximum percentage of monthly compensation that may be involuntarily collected to repay overpayments erroneously paid to a service member from 20 percent to 10 percent. The provision would also require the secretaries of the military departments to consult with service members when establishing a repayment plan, delay collection from wounded warriors for 180 days, and consider forgiving the debt when the service member relies on social security benefits or if repayment would impose an undue financial hardship. Finally, the provision would establish a bar on collection activities after 5 years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would reduce the maximum percentage of monthly compensation that may be involuntarily collected to repay overpayments from 20 percent to 15 percent. The amendment would also require the secretaries of the military departments to provide a reasonable opportunity for members to request a delay in collection and to consider any hardship to the service member or former member caused by the collection efforts.

The conferees believe that the Department of Defense should consider the financial consequences of requiring repayment of erroneous overpayments made to service members including the extent to which a repayment plan would leave service members or former service members with inadequate resources to cover their reasonable monthly expenses. This is especially the case when a former member relies on social security benefits or veterans disability compensation for their living expenses.

Additionally, the Department should consider the length of time that has passed between the time the overpayment occurred and the collection effort. As a general matter, the conferees believe that the secretaries concerned should not collect debts that are identified more than 6 years after they are incurred unless not collecting the debt would amount to an unjust enrichment. The Department should weigh all these factors when considering whether to waive the debt and in determining an appropriate repayment plan for members or former members to ensure a fair and equitable result for a debt that resulted from Department error, through no fault of the member.

*Sense of Congress on airfares for members of the Armed Forces (sec. 662)*

The Senate amendment contained a provision (sec. 653) that would express the sense of Congress that United States commercial air carriers should seek to lend their support to members of the armed forces traveling on leave or liberty at their own expense by reducing air fares and waiving or eliminating additional fees.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Sense of Congress on establishment of flexible spending arrangements for the uniformed services (sec. 663)*

The Senate amendment contained a provision (sec. 658) that expressed the sense of the Congress that members of the uniformed services should have access to flexible spending arrangements for health care and dependent care on a pre-tax basis in accordance with established programs under sections 106(c) and 125 of the Internal Revenue Code of 1986 that are widely available to civilian employees.

The House bill contained no similar provision.

The House recedes.

*Sense of Congress regarding support for compensation, retirement, and other military personnel programs (sec. 664)*

The House bill contained a provision (sec. 664) that would express the sense of the Congress that members of the armed forces, military retirees, and their families deserve ongoing recognition and support for their service, and that Congress would continue to look for appropriate direct spending offsets that could be used to address shortcomings within military personnel programs that incur direct spending obligations.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Stabilization of pay and allowances for senior enlisted members and warrant officers appointed as officers and officers reappointed in a lower grade*

The House bill contained a provision (sec. 603) that would authorize a member of the armed forces who accepts an appointment as an officer or a reappointment as an officer in a lower grade without a break in service to retain the pay and allowances to which the member was entitled while serving in the rank immediately preceding the appointment or reappointment, if the pay and allowances were greater than what the officer would receive in the newly appointed or reappointed grade.

The Senate amendment contained no similar provision.

The House recedes.

*Transportation of additional motor vehicle of members on change of permanent station to or from nonforeign areas outside the continental United States*

The House bill contained a provision (sec. 631) that would authorize service members with at least one dependent of driving age to ship two privately owned vehicles during permanent change of station moves to or from nonforeign duty locations outside the continental United States.

The Senate amendment contained no similar provision.

The House recedes.

*Additional exception to limitation on use of appropriated funds for Department of Defense golf courses*

The House bill contained a provision (sec. 651) that would authorize the use of appropriated funds to purchase, operate, or maintain equipment to ensure compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101) at Department of Defense golf courses.

The Senate amendment contained no similar provision.

The House recedes.

*Repeal of requirement of reduction of SBP survivor annuities by Dependency and Indemnity Compensation*

The Senate amendment contained a provision (sec. 652) that would eliminate the offset of Survivor Benefit Plan annuities by the amount of Dependency and Indemnity Compensation received from the Department of Veterans Affairs.

The House bill contained no similar provision.

The Senate recedes.

The conferees note the mandatory spending associated with this provision, and consistent with the sense of Congress stated elsewhere in this Act regarding congressional support for compensation, retirement, and other military personnel programs, the conferees would support the provision provided that acceptable offsets are identified consistent with budgetary requirements of both the Senate and the House of Representatives.

*Use of local residences for community-based care for certain reserve component members*

The Senate amendment contained a provision (sec. 655) that would authorize certain reserve component members who require an evaluation for a physical or mental disability to be assigned to the community-based warrior transition unit located nearest to the member's permanent place of residence if residing at that location is medically feasible and consistent with the needs of the armed forces and the optimal course of medical treatment of the member.

The House bill contained no similar provision.

The Senate recedes.

*Inclusion of service after September 11, 2001, in determination of reduced eligibility age for receipt of non-regular service retired pay*

The Senate amendment contained a provision (sec. 660) that would make retroactive to September 11, 2001, the authority in section 12731 of title 10, United States Code, to reduce the age at which a reserve retiree may receive retired pay below the age of 60 by 3 months for every aggregate 90 days of active duty performed.

The House bill contained no similar provision.

The Senate recedes.

The conferees note the mandatory spending associated with this provision, and consistent with the sense of Congress stated elsewhere in this Act regarding congressional support for compensation, retirement, and other military personnel programs, the conferees would support the provision provided that acceptable offsets are identified consistent with budgetary requirements of both the Senate and the House of Representatives.

*Comptroller General report on cost to cities and other municipalities that cover the difference between an employee's military salary and municipal salary*

The House bill contained a provision (sec. 665) that would require the Comptroller General of the United States to submit to Congress a report on the costs incurred by cities and other municipalities that elect to cover the difference between their employees' military and municipal salaries when their employees are called or ordered to active duty.

The Senate amendment contained no similar provision.

The House recedes.

*Postal benefits program for sending free mail to members of the armed forces serving in certain overseas operations and hospitalized members*

The House bill contained a provision (sec. 666) that would require the Secretary of Defense, in consultation with the United States Postal Service, to provide a postal benefits program to service members serving in certain overseas locations or who are hospitalized in a Department of Defense facility as a result of service in certain overseas locations.

The Senate amendment contained no similar provision.

The House recedes.

*Short title*

The House bill contained a provision (sec. 1D) that would establish a short title for the Disabled Military Retiree Relief Act of 2009.

The Senate amendment contained no similar provision.

The House recedes.

*Table of contents*

The House bill contained a provision (sec. 2D) that would provide a table of contents for the Disabled Military Retiree Relief Act of 2009.

The Senate amendment contained no similar provision.

The House recedes.

*One-year expansion of eligibility for concurrent receipt of military retired pay and veterans' disability compensation to include all chapter 61 disability retirees regardless of disability rating percentage or years of service*

The House bill contained a provision (sec. 121D) that would authorize for 1 year the phased implementation of concurrent receipt of military retired pay and veteran disability compensation for medical retirees retired under chapter 61 of title 10, United States Code.

The Senate amendment contained no similar provision.

The House recedes.

The conferees acknowledge and in principle support the administration's proposal to permanently authorize concurrent receipt of military retired pay and veteran disability compensation for all medical retirees. In its budget submission, however, the administration failed to identify an acceptable and specific funding source to offset the increase in mandatory spending. Under House and Senate budget rules that derive from the Congressional Budget Act, Congress must offset increases in mandatory spending in non-emergency legislation with cuts in other entitlement programs or through increased revenues. Although the House provision included offsets sufficient to authorize concurrent receipt for 9 months, those offsets did not comply with Senate budget rules. Accordingly, the provision could not be included.

The conferees urge the administration to resubmit its proposal next year and to include specific offsets that would allow Congress to permanently authorize concurrent receipt for medical retirees.

## TITLE VII—HEALTH CARE PROVISIONS

### Subtitle A—Improvements to Health Benefits

*Prohibition on conversion of military medical and dental positions to civilian medical and dental positions (sec. 701)*

The House bill contained a provision (sec. 701) that would prohibit the secretary of a military department from converting military medical and dental positions to civilian medical and dental positions.

The Senate amendment contained no similar provision.

The Senate recedes with a technical change.

*Health care for members of the reserve components (sec. 702)*

The House bill contained a provision (sec. 706) that would extend the eligibility of reserve component members who are issued or covered by a delayed-effective-date active-duty order in support of a contingency operation for TRICARE coverage under section 1074 of title 10, United States Code, from 90 days before the date on which the period of active duty is to commence, to 180 days before that date.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Enhancement of transitional dental care for members of the reserve components on active duty for more than 30 days in support of a contingency operation (sec. 703)*

The Senate amendment contained a provision (sec. 712) that would modify the transitional health care benefit for reservists who separate after more than 30 days of active duty in support of a contingency operation, giving them the same priority for dental care in a military treatment facility as an active-duty member.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Expansion of survivor eligibility under TRICARE Dental Program (sec. 704)*

The House bill contained a provision (sec. 703) that would expand the eligibility of surviving children under the TRICARE Dental Program. Current law allows survivors to keep this dental coverage for a period of 3 years after the service member's death. The provision would increase the eligibility for surviving dependent children from 3 years to the longer of the following periods: (1) 3 years; (2) until they reach age 21; or (3) until age 23 if the dependent is a full-time student at age 21 and is or was dependent on the member for at least half of their support. The provision would make the dental benefit provided to surviving children consistent with the medical benefit for which they are already eligible.

The Senate amendment contained a similar provision (sec. 702).

The Senate recedes with a clarifying amendment.

*TRICARE Standard coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60 (sec. 705)*

The House bill contained a provision (sec. 704) that would extend eligibility for

TRICARE Standard to members of the Retired Reserve who are qualified for non-regular retirement but who are not yet age 60, and their dependents. Eligibility would terminate when the member becomes eligible for TRICARE coverage as a retiree at age 60. Members would be responsible for paying a premium equal to the total cost of coverage as determined by the Secretary of Defense, based on actual program costs.

The Senate amendment contained a similar provision (sec. 701).

The Senate recedes with a technical amendment.

*Constructive eligibility for TRICARE benefits of certain persons otherwise ineligible under retroactive determination of entitlement to Medicare part A hospital insurance benefits (sec. 706)*

The Senate amendment contained a provision (sec. 703) that would exempt TRICARE beneficiaries under the age of 65 who become disabled from the requirement to enroll in Medicare part B for the retroactive months of entitlement to Medicare part A in order to maintain TRICARE coverage.

Eligible beneficiaries would still be required to enroll in Medicare part B in order to maintain TRICARE coverage for future months, but would be considered to have coverage under the TRICARE program for the months retroactive to their entitlement to Medicare part A.

The House bill contained no similar provision.

The House recedes.

*Notification of certain individuals regarding options for enrollment under Medicare part B (sec. 707)*

The Senate amendment contained a provision (sec. 707) that would require the Secretary of Defense to identify eligible TRICARE beneficiaries who are entitled to benefits under Medicare part A and who are eligible to enroll in Medicare part B of the options available to them for enrollment in Medicare part B and the potential consequences to TRICARE coverage of waiving enrollment in part B.

The House bill contained no similar provision.

The House recedes with several technical changes.

*Mental health assessments for members of the Armed Forces deployed in connection with a contingency operation (sec. 708)*

The House bill contained a provision (sec. 709) that would require the Secretary of Defense to conduct a demonstration project to assess the feasibility and efficacy of providing a service member with a post-deployment mental health screening that is conducted in person by a mental health provider.

The Senate amendment contained provision (sec. 711) that would require the Secretary to issue guidance for the provision of a person-to-person mental health assessment for each service member deployed in connection with a contingency operation during the 60–day period before deployment, between 90 and 180 days after deployment, and not later than 6 months, 12 months, and 24 months after return from deployment. A mental health assessment would not be required by this provision for service members who are not subjected or exposed to operational risk factors during deployment.

The House recedes with a clarifying amendment.

*Temporary TRICARE inpatient fee modification (sec. 709)*

The Senate amendment contained a provision (sec. 706) that would express the sense of the Senate that in the past, the Department of Defense has proposed fee increases on certain military health care beneficiaries in order to cover the growing cost of health care, that the Department has additional options to constrain the growth of health care spending, and that it should consider such options rather than increasing certain fees.

The House bill contained no similar provision.

The House recedes with an amendment that would extend for 1 year the current limitation on charges for inpatient care in a civilian hospital under TRICARE Standard.

Subtitle B—Health Care Administration

*Comprehensive policy on pain management by the military health care system (sec. 711)*

The Senate amendment contained a provision (sec. 721) that would require the Secretary of Defense to develop and implement a comprehensive policy on pain management by the military health care system.

The House bill contained no similar provision.

The House recedes with an amendment that would change the date by which the Secretary is required to develop and implement this policy from October 1, 2010 to March 31, 2011.

In developing and implementing this policy, the conferees urge the Department to examine best practices in pain management used by public and private health care institutions, including treatment methods and approaches designed to lessen reliance on multiple medications for the purpose of pain management.

*Administration and prescription of psychotropic medications for members of the Armed Forces before and during deployment (sec. 712)*

The Senate amendment contained a provision (sec. 724) that would require the Secretary of Defense to submit an annual report to Congress on the prescription of antidepressants and drugs to treat anxiety for troops serving in Iraq and Afghanistan.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to submit a report to the congressional defense committees not later than October 1, 2010, on the implementation of policy guidance dated November 7, 2006, regarding deployment-limiting psychiatric conditions and medications. The amendment would also require the Secretary of Defense to establish and implement by October 1, 2010, a policy for the use of psychotropic medications for deployed members of the armed forces.

*Cooperative health care agreements between military installations and non-military health care systems (sec. 713)*

The House bill contained a provision (sec. 705) that would authorize the Secretary of Defense to establish cooperative health care agreements between military installations and local or regional health care systems.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Plan to increase the mental health capabilities of the Department of Defense (sec. 714)*

The House bill contained a provision (sec. 715) that would require the Secretary of Defense to report on the appropriate number of military mental health providers required to meet the mental health care needs of members of the armed forces, retired members, and dependents. The provision would also require the Secretary to provide a plan on how the Department of Defense (DOD) will achieve the appropriate number of military mental health providers.

The Senate amendment contained a provision (sec. 722) that would require the Secretary to develop and implement a plan to significantly increase the number of DOD military and civilian behavioral health personnel.

The House recedes with an amendment that would: require the Secretary of each military department to increase by a specified amount the number of active-duty mental health personnel authorized for each department; require the Secretary of Defense to report on the appropriate number of mental health personnel required to meet mental health care needs of service members, retired members, and dependents; require the Secretary to develop and implement a plan to significantly increase the number of DOD military and civilian mental health personnel; and require the Secretary to assess the feasibility and advisability of establishing one or more military mental health specialties for officers or enlisted service members.

*Department of Defense study on management of medications for physically and psychologically wounded members of the Armed Forces (sec. 715)*

The Senate amendment contained a provision (sec. 723) that would require the Secretary of Defense to conduct a study on the management of medications for physically and psychologically wounded service members.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Limitation on obligation of funds under defense health program information technology programs (sec. 716)*

The House bill contained a provision (sec. 1403) that would authorize $26.9 billion in fiscal year 2010 funds for the Defense Health Program (DHP) and would recommend a transfer of funds from the DHP to the Office of the Secretary of Defense from several accounts relating to information management, technology, and support, which is reflected in the tables.

The House bill contained a provision (sec. 710) that would require the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, to submit a report to Congress on the progress that has been made on the establishment of a Joint Virtual Lifetime Electronic Record for members of the armed forces.

The Senate amendment contained a provision (sec. 1403) that would authorize $27.9 billion in fiscal year 2010 to be appropriated for the DHP.

The Senate recedes with an amendment that would limit the obligation of funds under DHP information technology programs so that not more than 50 percent of the amount remaining unobligated from certain accounts may be obligated until 30 days after the Deputy Secretary of Defense, acting in the capacity of the Chief Management Officer of the Department of Defense (DOD), submits a report on improvements to the governance and execution of health information management and information technology programs planned and programmed to electronically support clinical medical care within the military health system. The report would include an assessment of the capabilities of the Office of the Assistant Secretary of Defense for Health Affairs to carry out necessary governance, management, and development functions of such systems, and an analysis of the alternative organizations within DOD with equal or greater management capabilities for health information management and technology.

The conferees are concerned that significant doubts have been raised in relation to both health information systems performance and program integrity, which require

attention and resolution at the highest levels of the Department.

The authorization for appropriations for the Defense Health Program is included elsewhere in this act.

Subtitle C—Other Matters

*Study and plan to improve military health care (sec. 721)*

The House bill contained a provision (sec. 713) that would require the Secretary of Defense to submit a report on the health care needs of military family members, and require the Secretary of the Army to establish a pilot program focused on the needs of military children and adolescents.

The House bill contained a provision (sec. 716) that would require the Secretary of Defense to submit a report on the access to health care of service members and other eligible beneficiaries who live in rural areas.

The Senate amendment contained two provisions (sec. 559 and sec. 560) that would require the Secretary to develop and implement a plan to expand existing Department of Defense initiatives to increase access to mental health care for family members of members of the National Guard and reserve deployed overseas during periods of mobilization, deployment, and demobilization of such members of the reserve component.

The Senate amendment contained a provision (sec. 704) that would require the Department of Defense (DOD) to initiate a process of improvement of the TRICARE health system.

The House recedes with an amendment that would require the Secretary to submit a report on the health care needs of military family members and to undertake actions to enhance the capability of the military health system and improve the TRICARE program, to include addressing access issues for National Guard and reserve members and their families and those beneficiaries living in rural areas. The amendment would also require the Secretary to submit reports on the progress made in undertaking such actions and future plans for improvement of the military health system, to include the submission of a report together with the budget justification materials submitted to Congress in support of the DOD budget for fiscal year 2012.

The conferees note that private sector care, which was originally intended to be and is still described by the DOD as a program to fill gaps in the direct care system, now accounts for nearly 70 percent of DOD health care expenditures. The conferees recognize that several factors have contributed to the unintentional growth in private sector care: staffing shortages, mobilization, and training demands. The conferees are concerned that without appropriate planning, the effect of these factors could be an irreversible trend, placing medical readiness for future contingencies in jeopardy. The conferees believe the Secretary must develop a long-term plan to maximize the capabilities of the direct care system.

In addition, the conferees recognize that improvements to health information technology are a crucial component to improvement of the overall military health system, and note that it is addressed elsewhere in this Act. Finally, the conferees note that the requirement for the Secretary of the Army to establish a pilot program focused on the needs of military children and adolescents is addressed elsewhere in this Act.

*Study, plan, and pilot for the mental health care needs of dependent children of members of the Armed Forces (sec. 722)*

The House bill contained a provision (sec. 713) that would require the Secretary of Defense to submit a report on the health care needs of military family members, and require the Secretary of the Army to establish a pilot program focused on the needs of military children and adolescents.

The Senate amendment contained a provision (sec. 554) that would require the Secretary to undertake a comprehensive assessment of the impacts of military deployment on dependent children of service members. The provision would also require the Secretary to conduct a comprehensive review of the mental health care and counseling services available to children of service members.

The Senate recedes with an amendment that would require the Secretary to conduct a comprehensive review of the mental health care and counseling services available to dependent children of members of the armed forces and to develop and implement a plan for improvements in access to quality mental health care and counseling services for such children. The amendment would also require the Secretary of the Army to conduct a pilot program to address the mental health care needs of military children and adolescents.

The conferees note that the requirements for the Secretary to submit a report on the health care needs of military family members and to assess the impacts of military deployment on dependent children of service members are addressed elsewhere in this Act.

*Clinical trial on cognitive rehabilitative therapy for members and former members of the Armed Forces (sec. 723)*

The Senate amendment contained a provision (sec. 731) that would require the Secretary of Defense to carry out a pilot program under the TRICARE program to determine the feasibility and advisability of expanding coverage for cognitive rehabilitative therapy for members and former members of the armed forces.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to provide for a clinical trial to assess the efficacy of cognitive rehabilitative therapy for members or former members of the armed forces who have been diagnosed with a traumatic brain injury incurred in the line of duty in Operation Iraqi Freedom or Operation Enduring Freedom.

The conferees recognize that the body of scientific knowledge on the efficacy of cognitive rehabilitative therapy is growing and intend that as part of the Department of Defense's expanded research program for wounded warriors the project required by this section will contribute to that knowledge.

*Department of Defense Task Force on the Care, Management, and Transition of Recovering Wounded, Ill, and Injured Members of the Armed Forces (sec. 724)*

The Senate amendment contained a provision (sec. 732) that would require the Secretary of Defense to establish a task force to assess the effectiveness of the policies and programs developed and implemented by the Department of Defense and each of the military departments to assist and support the care, management, and transition of recovering wounded, ill, and injured service members.

The House bill contained no similar provision.

The House recedes with an amendment that would change the reporting required under the provision and clarify that the task force is to be an entity separate from the Department of Defense and Department of Veterans Affairs Senior Oversight Committee.

*Chiropractic clinical trials (sec. 725)*

The House bill contained a provision (sec. 702) that would require the Secretary of Defense to provide chiropractic services and benefits as a permanent part of the Defense Health Program, including the TRICARE program, for all active-duty service members.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to provide for and report on clinical trials to be conducted by the National Institutes of Health or a similar independent academic institution to compare the outcomes of chiropractic treatment, used either exclusively or as an adjunct to other treatments, with conventional treatment, and to assess the effect of chiropractic treatment on certain service member groups.

*Independent study on post-traumatic stress disorder efforts (sec. 726)*

The House bill contained a provision (sec. 711) that would require the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with the Secretary of Health and Human Services, to submit a report itemizing the current treatments of post-traumatic stress disorder (PTSD), ongoing research, and areas for future exploration.

The Senate amendment contained a provision (sec. 733) that would require the Secretary of Defense and the Secretary of Veterans Affairs to jointly submit a report on research related to PTSD.

The Senate recedes with an amendment that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to provide for a study on the treatment of PTSD to be conducted by the Institute of Medicine of the National Academy of Sciences or another independent entity, and a clarifying amendment.

*Report on implementation of requirements on the relationship between the TRICARE program and employer-sponsored group health plans (sec. 727)*

The Senate amendment contained a provision (sec. 705) that would require the Comptroller General to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 31, 2010, on the implementation of the requirements of section 1097c of title 10, United States Code, relating to the relationship between the TRICARE program and employer-sponsored group health plans.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to report on the implementation of section 1097c of title 10, United States Code.

The conferees are concerned that the Secretary of Defense has not yet promulgated implementing regulations for section 1097c of title 10, United States Code, which was effective on January 1, 2008. The conferees believe that implementing regulations are essential for accurate application of the law both to employers and employees, and urge the Secretary of Defense to expedite the publication of these regulations.

*Report on stipends for members of reserve components for health care for certain dependents (sec. 728)*

The House bill contained a provision (sec. 714) that would require the Secretary of Defense to submit a report on the extent to which the Secretary has exercised the authority provided in section 704 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to provide a health care stipend for members of the reserve component who are called or ordered to active duty for more than 30 days.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

*National Casualty Care Research Center*

The House bill contained a provision (sec. 707) that would require the Secretary of Defense to designate a National Casualty Care Research Center at the Army Medical Research and Materiel Command.

The Senate amendment contained no similar provision.

The House recedes.

*Notification of members of the Armed Forces of exposure to potentially harmful materials and contaminants*

The House bill contained a provision (sec. 708) that would require the Secretary of Defense to notify service members and the State military department of reserve component members who are exposed to a potentially harmful material or contaminant of the exposure and associated health risks.

The Senate amendment contained no similar provision.

The House recedes.

*Suicide among members of the Individual Ready Reserve*

The House bill contained a provision (sec. 710A) that would require the Secretary of Defense to ensure that all eligible members of the Individual Ready Reserve (IRR) receive a counseling call not less than once every 90 days, for as long as the member remains in the IRR.

The Senate amendment contained no similar provision.

The House recedes.

*Report on the feasibility of TRICARE Prime in certain commonwealths and territories of the United States*

The House bill contained a provision (sec. 712) that would require the Secretary of Defense to examine the feasibility and cost-effectiveness of offering TRICARE Prime in certain commonwealths and territories of the United States.

The Senate amendment contained no similar provision.

The House recedes.

*Reduction of minimum distance of travel for reimbursement of covered beneficiaries of the military health care system for travel for specialty health care*

The Senate amendment contained a provision (sec. 713) that would amend section 1074i of title 10, United States Code, to change the minimum distance required for reimbursement for travel for specialty health care under TRICARE from 100 miles to 50 miles.

The House bill contained no similar provision.

The Senate recedes.

*Report on post-deployment health assessments of Guard and reserve members*

The Senate amendment contained a provision (sec. 714) that would require the Secretary of Defense to report on the feasibility of administering a post-deployment health assessment to Guard and reserve members at their home station or in the county of residence of the member.

The House bill contained no similar provision.

The Senate recedes.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

*Temporary authority to acquire products and services produced in countries along a major route of supply to Afghanistan; report (sec. 801)*

The House bill contained a provision (sec. 801) that would authorize the Secretary of Defense to establish a preference for the acquisition of certain products and services produced in countries along a major route of supply to Afghanistan.

The Senate amendment contained a similar provision (sec. 831).

The Senate recedes with an amendment clarifying the scope of the Secretary's authority.

*Assessment of improvements in service contracting (sec. 802)*

The House bill contained a provision (sec. 802) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to contract with a federally funded research and development center to conduct an independent assessment of improvements in the procurement and oversight of contracting for services by the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) require that the study be conducted by the Defense Science Board; and (2) provide for the study to review additional issues.

*Display of annual budget requirements for procurement of contract services and related clarifying technical amendments (sec. 803)*

The House bill contained a provision (sec. 803) that would codify and expand the requirement in section 806 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) for the Secretary of Defense to include information on contracts for services in the materials submitted to Congress in support of the President's budget request.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the reporting requirement and require the Comptroller General to conduct a review of the Department's efforts to compile an annual inventory of contract services in accordance with the requirements of section 2330a of title 10, United States Code.

The conferees note that including in the annual budget submission the total amounts for the procurement of services and the number of full-time equivalents requested by each Department of Defense component, installation or activity should provide greater clarity on amounts proposed to be spent annually on contract services. In addition, specific break-outs of how that money is obligated for each type of service should be reflected in the annual contract inventories compiled by the military departments and defense agencies. The information in the budget submission, together with the detail provided in the annual inventories, should provide the information needed for improved oversight by both the Department and Congress of the procurement of contractor services.

*Implementation of new acquisition process for information technology systems (sec. 804)*

The House bill contained a provision (sec. 804) that would authorize the Secretary of Defense to designate up to 10 information technology programs annually to be included in a demonstration of an alternative acquisition process for rapidly acquiring information technology capabilities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary to develop and implement an alternative acquisition process for the rapid acquisition of information technology systems. The new acquisition process would be designed to include, to the extent determined appropriate by the Secretary, early and continual involvement of the user; multiple, rapidly executed increments or releases of capability; early, successive prototyping to support an evolutionary approach; and a modular, open-systems approach. The Secretary would be required to report to Congress on the new acquisition process, including a schedule for implementation and identification of the categories of information technology acquisitions to which the process will apply.

*Life-cycle management and product support (sec. 805)*

The House bill contained a provision (sec. 805) that would have prohibited contractors from performing product support integrator functions for a major system.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) require the Secretary of Defense to issue comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems; (2) require that each major weapon system be supported by a product support manager; and (3) amend section 802 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to require that each such position be performed by a properly qualified member of the armed forces or full-time employee of the Department of Defense (DOD).

The conferees understand that product support encompasses all critical functions related to weapon-system readiness, including materiel management, distribution, technical data management, maintenance, training, cataloging, configuration management, engineering support, repair parts management, failure reporting and analyses, and reliability growth. Included within logistics and sustainment functions are the tasks normally performed as part of the logistics support required for a major weapon system that are designed to focus on such metrics as readiness, reliability, availability, mean down time, customer wait time, footprint reduction, and reduced ownership costs.

The conferees note that in implementation of this provision, the positions of product support manager, assistant program manager for logistics, deputy program manager for logistics, and system support manager shall be considered synonymous. However, the conferees emphasize that the product support manager is a separate position from the program manager with distinct responsibilities.

Additionally, the conferees in no way intend to limit DOD from establishing product support managers and comprehensive product support strategies for other acquisition programs that are not designated major weapon systems as defined by section 2302d of title 10, United States Code.

*Treatment of non-defense agency procurements under joint programs with intelligence community (sec. 806)*

The Senate amendment contained a provision (sec. 814) that would exclude a contract entered into by a non-defense agency for the performance of a joint program conducted to meet the needs of both the Department of Defense and the non-defense agency from the prohibition in section 801(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The House bill contained no similar provision.

The House recedes with an amendment that would limit the provision to contracts with non-defense agencies that are members of the intelligence community, as defined in section 401a of title 50, United States Code.

*Policy and requirements to ensure the safety of facilities, infrastructure, and equipment for military operations (sec. 807)*

The Senate amendment contained a provision (sec. 835) that would require the Department of Defense (DOD) to establish appropriate health and safety standards for incorporation into contracts for the construction, installation, repair, maintenance, and operation of expeditionary facilities for use by military or civilian personnel of the Department in current and future military operations overseas.

The House bill contained no similar provision.

The House recedes with an amendment that would ensure that DOD has the flexibility needed to address health and safety issues in a manner that is consistent with the requirements of military operations and the best interests of the Department of Defense.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitation

*Justification and approval of sole-source contracts (sec. 811)*

The Senate amendment contained a provision (sec. 802) that would require a written justification and approval for Department of Defense contracts in excess of $20.0 million dollars that are awarded on a sole-source basis.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) clarify that this section applies specifically to procurements that are exempted by section 2304(f)(2)(D)(ii) of title 10, United States Code, from generally applicable justification and approval requirements; and (2) make the provision applicable government-wide. The conferees intend this provision to ensure that sole-source contracts may be awarded in such procurements only when those awards have been determined to be in the best interest of the Department of Defense or other agency concerned.

*Revision of Defense Supplement relating to payment of costs prior to definitization (sec. 812)*

The House bill contained a provision (sec. 811) that would require the Secretary of Defense to revise the Department of Defense Supplement to the Federal Acquisition Regulation to ensure that regulatory limitations applicable to undefinitized contract actions apply to all categories of such contract actions.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment clarifying the provision. The conferees agree that the limitations in the Supplement should apply to all categories of undefinitized contract actions, including undefinitized task orders and delivery orders, and undefinitized modifications to contracts, task orders, and delivery orders.

*Revisions to definitions relating to contracts in Iraq and Afghanistan (sec. 813)*

The House bill contained a provision (sec. 812) that would clarify reporting requirements relating to contracts in Iraq and Afghanistan.

The Senate amendment contained no similar provision.

The Senate recedes.

*Amendment to notification requirements for awards of single source task or delivery orders (sec. 814)*

The House bill contained a provision (sec. 813) that would clarify the congressional committees required to be notified of the award of a single source task or delivery order under section 2304a(d)(3) of title 10, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Clarification of uniform suspension and debarment requirement (sec. 815)*

The House bill contained a provision (sec. 814) that would clarify the applicability of a suspension or debarment decision to the award of subcontracts.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide that a decision to suspend or debar a contractor applies to subcontracts at any tier, other than: (1) subcontracts for commercially available off-the-shelf items; and (2) subcontracts (other than first-tier subcontracts) under contracts for commercial items.

The conferees note that contractor representatives have expressed concern about due process and coordination between federal agencies in suspension and debarment decisions. Section 2 of Executive Order 12549 requires federal agencies to follow government-wide criteria and government-wide minimum due process procedures when they act to debar or suspend contractors. The conferees expect the Department of Defense and other affected agencies to review these procedures to ensure that: (1) federal agencies coordinate with other affected federal agencies on suspension or debarment decisions, as appropriate; and (2) contractors are notified of the basis for suspension or debarment decisions and provided an opportunity to respond as early as practicable, consistent with the fundamental purpose of protecting the Federal Government and the taxpayers from unscrupulous contractors.

*Extension of authority for use of simplified acquisition procedures for certain commercial items (sec. 816)*

The House bill contained a provision (sec. 815) that would extend for 2 years the authority for federal agencies to use simplified acquisition procedures to acquire certain commercial items.

The Senate amendment contained no similar provision.

The Senate recedes.

*Reporting requirements for programs that qualify as both major automated information system programs and major defense acquisition programs (sec. 817)*

The House bill contained a provision (sec. 816) that would address reporting requirements for programs that qualify as both major automated information system programs under chapter 144A of title 10, United States Code, and major defense acquisition programs under chapter 144 of such title.

The Senate amendment contained a similar provision (sec. 811).

The House recedes.

*Small arms production industrial base matters (sec. 818)*

The House bill contained a provision (sec. 817) that would define the small arms production base to mean the persons and organizations that are engaged in the production or maintenance of small arms within the United States.

The Senate amendment contained a provision (sec. 832) that would authorize the Secretary to modify the definition of the small arms production industrial base.

House recedes with an amendment that would clarify the Secretary's authority under the provision.

The conferees understand the current small arms production industrial base is defined by an Army Science Board report from 1994 entitled ''Preservation of Critical Elements of the Small Arms Industrial Base'' and is statutorily limited to three manufacturers. The conferees also note the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) required the Secretary of Defense to submit a report to the congressional defense committees on the military's requirements for sustaining and managing the small arms industrial base, however this report has yet to be submitted to Congress. The conferees recognize the need to preserve reliable sources for the development, production, and maintenance of small arms, and note the benefits full and open competition could have, particularly in the areas of small arms technological innovation and more competitive pricing in small arms and critical small arms parts manufacturing.

*Contract authority for advanced component development or prototype units (sec. 819)*

The House bill contained a provision (sec. 819) that would authorize the use of a contract option to extend, subject to certain limitations, a basic research contract awarded on a competitive basis pursuant to a broad agency announcement, as described in section 2302(2)(B) of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 801).

The Senate recedes with an amendment combining the two provisions. Under the conference agreement, a covered contract may be extended for the purpose of providing advanced component development and prototyping, subject to strict limitations on time and cost. The authority to so extend contracts would expire on September 30, 2014.

*Publication of notification of bundling of contracts of the Department of Defense (sec. 820)*

The House bill contained a provision (sec. 818) that would require the Department of Defense to publish the justification for bundling of contracts at least 30 days prior to the release of a solicitation that requires such bundling.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the publication of a notification that is consistent with existing requirements and includes a brief description of the benefits that are expected as a result of the bundling.

Subtitle C—Contractor Matters

*Authority for Government support contractors to have access to technical data belonging to prime contractors (sec. 821)*

The Senate amendment contained a provision (sec. 821) that would authorize the Department of Defense (DOD) to provide access to technical data delivered under a DOD contract to a support contractor providing advice and assistance to the government.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) delete the criminal penalties for disclosure of information; and (2) require the support contractor to agree to enter into a non-disclosure agreement with the contractor to whom the technical data rights belong. This modification would result in civil enforcement, rather than criminal enforcement, for violations of the non-disclosure requirements in the provision.

*Extension and enhancement of authorities on the Commission on Wartime Contracting in Iraq and Afghanistan (sec. 822)*

The Senate amendment contained a provision (sec. 822) that would extend the life of

the Commission on Wartime Contracting in Iraq and Afghanistan and clarify the nature of the support to be provided to the Commission by the Department of Defense and other federal agencies.

The House bill contained no similar provision.

The House bill recedes with a clarifying amendment.

*Authority for Secretary of Defense to reduce or deny award fees to companies found to jeopardize health or safety of Government personnel (sec. 823)*

The House bill contained a provision (sec. 824) that would prohibit the payment of award and incentive fees to any defense contractor that has been determined to have caused the death or serious bodily injury of Department of Defense personnel.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) require the Secretary of Defense to consider any such contractor misconduct in assessments of contractor performance; and (2) authorize the Secretary to withhold or recover all or part of award fees for the relevant period of time on the basis of the negative impact of such misconduct on contractor performance.

Subtitle D—Acquisition Workforce Matters

*Enhancement of expedited hiring authority for defense acquisition workforce positions (sec. 831)*

The House bill contained a provision (sec. 821) that would clarify the expedited hiring authority for the defense acquisition workforce in section 1705 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 813) that would also extend the authority to cover the period of the acquisition workforce build-up announced by the Secretary of Defense.

The House recedes with an amendment combining the two provisions.

The conferees acknowledge that there is intense competition for skilled workers and that the current hiring process is too lengthy and complicated to attract quality candidates to the acquisition workforce. Rather than continually relying on temporary authorities such as the expedited hiring authorities provided by this section, the conferees agree that the Department should undertake a comprehensive effort to redesign its hiring procedures to meet its mission needs and promote competitive job offers, including improvements in recruitment, better assessment of candidates, and timely, merit-based hiring decisions.

*Funding of Department of Defense Acquisition Workforce Development Fund (sec. 832)*

The House bill contained a provision (sec. 822) that would amend section 1705 of title 10, United States Code, to streamline and clarify the requirements for the Department of Defense Acquisition Workforce Development Fund (the ''Fund'').

The Senate amendment contained a similar provision (sec. 812).

The House recedes with an amendment combining elements of the two provisions. Under the conference agreement: (1) remissions to the Fund would be made on an annual basis, rather than a quarterly basis; (2) such remissions would be made exclusively from operation and maintenance accounts; (3) the Department could transfer certain unobligated balances to the Fund, as provided in appropriations Acts; and (4) the annual amounts to be deposited in the Fund would be adjusted to reflect the funding requirements of the hiring plan announced by the Secretary of Defense.

The conferees support the Secretary's initiative to increase the size of the Department's acquisition workforce by hiring 9,000 new government personnel and converting 11,000 contractor positions to civilian employee positions by 2015. The Fund, as revised by this section, should provide a critical tool to enable the Department to achieve this objective. The conferees conclude that the Fund must be used as intended, to increase the size of the acquisition workforce and to ensure such workforce has the appropriate skill mix rather than merely to subsidize the military departments and defense agencies in training and maintaining their existing workforces.

*Review of post-employment restrictions applicable to the Department of Defense (sec. 833)*

The House bill contained a provision (sec. 826) that would require the Department of Defense Panel on Contracting Integrity and the National Academy of Public Administration to review and assess post-employment restrictions applicable to former Department of Defense personnel.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Review of federal acquisition workforce training and hiring (sec. 834)*

The House bill contained a provision (sec. 833) that would require the Comptroller General to convene a panel of experts to study the ethics, competence, and effectiveness of acquisition personnel in federal agencies.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment requiring that the Comptroller General review and report to Congress on the Acquisition Workforce Development Strategic Plan developed pursuant to Sec. 869 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417). The report shall include a review of the methodologies used to formulate the plan and the extent to which the plan identified shortcomings in the acquisition workforce, highlighted strategies needed to recruit appropriately qualified personnel, and considered the specific training and retention tools needed to professionally develop and retain such personnel.

Subtitle E—Other Matters

*Reports to Congress on full deployment decisions for major automated information system programs (sec. 841)*

The House bill contained a provision (sec. 823) that would amend section 2445b(b)(2) of title 10, United States Code, to replace terms generally used for major defense acquisition programs with terms more appropriate to the major automated information system programs covered by the provision.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Authorization to take actions to correct the industrial resource shortfall for high-purity beryllium metal (sec. 842)*

The House bill contained a provision (sec. 825) that would correct the industrial resource shortfall for high-purity beryllium with a limitation of $85.0 million.

The Senate amendment contained a similar provision (sec. 1412).

The Senate recedes with a technical amendment.

*Report on rare earth materials in the defense supply chain (sec. 843)*

The House bill contained a provision (sec. 828) that would require a report on the usage of rare earth materials in the supply chain of the Department of Defense.

The Senate amendment contained a similar provision (sec. 837).

The House recedes with an amendment combining the requirements of the two provisions.

*Comptroller General report on structure and management of subcontractors under contracts for major weapon systems (sec. 844)*

The House bill contained a provision (sec. 831) that would require the Secretary of Defense to conduct a study on the management of subcontractors on Department of Defense contracts for major weapon systems.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the study to be conducted by the Comptroller General and clarify the issues to be addressed.

*Study of the use of factors other than cost or price as the predominate factors in evaluating competitive proposals for defense procurement contracts (sec. 845)*

The House bill contained a provision (sec. 836) that would require the Department of Defense to justify each contract solicitation that gives greater weight to factors relating to performance than to cost or price.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Comptroller General to review Department of Defense procurements in which performance-related factors are given greater weight than cost or price and to assess the extent to which the use of such weights is likely to be in the best interest of the Department.

*Repeal of requirements relating to the military system essential item breakout list (sec. 846)*

The Senate amendment contained a provision (sec. 836) that would repeal section 813 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), which requires the Secretary of Defense to prepare an annual list of essential items, assemblies, and components of each military system.

The House bill contained no similar provision.

The House recedes.

*Extension of SBIR and STTR programs of the Department of Defense (sec. 847)*

The Senate amendment contained a provision (sec. 833) that would reauthorize the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs of the Department of Defense (DOD) through fiscal year 2023.

The House bill contained no similar provision.

The House recedes with an amendment that would reduce the period of reauthorization of the programs to 1 year.

The conferees believe that this limited reauthorization will provide time for the passage of a more complete reauthorization of the government-wide SBIR/STTR program. The conferees note that the House and Senate committees of jurisdiction are working towards such a reauthorization. The conferees further expect that the DOD SBIR/STTR programs and the authorities for those programs will be modified by that reauthorization, including potentially changing the reauthorization period for the DOD programs established by this conference agreement. The conferees note that the Department of Defense has indicated that a 2-year reauthorization of the SBIR/STTR is not appropriate since it does not cover the length of consecutive Phase I and Phase II awards, and would compromise SBIR/STTR program planning, execution, and evaluation, and will make the program difficult to align within the broader context of the DOD program, planning, budgeting, and execution process. The conferees believe that any reauthorization of the

SBIR/STTR program should reflect these DOD concerns.

The conferees further note that DOD represents, by far, the largest SBIR/STTR program in the federal government. The conferees expect that any reauthorization of the program should strongly take into advisement concerns related to the practical executability of the authorizing statutes, the burdens they may place on limited staff and management resources, and their impact on technology development and deployment of new technologies to support the missions of the Department of Defense. The conferees expect to work closely with the committees of jurisdiction as they work towards a complete reauthorization of the government-wide SBIR/STTR program.

*Extension of authority for Small Business Innovation Research Commercialization Pilot Program (sec. 848)*

The Senate amendment contained a provision (sec. 834) that would make permanent the Small Business Innovation Research Commercialization Pilot Program and extend the authority to include projects under the Small Business Technology Transfer (STTR) program, as requested by the Department of Defense (DOD).

The House bill contained no similar provision.

The House recedes with an amendment that would limit the period of reauthorization to 1 year and not authorize the expansion of the successful program to include projects under the STTR program.

The conferees note that DOD has viewed this program as a success, and from the limited data available the conferees have seen no evidence to indicate otherwise. Further, the conferees understand that the National Research Council has indicated that ''case studies . . . support the view that small businesses, especially less experienced small businesses, value commercialization assistance programs as a forum to present their technologies and gain information on government procurement needs.'' The conferees intend to continue to review progress on this pilot program and, if appropriate, expand and reauthorize it in the future.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Additional reporting requirements for inventory relating to contracts for services*

The House bill contained a provision (sec. 835) that would amend section 2330a of title 10, United States Code, to add certain additional reporting requirements.

The Senate amendment contained no similar provision.

The House recedes.

The conferees agree that it would be premature to add new reporting requirements to section 2330a when the Department of Defense (DOD) has not yet submitted an inventory meeting the existing requirements. Once such an inventory has been completed, Congress will have an opportunity to review the inventory to determine whether additional reporting requirements would be appropriate to facilitate DOD management or congressional oversight functions.

*Comptroller General report on defense contract cost overruns*

The House bill contained a provision (sec. 832) that would require the Comptroller General to conduct a study of cost overruns in the performance of Department of Defense contracts.

The Senate amendment contained no similar provision.

The House recedes.

The conferees agree that the Government Accountability Office (GAO) has performed, and continues to perform, substantial work on cost overruns in the performance of defense contracts. This work includes GAO's annual assessment of the performance of the Department's major defense acquisition programs.

*Follow-on contracts for certain items acquired for special operations forces*

The House bill contained a provision (sec. 830) that would have authorized the Commander of U.S. Special Operations Command (SOCOM) to award sole-source contracts in certain cases where other contract approaches would unduly delay the fielding of an item to forces preparing for or participating in overseas contingency operations or for other deployments undertaken in response to a request from a combatant commander.

The Senate amendment contained no similar provision.

The House recedes.

*Furniture standards*

The House bill contained a provision (sec. 829) that would require that all Department of Defense purchases of furniture meet quality standards established by the General Services Administration.

The Senate amendment contained no similar provision.

The House recedes.

*Modifications to requirement for database of information regarding the integrity and performance of persons awarded federal contracts and grants*

The House bill contained a provision (sec. 834) that would amend the contractor database requirement in section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417).

The Senate amendment contained a provision (sec. 824) that would make unrelated changes to the same provision.

The conference report does not contain either provision.

The conferees agree that it would be premature to amend section 872 before the required database has been operational for a sufficient period to determine its effectiveness.

*Requirement to buy military decorations, ribbons, badges, medals, insignia, and other uniform accouterments produced in the United States*

The House bill contained a provision (sec. 827) that would require that all military decorations, ribbons, badges, medals, insignia, and other uniform accouterments be produced in the United States.

The Senate amendment contained no similar provision.

The House recedes.

The conferees are aware of allegations that substandard medals and decorations, produced in foreign countries, may have been sold to some service members or their families. The conferees note that the production and sale of such medals and decorations would be criminal violations under existing law. Title 32, Part 507 of the Code of Regulations prohibits the manufacture or sale of heraldic items unless they are ''manufactured in accordance with Government specifications using government furnished tools'' by a company that has received a certificate of authority to manufacture the articles by the Institute of Heraldry. Each certified manufacturer is assigned a hallmark, which must be placed on all insignia that it manufacturers. Section 704 of title 18, United States Code, establishes criminal penalties for anybody who knowingly ''sells, attempts to sell, [or] advertises for sale'' any medals or decorations that fail to comply with these regulations.

The conferees direct the Inspector General of the Department of Defense to investigate allegations of the sale of substandard medals and decorations and to refer any potential violations of the applicable laws and regulations to the appropriate criminal enforcement agencies.

*Small business contracting programs parity*

The Senate amendment contained a provision (sec. 838) that would amend section 31(b)(2)(B) of the Small Business Act (15 U.S.C. Section 657a(b)(2)(B)), relating to the HUBZone small business program, to clarify that when a contract could be awarded pursuant to more than one small business program, the Department of Defense and other federal agencies have discretion as to which program to apply.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Department of Justice has concluded that no change to the Small Business Act is required to ensure that contracting officers of the Department of Defense and other federal agencies have the discretion whether or not to award contracts pursuant to the HUBZone program. The conferees direct the Secretary of Defense to continue to administer the HUBZone program in a manner consistent with the Department of Justice opinion.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

*Authority to allow private sector civilians to receive instruction at Defense Cyber Investigations Training Academy of the Defense Cyber Crime Center (sec. 901)*

The House bill contained a provision (sec. 904) that would permit private sector employees to receive instruction at the Defense Cyber Investigations Training Academy operating under the direction of the Defense Cyber Crime Center.

The Senate amendment contained a similar provision (sec. 932).

The Senate recedes.

*Organizational structure of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity (sec. 902)*

The House bill contained a provision (sec. 905) that would require the Secretary of Defense to submit, not later than 180 days after the date of enactment of this Act, a report on the organizational structure of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity. The provision would also require an assessment of whether the senior personnel of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity, as currently organized, are able to appropriately perform the discrete functions of policy formulation, policy and program execution, and program oversight.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees are concerned that in the area of health care, as with other elements of the Department of Defense (DOD) civilian workforce, the Department lacks plans and programs to ensure that employees possess or are able to obtain critical skills needed for the most effective administration of the Department's $45.0 billion military health care program. The conferees expect the Secretary, in the development of the Strategic Workforce Plan required elsewhere in this Act, to assess the skills and competencies that will be needed in the future in health care policy and administration, health economics, contracting, health information management and health information technology, and to ensure that gaps in such skills

in the DOD workforce are addressed as part of the Strategic Workforce Plan.

*Sense of Congress regarding the Director of Operational Energy Plans and Programs (sec. 903)*

The House bill contained a provision (sec. 906) that would amend section 139b(c) of title 10, United States Code, to have the Director of Operational Energy Plans and Programs report directly to the Secretary of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the Director of Operational Energy Plans and Programs should report directly to the Secretary of Defense on certain issues and be included in the Deputy's Advisory Working Group.

*Increased flexibility for combatant commander initiative fund (sec. 904)*

The House bill contained a provision (sec. 907) that would amend section 166a of title 10, United States Code, to provide the Chairman of the Joint Chiefs of Staff increased flexibility in the use of funds available under the Combatant Commander Initiative Fund (CCIF). The provision would increase the limit, from $10.0 million to $20.0 million, on the amount of CCIF funds in a fiscal year that may be used to purchase items. The provision would also increase the limit on the per unit cost of items that may be purchased using CCIF funds from $15,000 to the investment unit cost threshold in effect under section 2245a of title 10, United States Code, currently $250,000. The provision would also require the Chairman to coordinate with the Secretary of State in approving the use of CCIF funds for humanitarian and civic assistance, to include urgent and unanticipated humanitarian relief and reconstruction assistance.

The Senate amendment contained a similar provision that would raise the per unit cost of items that may be purchased using CCIF funds from $15,000 to the investment unit cost threshold in effect under section 2245a of title 10, United States Code, currently $250,000.

The Senate recedes with an amendment that would require the Chairman to coordinate with the relevant chief of mission to the extent practicable in the use of CCIF funds for humanitarian and civic assistance, to include urgent and unanticipated humanitarian relief and reconstruction assistance.

*Repeal of requirement for a Deputy Under Secretary of Defense for Technology Security Policy within the Office of the Under Secretary of Defense for Policy (sec. 905)*

The House bill contained a provision (sec. 908) that would repeal section 134b of title 10, United States Code, which establishes the position of Deputy Under Secretary of Defense for Technology Security Policy within the Office of the Under Secretary of Defense for Policy.

The Senate amendment contained no similar provision.

The Senate recedes.

*Deputy Under Secretaries of Defense and Assistant Secretaries of Defense (sec. 906)*

The Senate amendment contained a provision (sec. 901) that would establish five Principal Deputy Under Secretaries of Defense (DUSDs), each of whom would serve as the first assistant to an Under Secretary of Defense, and each of whom would be subject to confirmation by the Senate; abolish all other DUSD provisions in the Department; and establish six new Assistant Secretary of Defense positions, subject to Senate confirmation.

The House bill contained no similar provision.

The House recedes with an amendment that would establish the new Principal DUSD positions, but delay the effective date for the abolition of other DUSD positions until January 1, 2011, to provide the Secretary of Defense with an opportunity to plan for the realignment and replacement of these positions. The amendment would also authorize individuals currently serving in Principal DUSD positions to continue to serve for up to 4 years after the date of the enactment of this Act without Senate confirmation.

Subtitle B—Space Activities

*Submission and review of space science and technology strategy (sec. 911)*

The House bill contained a provision (sec. 911) that would amend section 2271(a) of title 10, United States Code, to require that the space science and technology strategy submitted by the Secretary of Defense be modified to an annual reporting requirement and include a transition plan for new space technologies. In addition, the provision would direct the Comptroller General to review the first strategy within 90 days of the date the strategy is submitted to the congressional defense committees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the space science and technology strategy to be developed and submitted jointly by the Secretary of Defense and the Director of National Intelligence. In addition, the amendment would require the strategy to be submitted biennially, in odd-numbered years, with the first strategy to be submitted in 2011 for fiscal year 2012. The first strategy would be submitted with the budget request for fiscal year 2012.

The Comptroller General review would be due 90 days after the first strategy is submitted to the congressional defense committees.

Both the strategy and Comptroller General review should also be submitted to the Senate Select Committee on Intelligence and House Permanent Select Committee on Intelligence.

*Provision of space situational awareness services and information to non-United States Government entities (sec. 912)*

The Senate amendment contained a provision (sec. 911) that would modify section 2274 of title 10, United States Code, to make the program known as the commercial and foreign entities (CFE) program a permanent program. The provision included an exemption from the Freedom of Information Act (FOIA) to exclude from disclosure any data or analyses provided pursuant to a space situational awareness (SSA) agreement, as well as the SSA agreement itself.

The House bill contained a similar provision (sec. 912).

The House recedes with an amendment that would delete the exemption from the FOIA. In addition, the amendment would require that the Secretary of Defense notify the congressional defense committees if any commercial or foreign entity has declined or is reluctant to provide SSA data or information due to concerns about potential disclosure.

The CFE program was originally started as a pilot program to allow the Department of Defense (DOD), working through the Air Force, to provide non-United States Government entities, including commercial entities, State and local governments, and foreign governments and entities, SSA data to among other things, avoid damage to satellites in space. This provision will expand the CFE program to allow the DOD to receive SSA data and information from commercial and foreign entities if the Secretary of Defense determines that it is in the national security interest to do so. Any data provided would be provided pursuant to SSA agreements.

The commercial and foreign entities, including satellite owners and operators, are under no obligation to provide any data to the DOD under SSA agreements. Not only would the information be voluntarily provided, but in many instances, the SSA data or information could be proprietary, business sensitive, or trade secrets. In evaluating whether an agency may protect certain kinds of financial or commercial information from public release under the FOIA, the courts have looked at whether the information was provided to the government voluntarily or under compulsion.

The conferees believe that the current exemptions in law pertaining to the FOIA are adequate to protect the SSA data and information, related analysis, and the agreements under which the data and information are provided from disclosure.

*Management and funding strategy and implementation plan for the National Polar-Orbiting Operational Environmental Satellite System Program (sec. 913)*

The Senate amendment contained a provision (sec. 912) that would direct the Secretaries of Defense and Commerce, and the Administrator of the National Aeronautics and Space Administration (NASA) to jointly develop a plan for the management and funding of the National Polar-Orbiting Operational Environmental Satellite System (NPOESS). The plan would include the NPOESS requirements, the management structure, and the funding profile for each participating agency.

The provision would also prohibit the obligation and expenditure of more than 50 percent of the Air Force funds available for the NPOESS program until the plan has been submitted to the relevant congressional committees.

The provision would also set forth an extensive sense of the Senate with respect to the NPOESS program including that the NPOESS program should be maintained as an operational satellite.

The House bill contained no similar provision, although the report accompanying the House bill did include language directing the Executive Agent for Space at the Department of Defense (DOD) to develop options for restructuring the program. These options, with an accompanying evaluation of such options, would be due to the congressional defense committees by October 1, 2009.

The House recedes with an amendment that would direct the President to develop a strategy for the management and funding of the NPOESS program that would include a funding profile for each year of the program by department or agency. The President would also be required to develop an implementing plan to carry out the management and funding strategy.

The amendment would prohibit the Air Force from spending more than 50 percent of the funds available for NPOESS until the management and funding strategy is submitted to the relevant congressional committees. When the strategy is submitted the Air Force would be prohibited from spending more than 75 percent of the funds available to it for NPOESS until the implementation plan is submitted to the relevant congressional committees.

The conferees believe that this two step process of a management and funding strategy followed by an implementing plan is consistent with the direction provided to the NPOESS agencies by the Executive Office of the President.

The conferees are deeply concerned about the current status of the NPOESS program, a technically complex, expensive program that is behind schedule and over budget, with a complicated management structure and the funding split between two agencies, DOD and the Department of Commerce. Although the approach to resolving the NPOESS issues adopted by the Executive Office of the President will take longer than the conferees would like to see, the conferees acknowledge that there are many issues to be resolved.

The conferees also want to express their strongly held view that this program has suffered greatly from the past management approach and that once a path forward is developed, all involved departments and agencies should stick with the plan. The conferees are very concerned that if the disagreements amongst the departments and agencies continue, the NPOESS program runs the risk of being truncated into several different programs that will cost more in the long run and potentially damage all the communities NPOESS serves.

The conferees agree that this provision would obviate the NPOESS reporting requirement included in the House report accompanying the House bill.

Subtitle C—Intelligence-Related Matters

*Inclusion of Defense Intelligence Agency in authority to use proceeds from counterintelligence operations (sec. 921)*

The Senate amendment contained a provision (sec. 921) that would provide the same authority accorded the military departments to use proceeds from counterintelligence operations to offset necessary and reasonable expenses incurred in such operations under section 423 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Plan to address foreign ballistic missile intelligence analysis (sec. 922)*

The House bill contained a provision (sec. 921) that would require the Secretary of Defense, in consultation with the Director of National Intelligence, to conduct an assessment of foreign ballistic missile intelligence gaps and shortfalls, and to develop a plan to ensure that the appropriate intelligence centers have sufficient analytical capabilities to address such gaps and shortfalls. The provision would also require the Secretary to submit a report on the assessment and plan, including a description of the resources needed to implement the plan.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle D—Other Matters

*Implementation strategy for developing leap-ahead cyber operations capabilities (sec. 931)*

The House bill contained a provision (sec. 931) that would establish a joint program office for cyber operations capabilities to assist the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) in improving the development of leap-ahead capabilities for offensive and defensive cyber operations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the USD(AT&L) to report on a strategy for organizing the research and development bodies of the Department of Defense to develop leap-ahead cyber operations capabilities.

*Defense integrated military human resources system development and transition (sec. 932)*

The House bill contained a provision (sec. 932) that would establish a Defense Integrated Military Human Resources System (DIMHRS) transition council and require an annual report on DIMHRS transition activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the composition, meeting frequency, and duties of the transition council.

The conferees note that the Department of Defense (DOD) has invested nearly $1.0 billion in the development of DIMHRS, which was intended to be a single integrated pay and personnel information system for the Department. To this point, the DIMHRS program has not yet been successfully developed or deployed due to a number of technical and organizational difficulties. The conferees believe that the transition council required by the provision will help ease the development and transition issues that face the program, by creating a senior level body to adjudicate the funding, architectural, process, and other technical issues that plague enterprise information systems programs. The conferees believe that the council can be easily integrated into the DIMHRS governance system that is being developed currently by DOD.

The conferees direct that the report required under this section should specifically address: implementation status of integrated pay and personnel systems in defense organizations, description of developmental and operational testing activities for the systems, plans and progress in terminating the use and support of legacy pay and personnel information systems, and identification of resources to be invested by all organizations involved in the development of integrated pay and personnel systems.

*Report on special operations command organization, manning, and management (sec. 933)*

The House bill contained a provision (sec. 934) that would require the Commander of the U.S. Special Operations Command to submit to the congressional defense committees a report and recommendations on the Commander's efforts to provide increased special operations capability through organization, manning, and management of special operations forces.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that requires the Commander of the U.S. Special Operations Command to submit the report and recommendations to the Secretary of Defense within 120 days of enactment of this Act. The amendment further requires that the Secretary forward to the congressional defense committees the report and recommendations with any appropriate comments within 30 days of receipt.

*Study on the recruitment, retention, and career progression of uniformed and civilian military cyber operations personnel (sec. 934)*

The House bill contained a provision (sec. 935) that would require a report from the Secretary of Defense assessing the challenges to recruitment, retention, and professional development of cyber operations personnel.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the report to describe efforts to establish public-private partnerships to meet the cyber operations personnel needs of the Department, to assess the required levels of experience and training of cyber operations personnel, and to include recommendations for legislative changes.

*Plan on access to national airspace for unmanned aircraft systems (sec. 935)*

The Senate amendment contained a provision (sec. 933) that would require that the Secretary of Defense and Secretary of Transportation, after consultation with the Secretary of Homeland Security, to jointly develop a plan for providing expanded access to the national airspace for unmanned aircraft systems of the Department of Defense.

The House bill contained no similar provision.

The House recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Recognition of and support for state defense forces*

The House bill contained a provision (sec. 936) that would amend section 109 of title 32, United States Code, to recognize state defense forces as integral military components of the homeland security effort of the United States, while reaffirming that those forces would remain entirely state regulated, organized and equipped exclusively for the purposes of homeland security at the local level.

The Senate amendment contained no similar provision.

The house recedes.

*Recommendations to Congress by members of the Joint Chiefs of Staff*

The House bill contained a provision (sec. 909) that would amend section 151(f) of title 10, United States Code, to require the members of the Joint Chiefs of Staff, individually or collectively, in their capacity as military advisors, to provide advice to Congress on a particular matter when Congress requests such advice.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that the Department of Defense has repeatedly failed to provide information and documents to Congress in a timely manner as required by law. In order to exercise its legislative and oversight responsibilities, it is important that congressional defense committees and other appropriate committees of Congress receive testimony, briefings, and other communications of information. The conferees remind those uniformed military officers subject to confirmation by the Senate of their obligations as a result of confirmation. In particular, the conferees remind these officers of their affirmative answers to the following questions: Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents? Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

*Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps*

The House bill contained a provision (sec. 903) that would redesignate the Department of the Navy as the Department of the Navy and the Marine Corps and change the title of its secretary to the Secretary of the Navy and Marine Corps.

The Senate amendment contained no similar provision.

The House recedes.

*Reestablishment of position of Vice Chief of the National Guard Bureau*

The Senate amendment contained a provision (sec. 904) that would amend chapter 1011 of title 10, United States Code, to reestablish the position of the Vice Chief of the National Guard Bureau.

The House bill contained no similar provision.

The Senate recedes.

A separate provision in this Act would require the Secretary of Defense to include an assessment of this provision in a report on general and flag officers.

*Role of the Commander of U.S. Special Operations Command regarding personnel management policy and plans affecting special operations forces*

The House bill contained a provision (sec. 901) that would modify section 167 of title 10, United States Code, to require the secretaries of the military services to coordinate certain personnel management policy and plans affecting special operations personnel with the Commander of the U.S. Special Operations Command.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that the Department of Defense is in the process of finalizing a revised Department of Defense Directive which will establish a means by which the service secretaries and the Commander of the U.S. Special Operations Command can coordinate on personnel management policy and plans as they relate to accessions, assignments, compensation, promotions, professional development, readiness, retention, sustainment, and training of all special operations personnel.

The conferees appreciate this approach, but remain concerned that the intent of the Department's policy revision may not be fully realized without strong implementation procedures. The conferees direct the Secretary of Defense, in consultation with the service secretaries, to establish procedures to implement the revised policy and report the implementation plans to the congressional defense committees not later than 90 days after the date of enactment of this Act.

*Special operations activities*

The House bill contained a provision (sec.902) that would revise section 167 of title 10, United States Code, defining the activities of special operations forces.

The Senate amendment contained no similar provision.

The House recedes.

The conferees understand that the Department recently updated its policy related to special operations activities to better reflect the current mission requirements of the U.S. Special Operations Command. Given this change, the conferees expect the Department to submit a legislative proposal in the next budgetary cycle recommending any appropriate legislative changes to the special operations activities defined in section 167 of title 10, United States Code.

*United States Military Cancer Institute*

The Senate amendment contained a provision (sec. 931) that would amend chapter 104 of title 10, United States Code, to require the Secretary of Defense to establish a United States Military Cancer Institute in the Uniformed Services University of the Health Sciences.

The House bill contained no similar provision.

The Senate recedes.

## TITLE X—GENERAL PROVISIONS

### ITEMS OF SPECIAL INTEREST

*Fiscal year 2011 congressional budget justification documents for drug interdiction and counter-drug activities*

The conferees direct the Secretary of Defense to provide a report documenting the total amount of counterdrug assistance that foreign countries have received in fiscal years (FY) 2009 and 2010 under section 1004 of the National Defense Authorization Act (NDAA) for FY 1991 (Public Law 101–510), as amended, and section 1033 of the NDAA for FY 1998 (Public Law 105–85), as amended, on a per country basis and organized by the location of that country within a combatant command's area of responsibility. At a minimum, the conferees believe this report should include: recipient partner nation and recipient within the partner nation's government (i.e. national police, border patrol, customs enforcement, etc...); type and level of support provided; expected duration; and entity (i.e. Department of Defense, Department of State, Drug Enforcement Administration, contractor, etc...) executing said support.

The conferees encourage the Secretary of Defense to provide the same type of information but for the proposed budget for FY 2011. The FY 2011 information should be provided in a report that should be presented to the congressional defense committees on the same date as the budget justification materials for the FY 2011 are presented to Congress.

*Information operations and strategic communications programs*

The conferees note that the Department of Defense's (DOD) funding for strategic communication and information operations (IO) programs has steadily increased over the past 8 years. Since the September 11, 2001, terrorist attacks, the U.S. Government, according to the Government Accountability Office, has spent at least $10.0 billion on these communications efforts designed to advance the interests of the United States. The DOD's funding for these programs has grown from approximately $103.3 million in fiscal year 2006 to approximately $626.0 million in fiscal year 2010. The conferees note that much of this funding is for IO and psychological operations in Afghanistan and Iraq, but a growing portion is for broader purposes or is focused on other geographic regions.

The conferees also note that the congressional defense committees have all raised similar concerns about the Department's strategic communications and IO activities. These concerns include the fact that the Department's policy oversight mechanisms have not kept pace with the growth in the funding, scope, and variety of IO and strategic communications activities. For example, the disestablishment of the Office of the Deputy Assistant Secretary of Defense for Military Support to Public Diplomacy has left a void within the Department and potentially across the interagency inhibiting the comprehensive, enterprise-wide oversight and coordination of these programs.

The conferees believe IO and strategic communications programs are important activities and are aware of numerous successes in the Iraq and Afghanistan theaters of operations from tactical IO and psychological operations. The conferees doubt, however, that DOD's IO and strategic communications activities outside of those theaters are adequately integrated and considered carefully enough within broader strategic and operational planning across the whole of government. Further, the conferees remind the Department that such activities executed outside of Iraq and Afghanistan should be coordinated closely with the respective chiefs of mission.

Given the consistent level of concern and interest in these programs by Congress and military leadership, the conferees direct the Under Secretary of Defense (Comptroller) and Chief Financial Officer to develop separate budget documentation materials to accompany the fiscal year 2011 budget request and any future supplemental budget requests for IO and strategic communications programs.

While Congress awaits delivery of the report on strategic communication and public diplomacy activities of the Federal Government required under section 1055 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), the conferees further direct the Under Secretary of Defense for Policy to report to the congressional defense committees 90 days after the enactment of this Act with a reassessment of the Department's efforts to develop an enterprise-wide oversight and coordination mechanism, including strategic objectives and metrics for IO and strategic communications programs.

### Subtitle A—Financial Matters

*General transfer authority (sec. 1001)*

The House bill contained a provision (sec. 1001) that would allow the Secretary of Defense to make transfers between any amounts of authorizations for fiscal year 2010 in Division A of this Act. This section would limit the total amount transferred under this authority to $5.0 billion with an exception that a transfer of funds between military personnel authorizations under title IV shall not be counted against the dollar limitation. This section would also require prompt notification to Congress of each transfer made.

The Senate amendment contained a similar provision (sec. 1001) that would provide $4.0 billion in transfer authority.

The House recedes.

*Relationship of the Quadrennial Defense Review and the annual budget request (sec. 1002)*

The House bill contained a provision (sec. 1033) that would express the sense of Congress that the Quadrennial Defense Review (QDR) should not be budget constrained and would also amend section 118(a) of title 10, United States Code, stipulating that the existence of an ongoing QDR does not exempt the Department of Defense from submitting annual budget materials as required by law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the sense of Congress and would add a subsection (h) to section 118 of title 10, United States Code, clarifying that the development of the QDR should not interfere with or delay delivery of budget materials and congressional reporting requirements tied to section 1105(a) of title 31, United States Code.

*Audit readiness of financial statements of the Department of Defense (sec. 1003)*

The House bill contained a provision (sec. 1052) that would require the Secretary of Defense to develop a plan to achieve a full, unqualified audit of the Department of Defense by September 30, 2013.

The Senate amendment contained a provision (sec. 1002) that would require the Secretary to develop a plan to ensure that the financial statements of the Department are validated as ready for audit by not later than September 30, 2017.

The House recedes with an amendment that would require the Secretary to ensure that the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017, and to establish interim objectives, including objectives for the audit readiness of each of the military departments and a schedule of milestones for elements of the military departments and financial statements of the military departments to be made ready for audit.

### Subtitle B—Counter-Drug Activities

*Unified counter-drug and counterterrorism campaign in Colombia (sec. 1011)*

The House bill contained a provision (sec. 1011(b)) that would extend for 1 fiscal year

the continuation of the authorities provided in section 1021 of the Ronald W. Reagan National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2005 (Public Law 108–375), as amended most recently by section 1023 of the Duncan Hunter NDAA for FY 2009 (Public Law 110–417), which allows the Department of Defense to support a unified campaign against narcotics trafficking and activities by the Revolutionary Armed Forces of Colombia; the United Self-Defense Forces of Colombia; and the National Liberation Army.

The Senate amendment contained an identical provision (sec. 1023).

The conference agreement includes this provision.

*Joint task forces support to law enforcement agencies conducting counterterrorism activities (sec. 1012)*

The House bill contained a provision (sec. 1012) that would extend, by 1 year, the support by joint task forces under section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), as most recently amended by section 1022 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417).

The Senate amendment contained a similar provision (sec. 1022) that would extend the authority as well and require the Secretary of Defense to submit to Congress a report evaluating the effect on counterdrug and counterterrorism activities and objectives of using counterdrug funds of a joint task force to provide counterterrorism support, a description of the type of support and recipient(s) of support provided, and a list of current joint task forces conducting counterdrug operations.

The House recedes with a technical amendment to the Senate amendment.

*Reporting requirement on expenditures to support foreign counter-drug activities (sec. 1013)*

The House bill contained a provision (sec. 1011(a)) that would extend, by 1 year, the reporting requirement on expenditures to support foreign counterdrug activities under section 1022(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), as most recently amended by section 1021 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417).

The Senate amendment contained no similar provision.

The Senate recedes.

*Support for counter-drug activities of certain foreign governments (sec. 1014)*

The House bill contained a provision (sec. 1011(c)) that would extend by 1 fiscal year (FY) the duration of authority for assistance under section 1033 of the National Defense Authorization Act (NDAA) for FY 1998 (Public Law 105–85), as most recently amended by section 1024 of the Duncan Hunter NDAA for FY 2009 (Public Law 110–417).

The Senate amendment contained a similar provision (sec. 1023) that would also extend this authority. The provision would also increase the funding limitation under section 1033 from $75.0 million to $100.0 million for fiscal year 2010; and would require more regular reports to the congressional defense committees.

The conference agreement includes the 1–year extension of the authority.

The House recedes with an amendment that would incorporate the enhanced reporting requirements from the Senate amendment.

*Border coordination centers in Afghanistan and Pakistan (sec. 1015)*

The House bill contained a provision (sec. 1013) that would prohibit the use of drug interdiction and counterdrug funds of the Department of Defense for the construction, expansion, repair, or operation and maintenance of any existing or proposed border coordination center. The House bill also prohibited the construction of a third Border Coordination Center in the area of operations for Regional Command East, Afghanistan, until a Border Coordination Center is, at least, under construction in Baluchistan, Pakistan, or the area of operations of Regional Command South, Afghanistan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would permit the Secretary of Defense to waive the first limitation of the provision should he determine it to be vital for the national security interests of the United States.

*Comptroller General report on effectiveness of accountability measures for assistance from counter-narcotics central transfer account (sec. 1016)*

The House bill contained a provision (sec. 1014) that would require the Comptroller General to present a report to the appropriate defense committees within 180 days after the date of enactment of this Act, which would: describe the performance evaluation system of the Department of Defense for measuring the effectiveness of the Department of Defense's counterdrug activities; assess the ability of this system to measure such activities effectively; and recommend improvements to such a system.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle C—Naval Vessels and Shipyards

*Sense of Congress on the maintenance of a 313–ship Navy (sec. 1021)*

The Senate amendment contained a provision (sec. 1013) that would express the sense of the Senate that the Navy should achieve and maintain the goal of having a 313–ship fleet.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) make the provision a sense of Congress; and (2) state that the Navy should meet its current requirement for a 313–ship fleet until such time that modifications to the Navy's surface fleet force structure are warranted, and the Secretary of the Navy provides Congress with a justification of any proposed modifications, supported by rigorous and sufficient analysis.

*Designation of U.S.S. Constitution as America's Ship of State (sec. 1022)*

The Senate amendment contained a provision (sec. 1014) that would designate the USS Constitution as ''America's Ship of State,'' and state the sense of Congress that the members of the Executive and Legislative Branches of the Federal Government should use the vessel for official functions.

The House bill contained no similar provision.

The House recedes.

*Temporary reduction in minimum number of operational aircraft carriers (sec. 1023)*

The House bill contained a provision (sec. 1022) that would provide a temporary waiver in the requirement in section 5306(b) of title 10, United States Code, that the Navy maintain at least 11 operational aircraft carriers. The provision also would require that the Secretary of Defense provide a report on additional risks, as assessed by the commanders of the combatant commands, resulting from that reduction.

The Senate amendment contained a similar provision (sec. 1011) that would provide a temporary waiver, but not require any report.

The Senate recedes.

*Sense of Congress concerning the disposition of Submarine NR–1 (sec. 1024)*

The House bill contained a provision (sec. 1049) that would state the sense of Congress that the Secretary of the Navy should ensure that as much of the vessel NR–1 as possible is maintained at the Submarine Force Museum and Library.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle D—Miscellaneous Requirements, Authorities, and Limitations

*Prohibition relating to propaganda (sec. 1031)*

The House bill contained a provision (sec. 1041) that would prohibit the expenditure of Department of Defense funds for publicity or propaganda purposes within the United States not specifically authorized by law.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees intend the term ''publicity or propaganda,'' as used in this section, to have the meaning given to such term in decisions of the Government Accountability Office on this subject.

*Responsibility for preparation of biennial global positioning system report (sec. 1032)*

The Senate amendment contained a provision (sec. 1055) that would shift the responsibility for preparation of the biennial Global Positioning System report from the Secretary of Defense to the Deputy Secretary of Defense and the Deputy Secretary of Transportation, in their capacity as co-chairs of the National Executive Committee for Space-Based Positioning, Navigation and Timing. The provision would also direct that the report be provided to additional congressional committees.

The House bill contained no similar provision.

The House recedes.

*Reports on bandwidth requirements for major defense acquisition programs and major system acquisition programs (sec. 1033)*

The Senate amendment contained a provision (sec. 1057) that would amend section 1047(d) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) to require a report on the bandwidth determinations made each year by the Secretary of Defense and the Director of National Intelligence for each major defense acquisition program and each major systems acquisition program respectively.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Additional duties for advisory panel on Department of Defense capabilities for support of civil authorities after certain incidents (sec. 1034)*

The Senate amendment contained a provision (sec. 1059) that would amend section 1082(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 337) to provide for additional duties for the advisory panel required by section 1082. The provision would require the panel to assess the adequacy of the process and methodology by which the Department of Defense establishes, maintains, and resources forces to provide support to civil authorities in the event of a chemical, biological, radiological, nuclear, or high-yield explosive incident. The provision would also require the panel to assess the adequacy of the resources planned and programmed by

the Department to ensure the preparedness and capability of its forces to provide such support.

The House bill contained no similar amendment.

The House recedes with a technical amendment.

*Charter for the National Reconnaissance Office (sec. 1035)*

The House bill contained a provision (sec. 1024) that would require the Secretary of Defense and the Director of National Intelligence to jointly submit to the congressional intelligence and defense committees a revised charter for the National Reconnaissance Office (NRO).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish February 1, 2010, as the required date for submission of the report and would clarify the requirement to address the NRO role in the requirements process. The conferees agree that the NRO, as the agency responsible for acquisition of space reconnaissance systems for the intelligence community, should not develop or define operational requirements. The conferees agree that the NRO should provide technical and cost-estimating support to the requirements process, and must translate approved system performance requirements into design requirements and engineering specifications.

*National strategic five-year plan for improving the nuclear forensic and attribution capabilities of the United States (sec. 1036)*

The Senate amendment contained a provision (sec. 1052) that would direct the President to develop a strategic plan for improving over a 5 year period the nuclear forensic and attribution capability of the United States and the methods, capabilities and capacity for nuclear materials forensics and attribution.

The House bill contained no similar provision.

The House recedes.

The managers note that the Department of Homeland Security is the agency tasked with responsibility to coordinate the actions of the federal agencies. As such, the Secretary of Homeland Security should be the lead secretary in preparing the plan with the approval and participation of the Secretaries of Defense, Energy, and State, the Attorney General, the Director of National Intelligence, and other such officials as the President considers appropriate. The plan is to be submitted to Congress 180 days after date of enactment of this Act.

*Authorization of appropriations for payments to Portuguese nationals employed by the Department of Defense (sec. 1037)*

The House bill contained a provision (sec. 1046) that would authorize payments for salary increases for Portuguese nationals employed by the Department of Defense based on survey data for fiscal years 2006 and 2007 under certain limited circumstances.

The Senate amendment contained no similar provision.

The Senate recedes.

*Prohibition on interrogation of detainees by contractor personnel (sec. 1038)*

The Senate amendment contained a provision (sec. 823) that would provide that the interrogation of detainees during or in the aftermath of hostilities is an inherently governmental function that cannot be transferred to private sector contractors.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit contractor employees from conducting the interrogation of detainees in connection with hostilities, subject to a limited waiver authority.

The conferees note that the provision would permit the continued use of contractors to perform supporting functions such as providing training to government interrogators and supplying advice in the development of government interrogation plans, provided that contractor employees are subject to rules, procedures, policies, and laws pertaining to detainee operations and interrogations, and are supervised by appropriately qualified and trained government personnel.

*Notification and access of International Committee of the Red Cross with respect to detainees at Theater Internment Facility at Bagram Air Base, Afghanistan (sec. 1039)*

The House bill contained a provision (sec. 1055) that would require the head of a military service or department that has control of the Bagram Theater Internment Facility (BTIF) in Afghanistan, or the head of a federal department or agency that has custody or effective control of any individual detained at that facility, to notify the International Committee of the Red Cross (ICRC) of the detention of any individual at that facility as soon as possible and that the ICRC be given access to such an individual within 24 hours of the receipt of an ICRC request.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the head of a military service or department that has custody or effective control of the BTIF, or of any individual detained at that facility, to notify the ICRC of the detention of an individual at the BTIF as soon as practicable. The amendment would also require that the ICRC be provided prompt access to any individual detained at the BTIF upon receipt of an ICRC request. If, however, access to the individual is temporarily denied due to reasons of imperative military necessity, consistent with Article 126 of the Geneva Convention Relative to the Treatment of Prisoners of War, the ICRC would be granted access as soon thereafter as practicable, normally no later than the next regularly scheduled ICRC visit. The conferees take no position on whether the provisions of the Geneva Convention Relative to the Treatment of Prisoners of War apply to detainees at the BTIF.

*No Miranda warnings for al Qaeda terrorists (sec. 1040)*

The House bill contained a provision (sec. 1036) that would require the Secretary of Defense to report to the congressional defense committees on the impact of the reading of rights under Miranda v. Arizona (384 U.S. 436 (1966)) to detainees in Afghanistan on United States military and intelligence operations in that country.

The Senate amendment contained a provision (sec. 1033) that would prohibit the reading of such rights to enemy belligerents, subject to certain limitations.

The Senate recedes with an amendment that would combine the two provisions.

*Limitation on use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1041)*

The House bill contained a provision (sec. 1023) that would prohibit the Secretary of Defense from using Department of Defense (DOD) funds to transfer or release any detainee at United States Naval Station, Guantanamo Bay, Cuba, to the United States until 120 days after the President submits a disposition plan for any such detainee. The provision would specify elements of that plan, including a proposal for disposition; an assessment of the risks posed to U.S. national security; a plan for mitigating those risks; and the results of required consultations with the chief executives of the state, District of Columbia, territory or possession to which a detainee is to be transferred or released.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would prohibit the use of funds available to DOD from October 1, 2009, until December 31, 2010, to release any Guantanamo detainee into the United States, its territories, or possessions. The amendment would also prohibit the use of funds available to DOD from October 1, 2009, until December 31, 2010, for the transfer of any Guantanamo detainee into the United States until 45 days after the President submits a comprehensive plan for the disposition of any such detainee. In addition to the elements of the plan required under the House bill, the amendment would require that the plan also include: a certification by the Attorney General that the detainee poses little or no security risk to the United States given the mitigation that the plan provides; the location or locations at which the detainee would be held, including should the detainee be convicted, the place of incarceration; and the costs associated with executing the risk mitigation plan, including any technical and financial assistance to state and local law enforcement necessary to carry out that plan.

*Additional subpoena authority for the Inspector General of the Department of Defense (sec. 1042)*

The Senate amendment contained a provision (sec. 1056) that would authorize the Inspector General of the Department of Defense to subpoena the testimony of a witness, where necessary to carry out an audit or investigation, unless disapproved by the Attorney General.

The House bill contained no similar provision.

The House recedes with an amendment that would require notice to the Attorney General, but would not make subpoenas subject to the Attorney General's disapproval.

*Limitations on modifications of certain government furnished equipment; one time authority to transfer certain military prototype (sec. 1043)*

The House bill contained a provision (sec. 1021) that would direct the senior military officer of each military service, in consultation with the senior acquisition executive of each military department, to develop and prescribe guidance for conducting test and evaluation efforts of experimental military prototypes. This guidance would allow for the testing of equipment or systems that have been modified from their original condition for the purpose of developing new technology or improving system capability. The provision would require that the secretary of each military department submit a report detailing the development of the required guidance within 12 months of the date of enactment of the Act.

Additionally, the House provision would authorize the Secretary of the Navy to transfer to Piasecki Aircraft Corporation of Essington, Pennsylvania, all rights, title, and interest to Navy aircraft N40VT (Bureau Number 163283) under certain conditions.

The Senate amendment contained a similar provision (sec. 1081) that would merely authorize the Secretary to transfer to Navy aircraft N40VT to Piasecki Aircraft Corporation, also under certain conditions.

The Senate recedes with technical amendments.

Subtitle E—Studies and Reports

*Report on statutory compliance of the report on the 2009 Quadrennial Defense Review (sec. 1051)*

The House bill contained a provision (sec. 1031) that would require the Comptroller General to issue a report on the degree to which the report of the Quadrennial Defense Review (QDR) complies with the requirements found in section 118(d) of title 10, United States Code, as amended. It would also require the Secretary of Defense to issue a report addressing the elements of the report of the QDR that the Comptroller General determined were insufficiently addressed.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment. The conferees intend that in the required report the Comptroller General should determine whether the Secretary's report of the 2009 Quadrennial Defense Review directly addresses, indirectly addresses, or does not address each of the items identified in section 118(d) of title 10, United States Code, as amended.

For purposes of this report, the conferees intend for ''directly addresses'' to mean that the required element is easily identified and the report of the QDR clearly articulates the position of the Department of Defense (DOD). ''Indirectly addresses'' is meant to convey that the required element is present in one or more places within the report of the QDR, but the DOD position is not easily inferred. ''Does not address'' means that there is no mention of the required element.

If the Comptroller General's report required by this section does determine that the report of the QDR did fail to directly address a required element, the conferees expect that the Secretary will directly address those elements in the second report required by this section.

*Report on the force structure findings of the 2009 Quadrennial Defense Review (sec. 1052)*

The House bill contained a provision (sec. 1032) that would require the Secretary of Defense to submit a report concurrently with the report on the 2009 Quadrennial Defense Review (QDR) containing the analyses used to determine and support the findings on force structure in the QDR.

The Senate amendment contained no similar provision.

The Senate recedes.

*Annual report on the electronic warfare strategy of the Department of Defense (sec. 1053)*

The House bill contained a provision (sec. 1037) that would require an annual report on various aspects of the Defense Department's strategy for electronic warfare.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would sunset the requirement for an annual report after 5 years.

*Study on a system for career development and management of interagency national security professionals (sec. 1054)*

The House bill contained a provision (sec. 1040) that would require an independent study to address the design and implementation of an interagency system for the career development and support of national security professionals.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Report on nuclear aspirations of non-state entities, nuclear weapons and related programs in non-nuclear weapons states and countries not parties to the Nuclear Non-Proliferation Treaty, and certain foreign persons (sec. 1055)*

The Senate amendment contained a provision (sec. 1071) that would direct the Director of National Intelligence (DNI) to prepare a national intelligence estimate (NIE) on nuclear weapons and related programs of non-nuclear weapons state parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the weapons aspirations of such non-state actors as the DNI considers appropriate to include in the estimate. The NIE would be due on September 1, 2010. If the DNI determines that it is not possible to complete the NIE by such date then the DNI shall provide notification not later than August 1 2010, that the NIE will be late and the date that the NIE will be submitted. The completed NIE would be submitted to the congressional defense committees and the intelligence committees of the Senate and the House of Representatives.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the DNI to complete a biennial report on the nuclear weapons programs and any related programs of countries that are non-state parties to the NPT and countries that are not parties to the NPT.

Because the conferees recognize that elements of the required report may be included in other reports prepared by the intelligence community for this particular report only, the conferees have agreed to allow the DNI to incorporate by reference other reports. The conferees expect that when this option is exercised the DNI will include in the report required by this provision a summary of the report included by reference and an update if needed. In addition, a copy of the referenced report should be included when the required report is submitted. The conferees direct that this report be coordinated amongst the member agencies of the intelligence community.

*Comptroller General review of Department of Defense spending in final fiscal quarters (sec. 1056)*

The Senate amendment contained a provision (sec. 1074) that would require the Comptroller General to review the Department of Defense (DOD) in the final quarter of fiscal year 2009 to determine whether DOD policies contributed to hastened year-end spending and poor use or waste of taxpayer dollars.

The House bill contained no similar provision.

The House recedes with an amendment clarifying the issues to be addressed in the review.

The conferees note that in 1979 and 1980, the Senate Committee on Governmental Affairs, Subcommittee on Oversight of Government Management, held hearings and issued a report, ''Hurry-Up Spending'', in which it found that ''the rush to obligate expiring funds before the end of the fiscal year frequently resulted in lack of competition, poorly defined statements of work, inadequately negotiated contacts, and the procurement of low-priority items or services.'' The subcommittee's work contributed to the enactment of the Competition in Contracting Act of 1984 (P.L. 98–369, Div B., title VIII). A follow-up review conducted by the Government Accountability Office (GAO) in 1998 concluded that ''systemic procurement reforms addressed most of the issues raised in the Subcommittee's report,'' but that some problems persisted. The conferees conclude that, with the passage of 10 more years, another GAO follow-up review is justified.

*Report on Air America (sec. 1057)*

The Senate amendment contained a provision (sec. 1075) that would require a report from the Director of National Intelligence within 180 days of enactment of this Act on the advisability of providing Federal retirement benefits to United States citizens who were employed by Air America prior to 1977.

The House bill contained no similar provision.

The House recedes.

*Report on defense travel simplification (sec. 1058)*

The Senate amendment contained a provision (sec. 1077) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive plan to simplify defense travel procedures.

The House bill contained no similar provision.

The House recedes with an amendment that would add to the reporting requirements a discussion of any actions underway to incorporate permanent duty travel into the automated web-based Defense Travel System (DTS), a plan to gather data on the number of temporary duty vouchers being processed manually by the Department of Defense, and options to leverage industry capabilities and technologies that could enhance management responsiveness to changing markets.

The conferees believe that these amendments will provide the Department a foundation to improve and simplify defense travel procedures in a way that will benefit service members and reduce travel-related costs. The conferees note that the House report accompanying H.R. 2647 (H. Rept. 111–166) requires a report from the Secretary of Defense on the Department's progress in making DTS the single online system for arranging defense travel. The conferees believe that the information in this report will assist the Department's reform efforts by providing an assessment of DTS, a single system that can be further simplified and streamlined.

*Report on modeling and simulation industrial base (sec. 1059)*

The Senate amendment contained a provision (sec. 1078) that would require a report on modeling and simulation industrial base.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Report on enabling capabilities for special operations forces (sec. 1060)*

The Senate amendment contained a provision (sec. 1079) that would require the Commander of U.S. Special Operations Command, jointly with the commanders of the combatant commands and the chiefs of the services, to submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff a report on the availability of enabling capabilities to support the requirements of special operations forces. The Secretary would then be required to forward the report to the congressional defense committees with any additional comments the Secretary considers appropriate.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Additional members and duties for the independent panel to assess the Quadrennial Defense Review (sec. 1061)*

The House bill contained a provision (sec. 1035) that would create a separate 12–member, bipartisan National Defense Panel to review the work of the Department of Defense

on the 2009 Quadrennial Defense Review (QDR). It would further require the panel to provide its recommendations and findings in interim and final reports to Congress and the Secretary of Defense.

The Senate amendment contained a similar provision (sec. 1089) that would add eight congressionally appointed members to the Independent Panel required by section 118(f) of title 10, United States Code, and would expand the duties of that panel.

The House recedes with an amendment that would strike the findings and sense of Congress, clarify and expand the tasks of the Independent Panel, and change the Panel's reporting requirements and timeline for the 2009 QDR.

The conferees agree that an independent review of the Quadrennial Defense Review is a useful part of this important strategic assessment and that such a review by a bipartisan independent panel of experts should build confidence in the objectivity and comprehensiveness of the Department's analytical processes, findings, and recommendations. Conferees acknowledge, however, that there is not enough time to create a separate National Defense Panel without risking the availability of such a panel's report in time for full and careful consideration during Congress's fiscal year 2011 defense authorization bill legislative cycle. The conferees do note that the Department of Defense's charter for the independent panel commits to providing the funds, staff, access to information, and analytical support necessary to assure the independence of the panel and timely completion.

The conferees believe that an analysis of different force structure options suitable to meet the national security challenges identified in the review is essential for Congress to make informed decisions as it raises and sustains the Nation's military forces. An important input into that decision-making process is an understanding of the cost comparison between options. The conferees understand that a fully formed budget proposal for each of the options the panel may consider is well beyond the panel's capabilities, given its resources. Nevertheless, the conferees expect that the panel could provide a cost comparison of the force structure options to the force structure recommended in the review in a general way. A graduated scale that ranges from ''considerably less expensive'' to ''considerably more expensive'' is one example of how the panel might make such a comparison.

The conferees agree that the Committees on Armed Services of the Senate and the House of Representatives will study the processes, outcomes, and lessons from the conduct of the 2009 QDR and Independent Panel and consider options for potential changes to future QDR's and their independent review, to include the possibility of the formation of a National Defense Panel in lieu of the independent panel currently provided in statute. The conferees note that elsewhere in this bill the Comptroller General is tasked to report on the degree to which the 2009 QDR addresses statutorily required assessments and recommendations which will contribute significantly to Congress's consideration of any change to current QDR law.

*Congressional earmarks relating to the Department of Defense (sec. 1062)*

The House bill contained a provision (sec. 1039) that would require the Secretary of Defense to report to the congressional defense committees on the extent to which competitive or merit-based procedures were used to award contracts based on congressional earmarks and if not, why not.

The Senate amendment contained a similar provision (sec. 1051) that would also require a report by the Department of Defense Inspector General on compliance with restrictions on lobbying with appropriated funds by recipients of congressional earmarks.

The House recedes with an amendment combining the requirements of the two provisions.

*Report on basing plans for certain United States geographic combatant commands (sec. 1063)*

The House bill contained a provision (sec. 1034) that requires the Secretary of Defense to submit a report concurrently with the report on the 2009 Quadrennial Defense Review (QDR) required by section 118 of title 10, United States Code, which describes the plan for basing forces in Europe. The report would be required to be submitted to the congressional defense committees, the Senate Committee on Foreign Relations, and the House Committee on Foreign Affairs. This section also requires that the Secretary of Defense notify Congress at least 30 days prior to permanently relocating a unit stationed outside the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that makes this reporting requirement applicable to all geographic combatant commands.

Subtitle F—Other Matters

*Extension of certain authority for making rewards for combating terrorism (sec. 1071)*

The House bill contained a provision (sec. 1042) that would extend for 1 year the authority provided in section 127b(c)(3)(C) of title 10, United States Code, to offer and make rewards through government personnel of allied forces to persons who provide information or nonlethal assistance that is beneficial to operations against international terrorism conducted by U.S. Armed Forces or allied forces operating in combination with U.S. Armed Forces, or is beneficial to force protection.

The Senate amendment contained an identical provision (sec. 1053).

The conference report includes this provision.

*Business process reengineering (sec. 1072)*

The Senate amendment contained a provision (sec. 1054) that would require the Department of Defense to undertake business process reengineering efforts before approving the acquisition of a new business system. The provision would also require the Department to ensure that appropriate business process reengineering efforts are undertaken for business system acquisitions that are already under way.

The House bill contained no similar provision.

The House recedes.

*Technical and clerical amendments (sec. 1073)*

The House bill contained a provision (sec.1043) that would make technical and clerical amendments.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment adding additional technical and clerical changes.

*Extension of sunset for congressional commission on the strategic posture of the United States (sec. 1074)*

The House bill contained a provision (sec. 1045) that would extend the Congressional Commission on the Strategic Posture of the United States (Commission) for 1 year and require the Commission to submit a follow-on report to their original report.

The Senate amendment contained a similar provision (sec. 1088) that would also extend the Commission for 1 year and that would allow the Commission to conduct public outreach. The Senate provision would not require a follow-on report.

The conferees agree to include a provision that would extend the Commission for 3 months until December 31, 2009. This extension is to allow the Commission to discuss the findings and conclusions in its final report with officials in the Department of Defense (DOD) as the DOD prepares its Nuclear Posture Review and Quadrennial Defense Review.

The conferees would like to thank the commissioners for their hard work in examining the many contentious issues, striving to achieve consensus where possible and explaining the nature of the differences where consensus was not possible.

*Combat air forces restructuring (sec. 1075)*

The House bill contained a provision (sec. 1047) that would prohibit the Secretary of the Air Force from retiring additional legacy fighter aircraft, announced in the Combat Air Forces restructuring plan on May 18, 2009, until the Secretary: (1) submits a report to the Committees on Armed Services of the Senate and the House of Representatives; and (2) waits 90 days. The provision would also include requirements for continued funding of aircraft operations for the aircraft identified in the restructuring plan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) shorten the waiting period to 30 days; and (2) eliminate the requirements for continued funding.

*Sense of Congress regarding carrier air wing force structure (sec. 1076)*

The House bill contained a provision (sec. 1051) that would express the sense of Congress that the Navy should achieve and maintain the goal of having a 10 carrier air wings with 44 strike-fighter aircraft.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the provision to state that the Navy should meet its current requirement for 10 carrier air wings with 44 strike-fighter aircraft until such time that modifications to the carrier air wing force structure are warranted, and the Secretary of the Navy provides Congress with a justification of any proposed modifications, supported by rigorous and sufficient analysis.

*Department of Veterans Affairs use of service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities (sec. 1077)*

The Senate amendment contained a provision (sec. 1084) that would require the Secretary of Veterans Affairs to conduct a 3–year pilot program to assess the benefits, feasibility, and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities, including post-traumatic stress disorder.

The House bill contained no similar provision.

The House recedes with an amendment that would change the pilot program to a study and clarify that the Secretary shall partner with organizations that would not charge veterans participating in the study for the dogs, services, and lodging that they provide.

*Plan for sustainment of land-based solid rocket motor industrial base (sec. 1078)*

The Senate amendment contained a provision (sec. 1083) that would direct the Secretary of Defense to review and establish a plan to sustain the solid rocket motor industrial base to maintain and sustain currently

deployed strategic and missile defense systems and to maintain an intellectual and engineering capacity to support next-generation rocket motors as needed. The report would be required no later than March 1, 2010, and would include an expenditure plan for how the fiscal year 2010 funds will be used to support the plan.

The House bill contained no similar provision, although the House report accompanying the House bill did include a requirement that the Secretary of Defense submit a plan to Congress to sustain the strategic solid rocket motor industrial base no later than February 1, 2010. This plan would also include an expenditure plan for the fiscal year 2010 funds.

The House recedes with an amendment that would direct the Secretary of Defense to review and establish a plan to sustain the solid rocket motor industrial base, including both strategic and missile defense rockets, and to maintain an intellectual and engineering capacity to support next-generation rocket motors as needed. The plan should also identify capability requirements and production capacity to support such requirements. The plan would be due no later than June 1, 2010.

In preparing the plan, the conferees direct the Secretary to review the solid rocket motor plans and programs of other agencies, including the National Aeronautics and Space Administration, to determine how or if the programs and plans of other agencies assist the Department of Defense in maintaining a solid rocket motor industrial base.

The conferees also direct the Secretary to provide the expenditure plan for fiscal year 2010 to sustain the solid rocket motor industrial base in fiscal year 2010. This plan should be submitted by February 1, 2010.

The conferees agree that the reports required in this provision and in this statement of managers obviate the need for the reports on the solid rocket motor industrial base required in the House report accompanying the House bill.

*Justice for victims of torture and terrorism (sec. 1079)*

The House bill contained a provision (sec. 1053) that makes a number of findings related to American victims of torture and kidnapping by the former regime in the Islamic Republic of Iraq and states that it is the sense of Congress that the claims of these individuals should be resolved.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that states that it is the sense of Congress that the claims of American victims of torture and kidnapping by the former regime in the Islamic Republic of Iraq should be resolved by a prompt and fair settlement negotiated between the Government of the United States and the Government of the Islamic Republic of Iraq.

*Requirement for videotaping or otherwise electronically recording strategic intelligence interrogations of persons in the custody of or under the effective control of the Department of Defense (sec. 1080)*

The House bill contained a provision (sec. 1058) that would require the Secretary of Defense to ensure that each strategic intelligence interrogation of any person in the custody or under the effective control of the Department of Defense (DOD) or under detention in a DOD facility is videotaped or otherwise electronically recorded. The Secretary of Defense would also be required to provide for the appropriate classification of videotapes or other electronic recordings to protect U.S. national security and address safety and privacy concerns. The requirements of this section would not apply to any member of the armed forces engaged in direct combat operations or to tactical questioning. The provision would also require the Secretary of Defense to develop, and report to Congress on, uniform guidelines for the videotaping or other electronic recording required under this section, including guidelines to ensure that videotapes and recordings are maintained for a length of time that serves the interests of justice in cases for which trials are being or may be conducted.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow the Secretary of Defense to waive the requirements of this section with regard to a specific interrogation plan for a specific individual for up to 30 days, if he determines that such a waiver in necessary for U.S. national security interests and notifies the relevant committees of Congress of that determination within 5 days. The amendment would also allow the Secretary of Defense to suspend the requirements of this section at a specific theater-level detention facility for up to 30 days, if he determines that such a waiver is vital for U.S. national security interests and notifies the relevant committees of Congress of that determination within 5 days. Each such waiver or suspension could be extended for one additional 30–day period.

The amendment would also clarify that the use of classified videotapes or other electronic recordings in administrative or judicial proceedings would be governed by applicable rules, regulations, and laws that protect classified information from public disclosure, including the exemptions under section 552 of title 5, United States Code.

*Modification of pilot program on commercial fee-for-service air refueling support for the Air Force (sec. 1081)*

The House bill contained a provision (sec. 1044) that would repeal section 1081 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), which directed the Secretary of the Air Force to undertake a pilot program to determine the feasibility and advisability of utilizing commercial fee-for-service aerial refueling support for the Air Force.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of the Air Force to conduct the pilot program, unless the Secretary of Defense were to notify the congressional defense committees in writing that pursuing such a pilot program is not in the national interest.

*Multiyear contracts under pilot program on commercial fee-for-service air refueling support for the Air Force (sec. 1082)*

The Senate amendment contained a provision (sec. 1058) that would: (1) provide multiyear contract authority for commercial fee-for-service air refueling support for the Air Force for a duration of up to 8 years, an exemption to the 5–year limitation on multiyear contracts under section 2306b of title 10, United States Code; (2) waive the required cancellation ceiling and the unfunded contingent liability limits contained in section 2306c, title 10, United States Code; (3) exempt the Secretary of the Air Force from certifying that the contract is the most cost-effective means of obtaining the services; (4) exempt the Secretary of the Air Force from certifying that there is no alternative for meeting urgent operational requirements other than making the contract; (5) establish a contract ceiling of $999,999,999; and (6) provide eligibility for government-provided insurance to commercial air operators contracting with the Department of Defense for refueling services.

The House bill contained no similar provision.

The House recedes with an amendment that would not waive the cancellation ceiling and the unfunded contingent liability limits contained in section 2306c, title 10, United States Code.

*Disclosure of names of students and instructors at Western Hemisphere Institute for Security Cooperation (sec. 1083)*

The House bill contained a provision (sec. 1057) that would amend section 2166 of title 10, United States Code, to require the Secretary of Defense to release to the public, upon request, the full names, ranks, countries of origin, and other information of students and instructors of the Western Hemisphere Institute for Security Cooperation (WHINSEC) for fiscal years 2005, 2006, 2007, 2008, 2009, and any fiscal year (FY) thereafter.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to release the full name of the students and instructors at WHINSEC for FY 2009 and FY 2010. The provision, however, would permit the Secretary to waive this provision should it be deemed to be in the national interest.

*Sense of Congress regarding the Western Hemisphere Institute for Security Cooperation (sec. 1084)*

The Senate amendment contained a provision (sec. 903) that would express the sense of Senate that the Western Hemisphere Institute for Security Cooperation (WHINSEC), among other things, is an essential tool to educate future leaders of the Western Hemisphere and improve relationships with partner nations that are working with the United States to promote democracy, prosperity, and stability in the Western Hemisphere.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the findings of the Senate amendment and retains the resolved clauses and changes it to a sense of Congress.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Adjustment of certain authorizations of appropriations*

The House bill contained a provision (sec. 1003) that would provide for the adjustment of certain authorization of appropriations.

The Senate amendment contained no similar provision.

The House recedes.

*Compliance with requirement for plan on the disposition of detainees at Naval Station, Guantanamo Bay, Cuba*

The House bill contained a provision (sec. 1050) that would require that the President comply with House bill section 1023, Limitation on Use of Funds for the Transfer or Release of Individuals Detained at United States Naval Station, Guantanamo Bay, Cuba.

The Senate amendment contained no similar provision.

The House recedes.

*Comptroller General of the United States assessment of military whistleblower protections*

The Senate amendment contained a provision (sec. 1072) that would require the Comptroller General to review protections afforded to members of the armed services by the Inspector General of the Department of Defense (DOD IG).

The House bill contained no similar provision.

The Senate recedes.

The conferees note that in July 2009, the Inspector General of the Department of Justice (DOJ IG) completed a report entitled ''A

Review of the Department of Defense Office of Inspector General's Process for Handling Military Whistleblower Reprisal Investigations.'' The conferees direct the DOD IG to report to the Committees on Armed Services of the Senate and the House of Representatives by no later than 6 months after the date of the enactment of this Act on the steps that the DOD IG has taken to implement the recommendations of the DOJ IG report.

*Contracting improvements*

The Senate amendment contained a provision (sec. 1090) that would have made certain modifications relating to the HUBZone program established pursuant to section 31 of the Small Business Act (15 U.S.C. Section 657a)

The House bill contained no similar provision.

The Senate recedes.

*Expansion of state home care for parents of veterans who died while serving in Armed Forces*

The Senate amendment contained a provision (sec. 1085) that would require the Secretary of Veterans Affairs to permit a state home to provide services to a nonveteran any of whose children died while serving in the armed forces.

The House bill contained no similar provision.

The Senate recedes.

*Federal Employees Retirement System age and retirement treatment for certain retirees of the Armed Forces*

The Senate amendment contained a provision (sec. 1086) that would set the maximum age limit for certain federal law enforcement and firefighter positions at 47 years old.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that there is existing authority for heads of agencies to determine and fix the maximum age limit for an original appointment to a firefighter or law enforcement officer, and encourage the agencies to consider this authority when filling such positions.

*Guam World War II Loyalty Recognition Act*

The House bill included provisions (secs. 1601–1606) that would recognize the suffering and loyalty of the people of Guam during World War II. The provisions would authorize payments to people of Guam for World War II claims involving death, personal injury, forced labor, forced march and internment, and would provide for the adjudication of associated claims. Criminal penalties for false statements would apply to claims. The provisions would authorize $126.0 million in appropriations for the payment and adjudication of claims, and would authorize $5.0 million for a grants program to memorialize the occupation of Guam during World War II.

The Senate amendment contained no similar provisions.

The House recedes.

The conferees emphasize that the issues involved in the House provisions are important and complex and deserve to be considered fully by Congress. The conferees also acknowledge the findings of the Guam War Claims Review Commission, which was established to examine these issues in accordance with Public Law 107–333, and believe further deliberations on the Commission's recommendations are needed. This matter falls within the jurisdiction of committees other than the Committees on Armed Services of the Senate and the House of Representatives. Nevertheless, the Committees on Armed Services of the Senate and the House of Representatives are willing to hold hearings on these issues in the coming year and, in the absence of resolution of these matters elsewhere, are willing to consider them in the National Defense Authorization Act for Fiscal Year 2011.

*Repeal of certain laws pertaining to the joint committee for the review of counterproliferation programs of the United States*

The House bill contained a provision (sec. 1054) that would repeal section 1605 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160), as amended, and section 1503 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) as amended.

The Senate amendment contained no similar provision.

The House recedes.

Since September 11, 2001, many changes have occurred in the organization and management of Executive Branch agencies, as well as many new governing statutes to deal with increasing threats from proliferation of weapons of mass destruction (WMD) and associated materials and technologies, to include the recently implemented Office of the United States Coordinator for Prevention of Weapons of Mass Destruction Proliferation and Terrorism.

The conferees continue to believe that there is value in an interagency coordinating function and a biennial report that brings together the actions of the government to address these programs. Until such time as the roles of the new Coordinator and the Counterproliferation Program Review Committee (CPRC) have been reconciled, the conferees believe that it is premature to repeal the various provisions governing the CPRC.

The conferees direct the agencies involved with the CPRC to work with the Coordinator to determine and propose legislative recommendations that will ensure interagency coordination and a single coordinated report on the activities to prevent the proliferation of WMD and associated materials and technologies.

*Report on criteria for selection of strategic embarkation ports and ship layberthing locations*

The Senate amendment contained a provision (sec. 1076) that would require the Commander of the United States Transportation Command to develop criteria for selection of strategic embarkation ports and ship layberth locations and report on those criteria to the congressional defense committees within 180 days of enactment of this Act.

The House bill contained no similar provision. The House report (H. Rept. 111–166) contained direction similar to that included in the Senate provision.

The Senate recedes.

The conferees agree to direct the Commander of the U.S. Transportation Command to: (1) develop criteria for the selection of strategic embarkation ports and ship layberth locations; and (2) submit the report to the congressional defense committees within 180 days of enactment of this Act.

*Small Business Innovation Research and Small Business Technology Transfer reauthorization*

The Senate amendment contained a provision (Division F) that would reauthorize the government-wide Small Business Innovation Research and Small Business Technology Transfer programs.

The House bill contained no similar provision.

The Senate recedes.

*Sense of Congress honoring the Honorable Ellen O. Tauscher*

The House bill contained a provision (sec. 1048) that would express the sense of Congress honoring the Honorable Ellen O. Tauscher.

The Senate amendment contained no similar provision.

The House recedes.

*Sense of Congress honoring the Honorable John M. McHugh*

The House bill contained a provision (sec. 1056) that would express the sense of Congress honoring the Honorable John M. McHugh.

The Senate amendment contained no similar provision.

The House recedes.

*Sense of Congress on manned airborne irregular warfare platforms*

The Senate amendment contained a provision (sec. 1087) that would state that it is the sense of Congress that the Secretary of Defense should, with regard to the development of manned airborne irregular warfare platforms, coordinate requirements for such weapons systems with the military services, including the reserve components.

The House bill contained no similar provision.

The Senate recedes.

The conferees agree that the Secretary should coordinate requirements for such weapon systems with the military services, including the reserve components.

*Studies to analyze alternative models for acquisition and funding of technologies supporting network-centric operations*

The House bill contained a provision (sec. 1038) that would require concurrent studies by an independent federally funded research and development center and the Joint Staff to analyze alternative models and recommend changes to the present Service-based approach for acquisition and funding of interconnected systems for network-centric operations.

The Senate amendment contained no similar provision.

The House recedes.

*Transfer of Big Crow aircraft*

The Senate amendment included a provision (sec. 1082) that would provide permissive authority to the Secretary of the Air Force to sell the Big Crow aircraft to a private sector entity, at a cost determined by the Air Force, and with no liability to the government.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Big Crow test aircraft represent another example of the underfunding of ''orphan'' test assets. These assets have significant joint use for research, development, test and evaluation activities, but not enough support within any one service or agency to warrant priority for funding for sustainment within that service or agency's budget. The conferees note that many of the new technologies that are currently being deployed to support current operations were not tied to formal requirements, programmed activities, or programs of record and required specialized research or testing to accelerate their transition into operational use. The test and research assets used to support these types of programs need to be preserved despite the lack of formal ''requirements''.

Therefore, the conferees direct the Under Secretary of Defense for Acquisition, Logistics, and Technology, through the Director of the Test Resource Management Center, and in conjunction with the Director of Operational Test and Evaluation to review issues related to ''orphan'' test assets, including their funding for sustainment and operations, and make recommendations on methods for ensuring that appropriate assets are preserved for DOD use in the absence of resource support by any single service or

agency, including direct management by the Office of the Secretary of Defense or other joint entity, or potentially acquiring test services from private sector organizations. The conferees direct that the Under Secretary of Defense for Acquisition, Logistics, and Technology provide a report on the review and recommendations no later than 1 year after the date of enactment of this Act.

*Trial by military commission of alien unprivileged belligerents for violations of the law of war*

The Senate amendment contained a provision (sec. 1032) that would express the sense of Congress that the preferred forum for the trial of alien unprivileged enemy belligerents for violations of the law of war is trial by military commission.

The House bill contained no similar provision.

The Senate recedes.

*Repeal of policy relating to the major combatant vessels of the Unites States Navy*

The Senate amendment contained a provision (sec. 1012) that would repeal section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). Section 1012, as amended, would require that all new classes of surface combatants and all new amphibious assault ships larger than 15,000 deadweight ton light ship displacement have integrated nuclear power systems, unless the Secretary of Defense determines that the inclusion of an integrated nuclear power system in such vessel is not in the national interest.

The House bill contained no similar provision.

The Senate recedes.

Title XI—Civilian Personnel Matters

SUBTITLE A—PERSONNEL

*Authority to employ individuals completing the National Security Education Program (sec. 1101)*

The House bill contained a provision (sec. 1101) that would authorize the Secretary of Defense and other agencies and organizations with national security responsibilities to appoint individuals who have successfully completed the National Security Education Program to a position in the excepted service.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Authority for employment by Department of Defense of individuals who have successfully completed the requirements of the Science, Mathematics, and Research for Transformation (SMART) defense scholarship program (sec. 1102)*

The House bill contained a provision (sec. 1102) that would authorize the direct hire of graduates of the Science, Mathematics, and Research for Transformation Defense Scholarship Program.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Authority for the employment of individuals who have successfully completed the Department of Defense information assurance scholarship program (sec. 1103)*

The House bill contained a provision (sec. 1103) that would authorize direct hire authority of graduates of the Information Assurance Scholarship Program.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Extension and modification of experimental personnel management program for scientific and technical personnel (sec. 1104)*

The Senate amendment contained a provision (sec. 1102) that would extend and modify the authorities of an experimental personnel management program for scientific and technical personnel.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Modification to Department of Defense laboratory personnel authority (sec. 1105)*

The House bill contained a provision (sec. 1110) that would modify the Department of Defense laboratory personnel demonstration system by authorizing additional laboratories to participate in the program and extend the exclusion of demonstration program laboratories from inclusion into the National Security Personnel System (NSPS).

The Senate amendment contained a provision (sec. 1106) that would require the Department of Defense (DOD) to study the possibility of including additional laboratories into the laboratory demonstration program.

The Senate recedes with an amendment.

The conferees agree to a provision that requires the inclusion of a number of additional laboratories into the laboratory personnel demonstration programs and would require congressional approval before DOD could move these laboratories into any other personnel system.

The conferees are concerned that DOD is not expeditiously moving to implement legislated authorities that are intended to improve the quality of the science and engineering workforce. The conferees note that DOD has been slow in implementing the authorities provided by section 1107 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) relating to sharing of successfully demonstrated personnel management initiatives between demonstration laboratories, and section 1108 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) which grants select direct hiring authorities at the demonstration laboratories. Given the widely accepted assessment that the quality of DOD laboratories has declined over the years, and recent claims by DOD that the Department is working to reinvigorate its in-house technical expertise as part of acquisition reform, the conferees believe the utilization of these authorities is necessary to revitalize DOD laboratory mission performance.

*One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas (sec. 1106)*

The House bill contained a provision (sec. 1105) that would extend for 1 year the authority of the head of an executive agency to waive the limitations on the amount of premium pay that may be paid to a civilian employee who performs work in an overseas location that is in the area of responsibility of the Commander, United States Central Command (USCENTCOM), or an overseas location that was formerly in the area of responsibility of the Commander, USCENTCOM but has been moved to the area of responsibility of the Commander, United States Africa Command, in support of a contingency operation or an operation in response to a declared emergency.

The Senate amendment contained a similar provision (sec. 1103).

The House recedes with a technical amendment.

*Extension of certain benefits to Federal civilian employees on official duty in Pakistan (sec. 1107)*

The House bill contained a provision (sec. 1106) that would extend to Department of Defense (DOD) civilian employees working in the Islamic Republic of Pakistan the same benefits that are currently provided to DOD civilians on official duty in a specified combat zone.

The Senate amendment contained no similar provision.

The Senate recedes.

*Requirement for Department of Defense strategic workforce plans (sec. 1108)*

The House bill contained a provision (sec. 1108) that would codify the requirement for the Secretary of Defense to develop and submit to the congressional defense committees an annual plan for shaping and improving the civilian employee workforce of the Department of Defense.

The Senate amendment contained a provision (sec. 815) that would require the Comptroller General to assess the efficacy of Department of Defense (DOD) training for acquisition and audit personnel.

The Senate recedes with an amendment that would include both the requirement for an annual strategic workforce plan and the requirement for a report on DOD training for acquisition and audit personnel.

*Adjustments to limitations on personnel and requirement for annual manpower reporting (sec. 1109)*

The House bill contained a provision (sec. 1109) that would amend section 1111 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110–417) to clarify the authority of the Secretary of Defense to waive annual limitations on major headquarters personnel.

The Senate amendment contained a provision (sec. 902) that would repeal the annual limitations.

The Senate recedes with an amendment that would remove the sunset date on the Secretary's waiver authority, making that authority permanent.

*Pilot program for the temporary exchange of information technology personnel (sec. 1110)*

The House bill contained a provision (sec. 1111) that would authorize the Secretary of Defense to carry out a pilot program for the temporary assignment of Department of Defense (DOD) employees to private sector organizations and of private sector employees to DOD.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would specify legal and ethical requirements applicable to an employee of a private sector organization who is assigned to DOD under the pilot program.

In 2006, the DOD Chief Information Officer published the ''DOD ITEP Toolkit'' in connection with a predecessor program, known as the Information Technology Exchange Program (ITEP). That document required a three-way agreement between the appropriate federal agency, the participating private sector organization, and the individual program participant spelling out the rights and responsibilities—including statutory and regulatory requirements—applicable to each of the parties to an exchange. The conferees direct DOD to use the DOD ITEP Toolkit, including the three-party agreements prescribed by that document, as a model for carrying out the program authorized by this section.

*Availability of funds for compensation of certain civilian employees of the Department of Defense (sec. 1111)*

The Senate amendment contained a provision (sec. 1104) that would authorize the Department of Defense to use funds available

for the purchase of contract services to instead provide compensation for civilian employees to meet the same requirement.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Department of Defense Civilian Leadership Program (sec. 1112)*

The Senate amendment contained a provision (sec. 1105) that would authorize the Secretary of Defense to establish a Department of Defense Civilian Leadership Program (DCLP) to recruit and develop individuals with the academic merit, work experience, and leadership skills needed for the civilian employee workforce of the Department of Defense.

The House bill contained no similar provision.

The House recedes with an amendment limiting the participation of any individual in the DCLP to a 3-year period.

*Provisions relating to the National Security Personnel System (sec. 1113)*

The House bill contained a provision (sec. 1112) that would require the Secretary of Defense to transition all employees in the National Security Personnel System (NSPS) back to previously existing civilian compensation systems within 1 year of the date of the enactment of this Act.

The Senate amendment contained a provision (sec. 1101) that would freeze the expansion of NSPS and terminate the program unless the Secretary of Defense certifies that termination is not in the best interest of the Department and provides a specific schedule of changes that will be made to improve the fairness, credibility, and transparency of the system.

The Senate recedes with an amendment that would repeal the authority for NSPS and require the transition of NSPS employees to previously existing civilian personnel systems by January 1, 2012.

The amendment would also provide the Secretary of Defense with new personnel flexibilities, which would apply across the civilian workforce of the Department. In particular, the amendment would authorize the Secretary, in coordination with the Director of the Office of Personnel Management, to develop new regulations for the civilian workforce which include fair, credible, and transparent methods for hiring and assigning personnel, and for appraising employee performance. The conferees agree that these flexibilities can be exercised consistent with the existing General Schedule pay system, without the need for any legislative change to that system. In addition, the amendment would direct the Secretary to develop special training programs for managers to implement the authorities granted.

Finally, the amendment would authorize the Secretary, upon a determination that it is in the best interest of the Department of Defense, to request additional personnel authorities within the context of the General Schedule pay system, or to develop a proposal for the use of personnel authorities that would require exemption from the application of the General Schedule pay system. If approved by Congress in the National Defense Authorization Act for Fiscal Year 2011, the Secretary would be permitted to implement the latter proposal in lieu of making the transition to the General Schedule pay system that would otherwise be required by the provision. Any proposal submitted by the Secretary would be required to guarantee collective bargaining rights and would not be permitted to cover prevailing wage employees.

The conferees note that section 9902 of title 5, United States Code, as amended by this section, would not include an exemption for the defense laboratories, because such an exemption is unnecessary in light of the continuing authority for the laboratories to conduct personnel demonstration projects in accordance with section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (P.L. 103–337), as amended by section 1114 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (P.L. 106–398). The conferees expect the Department to fully utilize the authority to carry out demonstration projects for such laboratories, as required by section 1105 of this Act.

*Provisions relating to the Defense Civilian Intelligence Personnel System (sec. 1114)*

The House bill contained a provision (sec. 1113) that would require the termination of the pay system under the Defense Civilian Intelligence Personnel System (DCIPS) and require the transfer of individuals covered by DCIPS to other pay systems.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would suspend the implementation of the DCIPS pay system until January 1, 2011, and require an independent study and review of the system.

Subtitle B—Provisions Relating to Reemployment of Annuitants

*Authority to expand scope of provisions relating to unreduced compensation for certain reemployed annuitants (sec. 1121)*

The House bill contained a provision (sec. 1107) that would allow former federal employees who receive a federal annuity from other than the Civil Service Retirement and Disability Fund to retain their annuity if reemployed by the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Part-time reemployment (sec. 1122)*

The Senate amendment contained a provision (sec. 1162) that would provide temporary authority to federal agencies to reemploy retired federal civilian employees under limited conditions, without offset of annuity against salary, for certain specified purposes.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Government Accountability Office report (sec. 1123)*

The Senate amendment contained a provision (sec. 1163) that would require the Comptroller General to submit a report regarding the use of the authority provided elsewhere in this Act, which would authorize federal agencies to reemploy retired federal civilian employees under limited conditions, without offset of annuity against salary, for certain specified purposes.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction*

The House bill contained a provision (sec. 1104) that would provide the Special Inspector General for Afghanistan Reconstruction additional personnel authorities similar to those provided to the Special Inspector General for Iraq Reconstruction.

The Senate amendment contained no similar provision.

The House recedes. The authority provided to the Special Inspector General for Afghanistan Reconstruction was enacted in separate legislation and signed into law (Public Law 111–38) on June 30, 2009.

*Sense of Congress on pay parity for Federal employees service at Joint Base McGuire/Dix/Lakehurst*

The House bill contained a provision (sec. 1114) that would express the sense of Congress that the pay schedules and rates for federal employees serving at the Joint Base McGuire/Dix/Lakehurst should be the same, and that the Office of Personnel Management (OPM) should develop regulations ensuring pay parity among civilian employees employed by different military services at joint bases.

The Senate amendment contained no similar provision.

The House recedes.

The conferees have been informed that OPM is developing regulations to address the issue of pay parity at this joint base.

*Short title*

The Senate amendment contained a provision (sec. 1161) that would allow a subtitle of this Act to be cited as the ''Part-Time Reemployment of Annuitants Act of 2009''.

The House bill contained no similar provision.

The Senate recedes.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

*One-year extension of authority for security and stabilization assistance (sec. 1201)*

The House bill contained a provision (sec. 1201) that would extend through September 30, 2010, the authority provided in section 1207 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), as amended by section 1207(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), for the Secretary of Defense to provide support to Department of State programs of security and stabilization assistance. The provision would reduce the amount authorized for these purposes to $25.0 million.

The Senate amendment contained a provision (sec. 1207) that would extend through September 30, 2010, the authority provided under section 1207 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), as amended by section 1210 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) and section 1207 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417). The provision makes no change to $100.0 million limitation on the amount authorized for these purposes.

The House recedes.

While the conferees believe that the increased coordination between the Department of Defense and Department of State resulting from the joint formulation and implementation of security and stabilization projects under the section 1207 authority has value, the conferees reaffirm that Congress has always intended for this transfer authority to be temporary and are disappointed that the Department of State has not yet achieved the capacity to fulfill its statutory requirements. The conferees urge the administration to work toward this goal as rapidly as possible. They further recommend that the administration examine ways to maintain this coordination in the absence of this authority.

*Expansion of authority and modification of notification and reporting requirements for use of authority for support of special operations to combat terrorism (sec. 1202)*

The House bill contained a provision (sec. 1202) that would increase the amount of funds available to provide assistance to foreign forces, irregular forces, groups, or individuals supporting or facilitating military

operations by U.S. special operations forces to combat terrorism, as authorized by section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by section 1208 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), from $35.0 million to $50.0 million during any fiscal year.

The Senate amendment contained a provision (sec. 1204) that would require the Secretary of Defense to notify the congressional defense committees at least 72 hours prior to the Department's providing assistance, under this authority, to irregular forces, groups, or individuals. This provision would also require the Department to notify the congressional defense committees should there be any change in the scope or level of funding for such assistance. The Senate provision would also enhance the notification and annual reporting requirements.

The Senate recedes with an amendment that would increase the amount of funds available from $35.0 million to $40.0 million during any fiscal year.

The House recedes with an amendment that would require notification to the congressional defense committees upon the use of this authority to support an approved military operation or change in scope or funding level for any support to such an operation.

The conferees agree that, to date, the Department's notifications and annual report have been insufficient and that some of the projects entered into by U.S. Special Operations Command (USSOCOM) under this authority have appeared to be focused on long-term engagement with foreign forces, irregular forces, groups, or individuals, rather than exclusively for support of or facilitating of ongoing military operations by U.S. special operations forces to combat terrorism. The conferees urge USSOCOM to review the current programs to ensure they are being executed in a manner consistent with the intent of this authority and that enduring programs continue to provide an appropriate payback for the command. Until such a review is complete, the conferees would be reluctant to approve any additional increases to the maximum amount that can be expended under this authority in any given fiscal year.

*Modification of report on foreign-assistance related programs carried out by the Department of Defense (sec. 1203)*

The House bill contained a provision (sec. 1203) that would amend section 1209 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to require a permanent, annual report on certain foreign-assistance related programs carried out by the Department of Defense. The provision also added the humanitarian and civil assistance provided through the Combatant Commander's Initiative Fund as an authority subject to this reporting requirement.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide for the annual reporting requirement contained in the House bill through February 1, 2013.

*Report on authorities to build the capacity of foreign military forces and related matters (sec. 1204)*

The House bill contained a provision (sec. 1204) that would require a report from the President by March 1, 2010, on the relationship between security cooperation authorities of the Department of Defense and security assistance authorities of the Department of State and other agencies to train and equip, or otherwise build the capacity of, foreign military forces, and the distinctions, if any, between those authorities. The provision would also require information regarding the strengths and weaknesses of current laws governing and relating to the provision of this type of assistance; recommended changes, if any, to those laws; any organizational and procedural changes that should be made in the Department of Defense and Department of State to improve their ability to conduct such programs; and the funding and resources mechanisms required to assure adequate funding for such programs.

The Senate amendment contained no similar provision.

The Senate recedes.

*Authority to provide administrative services and support to coalition liaison officers of certain foreign nations assigned to United States Joint Forces Command (sec. 1205)*

The Senate amendment contained a provision (sec. 1202) that would modify the authority provided under section 1051a of title 10, United States Code, to permit the Secretary of Defense to provide administrative services and support to, as well as to pay travel and subsistence expenses of, certain coalition liaison officers while they are temporarily assigned to U.S. Joint Forces Command.

The House bill contained no similar provision.

The House recedes.

*Modification of authorities relating to program to build the capacity of foreign military forces (sec. 1206)*

The Senate amendment contained a provision (sec. 1203) that would allow that, of the funds authorized annually for fiscal years 2010 and 2011 for capacity building programs under section 1206 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2418), as amended, no more than $75.0 million may be used for programs to build the capacity of foreign military forces to participate in or support military or stability operations in which the United States Armed Forces are a participant.

The House bill contained no similar provision.

The House recedes.

The conferees note the legislative proposals of the Department for new authorities to build the capacity of foreign military general purpose forces and special operations forces to support ongoing coalition operations in the Republic of Iraq and the Islamic Republic of Afghanistan. The conferees agree that the existing authority of section 1206 of Public Law 109–364, as amended, is sufficient to permit these activities and would be open to consider programs to build the capacity of North Atlantic Treaty Organization and other coalition partners whose ability to contribute to ongoing operations in Iraq and Afghanistan would otherwise be limited. The conferees believe that one appropriate use of this authority would be to build the capacity of foreign military's Operational and Mentoring Liaison Teams for deployment to Afghanistan.

*Authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries (sec. 1207)*

The Senate amendment contained a provision (sec. 1208) that would permit the Department of Defense to accept, on a non-reciprocal basis, defense personnel of the defense ministry of an ally or friendly foreign government.

The House bill contained no similar provision.

The House recedes with a series of amendments that would: (1) permit the Department of Defense to pay for the cost of temporary duty of the exchanged personnel when it is directed by the United States Government; (2) require the Secretary of Defense to report to the appropriate congressional committees annually on the use of this authority; and (3) adjust the expiration of the authority to align with the end of the fiscal year vice the calendar year.

The conferees agree that the authority is not to be used as a mechanism to require the Department of Defense to fund visits and training of military and civilian personnel from allied and other foreign countries. Further, the conferees caution the Department that this authority should be used to accept personnel where the duties contemplated either necessitate or would be enhanced by the presence of foreign defense personnel. The authority should not be used to provide training or educational opportunities that are more properly conducted under the International Military Education and Training or Counterterrorism Fellowship programs. Additionally, the authority should not be used as an alternative to existing engagement programs, including those activities conducted pursuant to section 168 of title 10, United States Code. Temporary duty authorized under this exchange program should be directly related to the duties and responsibilities of the position to which the individual is assigned.

*Report on alternatives to use of acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability (sec. 1208)*

The Senate amendment contained a provision (sec. 1210) that would require the Secretary of Defense to assess and report on possible alternatives to the temporary authority provided under section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412), as amended, which allows for the lending or leasing under acquisition and cross-servicing agreements of certain significant military equipment to military forces of countries participating in combined operations with the United States in Iraq or Afghanistan, or as part of peacekeeping operations under the United Nations Charter or another international agreement.

The House bill contained no similar provision.

The House recedes.

*Enhancing Iraqi security through defense cooperation between the United States and Iraq (sec. 1209)*

The Senate amendment contained a provision (sec. 1211) that would permit the President to treat an undertaking by the Government of Iraq, made between the date of the enactment of this Act and December 31, 2011, as a dependable undertaking described in section 22(a) of the Arms Export Control Act (22 U.S.C. 2762(a)) for the purposes of entering into contracts for the procurement of defense articles and defense services as provided for in that section.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense, in consultation with the Secretary of State, to provide a report on the role of Foreign Military Sales in meeting the requirements of the military and security forces of Iraq for restoring and maintaining peace and security in Iraq.

It also includes a sense of Congress that encourages the Secretary of Defense, in consultation with the Secretary of State, to increase the number of positions available in professional military education courses available annually to personnel of the security forces of the Government of Iraq.

*Availability of appropriated funds for the State Partnership Program (sec. 1210)*

The Senate amendment contained a provision (sec. 1212) that would allow the Secretary of Defense, under regulations prescribed by the Secretary, to use Department of Defense (DOD) funds for fiscal year 2010 to pay costs associated with the National Guard's State Partnership Program, in support of the objectives of the combatant commanders or to build international civil-military partnerships and capacity on matters relating to defense and security.

The House bill contained no similar provision.

The House recedes with an amendment that would require, not later than 90 days after the date of the enactment of this Act, that the Secretary of Defense, in consultation with the Secretary of State, prescribe regulations regarding the use of DOD funds to pay the costs of the National Guard in conducting activities under the State Partnership Program. The Secretary of Defense will transmit a copy of these regulations to the Committee on Armed Services and the Committee on Foreign Relations of the Senate, and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

The conferees believe that the security cooperation activities of the State Partnership Program of the National Guard have made a valuable contribution to global security through building relationships between State National Guard units and over 60 partner nations throughout the world.

Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan

*Limitation on availability of funds for certain purposes relating to Iraq (sec. 1221)*

The House bill contained a provision (sec. 1211) that would prohibit the use of funds authorized by this Act to establish permanent U.S. military installations or bases in Iraq or to exercise U.S. control of Iraqi oil resources.

The Senate amendment contained no similar provision.

The Senate recedes.

*One-year extension and expansion of Commanders' Emergency Response Program (sec. 1222)*

The House bill contained a provision (sec. 1212) that would amend section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 106–163), as amended, to authorize $1.3 billion in fiscal year 2010 for the Commanders' Emergency Response Program (CERP).

The Senate amendment contained a provision (sec. 1206) that would authorize $1.4 billion in fiscal year 2010 for CERP. The provision of the Senate amendment would also authorize the Secretary of Defense to transfer up to $100.0 million of CERP funds to the Department of State to support the Afghanistan National Solidarity Program (NSP) if the Secretary of Defense determines that doing so would enhance counterinsurgency or stability operations in Afghanistan.

The House recedes with an amendment that would authorize $1.3 billion in fiscal year 2010 for CERP and provide the Secretary of Defense the authority to transfer to the Department of State up to $50.0 million of CERP funds to support the NSP.

The amendment would also provide the Secretary of Defense with the authority, in concurrence with the Secretary of State, to use funds provided for CERP to support the reintegration of those who have renounced violence against the Government of Afghanistan. The conferees note that the authority to use CERP funds for this purpose has been provided for 1 year only. The conferees expect that the administration will submit a request for any required legal authority and funding to carry out a reintegration program separate from the CERP program with the President's budget request.

In addition, the amendment would require the Secretary of Defense to conduct, not later than 180 days after the date of enactment of this Act, a thorough review of CERP and report to Congress on the results of that review. The conferees direct the Secretary of Defense to include as part of this review an assessment of the following: the process for generating and justifying CERP budget; the existing management and oversight of CERP funds and contracts; personnel requirements specifically in support of CERP and the number of personnel deployed to meet those requirements in Afghanistan, including with the Joint Contracting Command and U.S. Forces—Afghanistan; the extent and effectiveness of coordination of projects with other U.S. Government agencies, international organizations, and Non-Governmental Organizations carrying out projects in Iraq and Afghanistan; and coordination with the host government on CERP projects, including procedures for ensuring the sustainment of those projects by the host government over the long run.

*Modification of authority for reimbursement of certain coalition nations for support provided to United States military operations (sec. 1223)*

The House bill contained a provision (sec. 1213) that would authorize the Secretary of Defense to reimburse any key cooperating nation for logistical and military support provided by that nation to or in connection with U.S military operations in Operation Iraqi Freedom (OIF) or Operation Enduring Freedom (OEF), also known as Coalition Support Fund reimbursements. Total reimbursements under this authority during fiscal year 2010 are limited to $1.6 billion.

The Senate amendment contained a similar provision (sec. 1205) that would extend through fiscal year 2010 the authority provided in section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) for the Secretary of Defense to pay Coalition Support Fund reimbursements. In addition, this provision would modify section 1233 of Public Law 110–181 to allow funds under that section to be used to provide key cooperating nations with specialized training and supplies, or to loan them specialized equipment. The provision in the Senate amendment would also limit reimbursements under this authority during fiscal year 2010 to $1.6 billion.

The House recedes with clarifying and technical amendments.

Prior to making any reimbursement to Pakistan in fiscal year 2010 under the authority provided in this section, the conferees direct the Secretary of Defense, with the concurrence of the Secretary of State, to make a determination based on reasonably available information as to whether such reimbursement is consistent with the national security interest of the United States and will not adversely impact the balance of power in the region. The conferees direct the Secretary to include any such determination in the relevant quarterly report to Congress required under this section.

*Pakistan Counterinsurgency Fund (sec. 1224)*

The House bill contained a provision (sec. 1214) that would provide that the Pakistan Counterinsurgency Fund (PCF) would consist of amounts appropriated to the PCF for fiscal year 2009 and amounts transferred to the PCF by the Secretary of State, with the concurrence of the Secretary of Defense. The Secretary of Defense, with the concurrence of the Secretary of State, may use amounts in the PCF to improve the counterinsurgency capabilities of the security forces of the Islamic Republic of Pakistan (including Pakistan's military, Frontier Corps, and other security forces), and to provide limited humanitarian assistance to the people of Pakistan as part of civil-military training exercises for Pakistani security forces receiving assistance under the PCF.

The Senate amendment contained a similar provision (sec. 1517) specifying that funds in the PCF pursuant to a transfer by the Secretary of State to the Secretary of Defense during fiscal year 2010 will be available to the Secretary of Defense to provide assistance to the security forces of Pakistan to build the counterinsurgency capability of the Pakistan military forces and the Pakistan Frontier Corps. The provision would require prior to the expenditure of PCF funds that the Secretary of Defense provide an assessment as to whether the Government of Pakistan is committed to confronting the threat posed by al Qaeda, the Taliban, and other militant extremists based on a determination by the Government of Pakistan that confronting these extremist groups is critical to Pakistan's own national interest.

The Senate recedes with an amendment that would require that concurrent with the initial use of funds available under this section, the Secretary of Defense will provide an assessment as to whether the Government of Pakistan is making concerted efforts to confront the threat posed by al Qaeda, the Taliban, and other militant extremists based on Pakistan's national security interests. The amendment also requires quarterly reports summarizing, on a project-by-project basis, any transfer of funds from the PCF during the fiscal quarter. Section (d)(2) of the amendment regarding any restriction relating to payments for Letters of Offer and Acceptance refers to section 203(d) of S. 1707, as enrolled, regarding limitations on certain assistance.

*Program to provide for the registration and end-use monitoring of defense articles and defense services transferred to Afghanistan and Pakistan (sec. 1225)*

The House bill contained a provision (sec. 1215) that would require the Secretary of Defense to establish programs to provide for the registration and end-use monitoring of defense articles and defense services transferred to Afghanistan and Pakistan.

The Senate amendment contained no similar provision.

The Senate recedes with clarifying and technical amendments.

The conferees expect that the registration and end-use monitoring programs established pursuant to this section will be implemented so as to minimize both the risks to U.S. personnel carrying out these programs and the impact on ongoing military operations, including ongoing Pakistani military operations against terrorists and militants in Pakistan.

*Reports on campaign plans for Iraq and Afghanistan (sec. 1226)*

The House bill contained a provision (sec. 1216) that would require that the Comptroller General of the Government Accountability Office to submit separate assessments of the campaign plans for the Republic of Iraq and the Islamic Republic of Afghanistan.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Report on responsible redeployment of United States Armed Forces from Iraq (sec. 1227)*

The House bill contained a provision (sec. 1218) that would require the Secretary of Defense to submit a quarterly report on the responsible redeployment of U.S. forces out of the Republic of Iraq.

The Senate amendment contained no similar provision.

The Senate recedes.

*Report on community-based security programs in Afghanistan (sec. 1228)*

The House bill contained a provision (sec. 1219) that would require the Secretary of Defense to report, not later than 90 days after the date of enactment of this Act, on the Afghan Public Protection Program (APPP). The report would include an assessment of the program as implemented in the initial pilot districts of the Islamic Republic of Afghanistan, and an assessment of the future of the program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to report, not later than 120 days after the date of enactment of this Act, on the APPP and other similar programs for community-based security forces in Afghanistan. The report would include an assessment of these programs in the initial pilot districts and of the future of each program.

*Updates of report on command and control structure for military forces operating in Afghanistan (sec. 1229)*

The House bill contained a provision (sec. 1220) that would clarify that any updates of the report on command and control arrangements in Afghanistan as required by section 1216 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) can be provided as part of the reports on Progress Toward Security and Stability in Afghanistan as required by section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The Senate amendment contained no similar provision.

The Senate recedes.

*Report on feasibility and desirability of establishing general uniform procedures and guidelines for the provision of monetary assistance by the United States to civilian foreign nationals for losses incident to combat activities of the armed forces (sec. 1230)*

The House bill contained a provision (sec. 1221) that would require the Secretary of Defense to report semi-annually on payments made to noncombatant residents of the Islamic Republic of Afghanistan for losses caused by United States military operations.

The Senate amendment contained a provision (sec. 1236) that would require the Secretary of Defense to submit a report to Congress on the feasibility of establishing general uniform procedures and guidelines for the United States to provide monetary assistance to civilian foreign nationals for losses, injuries, or death incident to combat activities of the United States Armed Forces during contingency operations.

The House recedes with a clarifying amendment.

*Assessment and report on United States-Pakistan military relations and cooperation (sec. 1231)*

The House bill contained a provision (sec. 1222) that would require that the Secretary of Defense, in consultation with the Secretary of State, to assess possible alternatives to Department of Defense reimbursements to Pakistan for logistical, military, or other support provided by Pakistan to, or in connection with, U.S. military operations (Coalition Support Fund reimbursements), which could encourage the Pakistani military to undertake counterterrorism and counterinsurgency operations and achieve the goals and objectives for long-term U.S.-Pakistan military relations and cooperation.

The Senate amendment contained no similar provision.

The Senate recedes.

*Report on progress toward security and stability in Pakistan (sec. 1232)*

The House bill contained a provision (sec. 1223) that would require the President, 180 days after the date of enactment of this Act and every 180 days thereafter, to conduct an assessment of progress toward long-term security and stability in the Islamic Republic of Pakistan in a number of specified areas. The provision would also require the President to establish goals, objectives, and timelines for achieving progress in the areas specified in this provision to be assessed, and metrics to measure such progress. The provision would also require the President to report to Congress on the assessment and how it was conducted.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide that the report required by this section is to be submitted concurrent with the submission of each report under section 1232 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 392), as amended. The amendment would also make certain other clarifying and technical changes.

*Repeal of GAO war-related reporting requirement (sec. 1233)*

The House bill contained a provision (sec. 1224) that would eliminate the requirement that the Government Accountability Office report quarterly to Congress on the costs of Operation Iraqi Freedom and Operation Enduring Freedom as required under section 1221(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163).

The Senate amendment contained no similar provision.

The Senate recedes.

*Authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan (sec. 1234)*

The House bill contained a provision (sec. 1225) that would require the Secretary of Defense to develop a plan for the disposition of major end items and tactical equipment in the Republic of Iraq and address a number of specified elements as part of that plan. The provision would also require the Secretary of Defense to report to Congress on the plan required by this section no later than the time of the President's budget submission for fiscal year 2011. The provision did not provide any additional authority to transfer U.S. equipment to Iraq or any other entity outside the Department of Defense.

The Senate amendment contained a provision (sec. 1213) that would authorize the President to transfer defense articles in Iraq, and provide defense services in connection with the transfer of those defense articles, to the military and security forces of Iraq or the military and security forces of Afghanistan to support their efforts to restore and maintain peace and security internally. The aggregate replacement value of defense articles transferred and defense services provided would be limited to $500,000,000. The provision would also require that the President may not exercise the authority under this section until 30 days after the Secretary of Defense, with the concurrence of the Secretary of State, submits a report on a plan for the disposition of equipment and other property of the Department of Defense in Iraq.

The House recedes with an amendment that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to transfer defense articles, without reimbursement from the Government of Iraq or the Government of Afghanistan, and to provide defense services in connection with those transfers, to the military and security forces of Iraq and the military and security forces of Afghanistan. The amendment would clarify that defense articles that may be transferred under this authority includes equipment that was used in support of operations in Iraq but at the time of enactment of this Act is present in Kuwait. The conferees expect that any equipment located in Kuwait that is transferred under this authority will not have been transferred to Kuwait from a location other than Iraq for the purpose of being transferred under this authority.

The amendment would increase the limit on the aggregate replacement value of defense articles transferred and defense services provided to $750,000,000.

The amendment would provide that the report required prior to the exercise of this authority will also include a description of the types of defense articles the Department of Defense intends to transfer to the military and security forces of Afghanistan. The conferees urge the Secretary of Defense to develop a plan to reimburse the military departments for non excess defense articles transferred to Iraq and Afghanistan under this authority.

The amendment would also provide that the report to be provided quarterly on the implementation of the authority under this section may be included in the report required under section 9204 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2410). The conferees direct the Secretary of Defense to ensure that, if the quarterly report required under this section is included in the section 9204 report, that report will be provided to the committees designated to receive the quarterly report under this section.

*Analysis of required force levels and types of forces needed to secure southern and eastern regions of Afghanistan (sec. 1235)*

The House bill contained a provision (sec. 1229) that would require the Secretary of Defense, at the request of the Commander of United States Forces for Afghanistan (USFOR-A), to enter into a contract with a Federally Funded Research Development Center (FFRDC) that would provide analysis on the required force levels and types of forces needed to secure southern and eastern Afghanistan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would permit the Secretary of Defense, in support of the Commander of USFOR-A, to contract with a FFRDC to provide analysis on the required force levels and types of forces needed to secure southern and eastern Afghanistan.

*Modification of report on progress toward security and stability in Afghanistan (sec. 1236)*

The House bill contained a provision (sec. 1230) that would modify the report on Progress Toward Security and Stability in Afghanistan required by section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 11–181; 122 Stat. 385) to require additional information on the commitments of North Atlantic Treaty Organization (NATO) countries and non-NATO countries to meeting International Security Assistance Force goals and force requirements.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment clarifying certain matters to be included in the report and requiring additional information on: the progress in ending the ability of the insurgency to establish control over the population of Afghanistan and establish safe havens within Afghanistan; and the coordination of reconstruction and development activities in Afghanistan.

*No permanent military bases in Afghanistan (sec. 1237)*

The House bill contained a provision (sec. 1230A) that would prohibit the establishment of any military installation or base for purposes of permanently stationing U.S. Armed Forces in Afghanistan.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle C—Other Matters

*Report on United States engagement with Iran (sec. 1241)*

The Senate amendment contained a provision (sec. 1221) that would require the President, no later than January 31, 2010, to deliver a report to Congress on U.S. engagement with the Islamic Republic of Iran.

The House bill contained no similar provision.

The House recedes with a series of technical amendments.

*Annual counterterrorism status reports (sec. 1242)*

The Senate amendment contained a provision (sec. 1225) that would require the President to provide a report annually to Congress on the status of U.S. efforts and the level of progress achieved to defeat al Qaeda and its affiliates. More specifically, the report would require: (1) an assessment of the scope, status, and progress of U.S. counterterrorism efforts in fighting al Qaeda and its affiliates abroad; (2) a description of U.S. counterterrorism activities (political, economic, military, intelligence, etc.) including a description of efforts to counter terrorist recruitment and financing and support public diplomacy efforts; (3) an analysis of the budgets of all Federal Government agencies as they relate to counterterrorism funding; and (4) an analysis of the extent to which specific federal appropriations have provided a return on investment on efforts to combat and defeat al Qaeda.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) sunset the annual reporting requirement in 2012; (2) require the administration to delineate the boundaries between the strategic operational planning mission assigned to the National Counterterrorism Center (NCTC) by the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) and the broad military and diplomatic planning missions of the Defense Department, the State Department, and other agencies; and (3) strengthen reporting requirements on joint, interagency operations.

The conferees agree that, 8 years after the terrorist attacks of September 11, 2001, the terrorist threat remains formidable, and that despite the amount of news coverage and public analyses of the evolving threat and counterterrorist operations, objective measures of progress are inadequate. Existing executive branch reporting on various aspects of the national struggle against terrorism is piecemeal and does not address the full scope of U.S. activities or assess overall effectiveness. The conferees note that this fragmentation of assessment and reporting is itself a reflection of the fact that, while many Federal departments and agencies have critical roles in countering terrorism, interagency coordination and integration remains elusive and difficult. It is now understood that success in countering terrorism requires the mobilization and effective integration of all elements of national power. It is also widely perceived that the Nation has yet to achieve a ''whole-of-government'' effort.

The annual reporting requirement required by this provision is intended to help multiple congressional committees, and Congress as a whole, to conduct oversight. It is also intended to enable the public to gain a better understanding of how well the government is performing in this vital mission. The reporting requirement is also intended to assist the new administration in identifying and overcoming challenges in harnessing all the Nation's capabilities.

*Report on United States contributions to the United Nations (sec. 1243)*

The Senate amendment contained a provision (sec. 1227) that would amend and extend permanently an existing reporting requirement relating to contributions by the United States to the United Nations (section 1225 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (public law 109–364). The provision would also direct the Director of the Office of Management and Budget to post a public version of each report on its website.

The House bill contained no similar provision.

The House recedes with an amendment that would extend the reporting requirement until September 30, 2011.

*NATO Special Operations Coordination Center (sec. 1244)*

The House bill contained a provision (sec. 1231) that would authorize the Secretary of Defense to allocate up to $30.0 million to improve the capacity and capabilities of the North Atlantic Treaty Organization (NATO) Special Operations Coordination Center. Funds under this section would be available for the purposes of:

(1) improving coordination and cooperation among the special operations forces of NATO nations;

(2) facilitating joint operations by the special operations forces of NATO nations;

(3) supporting special operations-peculiar command, control, and communications capabilities;

(4) promoting special operations forces' intelligence and informational requirements within the NATO structure; and

(5) promoting interoperability.

This section would further require the Secretary of Defense, within 180 days after the enactment of this Act, to certify to the Committees on Armed Services of the Senate and the House of Representatives that the Department of Defense (DOD) has assigned executive agent responsibility for the NATO Special Operations Coordination Center to an appropriate DOD organization.

The Senate amendment contained no similar provision. The Senate recedes.

*Annual report on military power of Iran (sec. 1245)*

The House bill contained a provision (sec. 1232) that would require the Secretary of Defense to submit an annual report by March 1 of each year to the congressional defense committees, the Senate Select Committee on Intelligence, the House Permanent Select Committee on Intelligence, and the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs on the current and future military strategy of the Islamic Republic of Iran.

The Senate amendment contained a similar provision (sec. 1224).

The conference report includes this provision with a series of conforming and technical amendments.

*Annual report on military and security developments involving the People's Republic of China (sec. 1246)*

The House bill contained a provision (sec. 1233) that would amend section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) by changing the title of the report to ''Annual Report on Military and Security Developments Involving the People's Republic of China'' and by making certain clarifying and technical changes. The provision would also expand the scope of the report to include information regarding U.S. engagement and cooperation with China on security matters, and information on additional developments involving China that the Secretary of Defense considers relevant to national security. In addition, the provision would repeal the reporting requirements on military-to-military contacts under sections 1201(e) and (f) of the National Defense Authorization Act for Fiscal Year 2000 and add these requirements to the reporting requirements under section 1202 of that Act. Details of the provision's reporting requirements are set forth in the report accompanying the House bill (House Report 111–166).

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees encourage the Secretary to further examine the implications of China's concepts of psychological warfare, media warfare, and legal warfare on U.S. military affairs in the region and include additional detail on each of these concepts, including examples and trends, in the fiscal year 2010 report to Congress required under this section.

*Report on impacts of drawdown authorities on the Department of Defense (sec. 1247)*

The House bill contained a provision (sec. 1234) that would require the Secretary of Defense to report on the impact of authorities to drawdown Department of Defense equipment, services, and other items on the Department of Defense in a number of specified areas.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment clarifying the elements of the report and providing that the requirement to report under this section will terminate on December 31, 2013.

*Risk assessment of United States space export control policy (sec. 1248)*

The House bill contained a provision (sec. 1235) that would require the Secretary of Defense and the Secretary of State to carry out an assessment of the national security risks of removing satellites and related components from the United States Munitions List (USML). A report on the assessment would be due 180 days after the date of enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees believe that the time has come for an analysis of the risks and benefits of satellites and related components remaining on the USML. While clearly the conferees want to protect national security interests, it is also in the national security interest of the United States to maintain a robust satellite industrial base. Over the past several years it has become clear that satellite manufacturers in other countries have used the USML status as a competitive tool against U.S. satellite manufactures and U.S. satellite manufacturers have been hampered

in their manufacturing and marketing efforts as a result of the USML status. The conferees hope that this risk assessment and report will serve as the basis for future discussion about possible revisions to U.S. export policy.

*Patriot air and missile defense battery in Poland (sec. 1249)*

The House bill contained a provision (sec. 1236) that would direct the Secretary of Defense, subject to the availability of appropriations, to seek to deploy a United States Army Patriot air and missile defense battery, and the personnel required to operate and maintain such battery, to Poland by 2012.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the United States and Poland should seek to implement the terms of their Declaration on Strategic Cooperation, dated August 20, 2008, including cooperation on the deployment of a U.S. Army Patriot air and missile defense battery in Poland. The amendment would also require the Secretary of Defense to report to the congressional defense committees on the status of cooperation on the deployment of the Patriot battery.

*Report on potential foreign military sales of the F–22A fighter aircraft (sec. 1250)*

The House bill contained a provision (sec. 1237) that would require the Secretary of Defense, in coordination with the Secretary of State, and in consultation with the Secretary of the Air Force, to report on: (1) the costs of developing an exportable version of the F–22A; (2) an assessment of whether such development is technically feasible, and if so, how long it would take; (3) an assessment of the strategic implications of permitting foreign sales of the F–22A; (4) an assessment of the potential impact of foreign sales on the domestic aerospace industry; and (5) any changes in law that would be required to permit such sales.

The Senate amendment contained a similar provision (sec. 123).

The House recedes with a technical amendment.

*Report on the plan for the nuclear weapons stockpile, nuclear weapons complex, and delivery platforms and sense of Congress on follow-on negotiations to START Treaty (sec. 1251)*

The House bill contained a provision (sec. 1239) that would prohibit fiscal year 2010 funds from being used to implement reductions in the strategic nuclear forces of the United States pursuant to a treaty or other agreement entered into between the United States and the Russian Federation on strategic nuclear forces, after the date of enactment of this Act, until the President makes certain certifications. The certifications would include: that the treaty or agreement was verifiable; that the treaty or agreement does not place any restrictions on U.S. ballistic missile, space, or advanced conventional weapons capabilities; and that the fiscal year 2011 budget request for the Department of Energy (DOE) National Nuclear Security Administration (NNSA) was sufficiently funded to maintain the reliability, safety and security of the remaining strategic nuclear forces, and modernize and refurbish the nuclear weapons complex. In addition, the provision would require the President to submit a report to the congressional defense committees on the stockpiles of the strategic and nonstrategic weapons of the Unites States and the Russian Federation.

The Senate amendment contained a similar provision (sec. 1234) that would require the President to submit a report to the congressional defense and foreign relations committees on the plan to enhance the safety, security and reliability of the U.S. nuclear weapons stockpile, to modernize the nuclear weapons complex, and to maintain the delivery platforms for nuclear weapons. This report would be due with the submission of any follow-on to the Strategic Arms Reduction (START) Treaty or 30 days after enactment of this Act, whichever is earlier.

The provision would also set forth the sense of the Senate urging the President to maintain his stated position to not include any limitations on the ballistic missile defense systems, space capabilities, or advanced conventional weapons systems of the United States in any follow-on to the START Treaty.

The House recedes with an amendment that requires the report to be submitted 30 days after the date of enactment of this Act or when any follow-on to the START Treaty is submitted to the Senate, whichever is later. The amendment would also change the sense of the Senate to a sense of Congress and expand the sense of Congress to include two additional items. The first item is that enhanced safety, security, and reliability of the nuclear weapons stockpile, the modernization of the nuclear weapons complex, and the maintenance of the nuclear delivery systems are key to enabling further reductions in our nuclear forces. The second item is that the President should submit a budget request for fiscal year 2011 for the NNSA that is adequate to sustain the needed capabilities to support the long-term maintenance of the U.S. nuclear weapon stockpile.

*Map of mineral-rich zones and areas under the control of armed groups in the Democratic Republic of the Congo (sec. 1252)*

The House bill contained a provision (sec. 1240) that would require the Secretary of Defense, in consultation with the Secretary of State, to produce a map of mineral-rich zones and areas under the control of armed groups in the Democratic Republic of the Congo.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would call on the Secretary of State, in consultation with the Secretary of Defense, to work with other member states of the United Nations and non-governmental organizations to produce a publicly available map of mineral-rich zones and areas under the control of armed groups in the Democratic Republic of the Congo and to provide to the appropriate congressional committees an explanatory note regarding sources, definitions, and identification of armed groups or other forces in control of the mines.

*Sense of Congress relating to the State of Israel (sec. 1253)*

The House bill contained a provision (sec. 1241) that would express Congress' commitment to maintaining the State of Israel's qualitative military edge.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Sense of Congress on imposing sanctions with respect to Iran (sec. 1254)*

The Senate amendment contained a provision (sec. 1232) that would express the sense of the Senate on imposing additional sanctions against the Islamic Republic of Iran should they: fail to accept the offer of the United States to engage in diplomatic talks; fail to suspend all enrichment-related and reprocessing activities; and the United Nations Security Council fails to adopt additional sanctions against the Islamic Republic of Iran.

The House bill contained no similar provision.

The House recedes with a series of technical amendments.

*Report and sense of Congress on North Korea (sec. 1255)*

The Senate amendment contained a provision (sec. 1233) that would require the President to submit to Congress a report examining the conduct of the Government of North Korea to determine whether North Korea meets the statutory criteria for listing as a state sponsor of terrorism. The provision also expresses the sense of the Senate that the United States should enforce United Nations Security Council Resolution 1718 and 1874, urge other member states of the United Nations to fully implement those sanctions, and explore imposition of additional sanctions. It also expresses the sense that North Korea should be immediately relisted as a state sponsor of terrorism if it is determined that the Government of North Korea has provided assistance to terrorists or engaged in terrorism, or if it failed to fulfill the pledges it made in its statement of June 10, 2008.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) narrow the sense of the Congress; and (2) modify an element of the report to require an examination of whether relisting North Korea as a state sponsor of terrorism, if North Korea does not meet the statutory criteria for listing, would undermine the effectiveness of the state sponsor of terrorism designation in general and undermine United States efforts regarding existing state sponsors of terrorism.

*Report on potential missile defense cooperation with Russia (sec. 1256)*

The House bill contained a provision (sec. 1238) that would authorize the expansion of the activities of the planned U.S.-Russian Joint Data Exchange Center beyond the exchange of data on ballistic missile early warning, to include the exchange of data on missile defense-related activities.

The Senate amendment contained a related provision (sec. 244) that would require the Secretary of Defense to submit to the congressional defense committees a report setting forth potential options for cooperation among or between the United States, the North Atlantic Treaty Organization, and the Russian Federation on ballistic missile defense.

The House recedes with an amendment that would require the report to include an assessment of whether there is mutual interest in modifying the U.S.-Russian agreement on the establishment of the Joint Data Exchange Center to encompass other forms of cooperation.

Subtitle D—VOICE Act

*Short title (sec. 1261)*

The Senate amendment contained a provision that would name this subtitle the Victims of Iranian Censorship Act or the 'VOICE' Act (section 1241).

The House bill contained no similar amendment.

The House recedes.

*Authorization of appropriations (sec. 1262)*

The Senate amendment would authorize $30.0 million to the Broadcasting Board of Governors to expand Farsi language broadcasting into Iran. These funds would be available to develop additional transmission capability to counter Iranian government efforts to jam radio, satellite, and Internet-based transmissions; establish additional proxy server capability and anti-censorship software to counter efforts to block access to

websites in Iran; and develop technologies to counter efforts to block text message exchanges over cellular phone networks.

The House bill contained no similar provision.

The House recedes.

The conferees note that this authorization of appropriations is not an authorization for Department of Defense funds (i.e. 050 funding), but rather an authorization for Department of State funds (i.e. 150 funding).

*Iranian Electronic Education, Exchange, and Media Fund (sec. 1263)*

The Senate amendment contained a provision (sec. 1245) that would authorize $20.0 million for a new fund, which would support the development of technologies that will enhance the Iranian people's ability to access and share information; counter efforts to block, censor, or monitor the Internet in Iran; and engage in Internet-based education programs and other exchanges online.

The House bill contained no similar provision.

The House recedes.

The conferees note that this authorization of appropriations is not an authorization for Department of Defense funds (i.e. 050 funding), but rather an authorization for Department of State funds (i.e. 150 funding).

*Annual report (sec. 1264)*

The Senate amendment contained a provision (Sec. 1246) that would require the President to submit an annual report for the next 5 years describing in depth U.S. broadcasting into Iran, Iranian government efforts to jam U.S. broadcasting, and U.S. efforts to counter Iranian jamming.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

*Report on actions by non-Iranian companies (sec. 1265)*

The Senate amendment contained a provision (Sec. 1247) that would require a study by the President on non-Iranian companies that have aided the Iranian government's Internet censorship efforts.

The House bill contained no similar provision.

The House recedes with a series of clarifying amendments.

*Human rights documentation (sec. 1266)*

The Senate amendment contained a provision (Sec. 1248) that would authorize $5.0 million for the Secretary of State to document, collect, and dissemination information about human rights in Iran, including abuses of human rights that have taken place since the June 12, 2009, election in the Islamic Republic of Iran.

The House bill contained no similar provision.

The House recedes.

The conferees note that this authorization of appropriations is not an authorization for Department of Defense funds (i.e. 050 funding), but rather an authorization for Department of State funds (i.e. 150 funding).

LEGISLATIVE PROVISIONS NOT ADOPTED

*Defense cooperation between the United States and Iraq*

The Senate amendment contained a provision (sec. 1209) that would encourage the Secretary of Defense to increase the number of positions available annually to the Government of Iraq in professional military education courses at command and general staff colleges, war colleges, and the service academies.

The House bill contained no similar provision.

The Senate recedes.

*Certification requirement for Coalition Support Fund reimbursements*

The Senate amendment contained a provision (sec. 1214) that would modify the notification requirement under section 1232(b) of the National Defense Authorization Act for Fiscal Year 2008, as amended, regarding Coalition Support Fund reimbursements to Pakistan. The modification would require the Secretary of Defense, after consultation with the Secretary of State, to provide in the notification a certification that the reimbursement to Pakistan: (1) is consistent with the national security interests of the United States; and (2) will not adversely impact the balance of power in the region.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that matters raised by this provision of the Senate amendment are addressed in another section of this report relating to Coalition Support Fund reimbursements.

*Required assessments of United States efforts in Afghanistan*

The House bill contained a provision (sec. 1217) that would require the President, to conduct a semi-annual assessment and report on the progress of U.S. efforts in Afghanistan in a number of specified areas. This section would require that the President develop goals, timelines, and metrics for measuring progress toward achieving U.S. goals in these areas.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that information similar to certain assessments required by section 1217 of the House bill has been incorporated into reporting requirements under other provisions in this title of this Act.

*Report on the Republic of Cuba and Cuba's relations with other countries*

The Senate amendment contained a provision (sec. 1222) that would require the Director of National Intelligence to provide a report to the congressional defense and intelligence committees on a number of matters relating to the Republic of Cuba's military and intelligence activities.

The House bill contained no similar provision.

The Senate recedes.

*Report on Bolivarian Republic of Venezuela*

The Senate amendment contained a provision (sec. 1223) that would require the Director of National Intelligence to provide a report to the congressional defense and intelligence committees on a number of matters relating to the Bolivarian Republic of Venezuela's military and intelligence activities.

The House bill contained no similar provision.

The Senate recedes.

*Civilian Ministry of Defense Advisor Program*

The House bill contained a provision (sec. 1226) that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to provide civilian advisors to the Republic of Iraq and Islamic Republic of Afghanistan to offer institutional, ministerial-level advice and training to senior civilian and military officials of those countries.

The Senate amendment contained no similar provision.

The House recedes.

*Report on Taiwan's Air Defense Force*

The Senate amendment contained a provision (sec. 1226) that would have required a report on Taiwan's Air Forces.

The House bill contained no similar provision.

The Senate recedes.

The conferees direct the Secretary of Defense to submit to Congress, not later than 90 days after the date of enactment of this Act, a report that contains an assessment of the following: (1) the current state of Taiwan's air defense forces; (2) the ability of Taiwan's air defense forces to defend Taiwan's air space in response to a range of cross-Strait scenarios; and (3) possible measures, if any, that Taiwan could undertake to strengthen its air defense forces. The report shall be submitted in an unclassified form, but may include a classified annex if necessary.

*Report on the status of interagency coordination in the Afghanistan and Operation Enduring Freedom theater of operations*

The House bill contained a provision (sec. 1227) that would require the Secretary of Defense and the Secretary of State to submit a semi-annual report on the status of interagency cooperation in the Islamic Republic of Afghanistan and Operation Enduring Freedom theater of operations.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that information similar to certain matters required by section 1227 of the House bill has been included in reporting requirements under other provisions in this title of this Act.

*Sense of Congress supporting United States policy for Afghanistan*

The House bill contained a provision (sec. 1228) that would express the sense of Congress regarding the strategy for Afghanistan and Pakistan announced by the President on March 27, 2009, and the funding and resources to support that strategy.

The Senate amendment contained no similar provision.

The House recedes.

*Sense of Congress on establishment of measures of progress to evaluate United States strategic objectives in Afghanistan and Pakistan*

The Senate amendment contained a provision (sec. 1231) that would express the sense of Congress that the administration should review any previously established measures of progress for Afghanistan as required by section 1230(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) and modify, add, or further establish appropriate measures of progress for Afghanistan and Pakistan, as part of the report on Afghanistan required by section 1230 of Public Law 110–181 and the report on Pakistan required by section 1232 of Public Law 110–181, as amended, consistent with the administration's new strategy for the region announced by the President on March 27, 2009.

The House bill contained no similar provision.

The Senate recedes.

*Sense of Congress on continued support by the United States for a stable and democratic Republic of Iraq*

The Senate amendment contained a provision (sec. 1235) that would express the sense of Congress on the United States continued support for a stable and democratic Republic of Iraq.

The House bill contained no similar provision.

The Senate recedes.

*Iran VOICE Act-Sense of Congress*

The Senate contained a provision that would express Congress' respect for the sovereignty, proud history, and rich culture of the Iranian people; condemn acts of censorship and intimidation by the Government of Iran; and support the Iranian people's desire to peacefully express their voices, opinions, and aspirations (section 1242).

The House bill contained no similar amendment.

The Senate recedes.

*Iran VOICE Act-Statement of Policy*

The Senate amendment contained a provision which would state U.S. policy relating to supporting for freedom of the press, freedom of speech, and freedom of assembly in Iran, discouraging businesses from aiding efforts to interfere with the ability of the people of Iran to access freely information, and encouraging the developing of technologies to enable the people of Iran to access electronic media on the internet (section 1243).

The House bill contained no similar amendment.

The Senate recedes.

TITLE XIII—COOPERATIVE THREAT REDUCTION

*Specification of Cooperative Threat Reduction programs and funds (sec. 1301)*

The House bill contained a provision (sec. 1301) that would define the Cooperative Threat Reduction (CTR) programs, define the funds as authorized to be appropriated in section 301 of this Act, and authorize CTR funds to be available for obligation for 3 fiscal years.

The Senate amendment contained an identical provision (sec. 1301).

The conference agreement includes this provision.

*Funding allocations (sec. 1302)*

The House bill contained a provision (sec.1302) that would authorize $434.1 million for the Cooperative Threat Reduction (CTR) program, an increase of $30.0 million above the budget request. The provision would also authorize specific amounts for each CTR program element.

The Senate amendment contained a similar provision (sec. 1302) that would authorize $424.1 million for the CTR program, an increase of $20.0 million above the budget request. The provision would also authorize specific amounts for each CTR program element.

The conferees agree to authorize $424.1 million for the CTR program, an increase of $20.0 million above the budget request, including an increase of $17.0 million for new initiatives and $3.0 million for chemical demilitarization.

*Utilization of contributions to the Cooperative Threat Reduction Program (sec. 1303)*

The House bill contained a provision (sec. 1303) that would authorize the Secretary of Defense, in consultation with the Secretary of State, to accept contributions from any person, including any foreign government or entity, for the Cooperative Threat Reduction (CTR) program. The Secretary would be required to submit quarterly reports to the appropriate congressional committees on the use and purpose of the funds, plus a one-time implementation plan. Funds received would be maintained in a separate account in the Treasury and would be subject to appropriation. Any funds not used within 5 years from receipt would be returned to the original donor. The authority to accept contributions would expire on December 2012.

The Senate amendment contained a similar provision (sec. 1303) that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to receive contributions from any person, including any foreign government or entity, for the biological threat reduction program (BTRP) carried out under the CTR program. The Secretary would be required to notify the congressional defense committees within 30 days after receiving any contributions, and would include the name of the person who made the contribution and the value and purpose of the contribution. The provision would also direct the Secretary of Defense to submit an annual report for each fiscal year in which funds are accepted describing the contributions received in that fiscal year. Any funds received would be maintained in a separate account in the Treasury, but would be available for obligation and expenditure without further appropriation. Any funds not used within 3 years from receipt would be returned to the original donor. The authority to accept contributions would expire on December 31, 2015.

The House recedes with an amendment that would broaden the authority of the Secretary of Defense to receive funds for any CTR activity. In addition, the amendment would require the Secretary of Defense to submit an implementation plan prior to obligating or expending any funds received by any entity. The amendment would also require that the notifications and reports be submitted to the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs.

*Metrics for the Cooperative Threat Reduction Program (sec. 1304)*

The House bill contained a provision (sec. 1304) that would require the Secretary of Defense to enter into an arrangement with the National Academy of Sciences (NAS) to carry out a study to identify metrics to measure the impact and effectiveness of activities under the Cooperative Threat Reduction (CTR) program at the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to develop metrics for the CTR program. Not later than 270 days after enactment of this Act, the Secretary of Defense is directed to submit a report to the appropriate congressional committees describing the metrics developed and implemented.

Not later than 30 days after the Secretary of Defense submits the metrics report, the Secretary shall enter into an agreement for the NAS to review and assess the metrics report. The NAS shall submit the results of its assessment of the metrics report to the Secretary of Defense and the appropriate congressional committees.

No later than 90 days after receiving the NAS report the Secretary shall submit a report to the appropriate congressional committees on the assessment carried by the NAS and shall include actions, if any, to be taken by the Secretary to implement any recommendation in the NAS assessment.

*Cooperative Threat Reduction Program authority for urgent threat reduction activities (sec. 1305)*

The House bill contained a provision (sec. 1305) that would authorize the Secretary of Defense, in consultation with the Secretary of State, to expend not more than 10 percent of the funds available for the Cooperative Threat Reduction (CTR) program, notwithstanding any other provision of law, for CTR activities to address urgent threats from chemical, nuclear or biological weapons, or weapons-related materials, technologies and expertise, subject to certain conditions. These conditions would include a series of determinations and written notification 15 days in advance of the use of the authority.

The Senate amendment contained a similar provision (sec. 1304) that would authorize the Secretary of Defense to obligate not more than 10 percent of the funds authorized to be appropriated for the Cooperative Threat Reduction (CTR) program for any bilateral or multilateral activities relating to nonproliferation or disarmament, notwithstanding any other provision of law, subject to a certification by the President that the action is necessary to support national security objectives.

The Senate recedes with an amendment that would require the Secretary of Defense to exercise the authority only with the concurrence of the Secretaries of State and Energy. The amendment would also include technical changes to the determinations and the notification.

*Cooperative Threat Reduction Defense and Military Contacts Program (sec. 1306)*

The House bill contained a provision (sec. 1306) that would require the Secretary of Defense to ensure that the defense and military contacts program under the Department of Defense Cooperative Threat Reduction (CTR) program be administered by the CTR program office and be used to support and advance the mission of the CTR program, as well as be coordinated with relevant combatant commanders.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

*Working capital funds (sec. 1401)*

The House bill contained a provision (sec. 1401) that would authorize funds to be appropriated for fiscal year 2010 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital and revolving funds.

The Senate amendment contained a similar provision (sec. 1401).

The conference agreement includes this provision.

*National Defense Sealift Fund (sec. 1402)*

The budget request for fiscal year 2010 included an authorization of $1,642.8 million for various programs within the National Defense Sealift Fund (NDSF).

The House bill would authorize an increase of $60.0 million for additional funding for the mobile landing platform program that would be a key enabler of the Maritime Prepositioning Force (Future) (MPF(F)) program.

The Senate amendment would authorize a reduction of $400.0 million for the T-AKE dry cargo/ammunition ship program because the Secretary of Defense announced that the Quadrennial Defense Review would be reconsidering the MPF(F) concept and program.

The conferees agree to authorize $1,642.8 million for the NDSF as requested.

*Chemical agents and munitions destruction, defense (sec. 1403)*

The House bill contained a provision (sec. 1404) that would authorize fiscal year 2010 funds for Chemical Agents and Munitions Destruction.

The Senate amendment contained an identical provision (sec. 1404).

The conference agreement includes this provision.

*Drug Interdiction and Counter-Drug Activities, Defense-wide (sec. 1404)*

The House bill contained a provision (sec. 1405) that would authorize $1.1 billion for Drug Interdiction and Counterdrug Activities.

The Senate amendment contained an identical provision (sec. 1405).

The conference agreement includes this provision.

*Defense Inspector General (sec. 1405)*

The House bill contained a provision (sec. 1406) that would authorize funds to be appropriated for fiscal year 2010 for the office of the Inspector General of the Department of Defense.

The Senate amendment contained an identical provision (sec. 1406).

The conference agreement includes a provision that authorizes funds for the Office of the Inspector General.

*Defense Health Program (sec. 1406)*

The House bill contained a provision (sec. 1403) that would authorize fiscal year 2010 funds for the Defense Health Program (DHP) and other programs and would recommend a transfer of funds from the DHP to the Office of the Secretary of Defense from several accounts relating to information management, technology, and support, which is reflected in the tables.

The Senate amendment contained a similar provision authorizing appropriations for the DHP (sec. 1403).

The conference agreement includes this provision.

*Relation to funding table (sec. 1407)*

The Senate amendment contained a provision (sec. 1407) that authorizes funds in this title in accordance with section 4001 and in the amounts specified in the funding table in section 4401.

The House bill contained no similar provision.

The House recedes.

Subtitle B—National Defense Stockpile

*Authorized uses of National Defense Stockpile funds (sec. 1411)*

The House bill contained a provision (sec. 1411) that would authorize uses of National Defense Stockpile funds during fiscal year 2010.

The Senate amendment contained no similar provision.

The Senate recedes.

*Extension of previously authorized disposal of cobalt from National Defense Stockpile (sec. 1412)*

The House bill contained a provision (sec. 1412) that would extend the authorization of disposal of cobalt from the National Defense Stockpile from fiscal year 2009 to fiscal year 2011.

The Senate amendment contained a similar provision.

The House recedes.

*Report on implementation of reconfiguration of the National Defense Stockpile (sec. 1413)*

The House bill contained a provision (sec. 1413) that would require the Secretary of Defense to submit a report on actions planned or taken in response to the recommendations in the April 2009 report entitled, ''Reconfiguration of the National Defense Stockpile Report to Congress'' submitted by the Under Secretary of Defense for Acquisition, Logistics, and Technology.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle C—Armed Forces Retirement Home

*Authorization of appropriations for Armed Forces Retirement Home (sec. 1421)*

The House bill contained a provision (sec. 1421) that would authorize $134.0 million to be appropriated for fiscal year 2010 from the Armed Forces Retirement Home Trust Fund for the operation of the Armed Forces Retirement Home.

The Senate amendment contained an identical provision (sec. 1421).

The conference agreement includes this provision.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

BUDGET ITEM

*Joint Improvised Explosive Device Defeat Organization*

The budget request for Overseas Contingency Operations (OCO) includes $1,535.0 million for the Joint Improvised Explosive Device Defeat Fund (JIEDDF), and $564.9 million in the base budget request, reflecting the administration's decision to make the Joint Improvised Explosive Device Defeat Organization (JIEDDO) a permanent institution.

The House bill would have reorganized the JIEDDF base budget request to reflect better the enduring costs of the JIEDDO. Additionally, the House bill would have transferred from the JIEDDF to Research, Development, Test, and Evaluation, Army (RDTEA) for JIEDDO RDTEA and to Operation and Maintenance, Army for JIEDDO operations and information fusion support, for the Joint Center of Excellence, and for staff and infrastructure. The House bill would also have transferred $100.0 million from the JIEDDF OCO request to help accelerate the Irregular Warfare Support (IWS) program.

The Senate amendment would have transferred the $564.9 million requested in the base budget to the OCO account because the Senate views JIEDDO as a temporary organization created to support U.S. forces in the theaters of operation in Iraq and Afghanistan.

The conferees agree to transfer the JIEDDO funds requested in title I to the title XV JIEDDF OCO account and endorse the concerns and direction noted in the Senate amendment.

LEGISLATIVE PROVISIONS ADOPTED

*Purpose (sec. 1501)*

The House bill contained a provision (sec. 1501) stating the purpose of this title which is to authorize additional appropriations for overseas contingency operations.

The Senate amendment contained a similar provision (sec. 1501).

The Senate recedes.

*Army procurement (sec. 1502)*

The House bill contained a provision (sec. 1502) that would authorize appropriations for Army procurement.

The Senate amendment contained a similar provision (sec. 1502).

The Senate recedes with an amendment with agreement on funding levels.

*Joint Improvised Explosive Device Defeat Fund (sec. 1503)*

The House bill contained a provision (sec. 1503) that would authorize funding for the Joint Improvised Explosive Device Defeat Fund; extend the funding transfer authorities for the fund; and extend the requirement for Joint Improvised Explosive Device Defeat Organization (JIEDDO) to provide monthly obligation and expenditure reports to congressional defense committees.

The Senate amendment contained an identical provision (sec. 1502(6)) funding authorization.

The conference agreement includes the JIEDDO funding authorization. The funding authorization levels are reflected in title XV tables.

The Senate recedes to the House bill's transfer authority extension.

The Senate recedes with an amendment that would include the House bill's requirement for monthly obligation and expenditure reports, but would repeal the requirement for JIEDDO to provide quarterly obligation and expenditure reports required under section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), as amended.

The conferees are concerned by JIEDDO's inability to provide the required monthly obligation and expenditure reports on a timely basis. The conferees believe that JIEDDO has become a sufficiently mature organization to allow it to plan and program in advance for continuing and enduring costs. Further, in order for the congressional defense committees to conduct adequate oversight of JIEDDO and its efforts to accomplish its mandate, the conferees believe JIEDDO must submit timely detailed budgetary and programmatic information.

*Navy and Marine Corps procurement (sec. 1504)*

The House bill contained a provision (sec. 1505) that would authorize appropriations for Navy and Marine Corps procurement.

The Senate amendment contained a similar provision (sec. 1503).

The Senate recedes with an amendment with agreement on funding levels.

*Air Force procurement (sec. 1505)*

The House bill contained a provision (sec. 1506) that would authorize appropriations for Air Force procurement.

The Senate amendment contained a similar provision (sec. 1504).

The Senate recedes with an amendment with agreement on funding levels.

*Mine Resistant Ambush Protected Vehicle Fund (sec. 1506)*

The House bill contained a provision (sec. 1508) that would authorize $5.5 billion for the Mine Resistant Ambush Protected (MRAP) Vehicle Fund.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would increase the total authorization for the MRAP Vehicle Fund to $6.7 billion—$6.1 billion in title XV of this Act and $600.0 million in title I of this Act.

The conferees are aware that MRAP vehicles continue to be high priority assets in Operation Enduring Freedom (OEF) and Operation Iraqi Freedom and save lives in combat. The committee notes the extraordinary effort to produce over 16,000 MRAP vehicles in 2 years and commends the Secretary of Defense for acknowledging the importance of this program by making it a top priority.

The conferees understand that in response to a joint, urgent operational needs statement from OEF, the MRAP joint program office is now procuring an MRAP all-terrain variant (M-ATV) that is a smaller, lighter-weight version of the original MRAP vehicle. The conferees are aware the M-ATV requirement has increased from 2,080 to 6,466. The conferees expect the Secretary of Defense to use the funds provided to fund fully this new requirement in fiscal year 2010.

The conferees also believe troops in pre-mobilization training should have training on the same types of equipment they will operate while deployed in combat. The committee understands MRAP vehicles are currently in short supply for home-station training at joint national training centers, and at combined training centers. The conferees urge the Secretary of Defense to address these shortfalls and facilitate the fielding of MRAP vehicles for pre-mobilization training.

*Defense-wide activities procurement (sec. 1507)*

The House bill contained a provision (sec. 1507) that would authorize appropriations for Defense-wide activities procurement.

The Senate amendment contained a similar provision (sec. 1505).

The Senate recedes with an amendment with agreement on funding levels.

*Research, development, test, and evaluation (sec. 1508)*

The House bill contained a provision (sec. 1509) that would authorize appropriations for research, development, test and evaluation.

The Senate amendment contained a similar provision (sec. 1506).

The Senate recedes with an amendment with agreement on funding levels.

*Operation and maintenance (sec. 1509)*

The House bill contained a provision (sec. 1510) that would authorize appropriations for operations and maintenance programs.

The Senate amendment contained a similar provision (sec. 1507).

The House recedes with an amendment with agreement on funding levels.

*Limitations on availability of funds in Afghanistan Security Forces Fund (sec. 1510)*

The House bill contained a provision (sec. 1513) that would authorize to be appropriated for fiscal year 2010 $7.5 billion for the Afghanistan Security Forces Fund and would subject these funds or any funds made available for the Afghanistan Security Forces Fund to the certain terms and conditions of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The Senate amendment contained a similar provision (sec. 1516).

The House recedes.

*Limitations on Iraq Security Forces Fund (sec. 1511)*

The House bill contained a provision (sec. 1516) that would make certain terms and conditions contained in section 1512 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) applicable to funds made available to the Department of Defense for the Iraq Security Forces Fund for fiscal year 2010.

The Senate amendment contained no similar provision.

The Senate recedes.

*Military personnel (sec. 1512)*

The House bill contained a provision (sec. 1512) that would authorize appropriations for military personnel accounts.

The Senate amendment contained a similar provision (sec. 1508).

The Senate recedes with an amendment with agreement on funding levels.

*Working Capital Funds (sec. 1513)*

The House bill contained a provision (sec. 1511) that would authorize appropriations for Working Capital Funds.

The Senate amendment contained a similar provision (sec. 1509).

The Senate recedes.

*Defense Health Program (sec. 1514)*

The House bill contained a provision (sec. 1515(a)) that would authorize appropriations for the Defense Health Program.

The Senate amendment contained a similar provision (sec. 1510).

The House recedes with an amendment with agreement on the funding level.

*Drug Interdiction and Counter-drug Activities, Defense-wide (sec. 1515)*

The House bill contained a provision (sec. 1515(b)) that would authorize appropriations for drug interdiction and counterdrug activities, defense-wide.

The Senate amendment contained a similar provision (sec. 1511).

The House recedes with agreement on the funding level.

*Defense Inspector General (sec. 1516)*

The House bill contained a provision (sec. 1515(c)) that would authorize appropriations for the Office of the Inspector General of the Department of Defense.

The Senate amendment contained a similar provision (sec. 1512).

The House recedes with agreement on the funding level.

*Relation to funding tables (sec. 1517)*

The Senate amendment contained a provision (sec. 1514) that would authorize funds in this title in accordance with the requirements of section 4001 and in the amounts specified in the funding tables in sections 4102, 4202, 4302, and 4402.

The House bill contained no similar provision.

The House recedes.

*Continuation of prohibition on use of United States funds for certain facilities projects in Iraq (sec. 1518)*

The House bill contained a provision (sec. 1517) that would make funds authorized to be appropriated under this title subject to the prohibition in section 1508(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) on the use of authorized funds for the acquisition, conversion, rehabilitation, or installation of facilities in Iraq for the use of the Government of Iraq, political subdivisions of Iraq, or agencies, departments, or forces of the Government of Iraq or its subdivisions.

The Senate amendment contained no similar provision.

The Senate recedes.

*Treatment as additional authorizations (sec. 1519)*

The House bill contained a provision (sec. 1519) that would treat the amounts authorized in this title as additional to amounts otherwise authorized by this Act.

The Senate amendment contained an identical provision (sec. 1513).

The conference agreement includes this provision.

*Special transfer authority (sec. 1520)*

The House bill contained a provision (sec. 1518) that would authorize the transfer of up to $4.0 billion of authorizations for war-related funding authorizations in this title.

The Senate amendment contained a similar provision (sec. 1515) that would authorize transfers of up to $4.5 billion.

The Senate recedes.

LEGISLATIVE ITEMS NOT ADOPTED

*Limitation on obligation of funds for Joint Improvised Explosive Device Defeat Organization pending report to Congress*

The House bill contained a provision (sec. 1504) that would limit the amount of funds that the Joint Improvised Explosive Device Defeat Organization (JIEDDO) may obligate until the committee is provided JIEDDO's detailed budget and program information.

The Senate amendment contained no similar provision.

The House recedes.

*Iraq Freedom Fund*

The House bill contained a provision (sec. 1514) that would authorize an additional $115.3 million for the Iraq Freedom Fund.

The Senate amendment contained no similar provision.

The House recedes.

*Other Department of Defense programs*

The House bill contained a provision (sec. 1515) that would authorize funding for the Defense Health Program, Drug Interdiction and Counterdrug Activities, and the Office of the Inspector General of the Department of Defense.

The Senate amendment contained similar provisions (sec. 1510, sec. 1511, sec. 1512) that were adopted.

The House recedes.

TITLE XVII—DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION PROJECT

*Demonstration project authority (sec. 1701)*

The Senate amendment contained a provision (sec. 1042) that would require the Secretary of Defense, in consultation with the Secretary of the Navy, and the Secretary of Veterans Affairs to execute a signed agreement for the joint use by the Department of Defense and the Department of Veterans Affairs of the Navy ambulatory care center, parking structure, supporting structures and facilities, and related medical personal property and equipment in North Chicago, Illinois, and Great Lakes, Illinois.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) authorize, but not require, the secretaries to execute the agreement; (2) require the Secretary of Defense and the Secretary of Veterans Affairs to jointly submit to the appropriate committees of Congress a copy of the proposed executive agreement not later than 7 days before executing the agreement, and to submit a final report on the exercise of the authorities granted for the demonstration project not later than 180 days after the fifth anniversary of the date of execution of the agreement; (3) require the Secretary of Defense and the Secretary of Veterans Affairs to jointly submit a report to Congress setting forth recommendations for additional locations, if any, at which similar executive agreements would be advisable; and (4) require the Comptroller General, not later than 1 year after the execution of an executive agreement, and annually thereafter, to review and assess the progress made by the departments in implementing the agreement and the effects of the agreement on the provision of care and operation of the facility.

*Transfer of property (sec. 1702)*

The Senate amendment contained a provision (sec. 1043) that would authorize the Secretary of Defense, acting through the Administrator of General Services, to transfer, without reimbursement, to the Secretary of Veterans Affairs, jurisdiction over the Navy ambulatory care center and supporting structures in North Chicago, Illinois, and Great Lakes, Illinois. The provision would also designate the center, structure, and facilities transferred to the Secretary of Veterans Affairs as the ''Captain James A. Lovell Federal Health Care Center''.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the designation of the facility and to authorize transfer of jurisdiction, custody, and control over the center, structures, facilities, and property and equipment covered by the executive agreement.

The conferees encourage the Secretary of Veterans Affairs to use customary procedures for designation of federal facilities if and when the transfer is completed.

*Transfer of civilian personnel of the Department of Defense (sec. 1703)*

The Senate amendment contained a provision (sec. 1044) that would authorize the Secretary of Defense and the Secretary of the Navy to transfer to the Secretary of Veterans Affairs civilian employee positions necessary for the effective operation of the facility.

The House bill contained no similar provision.

The House recedes with a conforming amendment.

*Joint funding authority (sec. 1704)*

The Senate amendment contained a provision (sec. 1045) that would authorize the Department of Veterans Affairs/Department of Defense Health-Care Resources Sharing Committee to provide for the joint funding of the facility and establish on the books of the Treasury a Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund to fund the operations of the facility, including capital equipment, real property maintenance, and certain minor construction projects.

The House bill contained no similar provision.

The House recedes with an amendment that would require that funds be authorized and appropriated specifically for the purpose

of funding the Department of Defense-Department of Veterans Affairs joint medical facility, and would remove the authorization for the Department of Veterans Affairs/Department of Defense Health-Care Resources Sharing Committee to provide for the joint funding of the facility.

*Eligibility of members of the uniformed services for care and services (sec. 1705)*

The Senate amendment contained a provision (sec. 1046) that would authorize the Captain James A. Lovell Federal Health Care Center to be treated as a facility of the uniformed services under chapter 55 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a conforming amendment and an amendment that would give first priority for care in the integrated priority lists of the Secretary of Defense and the Secretary of Veterans Affairs to members of the armed forces on active duty.

*Extension of DOD-VA Health Care Sharing Incentive Fund (sec. 1706)*

The Senate amendment contained a provision (sec. 1047) that would change the termination date for the DOD-VA Health Care Sharing Incentive Fund from September 30, 2010, to September 30, 2015.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISION NOT ADOPTED

*Short title*

The Senate amendment contained a provision (sec. 1041) that would cite this subtitle as the ''Captain James A. Lovell Federal Health Care Center Act of 2009''.

The House bill contained no similar provision.

The Senate recedes.

TITLE XVIII—MILITARY COMMISSIONS

*Military commissions (secs. 1801–1807)*

The Senate amendment contained a provision (sec. 1031) that would amend chapter 47A of title 10, United States Code, addressing the trial by military commission of certain detainees for violations of the law of war.

The House bill contained no similar provision.

The House recedes with an amendment that would break up the provision into seven sections and provide it with a new short title: the Military Commissions Act of 2009. The amendment would also modify language addressing the qualifications of defense counsel and the resources available to such counsel, standards precluding the use of coerced testimony, standards applicable to the use of hearsay evidence, the protection of classified information, the appellate process, implementing regulations, and reports to Congress, and make other clarifying changes.

Section 948a(7) of title 10, United States Code, as amended by section 1802, would define the term ''unprivileged enemy belligerent.'' This definition is included for the purpose of establishing persons subject to trial by military commission in accordance with section 948c, of title 10, United States Code, and is not intended to address the scope of the authority of the United States to detain individuals in accordance with the laws of war or for any other purpose.

The conferees note that section 948k(c)(2) of title 10, United States Code, as amended by section 1802, would require the Secretary of Defense to prescribe regulations for the appointment and performance of defense counsel in capital cases. The conferees are aware that the Chief Defense Counsel for the Office of Military Commissions has expressed concern about what he and his office perceive to be systemic under-resourcing of the defense needs of capital and other cases brought before military commissions. Witnesses testifying on behalf of the administration before the Committees on Armed Services of the Senate and the House of Representatives have indicated that they share many of these concerns. Accordingly, the conferees strongly encourage the Secretary of Defense to take appropriate steps to ensure the adequacy of representation for detainees, particularly in capital cases. The conferees further expect the Secretary, in prescribing regulations under section 948k(c)(2), of title 10, United States Code, to give appropriate consideration to the American Bar Association's Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases (February 2003) and other comparable guidelines.

The conferees also note that section 949a(b)(2), of title 10, United States Code, as amended by section 1802, would require that defendants in capital cases be represented, to the greatest extent practicable, by counsel who is ''learned in applicable law related to capital cases.'' The conferees understand this phrase to have the same meaning that is commonly attributed to the same words in section 3005 of title 18, United States Code.

The conference agreement would permit the admission of a statement by the accused if, among other criteria, the military judge finds that the statement is reliable, probative, was made incident to lawful conduct during military operations at the point of capture or during closely related active combat engagement, and the interests of justice would best be served by its admission. The conferees expect the phrase ''closely related active combat engagement,'' to be interpreted in the context of testimony before the Committees on Armed Services of the Senate and the House of Representatives addressing the unique circumstances applicable to statements that are made during a force-protection, tactical, or intelligence-related interrogation which occurs within a reasonable proximity in time and location to the point of capture given the unique circumstance of active combat operations.

The conferees note the Supreme Court's opinion in Roper v. Simmons, 543 U.S. 551 (2005), in which a majority of the court determined that the Eighth and Fourteenth Amendments of the United States Constitution did not permit the imposition of the death penalty on offenders who were under the age of 18 at the time of their offense. The conferees take no position as to the applicability of this decision to the detainees at the United States Naval Station, Guantanamo Bay, Cuba, or any other detainee who may be tried by a military commission established pursuant to chapter 47A, of title 10, United States Code, as amended by section 1802. However, the conferees encourage the Secretary of Defense to give appropriate consideration to this decision in light of Common Article 3 of the Geneva Conventions, which requires that military commissions afford ''all of the judicial guarantees which are recognized as indispensable by civilized peoples.''

Lastly, the conferees are aware that pending prosecutions before military commissions have been delayed on several occasions during the consideration of this legislation. The conferees believe that it would be in the interest of justice to minimize any further delay in such cases. While section 1805 would provide up to 90 days for the Secretary of Defense to revise rules to be consistent with the requirements of chapter 47A of title 10, United States Code, as amended by this provision, the conferees urge the Secretary of Defense to promulgate such rules sooner.

TITLE XIX—FEDERAL EMPLOYEE BENEFITS

Subtitle A—General Provisions

*Credit for unused sick leave (sec. 1901)*

The House bill contained a provision in Division D (sec. 201) that would allow unused sick leave to be applied toward length of service for purposes of computing a retirement annuity under the Federal Employee Retirement System (FERS).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would permit the annuity of an employee retiring under FERS to include an applicable percentage of unused sick leave. The applicable percentage would be 50 percent of such leave between the date of enactment of this Act and December 31, 2013, and 100 percent of unused sick leave thereafter.

*Limited expansion of the class of individuals eligible to receive an actuarially reduced annuity under the Civil Service Retirement System (sec. 1902)*

The House bill contained a provision in Division D (sec. 202) that would allow employees who were refunded Civil Service Retirement System contributions made during the period from October 1, 1990, to February 28, 1991, and who were subsequently reemployed with the government, to satisfy the redeposit requirement by receiving an actuarially-reduced annuity in lieu of making cash payment to cover the interest. The Senate amendment contained no similar provision.

The Senate recedes.

*Computation of certain annuities based on part-time service (sec. 1903)*

The House bill contained a provision in Division D (sec. 203) that would allow an employee under the Civil Service Retirement System to take their highest salary, including their deemed full-time salary for years of part-time work, to be used in computing benefits derived from a pre-1986 salary.

The Senate amendment contained no similar provision.

The Senate recedes.

*Authority to deposit refunds under FERS (sec. 1904)*

The House bill contained a provision in Division D (sec. 204) that would allow former federal employees under the Federal Employee Retirement System (FERS) who withdrew their contributions to the retirement trust fund, thereby waiving retirement credit for those years of service, to redeposit their earlier contributions, plus interest, upon reemployment with the Federal Government.

The Senate amendment contained no similar provision.

The Senate recedes.

*Retirement credit for service of certain employees transferred from District of Columbia service to Federal service (sec. 1905)*

The House bill contained a provision in Division D (sec. 205) that would provide certain District of Columbia employees whose positions were converted into federal positions with pension credit for their service prior to the transition for the purpose of determining federal retirement benefits.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B—Non-Foreign Area Retirement Equity Assurance

*Non-Foreign Area Retirement Equity Assurance (secs. 1911–1919)*

The House bill contained several provisions in Division D (sections 211 through 219) that would phase out cost of living allowances for federal employees working in Hawaii, Alaska, and other non-foreign U.S. territories,

and would phase in locality comparability pay in place of the allowances. This locality pay could be counted toward an employees' salary for retirement pay purposes, whereas cost of living allowances are not.

The Senate amendment contained no similar provisions.

The Senate recedes with several technical amendments.

LEGISLATIVE PROVISION NOT ADOPTED

*Repeal*

The House bill contained a provision (sec. 301D) that would amend section 999h of the Energy Policy Act of 2005, codified in section 16378 of title 42, United States Code, to repeal the federal subsidy to the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research program.

The Senate amendment contained no similar provision.

The House recedes.

*DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS*

*Short title (sec. 2001)*

The House bill contained a provision (sec. 2001) that would designate Division B of this Act as the Military Construction Authorization Act for Fiscal Year 2010.

The Senate amendment contained an identical provision (sec. 2001).

The conference agreement includes this provision.

*Expiration of authorizations and amounts required to be specified by law (sec. 2002)*

The House bill contained a provision (sec. 2002) that would establish the expiration date for authorizations in this Act for military construction projects, land acquisition, family housing projects, and contributions to the North Atlantic Treaty Organization infrastructure program, as October 1, 2012, or the date of enactment of an act authorizing funds for military construction for fiscal year 2013, whichever is later.

The Senate amendment contained a similar provision (sec. 2002).

The Senate recedes.

*Relation to funding tables (sec. 2003)*

The Senate amendment contained a provision (sec. 2004) that directs the funding authorized for appropriations in sections 2104, 2204, 2304, 2404, 2411, 2502, 2606, and 2703 shall be available, in accordance with the requirements of these sections for projects, programs, and activities, and in the amounts specified in sections 4501, 4502, 4503, and 4504.

The House bill contained no similar provision.

The House recedes with an amendment which eliminates section 4504.

*General reduction across division (sec. 2004)*

The conference agreement includes a provision (sec. 2005) that reduces the amount authorized for appropriations in Division B by $529.1 million. The provision requires a report from the Secretary of Defense not later than 90 days after enactment of this Act describing how the reduction will be applied. The conferees note that because of a favorable construction climate, the Department is currently averaging savings of about 8 percent in fiscal year 2009 military construction contract awards. The conferees are also aware that the Department has budgeted an additional 4.4 percent for inflation, across the board, in the fiscal year 2010 military construction budget request. Therefore, the projected savings for military construction projects are substantial and are growing. This general reduction is in anticipation of continued substantial contract savings in fiscal year 2010, and is not intended to reduce or eliminate any individual construction projects authorized for appropriations in this Act.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Effective date*

The House bill contained a provision (sec. 2003) that would provide that titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXIX of this Act take effect on October 1, 2009, or the date of enactment of this Act, whichever is later.

The Senate amendment contained a similar provision (sec. 2003).

Because the conference report was not adopted prior to October 1, 2009, this provision is no longer required.

*Technical corrections regarding certain military construction projects, New Mexico*

The Senate amendment contained a provision (sec. 2005) that would make technical corrections to two military construction projects in New Mexico. Those changes were incorporated into the military construction tables and at the other appropriate places in the bill.

The House bill contained no similar provision.

The Senate recedes.

TITLE XXI—ARMY

BUDGET ITEMS

*Summary*

The budget request included authorization of appropriations of $3.66 billion for military construction and $796.65 million for family housing for the Army for fiscal year 2010. The conference agreement includes authorization of appropriations of $3.72 billion for military construction and $796.65 million for family housing for fiscal year 2010.

The conferees note that in December 2007, the Army announced its specific force structure and stationing strategy to accommodate active end strength growth of 65,000 personnel. As part of that strategy the Army indicated that it would increase its number of brigade combat teams (BCTs) by six, from 42 to 48. In fiscal year 2009 the Army was authorized and had appropriated more than $1.1 billion in military construction funding and $333.0 million in Army Family Housing for BCTs 46, 47, and 48 at Fort Stewart, Georgia, Fort Carson, Colorado, and Fort Bliss, Texas. The fiscal year 2010 budget request included a proposal to reduce the total number of BCTs from 48 to 45.

As a consequence, the conference agreement reduces or eliminates specific authorizations for military construction projects included in the budget request for fiscal year 2010 that the Army's ''gap analysis'' has determined to be excess of requirements. The conference agreement also includes a general reduction of $166.0 million for the Army and requests that the Department apply those reductions after a thorough review of military requirements affected by the reduction of three BCT's.

Additionally, the conference agreement includes a reduction of $150.0 million in authorization of appropriations contained in the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417) for Army Family Housing at Fort Carson and Ft Stewart, to account for a reduction in requirements. The Army has indicated to the conferees that because of the elimination of one BCT from each installation, there exists adequate family housing without the fiscal year 2009 appropriations.

The conference agreement includes $350.0 million to be applied by the Department of the Army to requirements for the construction of trainee troop barracks to meet critical shortfalls in housing for trainees. The conferees expect the Army to utilize this funding to reduce the need for relocatable facilities that are in use at all installations where basic and advance individual training is conducted. The conference agreement includes a legislative provision (sec. 2104) that requires the funds be available only after the Secretary of the Army provides a list of projects to the congressional defense committees along with a certification that the projects can be executed in fiscal year 2010, have a valid DD form 1391, and are in the Defense Department's current future-years defense program (FYDP).

The conference agreement includes a reduction in the authorization of appropriations without prejudice of $20.0 million requested to prepare a site for the eventual construction of the National Museum of the U.S. Army at Fort Belvoir, Virginia. The conferees note that the construction of the museum is contingent on the availability of certain levels of private donations, which to date, have not been raised. The conferees are concerned that a delay in museum construction may result in a military construction project that is not complete and useable. Therefore, the conferees encourage the Department to include authorization of this project in a future budget request when donated funds will permit the construction of the museum to commence. The conferees do not intend for this deferment in the authorization of appropriations to indicate any concern about the site for the National Museum of the United States Army.

Finally, the conference agreement includes a reduction in the authorization of the appropriation of $25.0 million for the Warrior Transition Complex at Landstuhl, Germany, pending a decision on the final location of a hospital replacement facility for the Landstuhl Regional Medical Center.

LEGISLATIVE PROVISIONS ADOPTED

*Authorized Army construction and land acquisition projects (sec. 2101)*

The House bill contained a provision (sec. 2101) that would authorize military construction projects for the active component of the Army for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2101).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Family housing (sec. 2102)*

The House bill contained a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army for fiscal year 2010. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate amendment contained an identical provision (sec. 2102).

The conference agreement includes this provision.

*Improvements to military family housing units (sec. 2103)*

The House bill contained a provision (sec. 2103) that would authorize funding for fiscal year 2010 to improve existing Army family housing units.

The Senate amendment contained an identical provision (sec. 2103).

The conference agreement includes this provision.

*Authorization of appropriations, Army (sec. 2104)*

The House bill contained a provision (sec. 2104) that would authorize appropriations for the active component military construction and family housing projects of the Army for fiscal year 2010. This provision would also

provide an overall limitation on the cost of the fiscal year 2010 military construction and family housing projects authorized for the active-duty component of the Army.

The Senate amendment contained a similar provision (sec. 2104).

The conference agreement includes these provisions.

*Modification of authority to carry out certain fiscal year 2009 project (sec. 2105)*

The House bill contained a provision (sec. 2105) that authorizes the Secretary of the Army to construct a chapel at Ft Bragg, North Carolina, that is increased in scope over that previously authorized in fiscal year 2009.

The Senate amendment contained no similar provision.

The Senate recedes.

*Extension of authorizations of certain fiscal year 2006 projects (sec. 2106)*

The House bill contained a provision (sec. 2106) that would extend the authorization for Army fiscal year 2006 military construction projects at Pohakuloa, Hawaii, until October 1, 2010, or the date of enactment of an act authorizing funds for military construction for fiscal year 2011, whichever is later.

The Senate amendment contained a similar provision (sec. 2105).

The Senate recedes.

TITLE XXII—NAVY

BUDGET ITEM

*Summary*

The budget request included authorization of appropriations of $3.76 billion for military construction and $515.11 million for family housing for the Department of the Navy for fiscal year 2010. The conferees recommend authorization of appropriations of $3.77 billion for military construction and $515.11 million for family housing for fiscal year 2010.

The budget request contains the first substantial increment of funding for the relocation of Marines from Okinawa to Guam. The conferees are concerned about the lack of a Guam Master Plan with budget level detail as well as firm commitments to funding as reflected in a future-years defense program for the Department of Defense. Because a long range master plan has not been submitted to Congress, the projects included in the fiscal year 2010 budget request seem disjointed and premature. For example, the acquisition of real estate to complete the Finegayan site for both the stationing and training of Marine forces would appear to be the highest priority for the use of military construction funds, along with a reliable road network and supporting utilities infrastructure. The conferees are also concerned that the Andersen Air Force Base north ramp and utilities projects intended to support the redeployment of Marine Corps aviation did not represent complete and usable facilities as required by section 2801 of title 10, United States Code. Therefore, the conference agreement includes an authorization for a military construction project that results in a complete and useable facility. The conference report also authorizes incremental appropriations conditioned on receipt of the final Guam master plan from the Department of Defense.

The conference agreement also includes a reduction of the authorization for a Marine Corps Military Working Dog facility on Guam, based on the conferee assessment that the supporting construction costs for the facility were overstated.

The conference agreement includes an authorization for the Ship Repair Pier Replacement Facility at Norfolk, Virginia, the Apra Harbor Wharves Improvement project on Guam, and the North Region Tertiary Treatment Plant at Camp Pendleton, California, that will result in complete and useable facilities. The conference agreement includes an authorization of incremental appropriations required to carry out construction activities in fiscal year 2010, as the conferees note that these large projects are projected for late fiscal year 2010 award, and will take several years to complete construction.

The conference agreement includes authorization for $46.3 million for channel and turning basin dredging at Naval Station (NS) Mayport, Florida. The Navy requested this project in order to allow a nuclear aircraft carrier to enter Naval Station Mayport on a temporary basis with an embarked air wing, full stores, and under any tidal conditions. The conferees authorize funding for this project based on the Secretary of the Navy and Chief of Naval Operations' assurances that the dredging is needed for current operational considerations to permit the use of Mayport as a transient dock and is ''required irrespective of the final decision on aircraft carrier homeporting at Mayport.''

The conferees emphasize that the inclusion of an authorization for dredging at NS Mayport is not an indication of conferee support for the establishment of an additional homeport for nuclear aircraft carriers on the east coast, or intended to influence the ongoing Quadrennial Defense Review, which may include a recommendation on the establishment of a second east coast homeport for nuclear aircraft carriers. Furthermore, the conferees note that this funding is provided solely to permit use of Mayport as a transient port, and that any potential designation of Mayport as a nuclear carrier homeport will require future authorizations from the Committees on Armed Services of the Senate and the House of Representatives.

LEGISLATIVE PROVISIONS ADOPTED

*Authorized Navy construction and land acquisition projects (sec. 2201)*

The House bill contained a provision (sec. 2201) that would authorize military construction projects for the active component of the Navy and Marine Corps for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2201).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Family housing (sec. 2202)*

The House bill contained a provision (sec. 2202) that would authorize new construction and planning and design of family housing units for the Navy for fiscal year 2010. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate amendment contained an identical provision (sec. 2202).

The conference agreement includes this provision.

*Improvements to military family housing units (sec. 2203)*

The House bill contained a provision (sec. 2203) that would authorize funding for fiscal year 2010 to improve existing Navy and Marine Corps family housing units.

The Senate amendment contained an identical provision (sec. 2203).

The conference agreement includes this provision.

*Authorization of appropriations, Navy (sec. 2204)*

The House bill contained a provision (sec. 2204) that would authorize appropriations for the active component military construction and family housing projects of the Department of the Navy for fiscal year 2010. This provision would also provide an overall limitation on the cost of the fiscal year 2010 military construction and family housing projects authorized for the active-duty component of the Navy and Marine Corps.

The Senate amendment contained a similar provision (sec. 2204).

The conference agreement includes these provisions.

*Modification and extension of authority to carry out certain fiscal year 2006 project (sec. 2205)*

The House bill contained a provision (sec. 2205) that would increase and extend the authorization until October 1, 2012, or the date of enactment of an act authorizing funds for military construction for fiscal year 2013 whichever is later, for a project at the Naval Submarine Base Bangor, Washington, for construction of a waterfront security enclave.

The Senate amendment contained a similar provision (sec. 2205).

The Senate recedes.

TITLE XXIII—AIR FORCE

BUDGET ITEM

*Summary*

The budget request included authorization of appropriations of $1.15 billion for military construction and $569.04 million for family housing for the Air Force in fiscal year 2010. The committee recommends authorization of appropriations of $1.42 billion for military construction, and $569.04 million for family housing for fiscal year 2010.

The conferees do not recommend authorization of appropriations at this time for the War Reserve Material Compound and the Airlift Ramp and Fuel Facilities at Al Musannah Air Base in Oman. The projects were proposed as a result of a Government of Oman request to U.S. Central Command to relocate existing U.S. military facilities from Seeb International Airport, Oman, in order to facilitate commercial development. The conferees are concerned that projects have been requested for Al Musannah Air Base, without a base master plan, without the appropriate long-term agreements in place with the Omani Government, and without consideration of contributions from the host nation. Furthermore, an additional $350.0 million would need to be included in U.S. defense future budgets in order to ensure these projects could be used for their intended purpose. The conferees recommend that the Department of Defense confirm the existence of an updated host nation agreement that will detail the terms of the United States' presence at Al Musannah Air Base, before considering this project for inclusion in a President's budget request.

The conferees are aware that future Department of Defense and North Atlantic Treaty Organization plans may result in the construction of separate facilities supporting the Global Hawk aircraft at Naval Station Sigonella, Sicily. Therefore, the conferees encourage the Department of Defense to explore options for the use of existing facilities and the consolidation of facility requirements for the stationing and operation of Global Hawk before carrying out the project to construct the hangar authorized in this Act.

At the request of the Department of the Air Force, the conferees have included an authorization of $37.5 million for a project for the bed down of the Unmanned Aerial Systems Field Training Unit squadron at Holloman Air Force Base, New Mexico. The conferees also rescinded the fiscal year 2009 authorization of $37.5 million for this same

project which had been included under World-wide Unspecified Locations. This was necessary because the fiscal year 2009 project was generic in nature. Once a bed down location was determined, the scope of the project changed and required a new authorization.

LEGISLATIVE PROVISIONS ADOPTED

*Authorized Air Force construction and land acquisition projects (sec. 2301)*

The House bill contained a provision (sec. 2301) that would authorize military construction projects for the active component of the Air Force for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2301).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Family housing (sec. 2302)*

The House bill contained a provision (sec. 2302) that would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2010. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate amendment contained an identical provision (sec. 2302).

The conference agreement includes this provision.

*Improvements to military family housing units (sec. 2303)*

The House bill contained a provision (sec. 2303) that would authorize funding for fiscal year 2010 to improve existing Air Force family housing units.

The Senate amendment contained an identical provision (sec. 2303).

The conference agreement includes this provision.

*Authorization of appropriations, Air Force (sec. 2304)*

The House bill contained a provision (sec. 2304) that would authorize appropriations for the active component military construction and family housing projects of the Air Force for fiscal year 2010. This provision would also provide an overall limitation on the cost of the fiscal year 2010 military construction and family housing projects authorized for the active-duty component of the Air Force.

The Senate amendment contained a similar provision (sec. 2304).

The conference agreement includes these provisions.

*Termination of authority to carry out certain fiscal year 2009 Air Force project (sec. 2305)*

The conferees recommend a provision that terminates two Air Force projects for Unmanned Aerial Vehicles previously authorized in the tables of the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417; Stat.4682).

*Extension of authorizations of certain fiscal year 2007 projects (sec. 2306)*

The House bill contained a provision (sec. 2305) that would extend the authorizations for certain Air Force fiscal year 2007 military construction projects until October 1, 2010, or the date of enactment of an act authorizing funds for military construction for fiscal year 2011, whichever is later.

The Senate amendment contained an identical provision (sec. 2305).

The conference agreement includes this provision.

*Extension of authorizations of certain fiscal year 2006 projects (sec. 2307)*

The House bill contained a provision (sec. 2306) that would extend the authorizations for certain Air Force fiscal year 2006 military construction projects until October 1, 2010, or the date of enactment of an act authorizing funds for military construction for fiscal year 2011, whichever is later.

The Senate amendment contained a similar provision (sec. 2306).

The Senate recedes.

*Conveyance to Indian tribes of certain housing units (sec. 2308)*

The Senate amendment contained a provision (sec. 2308) that would permit the Secretary of the Air Force to convey excess relocatable military housing units to certain Indian tribes, at no cost, and without consideration. The provision also provides a mechanism for the tribes to make requests to the Air Force as well as designating eligible bases.

The House bill contained no similar provision.

The House recedes.

TITLE XXIV—DEFENSE AGENCIES

BUDGET ITEMS

*Summary*

The budget request included authorization of appropriations of $3.1 billion for military construction for the defense agencies, $146.54 million for chemical demilitarization construction, and $75.04 million for family housing for the defense agencies, the Family Housing Improvement Fund, and the Homeowners Assistance Program for fiscal year 2010.

The conferees recommend authorization of appropriations of $2.82 billion (including fiscal year 2009 reductions) for military construction, $151.54 million for chemical demilitarization construction, and $354.67 million for family housing programs for fiscal year 2010, including an increase of $276.8 million for the Homeowners Assistance Program.

The conference agreement includes a reduction to the budget request of $200.0 million for the second increment of the National Security Agency's Data Center at Camp Williams, Utah. This $1.59 billion facility was fully authorized as a military construction project in the Supplemental Appropriations Act, 2009 (P.L. 111–32). The conferees believe that the amount provided for the second increment for this project in this Act is adequate to maintain the construction schedule provided to the conferees through fiscal year 2010 with no delays.

The conference agreement includes a full authorization and incremental funding for hospital replacement projects in Guam and Fort Bliss, Texas, in order to permit the Department of Defense to proceed with design and construction of complete facilities fully satisfying the military requirement. The Department has estimated that these full authorizations will save over $300.0 million through the construction period and will ensure complete and useable facilities as required by law. The conferees strongly encourage the Department of Defense to take into consideration the potential costs, delays in project completion schedules, and impact to military operations before including phased military construction projects in future budget requests.

The conference agreement also includes reductions in funding for Health and Dental Clinics at Fort Carson, Colorado, Fort Stewart, Georgia, and Fort Bliss, Texas, in order to adjust requirements to account for the elimination of a brigade combat team from the Army at each of those installations.

The conference agreement includes a reduction of $22.5 million for one of two elementary schools requested for Fort Stewart, Georgia, which the Department of Defense Educational Activity has indicated is no longer required given the current plan for assigned soldiers and dependents.

The conference agreement includes an increase of $50.0 million for construction of an elementary school at Boeblingen, Germany. The current facility is located in a converted World War II era troop barracks and has significant life, health, and safety concerns.

As a result of the administration's recently announced decision to restructure the European missile defense architecture, the conference agreement includes a reduction of $151.2 million to the authorization of appropriations provided in the Military Construction Authorization Act for Fiscal Year 2009 (Division D of Public Law 110–417) for the interceptor site in Poland and the mid course radar site in the Czech Republic without predjudice. Although, the new architecture will likely require new military construction projects in the future, those projects must be requested individually in the year of anticipated construction.

The conference agreement includes a transfer to the Defense-wide account from the North Atlantic Treaty Organization (NATO) Security Investment Program of $41.4 million to account for the United States contribution to the construction of the new NATO headquarters.

Subtitle A—Defense Agency Authorizations

LEGISLATIVE PROVISIONS ADOPTED

*Authorized defense agencies construction and land acquisition projects (sec. 2401)*

The House bill contained a provision (sec. 2401) that would authorize construction projects for the defense agencies for fiscal year 2010.

The Senate amendment contained similar provisions (sec. 2401 and sec. 2402).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Family housing (sec. 2402)*

The Senate amendment contained a provision (sec. 2402) that would authorize the Secretary of Defense to carry out new construction of family housing units for fiscal year 2010.

The House bill contained no similar provision.

The House recedes.

*Energy conservation projects (sec. 2403)*

The Senate amendment contained a provision (sec. 2403) that would authorize the Secretary of Defense to carry out energy conservation projects.

The House bill contained no similar provision.

The House recedes.

*Authorization of appropriations, defense agencies (sec. 2404)*

The House bill contained a provision (sec. 2402) that would authorize specific appropriations for each line item contained in the budget request for fiscal year 2010 for the defense agencies. This section provides an overall limit on the amount the defense agencies may spend on military construction projects. Lastly, this section requires that a proportion of the funds for energy conservation projects equivalent to the proportion of energy used by reserve component facilities as a percentage of the total energy consumed by military installations be made available for reserve components.

The Senate amendment contained two similar provisions (sec. 2403 and 2404).

The Senate recedes with a clarifying amendment.

*Termination or modification of authority to carry out certain fiscal year 2009 projects (sec. 2405)*

The House bill contained a provision (sec. 2404) that would increase the authorization for a Defense Logistics Agency project authorized in the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417) for a project at Souda Bay, Greece.

The Senate amendment contained a similar provision (sec. 2406).

The Senate recedes with an amendment terminating the authority for construction projects for the Missile Defense Agency previously authorized in the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417: 122 Stat. 4690).

*Modification of authority to carry out certain fiscal year 2008 project (sec. 2406)*

The House bill contained a provision (sec. 2403) that would increase the authorization for a Defense Logistics Agency project authorized in the Military Construction Authorization Act for Fiscal Year 2008 (Division B of Public Law 110–181) for a project at Point Loma Annex, California.

The Senate amendment contained an identical provision (sec. 2405).

The conference agreement includes this provision.

*Extension of authorizations of certain fiscal year 2007 project (sec. 2407)*

The House bill contained a provision (sec. 2405) that would extend the authorization for a fiscal year 2007 military construction project for the Defense Logistics Agency until October 1, 2010, or the date of enactment of an act authorizing funds for military construction for fiscal year 2011, whichever is later.

The Senate amendment contained an identical provision (sec. 2407).

The conference agreement includes this provision.

Subtitle B—Chemical Demilitarization Authorizations

*Authorization of appropriations, chemical demilitarization construction, defense-wide (sec. 2411)*

The House bill contained a provision (sec. 2411) that would authorize military construction projects for the chemical demilitarization program for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2411).

The Senate recedes with an amendment increasing the authorized amount and making other technical changes.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

LEGISLATIVE PROVISIONS ADOPTED

*Authorized NATO construction and land acquisition projects (sec. 2501)*

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount equal to the sum of the amount specifically authorized in section 2502 of this title and the amount of recoupment due to the United States for construction previously financed by the United States.

The Senate amendment contained an identical provision (sec. 2501).

The conference agreement includes this provision.

*Authorization of appropriations, NATO (sec. 2502)*

The House bill contained a provision (sec. 2502) that would authorize $276,314,000 as the U.S. contribution to the North Atlantic Treaty Organization (NATO) Security Investment Program.

The Senate amendment contained a similar provision (sec. 2502).

The Senate recedes with an amendment that reduces the amount authorized to $197,417,000. The reduction is caused by the transfer of $41,400,000 to the Defense-wide account for the United States contribution to the construction of a new NATO headquarters. The total authorization was also reduced by $37,500,000 to account for the United States prefinancing of the NATO International Security Assistance Force Headquarters in Afghanistan.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

BUDGET ITEMS

*Summary*

The budget request included authorization of appropriations of $1.02 billion for military construction in fiscal year 2010 for National Guard and Reserve facilities. The conferees recommend a total of $1.61 billion for military construction for the reserve components. This authorization for appropriations includes programmatic increases of $200.0 million divided among the components as provided in the tables in title 26 of this Act. The conferees have included a legislative provision (sec. 2606) that requires that prior to an award using certain authorized amounts, the secretary of the military department concerned provides a list of projects to the congressional defense committees along with a certification that the projects can be executed in fiscal year 2010, have a valid DD form 1391, and are included in the future-years defense program of the involved reserve component.

LEGISLATIVE PROVISIONS ADOPTED

*Authorized Army National Guard construction and land acquisition projects (sec. 2601)*

The House bill contained a provision (sec. 2601) that would authorize military construction projects for the Army National Guard for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2601).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Authorized Army Reserve construction and land acquisition projects (sec. 2602)*

The House bill contained a provision (sec. 2602) that would authorize military construction projects for the Army Reserve for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2602).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects (sec. 2603)*

The House bill contained a provision (sec. 2603) that would authorize military construction projects for the Navy Reserve and Marine Corps Reserve for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2603).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Authorized Air National Guard construction and land acquisition projects (sec. 2604)*

The House bill contained a provision (sec. 2604) that would authorize military construction projects for the Air National Guard for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2604).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Authorized Air Force Reserve construction and land acquisition projects (sec. 2605)*

The House bill contained a provision (sec. 2605) that would authorize military construction projects for the Air Force Reserve for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2605).

The conference agreement includes these provisions.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4501 of this Act provides the binding list of specific construction projects authorized at each location.

*Authorization of appropriations, National Guard and Reserve (sec. 2606)*

The House bill contained a provision (sec. 2606) that would authorize appropriations for reserve component military construction projects for fiscal year 2010.

The Senate amendment contained a similar provision (sec. 2606).

The conference agreement includes these provisions.

*Extension of authorizations of certain fiscal year 2007 projects (sec. 2607)*

The House bill contained a provision (sec. 2607) that would extend the authorizations for certain Guard and reserve fiscal year 2007 military construction projects until October 1, 2010, or the date of enactment of an act authorizing funds for military construction for fiscal year 2011, whichever is later.

The Senate amendment contained an identical provision (sec. 2607).

The conference agreement includes this provision.

*Extension of authorizations of certain fiscal year 2006 project (sec. 2608)*

The House bill contained a provision (sec. 2608) that would extend the authorization for an Army National Guard fiscal year 2006 military construction project in Montana until October 1, 2010, or the date of enactment of an act authorizing funds for military construction for fiscal year 2011, whichever is later.

The Senate amendment contained a similar provision (sec. 2608).

The Senate recedes.

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

Subtitle A—Authorizations

LEGISLATIVE PROVISIONS ADOPTED

*Authorization of appropriations for base closure and realignment activities funded through Department of Defense base closure account 1990 (sec. 2701)*

The House bill contained a provision (sec. 2701) that would authorize appropriations for fiscal year 2010 for ongoing activities that are required to implement the decision of the 1988, 1991, 1993, and 1995 Base Closure and Realignment.

The Senate amendment contained a similar provision (sec. 2701).

The Senate recedes with an amendment to increase the amount authorized by $100.0 million.

*Authorized base closure and realignment activities funded through Department of Defense base closure account 2005 (sec. 2702)*

The House bill contained a provision (sec. 2702) that would authorize military construction projects for fiscal year 2010 for ongoing activities that are required to implement the decisions of the 2005 Base Closure and Realignment.

The Senate amendment contained a similar provision (sec. 2702).

The Senate recedes with an amendment to the amounts authorized.

The table included in this title lists the specific amounts authorized at each location.

*Authorization of appropriations for base closure and realignment activities funded through Department of Defense base closure account 2005 (sec. 2703)*

The House bill contained a provision (sec. 2703) that would authorize appropriations for military construction projects for fiscal year 2010 for the Department of Defense that are required to implement the decisions of the 2005 Base Realignment and Closure round.

The Senate amendment contained a similar provision (sec. 2703).

The Senate recedes with an amendment that changes the amount authorized.

The State list contained in this Act is the binding list of the specific projects authorized at each location.

Subtitle B—Other Matters

*Relocation of certain Army Reserve units in Connecticut (sec. 2711)*

The Senate amendment contained a provision (sec. 2706) that would authorize the Secretary of the Army to locate a new Armed Forces Reserve Center in the vicinity of Newtown, Connecticut, at a location determined by the Secretary to be in the best interest of national security and in the public interest.

The House bill contained no similar provision.

The House recedes.

*Authority to construct Armed Forces Reserve Center in vicinity of Pease Air National Guard Base, New Hampshire (sec. 2712)*

The Senate amendment contained a provision (sec. 2707) that would authorize the Secretary of the Army to locate a new Armed Forces Reserve Center in the vicinity of Pease Air National Guard Base, New Hampshire, at a location determined by the Secretary to be in the best interest of national security and in the public interest.

The House bill contained a similar provision (sec. 2722).

The House recedes with a clerical amendment.

*Sense of Congress on ensuring joint basing recommendations do not adversely affect operational readiness (sec. 2713)*

The House bill contained a provision (sec. 2721) that would express the sense of Congress that, in implementing joint basing recommendations associated with the recommendations of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510), the Secretary of Defense should ensure that the operational employment of units at the joint base are not adversely impacted.

The Senate amendment contained no similar provision.

The Senate recedes.

*Requirements related to providing world class military medical facilities in the National Capital Region (sec. 2714)*

The House bill contained a provision (sec. 2723) that expressed a sense of the Congress that the Department of Defense should use all available methods to implement the defense access road program to mitigate traffic congestion in and around the National Naval Medical Center, Bethesda, Maryland.

The Senate amendment contained a provision (sec. 2708) that would require a master plan from the Secretary of Defense for the development of world class medical facilities and an integrated system of health care delivery for the National Capital Region. The provision provides a specific list of issues to be addressed from wounded warrior care, to information technology integration, to ancillary and support facilities.

The House recedes with an amendment that integrates the sense of the Congress on traffic management into the requirement for a master plan for the National Capital Region. The conferees are concerned that the Department lacks a plan for the entirety of facilities at the Walter Reed National Military Medical Center and that there may be differing standards and levels of construction and funding that could result in a facility that is not in totality a world class medical facility. The conferees believe that the quality of patient care should be at the foundation of all decisions regarding the development of these facilities and the closure of facilities at the current Walter Reed Army Medical Center.

*Use of economic development conveyances to implement base closure and realignment property recommendations (sec. 2715)*

The House bill contained a provision (sec. 2711) that would amend section 2905 of the Defense Base Closure and Realignment (BRAC) Act of 1990 (part A of title XXIX of Public Law 101–510) redefining the role of economic development conveyances. Furthermore, the provision would eliminate fair market value negotiations between eligible parties and the Department of Defense prior to a conveyance, instead relying on actual market returns realized at the completion of the development. Finally, the Secretary of Defense would be required to complete implementing regulations within 60 days after the date of enactment of this Act and be required to submit a report to Congress within 180 days after the date of enactment of this Act regarding the status of ongoing economic development conveyances.

The Senate amendment contained a provision (sec. 2705) that would express the sense of the Senate that, as the Federal Government implements base closures and realignments, global repositioning, and initiatives to increase the end strength of the Army and the Marine Corps, it is necessary to assist local communities coping with these programs and to comprehensively assess the needs and degree of assistance to communities to effectively implement the various initiatives of the Department of Defense while aiding communities to either recover quickly from closures or to accommodate growth associated with troop influxes.

The Senate recedes with an amendment that would amend section 2905 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510) that would replace the requirement for the Secretary to seek fair market value as consideration for the conveyance of properties disposed as a result of the 2005 BRAC round with an authority that grants the Secretary the discretion to account for the local economic conditions of affected communities and the cost of public infrastructure when determining the amount of consideration to be requested for properties affected by all BRAC rounds. The amendment would also authorize the Secretary to receive as consideration a range of resources including in-kind services or goods, or a share of revenues that the local redevelopment authority receives from third party buyers or from lessees from sales and long-term leases of the conveyed property.

The conferees note that negotiations between the Department of Defense and local redevelopment authorities at many locations over the value of property to be disposed under an economic development conveyance (EDC) have stalled over the past 2 years due to difficulties in the nation's financial markets, the deterioration of local economic conditions, and the potential of legislative changes. The conferees are concerned that these stalled negotiations are detrimental to both local communities, which are denied an expansion of their tax revenue base and the opportunity for jobs generation and economic redevelopment, and to the Department of Defense, which must maintain the properties, some dating back to the 1993 BRAC round, with scarce resources. The conferees intend for the Department to use the language contained in this conference agreement to conclude negotiations and expedite the transfer of properties in order to allow for affected communities to proceed with economic redevelopment initiatives. The conferees have included a specific authorization to the Secretary to accept consideration in the form of revenues received from third-party buyers, or lessees from sales and long-term leases. This ''back end'' funding is also intended to speed the process without putting undue burden on local communities to provide large initial contributions, or to burden taxpayers to provide public contributions as a condition of property conveyance.

The conferees agree that the Secretary of Defense should have the discretion to receive consideration up to and including fair market value for a property when warranted by the proposed economic redevelopment plan submitted by the local redevelopment authority. The conferees note that proceeds gained from consideration received as a result of a property disposed under BRAC authorities are used to supplement appropriated funds to accelerate environmental clean-up, remediation, and compliance actions for other BRAC property. Therefore, funds received as a result of BRAC conveyances have a direct impact on the Department's timing and ability to dispose of additional properties. However, the conferees also note that the cost avoidance realized as a result of quickly disposing of property and not maintaining the required repair and overhead associated with BRAC properties needs to be equally valued.

The conference agreement provides broad permissive authorities aimed at balancing the requirements of the Department with the needs of the local communities. The conferees believe that by providing sufficient authorities to the Department without mandating courses of action for the transfer of the property, and by permitting a range of considerations and funding methods for proposal by local redevelopment authorities, property transfers negotiations can, within a

reasonable time, conclude with an agreement that serves the best interests of both parties.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

LEGISLATIVE PROVISIONS ADOPTED

*Modification of unspecified minor construction authorities (sec. 2801)*

The House bill contained a provision (sec. 2801) that would amend section 2805 of title 10, United States Code, to eliminate exercise-related project restrictions. This section also would expand the authority to receive funds provided in section 219(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) for revitalization and recapitalization of the defense laboratory complex.

The Senate amendment contained no similar provision.

The Senate recedes with a conforming amendment that alters section 2806 of title 10, United States Code, and amends the reporting requirements pursuant to section 219(a) of the Duncan Hunter National Defense Act for Fiscal Year 2009 (Public Law 110–417).

*Congressional notification of facility repair projects carried out using operations and maintenance funds (sec. 2802)*

The House bill contained a provision (sec. 2802) that would amend section 2811 of title 10, United States Code, to require that congressional notice of repair projects in excess of $7.5 million include comparison of the repair versus replacement cost of a specific project if the repair exceeds 50 percent of replacement cost, and to require a description of the military construction contemplated in the repair.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the requirement for cost comparisons only for projects exceeding 75 percent of replacement cost.

*Modification of authority for scope of work variations (sec. 2803)*

The House bill contained a provision (sec. 2803) that would amend section 2853 of title 10, United States Code, and authorize the Department of Defense to exceed the scope of a military construction project after providing notification to the appropriate committees of Congress.

The Senate amendment contained a provision (sec. 2812) that would amend section 2853 of title 10, United States Code, to prohibit the Department of Defense from carrying out military construction projects or the construction, improvement, or acquisition of a military family housing project in which the scope of work exceeds the amount specifically authorized by Congress.

The House recedes.

*Modification of conveyance authority at military installations (sec. 2804)*

The Senate amendment contained a provision (sec. 2813) that would amend section 2869 of title 10, United States Code, to authorize the secretary concerned to enter into an agreement to convey real property, including any improvements thereon, to any person who agrees, in exchange for the real property, to carry out a land acquisition to limit encroachment around Department of Defense installations and ranges. This provision would also require the authority to sunset on September 20, 2013.

The House bill contained no similar provision.

The House recedes with a minor clarifying amendment.

*Imposition of requirement that acquisition of reserve component facilities be authorized by law (sec. 2805)*

The House bill contained a provision (sec. 2804) that would amend section 18233(a)(1) of title 10, United States Code, to require reserve components have a military construction authorization prior to initiating construction.

The Senate amendment contained no similar provision.

The Senate recedes.

*Authority to use operation and maintenance funds for construction projects inside the United States Central Command area of responsibility (sec. 2806)*

The House bill contained a provision (sec. 2806) that would amend section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (Division B of Public Law 108–136), as most recently amended by section 2806 of the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417) to extend the use of operation and maintenance funds for construction projects at locations in the United States Central Command for an additional year. This section would eliminate the discretion of the Secretary of Defense to expand the authority from $200.0 million to $500.0 million, provided in the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417). Finally, expanded authority to include an additional $10.0 million would be provided to the Secretary of Defense if the Secretary determines that additional funds are required to complete contract closeouts.

The Senate amendment contained a similar provision (sec. 2811).

The Senate recedes with an amendment that retains the expanded authority for projects in Afghanistan provided in the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), but limits the authority to United States Central Command only.

*Expansion of First Sergeants Barracks Initiative (sec. 2807)*

The House bill contained a provision (sec. 2807) that would require the Secretary of the Army to implement the First Sergeants Barracks Initiative to improve the quality of life for single soldiers and promote higher use of barracks spaces. Furthermore, it would require the Secretary of the Army to submit a report to the congressional defense committees by February 15, 2010, and February 15, 2011, on efforts the Army has taken to achieve the goals stipulated in the provision.

The Senate amendment contained a similar provision (sec. 2841).

The Senate recedes.

*Reports on privatization initiatives for military unaccompanied housing (sec. 2808)*

The House bill contained a provision (sec. 2808) that would require the Secretary of Defense to submit a report on options to expand the privatization of military unaccompanied housing authority associated with section 2881a of title 10, United States Code. The Comptroller General of the United States also would be required to submit a concurrent report on the same subject.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment requiring the Secretary to assess the feasibility and cost of privatizing military unaccompanied housing for all members of the armed forces.

*Report on Department of Defense contributions to States for acquisition, construction, expansion, rehabilitation, or conversion of reserve component facilities (sec. 2809)*

The House bill contained a provision (sec. 2805) that would require the Secretary of Defense to submit a report on disbursements made to States associated with section 18233(a) of title 10, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle B—Real Property and Facilities Administration

*Modification of utility systems conveyance authority (sec. 2821)*

The House bill contained a provision (sec. 2814) that would amend section 2688 of title 10, United States Code, to require, in the consideration of a utility privatization proposal, a 10 percent preference to a government proposal when the period of performance is less than 10 years and a 20 percent preference to a government proposal when the period of performance is more than 10 years and less than 50 years. Furthermore, this provision would restrict review under this section when a similar review has been completed using the authority of section 2461 of title 10, United States Code, within the past 5 years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the government preference to 10 percent regardless of the period of performance.

*Report on global defense posture realignment and interagency review (sec. 2822)*

The Senate amendment contained a provision (sec. 2704) that would require the Secretary of Defense to submit to the congressional defense committees an annual report on the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy and the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations. In addition, the report would require the Secretary of Defense to include comments resulting from a review by the Department of State and other federal departments and agencies deemed necessary to national security. The provision would also amend section 118 of title 10, United States Code, to direct the Secretary of Defense to submit a report to the congressional defense committees 90 days after completing a Quadrennial Defense Review (QDR) on the impact of that review on the global posture of United States military forces.

The House bill contained no similar provision.

The House recedes with a technical amendment that would include the report under section 2687 of title 10, United States Code.

*Property and facilities management of the Armed Forces Retirement Home (sec. 2823)*

The House bill contained a provision (sec. 2816) that would amend section 1511 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411) to require the Secretary of Defense to dispose of excess property in accordance with subchapter III of chapter 5 of title 40, United States Code. This type of property disposal method brings the Armed Forces Retirement Home into alignment with the Department of Defense on methods to dispose property.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that more closely aligns the property disposal and lease process with the principles of 10 USC 2667. It also places responsibility for approving disposal of excess property and leases of non-excess property for the Armed

Forces Retirement Home under the authority of the Secretary of Defense acting on behalf of the Chief Operating Officer and provides for competitive procedures for certain leases.

*Acceptance of contributions to support cleanup efforts at former Almaden Air Force Station, California (sec. 2824)*

The House bill contained a provision (sec. 2817) that would authorize the Secretary of the Air Force to accept contributions from the State of California that would allow the demolition of property and to provide environmental remediation at the former Almaden Air Force Station.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of the Army to receive the contributions, and limit the scope of activities authorized to be funded with these contributions.

*Selection of military installations to serve as locations of brigade combat teams (sec. 2825)*

The House bill contained a provision (sec. 2820) that would require the Secretary of the Army to take into consideration the availability and proximity of training spaces and the capacity of the installations to support the possible relocations of brigade combat teams to the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment eliminating the names of specific candidate installations.

*Report on Federal assistance to support communities adversely impacted by expansion of military installations (sec. 2826)*

The House bill contained a provision (sec. 2821) that would amend section 2391 of title 10, United States Code, to allow the Department of Defense Office of Economic Adjustment to use operation and maintenance funds authorized for the purpose of making grants to communities to also fund public infrastructure projects.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment requiring a report only from the Secretary of Defense on what additional authorities may be required to assist impacted communities in absorbing growth at expanding military installations.

Subtitle C—Provisions Related to Guam Realignment

*Role of Department of Defense in management and coordination of defense activities relating to Guam realignment (sec. 2831)*

The House bill contained a provision (sec. 2831) that would amend section 132 of title 10, United States Code, and delegate responsibility for coordinating the Guam realignment activities of the Department of Defense, and the activities of the Joint Guam Program Office, to the Under Secretary of Defense for Policy. Programming authority would remain the responsibility of the secretaries of the military departments.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment designating the Deputy Secretary of Defense to lead the Guam Executive Council and to be the Department's principal representative for coordinating the interagency efforts in matters related to Guam.

*Clarifications regarding use of special purpose entities to assist with Guam realignment (sec. 2832)*

The House bill contained a provision (sec. 2832) that would require the Secretary of Defense to submit a report on the proposed implementing guidance associated with the special purpose entities that would be used in the Guam realignment.

This section also would apply the United States Unified Facilities Criteria to all projects supported by the ''Support for United States Relocation to Guam Account'' established in section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417). Finally, this section would express the sense of Congress that utility improvements on Guam should incorporate military and civilian utilities on Guam into a unified grid.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the definition of a special purpose entity as well as changing the reporting requirement and the notice and wait requirements.

*Workforce issues related to military construction and certain other transactions on Guam (sec. 2833)*

The House bill contained a provision (sec. 2833) that would amend section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417) to require military construction contracts comply with subchapter IV of chapter 31 of title 40, United States Code, and requires a construction wage determination to be determined at the rate of the lowest wage rate on a project of similar character for Hawaii. This section would also require the Secretary of Defense to submit a report to Congress by February 15 of each year, on an assessment of the living standards of the construction workforce employed to carry out military construction projects and the adequacy of the contract standards and infrastructure that support temporary housing for the construction workforce and their medical needs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that requires compliance with subchapter IV of chapter 31 of title 40, United States Code, at the local rate only for military construction contracts related to the realignment of military installations and the relocation of military personnel on Guam. It also requires that the Secretary of Labor issue a wage rate determination annually, until 90 percent of the funds for this project are expended.

*Composition of workforce for construction projects funded through the Support for United States Relocation to Guam Account (sec. 2834)*

The House bill contained a provision (sec. 2834) that would amend section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (Division B of Public Law 110–417) and provide a 30 percent limit to the total hours worked per month by H2B visa holders on construction projects that support the realignment of military installations and the relocation of military personnel on Guam. This authority would expire for construction projects whose groundbreaking extends beyond October 1, 2011. Furthermore, the construction contractor would be required to advertise and solicit for construction workers in the United States. Additionally, the Secretary of Defense would be required to submit a report to the congressional defense committees by June 30, 2010, on efforts to implement Executive Order 13502, entitled ''Use of Project Labor Agreements for Federal Construction Projects''. Finally, the Secretary of Labor would be required to submit a report to the committees of jurisdiction by June 30, 2010, on efforts to expand the recruitment of construction workers in the United States to support this effort; on the ability of labor markets to support the Guam realignment; and the sufficiency of efforts to recruit United States construction workers.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that eliminates the percentage limitation on H2B waivers. It also requires that the Governor of Guam consult with the Secretary of Labor and certify to the Secretary of Defense that the requirements of section 214.2 of title 8, Code of Federal Regulations, are being met with regard to construction projects supporting the realignment of military installations and the relocation of military personnel to Guam.

The conference agreement specifies a number of measures aimed at insuring the maximum numbers of United States workers are solicited before H2B visa waivers are issued and further requires the Secretary of Labor to approve a recruitment plan.

The conference agreement provides a limitation that would prevent public officials, attorneys, or agents from receiving payments on behalf of any worker attempting to obtain an H2B labor certification.

*Interagency Coordination Group of Inspectors General for Guam Realignment (sec. 2835)*

The House bill contained a provision (sec. 2835) that would establish the Interagency Coordination Group for Guam Realignment in order to provide independent and objective oversight and a transparent and reliable source of information relating to the programs and operations funded by the Department of Defense for military construction activities on Guam.

This section would require the Inspector General of the Department of Defense to serve as chairperson of the Interagency Coordination Group and include the Inspector General of the Department of the Interior and Inspectors General of such other federal agencies as the chairperson considers appropriate. This section would require the Interagency Coordination Group for Guam Realignment to submit to the congressional defense committees an annual report summarizing Guam realignment activities and activities under the programs and operations funded by the Department for military construction activities in Guam. The Interagency Coordination Group for Guam Realignment shall terminate upon the expenditure of 90 percent of all funds appropriated or otherwise made available for Guam realignment.

The Senate amendment contained no similar provision.

The Senate recedes.

*Compliance with naval aviation safety requirements as condition on acceptance of replacement facility for Marine Corps Air Station, Futenma, Okinawa (sec. 2836)*

The House bill contained a provision (sec. 2836) that would require the Secretary of Defense to certify to the congressional defense committees that the Marine Corps Air Station, Futenma, replacement facility meets minimum naval aviation safety requirements before final acceptance of the facility.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that conditions acceptance of the Futenma replacement facility on a report by the Secretary of Defense to the congressional defense committees that the planned replacement facility and the operating procedures are consistent with naval aviation safety requirements. The provision does not prevent the Secretary from exercising existing waiver authorities.

*Report and sense of Congress on Marine Corps requirements in Asia-Pacific region (sec. 2837)*

The House bill contained a provision (sec. 2837) that would require the Secretary of Defense, in consultation with the Secretary of the Navy and the Joint Guam Program Office, to submit a report on the command structure associated with the current and future locations of Marine Corps units in the Pacific, within 180 days after the date of enactment of this Act. Furthermore, the Secretary of Defense report would assess the training expectations associated with the Marine Corps realignment to Guam and the overall training requirements in the Northern Mariana Islands. This section also would express the sense of Congress that the Marine Corps training expansion should be completed as soon as possible and should not impact the overall rebasing of Marines from Okinawa to Guam. This supports a two-tiered approach to reviewing training requirements for the Marine Forces Pacific. The upper tier would include a comprehensive strategy that includes transient forces that train Marine Corps elements up to and including a Marine Air-Ground Task Force. The lower tier would include elements associated with current Marine Corps training capabilities available in Japan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove reference to any potential National Environmental Policy Act timing or other activities and would broaden the reporting requirement. The new reporting requirement should address training, readiness, and movement requirements for all Marine Corps forces in the Pacific.

Subtitle D—Energy Security

*Adoption of unified energy monitoring and utility control system specification for military construction and military family housing activities (sec. 2841)*

The House bill contained a provision (sec. 2841) that would create section 2867 of title 10, United States Code, and require the Department of Defense to adopt a single specification for an energy management and monitoring system for use in military construction projects. The Secretary concerned would be able to waive the requirements to adopt a single specification if the Secretary determines that the inclusion in a military construction project is not cost effective over the life cycle of the project. This section also would require the Secretary of Defense to submit a report to the congressional defense committees within 180 days after the date of enactment of this Act on the items associated with the adoption of a single specification for an energy management and monitoring system.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that changes the term energy management system to energy and utilities control system, and makes other clarifying changes.

*Department of Defense goal regarding use of ''renewable energy sources to meet facility energy needs (sec. 2842)*

The House bill contained a provision (sec. 2843) that would amend section 2911(e) of title 10, United States Code, by changing the definition of renewable energy source'' from the definition provided in section 203(b) of the Energy Policy Act of 2005 (Public Law 109–58) to a new definition that includes non-electric renewable energy such as thermal energy. This change applies to the Department of Defense goal to produce or procure renewable energy equivalent to 25 percent of the total quantity of electric energy it consumes within its facilities and in its activities during fiscal year 2025 and each fiscal year thereafter.

The Senate amendment contained no similar provision.

The Senate recedes.

*Department of Defense participation in programs for management of energy demand or reduction of energy usage during peak periods (sec. 2843)*

The House bill contained a provision (sec. 2846) that would authorize the Department of Defense to participate in demand response programs for the management of energy demand or the reduction of energy usage during peak periods.

The Senate amendment contained a similar provision (sec. 335).

The House recedes with a clarifying amendment.

Department of Defense use of electric and hybrid motor vehicles (sec. 2844)

The House bill contained a provision (sec. 2842) that would establish a preference for the lease or procurement of motor vehicles using electric or hybrid propulsion systems.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the preference and require the establishment of regulations to implement the preference.

*Study on development of nuclear power plants on military installations (sec. 2845)*

The House bill contained a provision (sec. 2845) that would require the Secretary of Defense to conduct a study on the feasibility of developing nuclear power plants on military installations. The provision directs the Secretary to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by June 1, 2010.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Comptroller General report on Department of Defense renewable energy initiatives, including solar initiatives, on military installations (sec. 2846)*

The Senate amendment contained a provision (sec. 2821) that would require a report no later than 180 days after enactment of this Act on the Department's efforts to place solar panels and other renewable energy projects on military installations.

The House bill contained a similar provision (sec. 2844).

The House recedes with an amendment that would require the report be provided by the Comptroller General.

Subtitle E—Land Conveyances

*Land conveyance, Haines Tank Farm, Haines, Alaska (sec. 2851)*

The Senate amendment contained a provision (sec. 2836) that would authorize the Secretary of the Army to convey 201 acres at the former Haines Fuel Terminal to the Chilkoot Indian Association for industrial and commercial development purposes.

The House bill contained a similar provision.

The House recedes with an amendment that eliminates any reference to ongoing remediation efforts.

*Release of reversionary interest, Camp Joseph T. Robinson, Arkansas (sec. 2852)*

The Senate amendment contained a provision (sec. 2832) that would release the reversionary interest in two parcels of land on the former Camp Joseph T. Robinson to the State of Arkansas.

The House bill contained no similar provision.

The House recedes with an amendment changing the title of the section.

*Transfer of administrative jurisdiction, Port Chicago Naval Magazine, California (sec. 2853)*

The House bill contained a provision (sec. 2851) that would amend section 203 of the Port Chicago National Memorial Act of 1992 (Public Law 102–562) to require the Secretary of Defense to transfer five acres of land to the administrative jurisdiction of the Secretary of the Interior if the Secretary of Defense determines that the land is excess to military needs and all environmental remediation has been completed. The land would be used by the National Park System for purposes of administering the Port Chicago Naval Magazine National Memorial. The Secretary of Defense shall provide as much public access as possible without interfering with military needs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that makes the Secretary of the Army the responsible official and expresses a sense of the Congress that the Secretary of the Army and the Secretary of the Interior should develop a process to maintain the infrastructure of the memorial.

*Land conveyance, Ferndale housing at Centerville Beach Naval Facility to City of Ferndale, California (sec. 2854)*

The House bill contained a provision (sec. 2858) that would permit fair market conveyance of former Navy housing on the closed Centerville Beach Naval Facility to the City of Ferndale, California.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment eliminating the reversionary clause because the sale is to be at fair market value.

*Land conveyances, Naval Air Station, Barbers Point, Hawaii (sec. 2855)*

The House bill contained a provision (sec. 2852) that would require the Secretary of the Navy to convey, without consideration, six parcels of the former Naval Air Station, Barbers Point to the Hawaii Community Development Authority.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that authorizes the Secretary to transfer the parcels for no consideration if the parcels to be conveyed will be for public benefit as determined by the Secretary.

*Land conveyances of certain parcels in the Camp Catlin and Ohana Nui areas, Pearl Harbor, Hawaii (sec. 2856)*

The Senate amendment contained a provision (sec. 2837) that would permit the Secretary of the Navy to convey to any person or entity leasing or licensing real property located at Camp Catlin and Ohana Nui areas, Hawaii, all right, title, and interest in that property for the purpose of continuing the same functions as are currently being conducted on the property.

The House bill contained no similar provision.

The House recedes with an amendment which clarifies the continuance of functions being conducted on the property.

*Modification of land conveyance, former Griffiss Air Force Base, New York (sec. 2857)*

The House bill contained a provision (sec. 2853) that would amend section 2873 of the Military Construction Authorization Act for Fiscal Year 2005 (Division B of Public Law 108–375) and allow the Secretary of the Air Force to convey a third parcel at the former Griffiss Air Force Base to the Oneida County Industrial Development Agency.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would specify that any cash payments received by the Secretary shall be deposited in an account established under section 2667(e) of title 10, United States Code, and should be available for the same uses and subject to the same limitations as provided in that section.

*Land conveyance, Army Reserve Center, Chambersburg, Pennsylvania (sec. 2858)*

The House bill contained a provision (sec. 2854) that would authorize the Secretary of the Army to convey the Army Reserve Center in Chambersburg, Pennsylvania without consideration, to the Chambersburg Area School District for educational, education support, and community activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate community activities as one of the purposes for property transfer.

*Land conveyance, Ellsworth Air Force Base, South Dakota (sec. 2859)*

The Senate amendment contained a provision (sec. 2833) that would authorize the Secretary of the Air Force to convey, without consideration, two small parcels of property on Ellsworth Air Force Base, South Dakota, to the South Dakota Ellsworth Development Authority.

The House bill contained no similar provision.

The House recedes.

*Land conveyance, Lackland Air Force Base, Texas (sec. 2860)*

The Senate amendment contained a provision (sec. 2835) that would permit the Secretary of the Air Force to convey 250 acres of real property at Lackland Air Force Base in exchange for real property adjacent to the installation for the purpose of relocating and consolidating Air Force tenants located on the former Kelly Air Force Base onto the main portion of Lackland Air Force Base.

The House bill contained no similar provision.

The House recedes with an amendment that clarifies that the property shall be conveyed as is. Furthermore, a savings provision was included that requires this provision to comply with applicable environmental laws.

*Land conveyance, Naval Air Station Oceana, Virginia (sec. 2861)*

The House bill contained a provision (sec. 2855) that would authorize the Secretary of the Navy to convey 2.4 acres at Naval Air Station Oceana, to the City of Virginia Beach, Virginia, for the purpose of permitting the City to expand services to support the Marine Animal Care Center.

The Senate amendment contained a similar provision (sec. 2831).

The House recedes.

*Completion of land exchange and consolidation, Fort Lewis, Washington (sec. 2862)*

The House bill contained a provision (sec. 2857) that would amend section 2837 of the Military Construction Authorization Act for Fiscal Year 2002 (Division B of Public Law 107–107), as amended by section 2852 of the Military Construction Authorization Act for Fiscal Year 2005 (Division B of Public Law 108–375) and change the nature of the land conveyance from the Secretary of the Army to the Nisqually Tribe. Specifically, the conveyance would be modified by striking ''may make the transfer'' and inserting ''shall make the transfer''.

The Senate amendment contained no similar provision.

The Senate recedes.

*Land conveyance, F.E. Warren Air Force Base, Cheyenne, Wyoming (sec. 2863)*

The Senate amendment contained a provision (sec. 2834) that would permit the Secretary of the Air Force to convey approximately 73 acres along the southeastern boundary of the installation to the County of Laramie, Wyoming, for the purpose of permitting the County to preserve the entire property for healthcare facilities.

The House bill contained no similar provision.

The House recedes with an amendment that specifies that the treatment of cash consideration received will be deposited in a special account described in section 2667(e) of title 10, United States Code.

Subtitle F—Other Matters

*Revised authority to establish national monument to honor United States Armed Forces working dog teams (sec. 2871)*

The House bill contained a provision (sec. 2871) that would revise the authority provided in the Military Construction Authorization Act for Fiscal Year 2008 (Division B of Public Law 110–181) for the armed forces Working Dog Monument.

The Senate amendment contained no similar provision.

The Senate recedes.

*National D-day Memorial study (sec. 2872)*

The Senate amendment contained a provision (sec. 1091) that would authorize the Secretary of the Interior acting through the Director of the National Park Service to conduct a study of the suitability of the National D-day Memorial in Bedford, Virginia, for designation as a unit of the National Park System.

The House bill contained no similar provision.

The House recedes with an amendment making the study permissive rather than directive.

*Conditions on establishment of Cooperative Security Location in Palanquero, Colombia (sec. 2873)*

The House bill contained a provision (sec. 2873) that would prohibit funds being made available for military construction of a cooperative security location (CSL) at German Olano Airbase in Palanquero, Republic of Colombia, until 15 days from the date on which the Secretary of Defense certifies to the congressional defense committees that an agreement has been entered into with the government of Colombia that will enable the United States Southern Command to execute its Theater Posture Strategy in cooperation with the armed forces of Colombia.

The Senate amendment contained an almost identical provision (sec. 2307).

The conference report includes this provision with a series of technical amendments.

*Military activities at United States Marine Corps Mountain Warfare Training Center (sec. 2874)*

The House bill contained a provision (sec. 2874) that would amend section 1806 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11) by ensuring the United States Marine Corps Mountain Warfare Training Center is not restricted or precluded by conducting activities at the Bridgeport Winter Recreation Center, California.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Military construction and land acquisition projects authorized by American Recovery and Reinvestment Act of 2009*

The Senate amendment contained a provision (sec. 2801) that would authorize military construction and land acquisition projects for the Department of Defense for projects authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

The House bill contained no similar provision.

The Senate recedes.

*Imposition of requirement that leases of real property to the United States with annual rental costs of more than $750,000 be authorized by law*

The House bill contained a provision (sec. 2811) that would amend section 2661 of title 10, United States Code, and require that leases to the United States, in excess of $750,000, be specifically authorized by law.

The Senate amendment contained no similar provision.

The House recedes.

*Consolidation of notice-and-wait requirements applicable to leases of real property owned by the United States*

The House bill contained a provision (sec. 2812) that would amend section 2662 of title 10, United States Code, and require additional reporting requirements associated with leases of real property owned by the United States that were previously included in section 2667 of title 10, United States Code.

The Senate amendment contained no similar provision.

The House recedes.

*Clarification of authority of military departments to acquire low cost interests in land and interests in land when need is urgent*

The House bill contained a provision (sec. 2813) that would amend section 2664 of title 10, United States Code, and clarify that the requirement to obtain an authorization for land acquisition may be superseded when the elements of section 2663 of title 10, United States Code, are met.

The Senate amendment contained no similar provision.

The House recedes.

*Two-year extension of authority for pilot projects for acquisition or construction of military unaccompanied housing*

The Senate amendment contained a provision (sec. 2814) that would extend the Navy's authority to conduct pilot projects to acquire or construct unaccompanied housing for 2 years.

The House bill contained no similar provision.

The Senate recedes.

*Decontamination and use of former bombardment area on Island of Culebra*

The House bill contained a provision (sec. 2815) that would amend the Military Construction Authorization Act of 1974 (Public Law 93–166) and remove restrictions pertaining to environmental remediation and land use on the Island of Culebra, Puerto Rico, that were incorporated to protect the former bombardment area on the island from further development.

The Senate amendment contained no similar provision.

The House recedes.

*Limitation on establishment of Navy outlying landing fields*

The House bill contained a provision (sec. 2818) that would limit the Secretary of the Navy from establishing an outlying landing field at a proposed location if the Secretary determines that the governmental body of the political subdivision of a state containing the proposed location is formally opposed to the establishment of the outlying landing field. This provision shall not apply if Congress enacts a law authorizing the Secretary to proceed with the outlying landing field notwithstanding the local government action.

The Senate amendment contained no similar provision.

The House recedes.

*Prohibition on outlying landing field at Sandbanks or Hale's Lake, North Carolina, for Oceana Naval Air Station*

The House bill contained a provision (sec. 2819) that would prohibit the Sandbanks and Hale's Lake sites in North Carolina from further consideration as an Outlying Landing Field to support field carrier landing practice for naval aircraft operating out of Naval Air Station, Oceana, Virginia.

The Senate amendment contained no similar provision.

The House recedes.

*Comptroller General Report on Navy security measures for Laurelwood housing complex, Naval Weapons Station Earle, New Jersey*

The House bill contained a provision (sec. 2822) that would require the Comptroller General to report on the sufficiency of the Navy's security measures in advance of the proposed occupancy by the general public of units of the Laurelwood housing complex on Naval Weapons Station, Earle.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that the military services still have leasing agreements for military housing units on base but operated by private entities such as those known as Section 801 Housing which by contract are scheduled to transition to outlease periods in which the military departments are required to permit the owner-operator to lease these units inside the military installation to unvetted civilians. Upon transfer to the outlease period of the contract, certain responsibilities for security, land/utility management, education, emergency services, and other civic functions are shared with the military department or fully assumed by the local and State governments.

The conferees note that in specific cases, such as the proposed public occupancy the Laurelwood housing complex inside Naval Weapons Station Earle, New Jersey, local communities have raised concerns about the anticipated costs of governance and the ability of the Navy to provide added security since public occupants will have to have unfettered access to the housing complex inside the base.

Therefore, the conferees direct the Comptroller General to prepare a report to the congressional defense committees that examines and provides full cost estimates for the impact on local communities (including but not limited to impact costs in the areas of security, education, transportation, environment) resulting from the transfer of responsibilities inherent in the change of occupancy from military to civilian residents as defined in Section 801 lease agreements. The report shall study the specific situation of the Laurelwood housing complex as one example to determine accurate costs for civic service and the sufficiency and costs of proposed security measures to the Department of Defense (DOD) for housing units that remain on DOD land. The report shall also provide a review of the Department's plans for military housing disposals or lease terminations in the United States and the Department's plan for community interaction to ensure a smooth transition of civic responsibilities.

*Naming of child development center at Fort Leonard Wood, Missouri, in honor of Mr. S. Lee Kling*

The House bill contained a provision (sec. 2872) that would designate a child development center at Fort Leonard Wood, Missouri as the ''S. Lee Kling Child Development Center.''

The Senate amendment contained no similar provision.

The House recedes.

The Army has independently decided to name the child development center after Mr. Kling through their normal facilities naming procedures.

## TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION AUTHORIZATIONS

### LEGISLATIVE PROVISIONS ADOPTED

*Authorized Army construction and land acquisition projects (sec. 2901)*

The House bill contained a provision (sec. 2901) that would authorize war-related military construction projects for the Army.

The Senate amendment contained a similar provision.

The Senate recedes.

The authorized amounts are listed in this provision on an installation-by-installation basis. A list of projects contained in the table in section 4503 of this Act provides the binding list of specific construction projects authorized at each location.

*Authorized Air Force construction and land acquisition projects (sec. 2902)*

The House bill contained a provision (sec. 2902) that would authorize war-related military construction projects for the Air Force.

The Senate amendment contained a similar provision.

The Senate recedes.

The authorized amounts are listed in this provision on an installation-by-installation basis. A list of projects contained in the table in section 4503 of this Act provides the binding list of specific construction projects authorized at each location.

*Construction authorization for facilities for Office of Defense Representative-Pakistan (sec. 2903)*

The House bill contained a provision (sec. 2903) that would waive section 2801 of title 10, United States Code, and would authorize to be appropriated, up to $25.0 million for the planning, design, and construction of facilities on the United States Embassy Compound in Islamabad, Islamic Republic of Pakistan, for use by the Office of Defense Representative-Pakistan (ODRP). This section would also require the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives, the Senate Committee on Foreign Relations, and the House Committee on Foreign Affairs on the number of personnel and the activities of the ODRP beginning with a report 90 days after the date of the enactment of this Act, and continuing semi-annually thereafter. This section would allow the submission of the report in classified form. The report would terminate after 2 years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that provides a specific one time authority for the Secretary of Defense to use up to $10.0 million to plan, design, and construct facilities on the United States Embassy Compound in Islamabad, Pakistan, in support of the Office of the Defense Representative-Pakistan. The amendment also requires congressional notification and a 14 day waiting requirement. The reporting requirements of the House provision remain.

## *DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS*

## TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

### SUBTITLE A—NATIONAL SECURITY PROGRAMS AUTHORIZATIONS

*Overview*

Title XXXI authorizes appropriations for atomic energy defense activities of the Department of Energy for fiscal year 2010, including: the purchase, construction, and acquisition of plant and capital equipment; research and development; nuclear weapons activities; nuclear nonproliferation activities; naval nuclear propulsion; environmental cleanup; operating expenses; and other expenses necessary to carry out the purposes of the Department of Energy Organization Act (Public Law 95–91). This title authorizes appropriations in five categories: (1) National Nuclear Security Administration (NNSA); (2) defense environmental cleanup; (3) other defense activities; (4) defense nuclear waste disposal; and (5) energy security and assurance.

The budget request for atomic energy defense activities at the Department of Energy included $16.4 billion for atomic energy defense activities, a 1 percent increase above the fiscal year 2009 appropriated level. Of the total amount requested:

(1) $9.9 billion is for NNSA, of which:

(a) $6.4 billion is for weapons activities;

(b) $2.1 billion is for defense nuclear nonproliferation activities;

(c) $1.0 billion is for naval reactors; and (d) $420.7 million is for the Office of the Administrator;

(2) $5.5 billion is for defense environmental cleanup;

(3) $852.5 million is for other defense activities; and

(4) $98.4 million is for defense nuclear waste disposal.

The budget request also included $6.2 million for energy security and assurance within energy supply.

The conferees agree to authorize $16.5 billion for atomic energy defense activities, an increase of $88.4 million above the budget request.

Of this amount, the conferees agree to authorize:

(1) $10.1 billion for NNSA, of which:

(a) $6.4 billion would be for weapons activities, an increase of $48.7 million above the budget request,

(b) $2.2 billion would be for defense nuclear nonproliferation, an increase of $39.7 million above the budget request;

(c) $1.0 billion would be for naval reactors, the amount of the budget request; and

(d) $420.7 million would be for the Office of the Administrator, the amount of the budget request;

(2) $5.5 billion would be for defense environmental cleanup activities, the amount of the budget request;

(3) $852.5 million would be for other defense activities, the amount of the budget request; and

(4) $98.4 million would be for defense nuclear waste disposal, the amount of the budget request.

The conferees agree to authorize $6.2 million for energy security and assurance, the amount of the budget request.

### ITEMS OF SPECIAL INTEREST

*Reports*

The conferees direct that all reports requested by this or any other act and that address the programs and activities funded by the fiscal year 2010 Atomic Energy Defense funds, should be provided to the congressional defense committees in addition to any committees specifically specified in the provision or requirement directing such report.

*Department of Energy protective forces*

In section 3124 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), the Comptroller General was directed to submit to Committees on Armed Services of the Senate and the House of Representatives a report on the management of the protective forces at the Department of

Energy (DOE). Section 3124 also directed the Secretary of Energy to review the Comptroller General report, and submit no later than 90 days after receiving the Comptroller General report, the results of that review including any additional options, to the Committees on Armed Services of the Senate and the House of Representatives.

The report was completed in August 2009, and will be formally published shortly. The report identified a series of issues and concerns with the management of the DOE protective forces. These issues include rigid physical fitness and other requirements and the relationship these requirements have to recruitment, hiring, training, retirement, retention, and health care. In addition the report found significant differences amongst the sites as to how the forces were managed, trained, and compensated. Other issues were identified, including varying hot pursuit policies and varying law enforcement authorities.

After September 11, 2001, the requirements for security at the DOE facilities with Category I nuclear materials were increased significantly. The conferees note that the effect of the new requirements has placed many of the members of the DOE protective force in a situation where they will not meet the physical and other requirements long before they reach retirement age.

Of the many issues identified in the Comptroller General's report that should be addressed by the DOE, the disconnect between the physical demands and requirements of the protective forces on the one hand, and the retirement program on the other is the most problematic. Each of the relevant sites has seen increased injury and attrition rates. Because recruiting, hiring, training, and obtaining clearances for the protective forces is a time consuming and costly process, increased attrition rates will drive up the overall security costs. The conferees are concerned that the attrition rate is connected to the changes in the requirements and the lack of a career path that reflects these requirements.

DOE is aware of the problem and earlier this year assembled a group with representatives from each of the relevant DOE offices to examine ''realistic and reasonable options for improving the career opportunities and retirement prospects of protective force members while maintaining, within current and anticipated budgetary constraints a robust and effective security posture.'' This study group made 29 recommendations to address the issues in the protective forces.

The conferees believe that DOE needs to take seriously the concerns raised in the Government Accountability Office report and the recommendations of the study committee to ensure that the protective forces are able to carry out reliably their responsibilities to prevent nuclear material and nuclear weapons from being stolen or worse. To that end, the conferees direct the Secretary of Energy and the Administrator of the National Nuclear Security Administration to develop a comprehensive, DOE-wide plan to identify and implement the recommendations of the study group. This implementation plan should be submitted with the plan required to be submitted by section 3124, as discussed above.

The conferees recognize that the protective forces fall under a wide arrange of contractual mechanisms. The conferees do not believe, however, that the different contractual mechanisms are the problem; rather it is the lack of clear, uniform, and realistic guidance and policy from DOE to the various contractors who manage the protective forces that is at the root of the problems.

LEGISLATIVE PROVISIONS ADOPTED

*National Nuclear Security Administration (sec. 3101)*

The House bill contained a provision (sec. 3101) that would authorize $10.5 billion for the National Nuclear Security Administration (NNSA), an increase of $534.6 million above the budget request.

The Senate amendment contained a similar provision (sec. 3101) that would authorize $10.1 billion for the NNSA, an increase of $106.2 million above the budget request.

The conferees agree to include a provision (sec. 3101) that would authorize $10.0 billion, an increase of $88.4 million above the budget request.

Within NNSA, the provision would authorize $6.4 billion for weapons activities, an increase of $48.7 million above the budget request; $2.2 billion for defense nuclear nonproliferation, an increase of $39.8 million above the budget request; $1.0 billion for naval reactors, the amount of the budget request; and $420.8 million for the Office of the Administrator, the amount of the request. This includes an offset of $42.0 million for prior year balances in weapons activities.

The budget request included $6.4 billion for weapons activities. The provision would authorize $6.4 billion, an increase of $48.7 million above the budget request. Within directed stockpile work the provision would authorize $1.5 billion, an increase of $20.0 million above the budget request, including an increase or $10.0 million for dynamic plutonium experimentation at the Nevada Test Site, and an increase of $10.0 million for weapons dismantlement and disposition. Within campaigns, the provision would authorize $1.6 billion an increase of $23.7 million above the budget request, including $5.0 million for enhanced surety, and an increase of $18.7 million above the budget request for inertial confinement fusion including, an increase of $1.0 million for National Ignition Facility diagnostics, cryogenics, and experimental support, an increase of $6.5 million for Omega operations and an increase of $11.2 million for the national ignition campaign. Within readiness in the technical base and facilities, the provision would authorize $1.4 billion for operations of facilities, an increase of $18.0 million above the budget request, including an increase of $8.0 million for the Pantex Plant and $10.0 million for the Y–12 National Security Complex, and $232.4 million for construction, an increase of $29.0 million including, $24.0 million for the LANSCE refurbishment at Los Alamos National Laboratory, project number 09–D–007, and $5.0 million for test capabilities revitalization at Sandia National Laboratories, project number 09–D–104.

The budget request included $2.1 billion for defense nuclear nonproliferation. The provision would authorize $2.2 billion for defense nuclear nonproliferation, an increase of $39.8 million. The provision would include an increase of $40.0 million above the budget request for the Nonproliferation and Verification Research and Development program to support international safeguards technologies, advanced nuclear detection technologies, and to support the joint Department of Energy Air Force space situational awareness activities. The provision would authorize a reduction of $20.0 million below the budget request for the Nonproliferation and International Security program. The provision would authorize an increase of $39.8 million above the budget request for the International Nuclear Materials and Cooperation program to secure nuclear weapons and weapons materials outside the United States and to deploy radiation detection equipment and related capabilities at high-threat border crossings and ports of transit. Funding for the fissile materials disposition program is authorized at the budget request. The conferees continue to believe that the NNSA is the responsible entity within the Department of Energy to manage nonproliferation programs and have included funding for fissile materials disposition in the NNSA. The provision would authorize a decrease of $20.0 million below the budget request for the Global Threat Reduction Initiative.

The conferees note, regretfully, that no funds are provided for nonproliferation work in North Korea. If the North Koreans return to the Six-Party Talks and real progress is possible to disable and dismantle the North Korean nuclear weapons program, the conferees would consider a reprogramming or other request for funds to address the North Korean nuclear weapons program at such time.

The budget request included $1.0 billion for naval reactors. The provision would authorize the amount of the budget request.

The budget request included $420.8 million for the Office of the Administrator. The provision would authorize the amount of the budget request.

*Defense environmental cleanup (sec. 3102)*

The House bill contained a provision (sec. 3102) that would authorize $5.1 billion for defense environmental cleanup, a decrease of $471.3 million below the amount of the budget request.

The Senate amendment contained a similar provision (sec. 3102) that would authorize $5.4 billion for defense environmental cleanup, a decrease of $100.0 million below the amount of the budget request.

The conferees agree to include a provision (sec. 3102) that would authorize $5.5 billion, the amount of the budget request.

*Other defense activities (sec. 3103)*

The House bill contained a provision (sec. 3103) that would authorize $872.4 million for other defense activities including $357.8 million for health, safety, and security, an increase of $20.0 million above the budget request.

The Senate amendment contained a similar provision (sec. 3103) that would authorize $852.5 for other defense activities, the amount of the budget request.

The conferees agree to include a provision (sec. 3101) that would authorize $852.5 million the amount of the budget request.

*Defense nuclear waste disposal (sec. 3104)*

The House bill contained a provision (sec. 3104) that would authorize $98.4 million for the defense nuclear waste disposal payment to the Nuclear Waste Fund.

The Senate amendment contained an identical provision (sec. 3104).

The conference agreement includes this provision.

*Energy security assistance (sec. 3105)*

The House bill contained a provision (sec. 3105) that would authorize $6.2 million for energy security and assurance.

The Senate amendment contained no similar provision.

The Senate recedes.

*Relation to funding tables (sec. 3106)*

The Senate amendment contained a provision (sec. 3105) that would provide that the amounts authorized for the Department of Energy in this title are available for the projects, programs, or activities and in the dollar amounts indicated by the funding tables in Division D of the Act.

The House bill contained no similar provision.

The House recedes.

Subtitle B—Program Authorizations, Restrictions, and Limitations

*Stockpile stewardship program (sec. 3111)*

The House bill contained a provision (sec. 3111) that would amend section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) to update the goals and objectives of the stockpile stewardship program (SSP) carried out by the Administrator of the National Nuclear Security Administration (NNSA) at the Department of Energy. The provision would restate a current objective of the SSP to preserve core intellectual and technical competencies and establish a second broad objective to assure that the nuclear weapons stockpile remains safe, secure, and reliable without underground testing. In addition, the provision would expand the goals of the advanced computing and simulation capabilities to include improved understanding of the performance over time of nuclear weapons. The provision would also add new requirements for the SSP to support the laboratories and manufacturing facilities needed to support the U.S. nuclear weapons stockpile.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would expand and clarify the facilities and experimental tools that should be maintained and supported under the SSP to include the experimental facilities at the Nevada Test Site (NTS) and the production and manufacturing capabilities of the national security laboratories.

The conferees note that the NTS, the national security laboratories, and the production and manufacturing facilities also support the nonproliferation programs and other nuclear security activities of the NNSA. While this provision includes supporting these facilities in support of the weapons activities, the conferees also believe that it is equally important to support the NNSA facilities in support of the nonproliferation programs and additional nuclear security programs of the NNSA.

*Report on stockpile stewardship criteria and assessment of stockpile stewardship program (sec. 3112)*

The House bill contained a provision (sec. 3113) that would modify existing requirements for annual plans to support execution of the stockpile stewardship and management programs, including a new requirement for an assessment of the stockpile stewardship program by the directors of the national laboratories.

The Senate amendment contained a provision (sec. 3133) that would require an update of the stockpile stewardship criteria and direct the Secretary of Energy to include, in the annual stockpile stewardship plan for fiscal year 2010, an update on the stewardship criteria used to assess the safety, security, and reliability of the nuclear weapons stockpile. The 2010 plan would also include a review of each science-based tool, such as experimental facilities, developed or modified in the last 5 years.

The House recedes with an amendment that would amend section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) to include in the annual stockpile stewardship plan for each odd-numbered year the information needed to determine that the nuclear weapons are safe, secure and reliable, an update of the stockpile stewardship criteria used to determine the information needed, the relationship of the science-based tools to the collection of that information, and an update to the criteria used for assessing the effectiveness of each science based-stockpile tool.

In addition, the provision would require an assessment of any key technical challenges to the stockpile stewardship program and strategies to address such challenges. The provision would also require development of a strategy for using each science-based tool and to determine what future science-based tools are needed and how they would be used. Finally the assessment would include the core scientific and technical competencies needed to achieve the objectives of the stockpile stewardship program. The assessment would be conducted in consultation with each of the directors of the national security laboratories.

*Stockpile management program (sec. 3113)*

The House bill contained a provision (sec. 3112) that would amend section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) to direct the Secretary of Energy acting through the Administrator of the National Nuclear Security Administration (NNSA) to carry out a new stockpile management program (SMP) and establish objectives for the program. The provision would also establish program limitations for the SMP and repeal section 4204A of the Atomic Energy Defense Act, (50 U.S.C. 2524a) which established a requirement for a reliable replacement warhead (RRW).

The Senate amendment contained a provision (sec. 3113) that would also repeal section 4204A of the Atomic Energy Defense Act.

The Senate amendment also contained a provision (sec. 3111) that would amend section 4204 of the Atomic Energy Defense Act to expand and update the goals and objectives of the stockpile life extension program, to develop a life extension plan, to direct the manner in which funds for the life extension plan are requested, and to ensure that the life extension plan is updated as needed. The Senate provision would also set forth the sense of Congress that the President should include in each fiscal year budget request for the NNSA sufficient funds to carry the activities under the life extension plan for that fiscal year.

The Senate recedes with an amendment to clarify that the SMP is part of the stockpile stewardship program and that the SMP includes stockpile life extension activities. The provision would also direct the Secretary of Energy to develop a long-term SMP plan to extend the effective life of the weapons in the nuclear weapons stockpile without the use of nuclear weapons testing. The plan would be updated annually as needed, and any updates would be included in the annual stockpile stewardship plan required under section 4203(c) of the Atomic Energy Defense Act. The provision would also direct that each budget submitted by the President that includes funds for the SMP should clearly identify the funds requested for the SMP.

*Dual validation of annual weapons assessment and certification (sec. 3114)*

The House bill contained a provision (sec. 3114) that would amend section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) to modify existing requirements for annual assessments and reports to the President and Congress on the condition of the United States' nuclear weapons stockpile to require the Administrator of the National Nuclear Security Administration (NNSA) to establish a dual validation process.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would permit the Administrator of NNSA to establish dual validation teams.

The conferees believe that a rigorous surveillance, and annual assessment and certification process is essential to sustain the United States' nuclear weapons stockpile. Reluctantly, the conferees have agreed to provide the Administrator with discretionary authority to conduct a dual validation process and to not make dual validation mandatory. Without an understanding of the complexity and cost of dual revalidation the conferees believe that it is premature to mandate dual validation for fiscal year 2010. Nevertheless, the conferees believe that a dual validation process should be instituted in the future and have directed the Administrator to submit a report to the congressional defense committees no later than March 1, 2010, to carry out a dual validation program. This report should include a plan to implement dual validation beginning in fiscal year 2011.

*Elimination of nuclear weapons life extension program from exception to requirement to request funds in budget of the President (sec. 3115)*

The Senate amendment contained a provision (sec. 3112) that would amend section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) to eliminate the nuclear weapons life extension program exception in the budget request.

The House bill contained no similar provision.

The House recedes.

*Long-term plan for the modernization and refurbishment of the nuclear security complex (sec. 3116)*

The House bill contained a provision (sec. 3115) that would establish the policy of the United States that sustainment, modernization and refurbishment of the nuclear security complex is mandatory for any reductions in the nuclear weapons stockpile. In addition, the provision would require the development of an annual plan for the modernization and refurbishment of the nuclear complex, an annual determination as to the adequacy of the budget request to support the plan, and an assessment as to the risks and implications to the stockpile if the budget request is inadequate.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Administrator of the National Nuclear Security Administration (NNSA) to develop a biennial plan for the modernization and refurbishment of the nuclear security complex. The plan should be submitted in each odd-numbered fiscal year beginning in 2011. The provision would also require an assessment by the Administrator of the budget for such fiscal year and the future-years nuclear security program as to whether the funding is adequate to support the modernization and refurbishment plan. If the Administrator determines that the budget request is insufficient for the modernization and refurbishment of the nuclear security complex as provided in the plan, the Administrator shall include with the budget materials for that fiscal year a further assessment that describes and discusses the risks and implications associated with the ability of the nuclear security complex to support the annual certification of the nuclear stockpile. This assessment is to be coordinated with the Secretary of Defense and the Commander of U.S. Strategic Command.

*Repeal of prohibition on funding activities associated with international cooperative stockpile stewardship (sec. 3117)*

The Senate amendment contained a provision (sec. 3115) that would repeal section 4301 of the Atomic Energy Defense Act (50 U.S.C. 2561).

The House bill contained no similar provision.

The House recedes.

*Modification of minor construction threshold for plant projects (sec. 3118)*

The Senate amendment contained a provision (sec. 3116) that would amend section 4701(3) of the Atomic Energy Defense Act (50 U.S.C. 2741(3)) to modify permanently the

threshold for general plant projects (GPP) from $5.0 million to $7.0 million.

The House bill contained no similar provision.

The House recedes with an amendment that would temporarily increase the threshold for general plant projects to $10.0 million for fiscal year 2010. The amendment would also prohibit the Secretary of Energy from initiating any GPP that is in excess of $5.0 million until 15 days after submitting a notification to the congressional defense committees setting forth the total estimated cost of the GPP. For fiscal year 2011 and beyond the threshold would revert back to $5.0 million.

The conferees remind the Secretary of the obligation to submit an annual report briefly describing the GPPs for the preceding fiscal year. The conferees expect this report to be submitted in the first quarter of the fiscal year following the fiscal year covered by the report.

*Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel (sec. 3119)*

The Senate amendment contained a provision (sec. 3117) that would extend until September 30, 2011, the authority for the Secretary of Energy to hire, establish, and set rates of pay for not more than 200 positions in the Department of Energy for scientific, engineering, and technical personnel whose duties will relate to safety at defense nuclear facilities.

The House bill contained no similar provision.

The House recedes.

*National Nuclear Security Administration authority for urgent nonproliferation activities (sec. 3120)*

The Senate amendment contained a provision (sec. 3114) that would authorize the Secretary of Energy to obligate not more than 10 percent of the funds for the international nuclear materials protection and cooperation program in the National Nuclear Security Administration (NNSA) for any bilateral or multilateral activities relating to nonproliferation or disarmament, notwithstanding any other provision of law. The authority could be exercised by the Secretary after notifying the congressional defense committees 15 days in advance of the intent to exercise this authority and if the President certifies the action is necessary to support the national security objectives of the United States.

The House amendment contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to utilize 10 percent of the funds available for the NNSA nonproliferation programs to address certain urgent nonproliferation threats and require that the Secretary of Energy obtain the concurrence of the Secretaries of State and Defense prior to exercising the authority. The amendment would also clarify that the activities carried out to address the urgent threats would be the nonproliferation activities of the NNSA nonproliferation program.

Prior to utilizing the authority the Secretary of Energy would be required to make a series of determinations, and submit written notification to the appropriate congressional committees, 15 days before using the authority.

*Repeal of sunset date for consolidation of counterintelligence programs of the Department of Energy and National Nuclear Security Administration (sec. 3121)*

The Senate amendment contained a provision (sec. 3118) that would repeal section 3117 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), which established a sunset date for the authority to consolidate the offices of intelligence and counterintelligence at the Department of Energy.

The House bill contained no similar provision.

The House recedes.

Subtitle C—Reports

National Academy of Sciences review of national security laboratories (sec. 3131)

The House bill contained a provision (sec. 3121) that would require the Comptroller General to assess the costs associated with the transition to new management and operations (M&O) contracts, which took place at Los Alamos National Laboratory (LANL) in 2006 and at Lawrence Livermore National Laboratory (LLNL) in 2007. A report on the results of the assessment would be due to the congressional defense committees on March 1, 2010.

The Senate amendment contained a provision (sec. 3132) that would direct the Secretary of Energy, in consultation with the Committees on Armed Services of the Senate and the House of Representatives, to appoint an independent panel of experts to conduct a review of the management and operation of the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories (SNL).

The conferees agree to include a provision that would direct the Secretary of Energy to enter into a contract with the National Academy of Sciences to conduct a study of the three laboratories, LANL, LLNL, and SNL.

The study would include an evaluation for each of the laboratories of the quality of the scientific research and engineering conducted at each lab; the criteria used to assess the quality of the scientific research and engineering; the relationship between the quality of the work and the contract for managing and operating the laboratory; and the management of the work that the laboratories perform for other entities.

There is a growing concern about the ability of the Department of Energy to maintain the overall quality of the scientific research and engineering capability at the three laboratories. This concern was most recently highlighted in the report of the Congressional Commission on the Strategic Posture of the United States. The conferees believe that an even handed, unbiased assessment of the quality of the scientific research and engineering at each of the three laboratories, with a clear understanding of the criteria used to measure quality and what factors influence quality would be useful in long-term planning for the operations of the laboratories.

*Plan to ensure capability to monitor, analyze, and evaluate foreign nuclear weapons activities (sec. 3132)*

The House bill contained a provision (sec. 3122) that would direct the Secretary of Energy, in consultation with the Director of National Intelligence and the Secretary of Defense, to prepare a plan to ensure that the national laboratories overseen by the Department of Energy maintain a robust technical capability to monitor, analyze, and evaluate foreign nuclear weapons and related activities.

The Senate amendment contained no similar provision.

The Senate recedes.

*Comptroller General study of stockpile stewardship program (sec. 3133)*

The Senate amendment contained a provision (sec. 3137) that would direct the Comptroller General to conduct a study of the stockpile stewardship program to determine if the program was functioning, as of December 2008, as envisioned when the program was established. A report on the study would be due to the congressional defense committees 270 days after the date of enactment of this Act.

The House bill contained no similar provision.

The House recedes.

*Comptroller General of the United States review of projects carried out by the Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009 (sec. 3134)*

The Senate amendment contained a provision (sec. 3134) that would direct the Comptroller General to review and report on the efforts of the Department of Energy's (DOE) Office of Environmental Management (EM) to identify and implement cleanup projects using the funds received pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111–5). The review would occur in three phases. The first phase is an initial review focused on the criteria used for project selection and the process to develop cost and schedules for the projects. The second phase is an ongoing review of the project implementation with quarterly reports on the ongoing work. The third and final phase of the review is a recap of the entire effort that would look at areas such as cost and schedule compliance and how the overall effort has led to an accelerated cleanup schedule.

The House contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle D—Other Matters

*Ten-year plan for use and funding of certain Department of Energy facilities (sec. 3141)*

The Senate amendment contained a provision (sec. 3131) that would direct the Administrator of the National Nuclear Security Administration and the Under Secretary of Science at the Department of Energy to jointly develop a plan to use and fund, over a 10–year period, the National Ignition Facility at the Livermore National Laboratory, the Los Alamos Neutron Science Center at the Los Alamos National Laboratory, and the ''Z'' Machine at the Sandia National Laboratory.

The House bill contained no similar provision.

The House recedes.

*Expansion of authority of Ombudsman of Energy Employees Occupational Illness Compensation Program (sec. 3142)*

The Senate amendment contained a provision (sec. 3136) that would amend section 3686 of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) (42 U.S.C. 7385s–15) to include part B of the program under the EEOICPA ombudsman and direct the ombudsman in carrying out his duties, to work with the ombudsman of the National Institute for Occupational Safety and Health (NIOSH).

The House bill contained no similar provision.

The House recedes.

The conferees note that the EEOICPA ombudsman has been helpful to claimants under part E of EEOICPA program in navigating the claims process and could provide the same assistance to claimants under part B of the program.

The conferees note that nothing in this expanded authority for the EEOICPA ombudsman is intended to provide authority for the EEOICPA ombudsman to participate directly in the NIOSH process to determine exposures. On the other hand, the conferees recognize a need for the two offices to work cooperatively in assisting claimants process their claims.

*Identification in budget materials of amounts for certain Department of Energy pension obligations (sec. 3143)*

The Senate amendment contained a provision (sec. 3135) that would require the funding needed to meet pension obligations of contractor employees at each Department of Energy (DOE) facility operated using funds authorized in the National Defense Authorization Acts be included and specifically indentified in the DOE budget materials in support of each DOE budget request for each fiscal year for which funds are requested.

The House bill contained no similar provision.

The House recedes.

*Sense of Congress on production of Molybdenum–99 (sec. 3144)*

The Senate amendment contained a provision (sec. 3138) that would set forth the sense of Congress that the Secretary of Energy should continue and expand the program to meet the need identified by the National Academy of Sciences for Molybdenum–99 (Mo–99) for medical purposes in the United States by developing a source of Mo–99 using low enriched uranium.

The House had no similar provision.

The House recedes.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

*Authorization (sec. 3201)*

The House bill contained a provision (sec. 3201) that would authorize $26.1 million for the Defense Nuclear Facilities Safety Board (DNFSB).

The Senate amendment contained an identical provision (sec. 3201).

The conference agreement includes this provision.

The conferees note that DNFSB brings a consultative, interactive, technically competent approach to oversight that is well suited to the work at Department of Energy defense nuclear facilities.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

*Authorization of appropriations (sec. 3401)*

The House bill contained a provision (sec. 3401) that would authorize $23.6 million for the Department of Energy for the naval petroleum reserves.

The Senate amendment contained no similar provision.

The Senate recedes.

TITLE XXXV—MARITIME ADMINISTRATION

LEGISLATIVE PROVISIONS ADOPTED

*Authorization of appropriations for fiscal year 2010 (sec. 3501)*

The House bill contained a provision (sec. 3501) that would authorize a total of $152.9 million for fiscal year 2010 for operations and training. Of that amount, $52.2 million would be available for operations of the United States Merchant Marine Academy; $15.4 million would be available for the capital improvement program at the United States Merchant Marine Academy; and $11.24 million would be available for the State maritime academies Schoolship Maintenance and Repair Program for training ships. Additionally, the provision would authorize $60.0 million to execute loan guarantees under the title XI loan guarantee program.

The Senate amendment contained a similar provision (sec. 6014)

The Senate recedes with an amendment that would authorize funding consistent with the President's fiscal year 2010 budget proposal to Congress, with the exception that the provision would authorize $60.0 million for the title XI loan guarantee program, consistent with the House position.

*Unused leave balances (sec. 3502)*

The House bill contained a provision (sec. 3502) that would authorize the Maritime Administration to use appropriated funds to make a lump-sum payment for any unused annual leave accrued by a non-appropriated fund instrumentality employee who was terminated if determined ineligible for conversion, or converted to the Civil Service as a United States Merchant Marine Academy during Fiscal Year 2009.

The Senate amendment contained a similar provision (sec. 6004).

The Senate recedes with an amendment that would include conversions that took place between September 2008 and March 2009.

*Temporary program authorizing contracts with adjunct professors at the United States Merchant Marine Academy (sec. 3503)*

The House bill contained a provision (sec. 3503) that would make permanent a temporary authority for the U.S. Merchant Marine Academy to hire adjunct professors, up to a level of 25 professors per trimester. The provision would also require that the Maritime Administrator provide a report whenever he chooses to exercise that authority.

The Senate amendment contained a similar provision (sec. 6005).

The Senate recedes with an amendment changing the reporting requirement to an annual report, and to eliminate the reporting requirement after 2 years.

*Maritime loan guarantee program (sec. 3504)*

The House bill contained a provision (sec. 3504) that would express the sense of Congress that the maritime loan guarantee program is important in encouraging the production of U.S.-built vessels and in increasing the pool of U.S. mariners.

The Senate amendment contained no similar provision.

The Senate recedes.

*Defense measures against unauthorized seizures of Maritime Security Fleet vessels (sec. 3505)*

The House bill contained a provision (sec. 3505) that would amend section 53107(b) of title 46, United States Code, to require that vessels operating under agreements with the United States under that section and in areas designated by the Coast Guard or International Maritime Bureau of the International Chamber of Commerce as areas of high risk of piracy, be equipped with appropriate non-lethal defense measures to protect the vessel from acts of piracy.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment which would delete the designation authority of the International Maritime Bureau of the International Chamber of Commerce. The amendment would also clarify that the requirement for such vessels to be equipped with non-lethal measures does not preclude the use of lethal measures.

*Report on restrictions on United States-flagged commercial vessel security sSec. 3506)*

The House bill contained a provision (sec. 3506) that would require the Department of Defense to embark military personnel on commercial ships transiting certain areas designated as high risk for pirate attacks.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of State and Secretary of Defense to report jointly to Congress on efforts to: (1) eliminate or reduce restrictions on the carriage of arms and use of armed security teams on United States-flag commercial vessels for purpose of self defense in areas that are designated as being at a high risk of piracy; (2) negotiate bilateral agreements with coastal states to allow United States-flag commercial vessels carrying United States Government cargos that must transit areas designated as being at high risk of piracy to enter ports of those coastal states while carrying arms or embarked security teams for the purpose of self-defense; and (3) establish common standards, in coordination with the Secretary of Homeland Security and the Commandant of the United States Coast Guard, for the training and professional qualifications of armed security teams.

*Technical corrections to State maritime academies student incentive program (sec. 3507)*

The House bill contained a technical correction (sec. 3507) that would clarify when and how student incentive payments can be made.

The Senate amendment contained a similar provision (sec. 6010).

The Senate recedes.

*Cooperative agreements, administrative expenses, and contracting authority (sec. 3508)*

The Senate amendment contained a provision (sec. 6002) that would clarify the Maritime Administration's authority to enter into cooperative agreements and collect administrative expenses.

The House bill contained no similar provision.

The House recedes.

*Use of funding for DOT maritime heritage property (sec. 3509)*

The Senate amendment contained a provision (sec. 6003) that would allow the Maritime Administration to use proceeds from the sale of National Defense Reserve Fleet vessels for the purpose of preserving their historic maritime property, with the permission and concurrence of the National Park Service.

The House bill contained no similar provision.

The House recedes.

*Use of midshipman fees (sec. 3510)*

The Senate amendment contained a provision (sec. 6006) that would authorize the Maritime Administration to credit receipts of midshipman fees to a separate account within its Operations and Training appropriation account and restrict the items for which fees could be assessed.

The House bill contained no similar provision.

The House recedes with an amendment that would eliminate the authority to credit receipts of midshipman fees to a separate account.

*Construction of vessels in the United States policy (sec. 3511)*

The Senate amendment contained a provision (sec. 6007) that would correct a codification error to clarify section 50101(a)(4) in title 46, United States Code, to make certain that the intent of the section was to include vessels constructed in the United States.

The House bill contained no similar provision.

The House recedes.

*Port infrastructure development program (sec. 3512)*

The Senate amendment contained a provision (sec. 6008) that would authorize the Maritime Administration to assist States, territories, municipalities, and port facilities with management and federal coordination of their port infrastructure development projects.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit funds from title 23 and Chapter 53 of title 49, United States Code, from being eligible for transfer, with the exception of amounts made available for loans,

loan guarantees, and lines of credit under chapter 6 of title 23, United States Code, and amounts made available under the American Recovery and Reinvestment Act for 2009 (Public Law 111–5).

The revised provision would not affect or otherwise alter any existing authorities for the Hawaii Port Infrastructure Expansion Program (authorized by section 9008 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users, or SAFETEA–LU (Public Law 109–59)), the Port of Anchorage Intermodal Expansion Program (authorized by section 10205 of the SAFETEA–LU), or the Guam Port Infrastructure Expansion Program (authorized by section 3512 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417)).

*Reefs for marine life conservation program (sec. 3513)*

The Senate amendment contained a provision (sec. 6009) that would codify in title 46, United States Code, existing authority for the Maritime Administration to convey obsolete vessels to foreign countries, consistent with current authorities in the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136).

The House bill contained no similar provision.

The House recedes.

*United States Merchant Marine Academy graduate program receipt, disbursement, and accounting for nonappropriated funds (sec. 3514)*

The Senate amendment contained a provision (sec. 6011) that would authorize the Maritime Administration to credit tuition and designated gifts to its Operations and Training appropriation account and would provide that such receipts remain available until expended.

The House bill contained no similar provision.

The House recedes.

*America's short sea transportation grants for the development of marine highways (sec. 3515)*

The Senate amendment contained a provision (sec. 6012) that would allow the Secretary to establish a grant program to support the short sea transportation initiative he was directed to develop.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Expansion of the Marine View system (sec. 3516)*

The Senate amendment contained a provision (sec. 6013) that would authorize the information technology system Marine View to support the strategic requirements of the marine transportation system.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Limitation on disposal of interest in certain vessels*

The House bill contained a provision (sec. 3508) that would prevent the Maritime Administrator from disposing of any interest in a vessel in which the United States acquires an interest due to a loan default until the Administrator has: (1) notified the Secretary of the Navy of such interest; and (2) allowed 180 days to elapse.

The Senate amendment contained no similar provision.

The House recedes.

*Maritime Administration*

The Senate amendment contained a provision (sec. 3301) that would re-authorize certain aspects of the Maritime Administration.

The House bill contained no similar provision.

The Senate recedes.

*Short title*

The Senate amendment contained a provision (sec. 6001) that would name the title within the Act as the ''Maritime Administration Authorization Act for Fiscal Year 2010.''

The House bill contained no similar provision.

The Senate recedes.

*DIVISION D—FUNDING TABLES*

*Authorization of amounts in funding tables (sec. 4001)*

The Senate amendment contained a provision (sec. 4001) that would provide for the allocation of funds among programs, projects, and activities in accordance with the tables in Division D of the bill, subject to reprogramming in accordance with established procedures.

The House bill contained a similar provision (sec. 1002) that would incorporate by reference the funding tables in the committee report.

The House recedes with a clarifying amendment.

TITLE XLI—PROCUREMENT

*Procurement (sec. 4101)*

The Senate amendment contained an authorization funding table (sec. 4101) for procurement.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **AIRCRAFT PROCUREMENT, ARMY** | | | | | | | | | | |
| | **AIRCRAFT** | | | | | | | | | | |
| | **FIXED WING** | | | | | | | | | | |
| 001 | JOINT CARGO AIRCRAFT (JCA) | | | | | | | | | | |
| 002 | UTILITY F/W AIRCRAFT | | | | | | | | | | |
| 003 | MQ–1 UAV | 24 | 401,364 | | | 12 | 201,364 | –12 | –200,000 | 12 | 201,364 |
| | Avoid forward funding of production | | | | | | [–200,000] | [–12] | [–200,000] | | |
| | Program Requested Not Executable | | | [–12] | [–163,375] | | | | | | |
| | Transfer to Title XV | | | [–12] | [–237,989] | | | | | | |
| 004 | RQ–11 (RAVEN) | 618 | 35,008 | 618 | 35,008 | 618 | 35,008 | | | 618 | 35,008 |
| 004A | C–12A | | | | | | | | | | |
| | **ROTARY WING** | | | | | | | | | | |
| 006 | ARMED RECONNAISSANCE HELICOPTER | | | | | | | | | | |
| 007 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 008 | HELICOPTER, LIGHT UTILITY (LUH) | 54 | 326,040 | 54 | 326,040 | 54 | 326,040 | | | 54 | 326,040 |
| 009 | AH–64 APACHE BLOCK III | 8 | 161,280 | 8 | 161,280 | | 161,280 | | | 8 | 161,280 |
| 010 | ADVANCE PROCUREMENT (CY) | | 57,890 | | 57,890 | | 57,890 | | | | 57,890 |
| 011 | UH–60 BLACKHAWK (MYP) | 79 | 1,258,374 | 79 | 1,258,374 | 79 | 1,258,374 | | | 79 | 1,258,374 |
| 012 | ADVANCE PROCUREMENT (CY) | | 98,740 | | 98,740 | | 98,740 | | | | 98,740 |
| 013 | CH–47 HELICOPTER | 35 | 860,087 | 35 | 882,087 | 35 | 882,087 | | 22,000 | 35 | 882,087 |
| | Multiyear procurement execution | | | | | | [22,000] | | | | |
| | Transfer From APA 22 | | | | [22,000] | | | | [22,000] | | |
| 014 | ADVANCE PROCUREMENT (CY) | | 50,676 | | 50,676 | | 50,676 | | | | 50,676 |
| 015 | HELICOPTER NEW TRAINING | | 19,639 | | | | 19,639 | | –19,639 | | |
| | Program Not Justified | | | | [–19,639] | | | | [–19,639] | | |
| | **MODIFICATION OF AIRCRAFT** | | | | | | | | | | |
| 016 | MQ–1 PAYLOAD—UAS | | 87,424 | | | | 87,424 | | | | 87,424 |
| | Transfer to Title XV | | | | [–87,424] | | | | | | |
| 017 | MQ–1 WEAPONIZATION—UAS | | 14,832 | | | | 14,832 | | | | 14,832 |
| | Transfer to Title XV | | | | [–14,832] | | | | | | |
| 018 | GUARDRAIL MODS (MIP) | | 61,517 | | 61,517 | | 61,517 | | | | 61,517 |
| 019 | MULTI SENSOR ABN RECON (MIP) | | 21,457 | | 21,457 | | 21,457 | | | | 21,457 |
| 020 | AH–64 MODS | | 426,415 | | 428,415 | | 431,915 | | 1,000 | | 427,415 |
| | Fuselage manufacturing | | | | | | [5,500] | | | | |
| | Air Filtration Systems | | | | [2,000] | | | | [1,000] | | |
| 021 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 022 | CH–47 CARGO HELICOPTER MODS (MYP) | | 102,876 | | 86,876 | | 80,876 | | –17,000 | | 85,876 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | Multiyear procurement execution | | | | | | [–22,000] | | | | |
| | Common Avionics Architecture System | | | | [2,000] | | | | [2,000] | | |
| | Vibration Management Enhancement Program | | | | [4,000] | | | | [3,000] | | |
| | Transfer to APA 13 | | | | [–22,000] | | | | [–22,000] | | |
| 023 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 024 | UTILITY/CARGO AIRPLANE MODS | | 39,547 | | 39,547 | | 39,547 | | | | 39,547 |
| 025 | AIRCRAFT LONG RANGE MODS | | 823 | | 823 | | 823 | | | | 823 |
| 026 | UTILITY HELICOPTER MODS | | 66,682 | | 92,082 | | 87,082 | | 5,000 | | 71,682 |
| | UH–60A to UH–60L conversion | | | | | | [20,400] | | | | |
| | UH–60A to UH–60L Conversion—ARNG | | | | [20,400] | | | | | | |
| | UH–60 ARNG Rewiring Program | | | | [5,000] | | | | [5,000] | | |
| 027 | KIOWA WARRIOR | | 140,768 | | 140,768 | | 140,768 | | | | 140,768 |
| 028 | AIRBORNE AVIONICS | | 241,287 | | 241,287 | | 241,287 | | | | 241,287 |
| 029 | GATM ROLLUP | | 103,142 | | 103,142 | | 103,142 | | | | 103,142 |
| 030 | RQ–7 UAV MODS | | 283,012 | | 285,512 | | 283,012 | | | | 283,012 |
| | Shadow TUAS Training Aids, Devices, Simulators, and Simulations (TADSS) for Army National Guard. | | | | [2,500] | | | | | | |
| 030A | C–12A | | | | | | | | | | |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 031 | SPARE PARTS (AIR) | | 7,083 | | 7,083 | | 7,083 | | | | 7,083 |
| | **SUPPORT EQUIPMENT AND FACILITIES** | | | | | | | | | | |
| | **GROUND SUPPORT AVIONICS** | | | | | | | | | | |
| 032 | AIRCRAFT SURVIVABILITY EQUIPMENT | | 25,975 | | 25,975 | | 25,975 | | | | 25,975 |
| 033 | ASE INFRARED CM | | 186,356 | | 186,356 | | 186,356 | | | | 186,356 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 034 | AVIONICS SUPPORT EQUIPMENT | | 4,933 | | 4,933 | | 4,933 | | | | 4,933 |
| 035 | COMMON GROUND EQUIPMENT | | 87,682 | | 87,682 | | 87,682 | | | | 87,682 |
| 036 | AIRCREW INTEGRATED SYSTEMS | | 52,725 | | 52,725 | | 55,725 | | 3,000 | | 55,725 |
| | Air warrior ensemble—generation III | | | | | | [3,000] | | [3,000] | | |
| 037 | AIR TRAFFIC CONTROL | | 76,999 | | 76,999 | | 76,999 | | | | 76,999 |
| 038 | INDUSTRIAL FACILITIES | | 1,533 | | 1,533 | | 1,533 | | | | 1,533 |
| 039 | LAUNCHER, 2.75 ROCKET | | 2,716 | | 2,716 | | 2,716 | | | | 2,716 |
| 040 | AIRBORNE COMMUNICATIONS | | 11,109 | | 11,109 | | 11,109 | | | | 11,109 |
| | **TOTAL—AIRCRAFT PROCUREMENT, ARMY** | | **5,315,991** | | **4,828,632** | | **5,144,891** | | **–205,639** | | **5,110,352** |
| | **MISSILE PROCUREMENT, ARMY** | | | | | | | | | | |
| | **OTHER MISSILES** | | | | | | | | | | |
| | **SURFACE-TO-AIR MISSILE SYSTEM** | | | | | | | | | | |
| 001 | PATRIOT SYSTEM SUMMARY | 59 | 348,351 | 59 | 348,351 | 59 | 348,351 | | | 59 | 348,351 |
| 002 | PATRIOT/MEADS CAP SYSTEM SUMMARY | | 16,406 | | 16,406 | | 16,406 | | | | 16,406 |
| 003 | SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY | 13 | 72,920 | 13 | 72,920 | 13 | 72,920 | | | 13 | 72,920 |
| 004 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| | **AIR-TO-SURFACE MISSILE SYSTEM** | | | | | | | | | | |
| 005 | HELLFIRE SYS SUMMARY | 240 | 31,154 | 240 | 31,154 | 240 | 31,154 | | –2,000 | 240 | 29,154 |
| | Unjustified cost growth | | | | | | | | [–2,000] | | |
| | **ANTI-TANK/ASSAULT MISSILE SYSTEM** | | | | | | | | | | |
| 006 | JAVELIN (AAWS-M) SYSTEM SUMMARY | 470 | 148,649 | 470 | 123,649 | 470 | 148,649 | | | 470 | 148,649 |
| | Program Reduction | | | | [–25,000] | | | | | | |
| 007 | TOW 2 SYSTEM SUMMARY | 1165 | 108,066 | 1,165 | 83,066 | 1,165 | 108,066 | | | 1165 | 108,066 |
| | Program Reduction | | | | [–25,000] | | | | | | |
| 008 | GUIDED MLRS ROCKET (GMLRS) | 2628 | 293,617 | 2,628 | 293,617 | 2,628 | 293,617 | | | 2628 | 293,617 |
| 009 | MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) | 2064 | 15,663 | 2,064 | 15,663 | 2,064 | 15,663 | | | 2064 | 15,663 |
| 010 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS | 46 | 209,061 | 46 | 209,061 | 46 | 209,061 | | | 46 | 209,061 |
| 011 | ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM | | | | | | | | | | |
| | **MODIFICATIONS** | | | | | | | | | | |
| 012 | PATRIOT MODS | | 44,775 | | 44,775 | | 49,775 | | | | 44,775 |
| | Command & control modifications | | | | | | [5,000] | | | | |
| 013 | ITAS/TOW MODS | | 6,983 | | 6,983 | | 6,983 | | | | 6,983 |
| 014 | MLRS MODS | | 3,662 | | 3,662 | | 3,662 | | | | 3,662 |
| 015 | HIMARS MODIFICATIONS | | 38,690 | | 38,690 | | 38,690 | | | | 38,690 |
| 016 | HELLFIRE MODIFICATIONS | | 10 | | 10 | | 10 | | | | 10 |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 017 | SPARES AND REPAIR PARTS | | 22,338 | | 22,338 | | 22,338 | | | | 22,338 |
| | **SUPPORT EQUIPMENT AND FACILITIES** | | | | | | | | | | |
| 018 | AIR DEFENSE TARGETS | | 4,188 | | 4,188 | | 4,188 | | | | 4,188 |
| 019 | ITEMS LESS THAN $5.0M (MISSILES) | | 1,178 | | 1,178 | | 1,178 | | | | 1,178 |
| 020 | PRODUCTION BASE SUPPORT | | 4,398 | | 4,398 | | 4,398 | | | | 4,398 |
| | **TOTAL—MISSILE PROCUREMENT, ARMY** | | **1,370,109** | | **1,320,109** | | **1,375,109** | | **–2,000** | | **1,368,109** |
| | **PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| | **TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| 001 | BRADLEY PROGRAM | | | | | | | | | | |
| 002 | BRADLEY TRAINING DEVICES (MOD) | | | | | | | | | | |
| 003 | ABRAMS TANK TRAINING DEVICES | | | | | | | | | | |
| 004 | STRYKER VEHICLE | | 388,596 | | 334,596 | | 388,596 | | –24,400 | | 364,196 |
| | Program Reduction | | | | [–54,000] | | | | [–24,400] | | |
| 005 | FUTURE COMBAT SYSTEMS: (FCS) | | | | | | | | | | |
| 006 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 007 | FCS SPIN OUTS | | 285,920 | | 285,920 | | 285,920 | | | | 285,920 |
| 008 | ADVANCE PROCUREMENT (CY) | | 42,001 | | 42,001 | | 42,001 | | | | 42,001 |
| | **MODIFICATION OF TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| 009 | FIST VEHICLE (MOD) | | 34,192 | | 34,192 | | 34,192 | | | | 34,192 |
| 010 | BRADLEY PROGRAM (MOD) | | 526,356 | | 526,356 | | 526,356 | | | | 526,356 |
| 011 | HOWITZER, MED SP FT 155MM M109A6 (MOD) | | 96,503 | | 96,503 | | 96,503 | | –91,500 | | 5,003 |
| | Army requested transfer to RDT&E, A, line 114 | | | | | | | | [–91,500] | | |
| 012 | IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) | 12 | 96,814 | 12 | 96,814 | 12 | 96,814 | | | 12 | 96,814 |
| 013 | ARMORED BREACHER VEHICLE | | 63,250 | | 63,250 | | 63,250 | | | | 63,250 |
| 014 | JOINT ASSAULT BRIDGE | | 70,637 | | 70,637 | | 70,637 | | | | 70,637 |
| 015 | M1 ABRAMS TANK (MOD) | | 183,829 | | 183,829 | | 183,829 | | | | 183,829 |
| 016 | ABRAMS UPGRADE PROGRAM | 22 | 185,611 | 22 | 185,611 | 22 | 185,611 | | | 22 | 185,611 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | | | | | | | | | |
| 017 | ITEMS LESS THAN $5.0M (TCV-WTCV) | | | | | | | | | | |
| 018 | PRODUCTION BASE SUPPORT (TCV-WTCV) | | 6,601 | | 6,601 | | 6,601 | | | | 6,601 |
| | **WEAPONS AND OTHER COMBAT VEHICLES** | | | | | | | | | | |
| 019 | HOWITZER, LIGHT, TOWED, 105MM, M119 | 70 | 95,631 | 70 | 95,631 | 70 | 95,631 | | | 70 | 95,631 |
| 020 | M240 MEDIUM MACHINE GUN (7.62MM) | 2010 | 32,919 | 2,010 | 32,919 | 2,010 | 32,919 | | | 2010 | 32,919 |
| 021 | MACHINE GUN, CAL .50 M2 ROLL | 4825 | 84,588 | 4,825 | 84,588 | 4,825 | 84,588 | | | 4825 | 84,588 |
| 022 | LIGHTWEIGHT .50 CALIBER MACHINE GUN | | 977 | | 977 | | 977 | | | | 977 |
| 023 | M249 SAW MACHINE GUN (5.56MM) | 1550 | 7,535 | 1,550 | 7,535 | 1,550 | 7,535 | | | 1550 | 7,535 |
| 024 | MK–19 GRENADE MACHINE GUN (40MM) | 349 | 7,700 | 349 | 7,700 | 349 | 7,700 | | | 349 | 7,700 |
| 025 | MORTAR SYSTEMS | 315 | 14,779 | 315 | 14,779 | 315 | 14,779 | | | 315 | 14,779 |
| 026 | M107, CAL. 50, SNIPER RIFLE | | 224 | | 224 | | 224 | | | | 224 |
| 027 | XM320 GRENADE LAUNCHER MODULE (GLM) | 4740 | 16,023 | 4,740 | 16,023 | 4,740 | 16,023 | | | 4740 | 16,023 |
| 028 | M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS) | 448 | 6,223 | 448 | 6,223 | 448 | 6,223 | | | 448 | 6,223 |
| 029 | M4 CARBINE | 12000 | 20,500 | 12,000 | 20,500 | 12,000 | 20,500 | | | 12000 | 20,500 |
| 030 | SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS) | 3738 | 6,945 | 3,738 | 6,945 | 3,738 | 6,945 | | | 3738 | 6,945 |
| 031 | COMMON REMOTELY OPERATED WEAPONS STATION (CRO | | | | 100,000 | | | | 100,000 | | 100,000 |
| | Program Increase | | | | [100,000] | | | | [100,000] | | |
| 032 | HANDGUN | 5000 | 3,389 | 5,000 | 3,389 | 5,000 | 3,389 | | | 5000 | 3,389 |
| 033 | HOWITZER LT WT 155MM (T) | 17 | 49,572 | 17 | 49,572 | 17 | 49,572 | | | 17 | 49,572 |
| | **MOD OF WEAPONS AND OTHER COMBAT VEH** | | | | | | | | | | |
| 034 | MK–19 GRENADE MACHINE GUN MODS | | 8,164 | | 8,164 | | 8,164 | | | | 8,164 |
| 035 | M4 CARBINE MODS | | 31,472 | | 31,472 | | 31,472 | | | | 31,472 |
| 036 | M2 50 CAL MACHINE GUN MODS | | 7,738 | | 7,738 | | 7,738 | | | | 7,738 |
| 037 | M249 SAW MACHINE GUN MODS | | 7,833 | | 7,833 | | 7,833 | | | | 7,833 |
| 038 | M240 MEDIUM MACHINE GUN MODS | | 17,964 | | 17,964 | | 17,964 | | | | 17,964 |
| 039 | PHALANX MODS | | | | | | | | | | |
| 040 | M119 MODIFICATIONS | | 25,306 | | 25,306 | | 25,306 | | | | 25,306 |
| 041 | M16 RIFLE MODS | | 4,186 | | 4,186 | | 4,186 | | | | 4,186 |
| 041A | M14 7.62 RIFLE MODS | | | | | | | | | | |
| 042 | MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV) | | 6,164 | | 6,164 | | 6,164 | | | | 6,164 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | | | | | | | | | |
| 043 | ITEMS LESS THAN $5.0M (WOCV-WTCV) | | 551 | | 551 | | 551 | | | | 551 |
| 044 | PRODUCTION BASE SUPPORT (WOCV-WTCV) | | 9,855 | | 12,855 | | 9,855 | | 3,000 | | 12,855 |
| | Arsenal Support Program Initiative (ASPI) at Rock Island | | | | [3,000] | | | | [3,000] | | |
| 045 | INDUSTRIAL PREPAREDNESS | | 392 | | 392 | | 392 | | | | 392 |
| 046 | SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) | | 5,012 | | 5,012 | | 5,012 | | | | 5,012 |
| | **TOTAL—PROCUREMENT OF WTCV, ARMY** | | **2,451,952** | | **2,500,952** | | **2,451,952** | | **–12,900** | | **2,439,052** |
| | **PROCUREMENT OF AMMUNITION, ARMY** | | | | | | | | | | |
| | **AMMUNITION** | | | | | | | | | | |
| | **SMALL/MEDIUM CALIBER AMMUNITION** | | | | | | | | | | |
| 001 | CTG, 5.56MM, ALL TYPES | | 207,752 | | 207,752 | | 207,752 | | | | 207,752 |
| 002 | CTG, 7.62MM, ALL TYPES | | 77,602 | | 77,602 | | 77,602 | | | | 77,602 |
| 003 | CTG, HANDGUN, ALL TYPES | | 5,120 | | 5,120 | | 5,120 | | | | 5,120 |
| 004 | CTG, .50 CAL, ALL TYPES | | 162,342 | | 162,342 | | 162,342 | | | | 162,342 |
| 005 | CTG, 25MM, ALL TYPES | | 17,054 | | 17,054 | | 17,054 | | | | 17,054 |
| 006 | CTG, 30MM, ALL TYPES | | 96,572 | | 90,572 | | 96,572 | | | | 96,572 |
| | Unjustified Cost Growth | | | | [–6,000] | | | | | | |
| 007 | CTG, 40MM, ALL TYPES | | 172,675 | | 175,675 | | 172,675 | | 3,000 | | 175,675 |
| | Additional 40mm Mortar Rounds—Milan AAP | | | | [3,000] | | | | [3,000] | | |
| | **MORTAR AMMUNITION** | | | | | | | | | | |
| 008 | 60MM MORTAR, ALL TYPES | | 23,607 | | 26,607 | | 26,607 | | 2,000 | | 25,607 |
| | Additional ammunition | | | | | | [3,000] | | | | |
| | M722 60mm White Phosphorous Smoke Mortar Rounds | | | | [3,000] | | | | [2,000] | | |
| 009 | 81MM MORTAR, ALL TYPES | | 28,719 | | 28,719 | | 28,719 | | | | 28,719 |
| 010 | CTG, MORTAR, 120MM, ALL TYPES | | 104,961 | | 104,961 | | 104,961 | | | | 104,961 |
| | **TANK AMMUNITION** | | | | | | | | | | |
| 011 | CTG TANK 105MM: ALL TYPES | | 7,741 | | 7,741 | | 7,741 | | | | 7,741 |
| 012 | CTG, TANK, 120MM, ALL TYPES | | 113,483 | | 113,483 | | 113,483 | | | | 113,483 |
| | **ARTILLERY AMMUNITION** | | | | | | | | | | |
| 013 | CTG, ARTY, 75MM: ALL TYPES | | 5,229 | | 5,229 | | 5,229 | | | | 5,229 |
| 014 | CTG, ARTY, 105MM: ALL TYPES | | 90,726 | | 90,726 | | 90,726 | | | | 90,726 |
| 015 | CTG, ARTY, 155MM, ALL TYPES | | 54,546 | | 54,546 | | 54,546 | | | | 54,546 |
| 016 | PROJ 155MM EXTENDED RANGE XM982 | | 62,292 | | 62,292 | | 62,292 | | | | 62,292 |
| 017 | MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T | | 33,441 | | 33,441 | | 33,441 | | | | 33,441 |
| | **ARTILLERY FUZES** | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 018 | ARTILLERY FUZES, ALL TYPES | | 19,870 | | 19,870 | | 19,870 | | | | 19,870 |
| | **MINES** | | | | | | | | | | |
| 019 | MINES, ALL TYPES | | 815 | | 815 | | 815 | | | | 815 |
| 020 | MINE, CLEARING CHARGE, ALL TYPES | | | | | | | | | | |
| 021 | ANTIPERSONNEL LANDMINE ALTERNATIVES | | 56,387 | | 56,387 | | 56,387 | | | | 56,387 |
| 022 | INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES | | 19,507 | | 19,507 | | 19,507 | | | | 19,507 |
| | **ROCKETS** | | | | | | | | | | |
| 023 | SHOULDER LAUNCHED MUNITIONS, ALL TYPES | | 45,302 | | 45,302 | | 45,302 | | | | 45,302 |
| 024 | ROCKET, HYDRA 70, ALL TYPES | | 99,904 | | 99,904 | | 99,904 | | | | 99,904 |
| | **OTHER AMMUNITION** | | | | | | | | | | |
| 025 | DEMOLITION MUNITIONS, ALL TYPES | | 18,793 | | 18,793 | | 18,793 | | | | 18,793 |
| 026 | GRENADES, ALL TYPES | | 49,910 | | 49,910 | | 49,910 | | | | 49,910 |
| 027 | SIGNALS, ALL TYPES | | 83,094 | | 83,094 | | 83,094 | | | | 83,094 |
| 028 | SIMULATORS, ALL TYPES | | 12,081 | | 12,081 | | 12,081 | | | | 12,081 |
| | **MISCELLANEOUS** | | | | | | | | | | |
| 029 | AMMO COMPONENTS, ALL TYPES | | 17,968 | | 17,968 | | 17,968 | | | | 17,968 |
| 030 | NON-LETHAL AMMUNITION, ALL TYPES | | 7,378 | | 7,378 | | 7,378 | | | | 7,378 |
| 031 | CAD/PAD ALL TYPES | | 3,353 | | 3,353 | | 3,353 | | | | 3,353 |
| 032 | ITEMS LESS THAN $5 MILLION | | 8,826 | | 8,826 | | 8,826 | | | | 8,826 |
| 033 | AMMUNITION PECULIAR EQUIPMENT | | 11,187 | | 11,187 | | 11,187 | | | | 11,187 |
| 034 | FIRST DESTINATION TRANSPORTATION (AMMO) | | 14,354 | | 14,354 | | 14,354 | | | | 14,354 |
| 035 | CLOSEOUT LIABILITIES | | 99 | | 99 | | 99 | | | | 99 |
| | **AMMUNITION PRODUCTION BASE SUPPORT** | | | | | | | | | | |
| | **PRODUCTION BASE SUPPORT** | | | | | | | | | | |
| 036 | PROVISION OF INDUSTRIAL FACILITIES | | 151,943 | | 170,143 | | 156,943 | | 2,000 | | 153,943 |
| | Bomb line modernization | | | | | | [5,000] | | [2,000] | | |
| | Additional Mobile Ammunition Processing Facilities | | | | [7,400] | | | | | | |
| | Bomb Line Modernization at McAlester Ammunition Plant | | | | [5,000] | | | | | | |
| | Iowa Army Ammunition Plant Energy Infrastructure Project | | | | [5,800] | | | | | | |
| 037 | LAYAWAY OF INDUSTRIAL FACILITIES | | 9,529 | | 9,529 | | 9,529 | | | | 9,529 |
| 038 | MAINTENANCE OF INACTIVE FACILITIES | | 8,772 | | 8,772 | | 8,772 | | | | 8,772 |
| 039 | CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL | | 145,777 | | 145,777 | | 145,777 | | | | 145,777 |
| 040 | ARMS INITIATIVE | | 3,184 | | 3,184 | | 3,184 | | | | 3,184 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, ARMY** | | **2,051,895** | | **2,070,095** | | **2,059,895** | | **7,000** | | **2,058,895** |
| | **OTHER PROCUREMENT, ARMY** | | | | | | | | | | |
| | **TACTICAL AND SUPPORT VEHICLES** | | | | | | | | | | |
| | **TACTICAL VEHICLES** | | | | | | | | | | |
| 001 | TACTICAL TRAILERS/DOLLY SETS | 8037 | 95,893 | 8,037 | 95,893 | 8,037 | 95,893 | | | 8037 | 95,893 |
| 002 | SEMITRAILERS, FLATBED: | 290 | 20,870 | 290 | 20,870 | 290 | 20,870 | | | 290 | 20,870 |
| 003 | SEMITRAILERS, TANKERS | 70 | 13,217 | 70 | 13,217 | 70 | 13,217 | | | 70 | 13,217 |
| 004 | HI MOB MULTI-PURP WHLD VEH (HMMWV) | 1770 | 281,123 | 1,770 | 286,123 | 1,770 | 281,123 | | | 1770 | 281,123 |
| | Fire Suppression Systems | | | | [5,000] | | | | | | |
| 005 | FAMILY OF MEDIUM TACTICAL VEH (FMTV) | 3889 | 1,158,522 | 3,889 | 1,158,522 | 3,889 | 1,158,522 | | –125,000 | 3889 | 1,033,522 |
| | Program reduction | | | | | | | | [–125,000] | | |
| 006 | FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN | | 17,575 | | 17,575 | | 17,575 | | | | 17,575 |
| 007 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) | | 812,918 | | 812,918 | | 812,918 | | | | 812,918 |
| 008 | PLS ESP | | 18,973 | | 18,973 | | 18,973 | | | | 18,973 |
| 009 | ARMORED SECURITY VEHICLES (ASV) | 150 | 136,605 | 150 | 136,605 | 150 | 136,605 | | | 150 | 136,605 |
| 010 | MINE PROTECTION VEHICLE FAMILY | | 402,517 | | 402,517 | | 312,517 | | –90,000 | | 312,517 |
| | Reassessment of program requirement | | | | | | [–90,000] | | [–90,000] | | |
| 011 | FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP) | | | | | | | | | | |
| 012 | TRUCK, TRACTOR, LINE HAUL, M915/M916 | 310 | 74,703 | 310 | 74,703 | 310 | 74,703 | | | 310 | 74,703 |
| 013 | HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV P | | 180,793 | | 180,793 | | 180,793 | | | | 180,793 |
| 014 | HMMWV RECAPITALIZATION PROGRAM | | 2,904 | | 2,904 | | 2,904 | | | | 2,904 |
| 015 | MODIFICATION OF IN SVC EQUIP | | 10,314 | | 10,314 | | 10,314 | | | | 10,314 |
| 016 | ITEMS LESS THAN $5.0M (TAC VEH) | | 298 | | 298 | | 298 | | | | 298 |
| 017 | TOWING DEVICE-FIFTH WHEEL | | 414 | | 414 | | 414 | | | | 414 |
| | **NON-TACTICAL VEHICLES** | | | | | | | | | | |
| 018 | HEAVY ARMORED SEDAN | | 1,980 | | 1,980 | | 1,980 | | | | 1,980 |
| 019 | PASSENGER CARRYING VEHICLES | | 269 | | 269 | | 269 | | | | 269 |
| 020 | NONTACTICAL VEHICLES, OTHER | | 3,052 | | 3,052 | | 3,052 | | | | 3,052 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | | | | | | | | | |
| | **COMM-JOINT COMMUNICATIONS** | | | | | | | | | | |
| 021 | COMBAT IDENTIFICATION PROGRAM | | | | | | | | | | |
| 022 | JOINT COMBAT IDENTIFICATION MARKING SYSTEM | | 11,868 | | 11,868 | | 11,868 | | | | 11,868 |
| 023 | WIN-T—GROUND FORCES TACTICAL NETWORK | | 544,202 | | 544,202 | | 544,202 | | | | 544,202 |
| 024 | JCSE EQUIPMENT (USREDCOM) | | 4,868 | | 4,868 | | 4,868 | | | | 4,868 |
| | **COMM—SATELLITE COMMUNICATIONS** | | | | | | | | | | |
| 025 | DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS (S | | 145,108 | | 145,108 | | 145,108 | | | | 145,108 |
| 026 | SHF TERM | | 90,918 | | 90,918 | | 90,918 | | | | 90,918 |
| 027 | SAT TERM, EMUT (SPACE) | | 653 | | 653 | | 653 | | | | 653 |
| 028 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) | | 72,735 | | 72,735 | | 72,735 | | | | 72,735 |
| 029 | SMART-T (SPACE) | | 61,116 | | 61,116 | | 61,116 | | | | 61,116 |
| 030 | SCAMP (SPACE) | | 1,834 | | 1,834 | | 1,834 | | | | 1,834 |
| 031 | GLOBAL BRDCST SVC—GBS | | 6,849 | | 6,849 | | 6,849 | | | | 6,849 |
| 032 | MOD OF IN-SVC EQUIP (TAC SAT) | | 2,862 | | 2,862 | | 2,862 | | | | 2,862 |
| | **COMM—COMBAT SUPPORT COMM** | | | | | | | | | | |
| 032A | MOD-IN-SERVICE PROFILER | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **COMM—C3 SYSTEM** | | | | | | | | | | |
| 033 | ARMY GLOBAL CMD & CONTROL SYS (AGCCS) | | 22,996 | | 22,996 | | 22,996 | | | | 22,996 |
| | **COMM—COMBAT COMMUNICATIONS** | | | | | | | | | | |
| 034 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) | | 1,705 | | 1,705 | | 1,705 | | | | 1,705 |
| 035 | JOINT TACTICAL RADIO SYSTEM | | 90,204 | | 35,004 | | 35,004 | | –55,164 | | 35,040 |
| | Testing delays in JTRS GMR | | | | | | [–55,200] | | [–55,164] | | |
| | JTRS Program Reduction | | | | [–55,200] | | | | | | |
| 036 | RADIO TERMINAL SET, MIDS LVT(2) | | 8,549 | | 8,549 | | 8,549 | | | | 8,549 |
| 037 | SINCGARS FAMILY | | 6,812 | | | | 6,812 | | –6,812 | | |
| | Program Reduction | | | | [–6,812] | | | | [–6,812] | | |
| 038 | AMC CRITICAL ITEMS—OPA2 | | | | | | | | | | |
| 038A | SINCGARS—GROUND | | | | | | | | | | |
| 039 | MULTI-PURPOSE INFORMATIONS OPERATIONS SYSEMS | | 6,164 | | 6,164 | | 6,164 | | | | 6,164 |
| 040 | BRIDGE TO FUTURE NETWORKS | | | | | | | | | | |
| 041 | COMMS-ELEC EQUIP FIELDING | | | | | | | | | | |
| 042 | SPIDER APLA REMOTE CONTROL UNIT | | 21,820 | | 21,820 | | 21,820 | | | | 21,820 |
| 043 | IMS REMOTE CONTROL UNIT | | 9,256 | | 9,256 | | 9,256 | | | | 9,256 |
| 044 | SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS | | 4,646 | | 4,646 | | 4,646 | | | | 4,646 |
| 045 | COMBAT SURVIVOR EVADER LOCATOR (CSEL) | | 2,367 | | 2,367 | | 2,367 | | | | 2,367 |
| 046 | RADIO, IMPROVED HF (COTS) FAMILY | | 6,555 | | 6,555 | | 6,555 | | | | 6,555 |
| 047 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4) | | 18,583 | | 18,583 | | 18,583 | | | | 18,583 |
| | **COMM—INTELLIGENCE COMM** | | | | | | | | | | |
| 048 | CI AUTOMATION ARCHITECTURE (MIP) | | 1,414 | | 1,414 | | 1,414 | | | | 1,414 |
| | **INFORMATION SECURITY** | | | | | | | | | | |
| 049 | TSEC—ARMY KEY MGT SYS (AKMS) | | 29,525 | | 29,525 | | 29,525 | | | | 29,525 |
| 050 | INFORMATION SYSTEM SECURITY PROGRAM-ISSP | | 33,189 | | 33,189 | | 33,189 | | | | 33,189 |
| | **COMM—LONG HAUL COMMUNICATIONS** | | | | | | | | | | |
| 051 | TERRESTRIAL TRANSMISSION | | 1,890 | | 46,690 | | 1,890 | | | | 1,890 |
| | Information Security System COMSEC | | | | [44,800] | | | | | | |
| 052 | BASE SUPPORT COMMUNICATIONS | | 25,525 | | 25,525 | | 25,525 | | | | 25,525 |
| 053 | ELECTROMAG COMP PROG (EMCP) | | | | | | | | | | |
| 054 | WW TECH CON IMP PROG (WWTCIP) | | 31,256 | | 31,256 | | 31,256 | | | | 31,256 |
| | **COMM—BASE COMMUNICATIONS** | | | | | | | | | | |
| 055 | INFORMATION SYSTEMS | | 216,057 | | 216,057 | | 216,057 | | | | 216,057 |
| 056 | DEFENSE MESSAGE SYSTEM (DMS) | | 6,203 | | 6,203 | | 6,203 | | | | 6,203 |
| 057 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM( | | 147,111 | | 147,111 | | 147,111 | | | | 147,111 |
| 058 | PENTAGON INFORMATION MGT AND TELECOM | | 39,906 | | 39,906 | | 39,906 | | | | 39,906 |
| | **ELECT EQUIP—TACT INT REL ACT (TIARA)** | | | | | | | | | | |
| 061 | ALL SOURCE ANALYSIS SYS (ASAS) (MIP) | | | | | | | | | | |
| 062 | JTT/CIBS-M (MIP) | | 3,279 | | 3,279 | | 3,279 | | | | 3,279 |
| 063 | PROPHET GROUND (MIP) | | 64,498 | | 64,498 | | 64,498 | | | | 64,498 |
| 064 | TACTICAL UNMANNED AERIAL SYS (TUAS)MIP | | | | | | | | | | |
| 065 | SMALL UNMANNED AERIAL SYSTEM (SUAS) | | | | | | | | | | |
| 066 | DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP) | | | | | | | | | | |
| 067 | DRUG INTERDICTION PROGRAM (DIP) (TIARA) | | | | | | | | | | |
| 068 | TACTICAL EXPLOITATION SYSTEM (MIP) | | | | | | | | | | |
| 069 | DCGS-A (MIP) | | 85,354 | | 85,354 | | 85,354 | | | | 85,354 |
| 070 | JOINT TACTICAL GROUND STATION (JTAGS) | | 6,703 | | 6,703 | | 3 | | | | 6,703 |
| | Program reduction | | | | | | [–6,700] | | | | |
| 071 | TROJAN (MIP) | | 26,659 | | 26,659 | | 26,659 | | | | 26,659 |
| 072 | MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) | | 7,021 | | 7,021 | | 7,021 | | | | 7,021 |
| 073 | CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP | | 4,509 | | 4,509 | | 4,509 | | | | 4,509 |
| 074 | SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM | | 6,420 | | 6,420 | | 6,420 | | | | 6,420 |
| 075 | ITEMS LESS THAN $5.0M (MIP) | | 17,053 | | 17,053 | | 17,053 | | | | 17,053 |
| | **ELECT EQUIP—ELECTRONIC WARFARE (EW)** | | | | | | | | | | |
| 076 | LIGHTWEIGHT COUNTER MORTAR RADAR | | 31,661 | | 31,661 | | 31,661 | | | | 31,661 |
| 077 | WARLOCK | | | | | | | | | | |
| 078 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES | | 1,284 | | 1,284 | | 1,284 | | | | 1,284 |
| 079 | CI MODERNIZATION (MIP) | | 1,221 | | 1,221 | | 1,221 | | | | 1,221 |
| | **ELECT EQUIP—TACTICAL SURV. (TAC SURV)** | | | | | | | | | | |
| 080 | SENTINEL MODS | | 25,863 | | 25,863 | | 25,863 | | | | 25,863 |
| 081 | SENSE THROUGH THE WALL (STTW) | | 25,352 | | 25,352 | | 25,352 | | | | 25,352 |
| 082 | NIGHT VISION DEVICES | | 366,820 | | 166,820 | | 266,820 | | –175,662 | | 191,158 |
| | Contractor production delays in Enhanced Night Vision Goggle line | | | | [–200,000] | | [–100,000] | | [–175,662] | | |
| 083 | LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM | | 133,836 | | 180,636 | | 133,836 | | | | 133,836 |
| | Program Increase | | | | [46,800] | | | | | | |
| 084 | NIGHT VISION, THERMAL WPN SIGHT | | 313,237 | | 313,237 | | 313,237 | | | | 313,237 |
| 085 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF | | 9,179 | | 9,179 | | 9,179 | | | | 9,179 |
| 086 | RADIATION MONITORING SYSTEMS | | 2,198 | | 2,198 | | 2,198 | | | | 2,198 |
| 087 | COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) | | | | | | | | | | |
| 088 | BASE EXPEDITIONARY TARGETING AND SURV SYS | | | | | | | | | | |
| 089 | ARTILLERY ACCURACY EQUIP | | 5,838 | | 5,838 | | 5,838 | | | | 5,838 |
| 090 | MOD OF IN-SVC EQUIP (MMS) | | | | | | | | | | |
| 091 | ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE | | 1,178 | | 1,178 | | 1,178 | | | | 1,178 |
| 092 | PROFILER | | 4,766 | | 4,766 | | 4,766 | | | | 4,766 |
| 093 | MOD OF IN-SVC EQUIP (FIREFINDER RADARS) | | 2,801 | | 2,801 | | 2,801 | | | | 2,801 |
| 094 | FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2) | | 271,979 | | 271,979 | | 271,979 | | | | 271,979 |
| 095 | JOINT BATTLE COMMAND—PLATFORM (JBC-P) | | 17,242 | | 17,242 | | 17,242 | | | | 17,242 |
| 096 | LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD | | 59,080 | | 59,080 | | 59,080 | | | | 59,080 |
| 097 | COMPUTER BALLISTICS: LHMBC XM32 | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 098 | MORTAR FIRE CONTROL SYSTEM | | 15,520 | | 15,520 | | 15,520 | | | | 15,520 |
| 099 | COUNTERFIRE RADARS | | 194,665 | | 194,665 | | 194,665 | | | | 194,665 |
| 100 | INTEGRATED MET SYS SENSORS (IMETS)—MIP | | | | | | | | | | |
| 101 | ENHANCED SENSOR & MONITORING SYSTEM | | 1,944 | | 1,944 | | 1,944 | | | | 1,944 |
| | **ELECT EQUIP—TACTICAL C2 SYSTEMS** | | | | | | | | | | |
| 102 | TACTICAL OPERATIONS CENTERS | | 29,934 | | 29,934 | | 29,934 | | | | 29,934 |
| 103 | FIRE SUPPORT C2 FAMILY | | 39,042 | | 39,042 | | 39,042 | | | | 39,042 |
| 104 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC | | 31,968 | | 31,968 | | 31,968 | | | | 31,968 |
| 105 | FAAD C2 | | 8,289 | | 8,289 | | 8,289 | | | | 8,289 |
| 106 | AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD | | 62,439 | | 62,439 | | 62,439 | | | | 62,439 |
| 107 | KNIGHT FAMILY | | 80,831 | | 80,831 | | 80,831 | | | | 80,831 |
| 108 | LIFE CYCLE SOFTWARE SUPPORT (LCSS) | | 1,778 | | 1,778 | | 1,778 | | | | 1,778 |
| 109 | AUTOMATIC IDENTIFICATION TECHNOLOGY | | 31,542 | | 31,542 | | 31,542 | | | | 31,542 |
| 110 | TC AIMS II | | 11,124 | | 11,124 | | 11,124 | | | | 11,124 |
| 111 | JOINT NETWORK MANAGEMENT SYSTEM (JNMS) | | | | | | | | | | |
| 112 | TACTICAL INTERNET MANAGER | | | | | | | | | | |
| 113 | NETWORK MANAGEMENT INITIALIZATION AND SERVICE | | 53,898 | | 53,898 | | 53,898 | | | | 53,898 |
| 114 | MANEUVER CONTROL SYSTEM (MCS) | | 77,646 | | 77,646 | | 77,646 | | | | 77,646 |
| 115 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE) | | 46,861 | | 46,861 | | 46,861 | | | | 46,861 |
| 116 | RECONNAISSANCE AND SURVEYING INSTRUMENT SET | | 11,118 | | 11,118 | | 11,118 | | | | 11,118 |
| 117 | MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM) | | 926 | | 926 | | 926 | | | | 926 |
| | **ELECT EQUIP—AUTOMATION** | | | | | | | | | | |
| 118 | GENERAL FUND ENTERPRISE BUSINESS SYSTEM | | 85,801 | | 85,801 | | 85,801 | | | | 85,801 |
| 119 | ARMY TRAINING MODERNIZATION | | 12,823 | | 12,823 | | 12,823 | | | | 12,823 |
| 120 | AUTOMATED DATA PROCESSING EQUIP | | 254,723 | | 244,723 | | 254,723 | | –15,000 | | 239,723 |
| | Program Reduction | | | | [–10,000] | | | | [–15,000] | | |
| 121 | CSS COMMUNICATIONS | | 33,749 | | 33,749 | | 33,749 | | | | 33,749 |
| 122 | RESERVE COMPONENT AUTOMATION SYS (RCAS) | | 39,675 | | 39,675 | | 39,675 | | | | 39,675 |
| | **ELECT EQUIP—AUDIO VISUAL SYS (A/V)** | | | | | | | | | | |
| 123 | AFRTS | | | | | | | | | | |
| 124 | ITEMS LESS THAN $5.0M (A/V) | | 2,709 | | 2,709 | | 2,709 | | | | 2,709 |
| 125 | ITEMS LESS THAN $5M (SURVEYING EQUIPMENT) | | 5,172 | | 5,172 | | 5,172 | | | | 5,172 |
| | **ELECT EQUIP—MODS TACTICAL SYS/EQ** | | | | | | | | | | |
| 126 | WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS) | | | | | | | | | | |
| | **ELECT EQUIP—SUPPORT** | | | | | | | | | | |
| 127 | ITEMS UNDER $5M (SSE) | | | | | | | | | | |
| 128 | PRODUCTION BASE SUPPORT (C-E) | | 518 | | 518 | | 518 | | | | 518 |
| | CLASSIFIED PROGRAMS | | 2,522 | | 2,522 | | 2,522 | | | | 2,522 |
| | **OTHER SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **CHEMICAL DEFENSIVE EQUIPMENT** | | | | | | | | | | |
| 129 | PROTECTIVE SYSTEMS | | 2,081 | | 2,081 | | 2,081 | | | | 2,081 |
| 130 | CBRN SOLDIER PROTECTION | | 108,334 | | 108,334 | | 108,334 | | | | 108,334 |
| 131 | SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM) | | 7,135 | | 7,135 | | 7,135 | | | | 7,135 |
| | **BRIDGING EQUIPMENT** | | | | | | | | | | |
| 132 | TACTICAL BRIDGING | | 58,509 | | 58,509 | | 58,509 | | | | 58,509 |
| 133 | TACTICAL BRIDGE, FLOAT-RIBBON | | 135,015 | | 135,015 | | 135,015 | | | | 135,015 |
| | **ENGINEER (NON-CONSTRUCTION) EQUIPMENT** | | | | | | | | | | |
| 134 | HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST | | 42,264 | | 42,264 | | 42,264 | | | | 42,264 |
| 135 | GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS | | 56,123 | | 63,123 | | 63,123 | | 3,000 | | 59,123 |
| | FIDO explosives detector | | | | [7,000] | | [7,000] | | [3,000] | | |
| 136 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) | | 49,333 | | 49,333 | | 49,333 | | | | 49,333 |
| 137 | < $5M, COUNTERMINE EQUIPMENT | | 3,479 | | 3,479 | | 3,479 | | | | 3,479 |
| 138 | AERIAL DETECTION | | 11,200 | | 11,200 | | 11,200 | | –11,000 | | 200 |
| | Funding ahead of need | | | | | | | | [–11,000] | | |
| | **COMBAT SERVICE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 139 | HEATERS AND ECU'S | | 11,924 | | 11,924 | | 11,924 | | | | 11,924 |
| 140 | LAUNDRIES, SHOWERS AND LATRINES | | | | | | | | | | |
| 141 | SOLDIER ENHANCEMENT | | 4,071 | | 4,071 | | 4,071 | | | | 4,071 |
| 142 | LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME) | | | | | | | | | | |
| 142A | LAND WARRIOR | | | | | | | | | | |
| 143 | PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) | | 6,981 | | 6,981 | | 6,981 | | | | 6,981 |
| 144 | GROUND SOLDIER SYSTEM | | 1,809 | | 1,809 | | 1,809 | | | | 1,809 |
| 145 | MOUNTED SOLDIER SYSTEM | | 1,085 | | 1,085 | | 1,085 | | | | 1,085 |
| 146 | FORCE PROVIDER | | | | | | | | | | |
| 147 | FIELD FEEDING EQUIPMENT | | 57,872 | | 57,872 | | 57,872 | | | | 57,872 |
| 148 | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM | | 66,381 | | 66,381 | | 66,381 | | | | 66,381 |
| 149 | MOBILE INTEGRATED REMAINS COLLECTION SYSTEM: | | 16,585 | | 16,585 | | 16,585 | | | | 16,585 |
| 150 | ITEMS LESS THAN $5M (ENG SPT) | | 25,531 | | 25,531 | | 25,531 | | | | 25,531 |
| | **PETROLEUM EQUIPMENT** | | | | | | | | | | |
| 151 | QUALITY SURVEILLANCE EQUIPMENT | | | | | | | | | | |
| 152 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER | | 84,019 | | 84,019 | | 84,019 | | | | 84,019 |
| | **WATER EQUIPMENT** | | | | | | | | | | |
| 153 | WATER PURIFICATION SYSTEMS | | 7,173 | | 7,173 | | 7,173 | | | | 7,173 |
| | **MEDICAL EQUIPMENT** | | | | | | | | | | |
| 154 | COMBAT SUPPORT MEDICAL | | 33,694 | | 36,694 | | 41,994 | | 4,000 | | 37,694 |
| | Combat casualty care equipment upgrade program | | | | | | [8,300] | | [3,000] | | |
| | Life Support for Trauma and Transport (LSTAT) | | | | [3,000] | | | | [1,000] | | |
| | **MAINTENANCE EQUIPMENT** | | | | | | | | | | |
| 155 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS | | 137,002 | | 137,002 | | 137,002 | | | | 137,002 |
| 156 | ITEMS LESS THAN $5.0M (MAINT EQ) | | 812 | | 812 | | 812 | | | | 812 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **CONSTRUCTION EQUIPMENT** | | | | | | | | | | |
| 157 | GRADER, ROAD MTZD, HVY, 6X4 (CCE) | | 50,897 | | 50,897 | | 50,897 | | | | 50,897 |
| 158 | SKID STEER LOADER (SSL) FAMILY OF SYSTEM | | 18,387 | | 18,387 | | 18,387 | | | | 18,387 |
| 159 | SCRAPERS, EARTHMOVING | | | | | | | | | | |
| 160 | DISTR, WATER, SP MIN 2500G SEC/NON-SEC | | | | | | | | | | |
| 161 | MISSION MODULES—ENGINEERING | | 44,420 | | 44,420 | | 44,420 | | | | 44,420 |
| 162 | LOADERS | | 20,824 | | 20,824 | | 20,824 | | | | 20,824 |
| 163 | HYDRAULIC EXCAVATOR | | 18,785 | | 18,785 | | 18,785 | | | | 18,785 |
| 164 | TRACTOR, FULL TRACKED | | 50,102 | | 50,102 | | 50,102 | | | | 50,102 |
| 165 | CRANES | | | | | | | | | | |
| 166 | PLANT, ASPHALT MIXING | | 12,915 | | 12,915 | | 12,915 | | | | 12,915 |
| 167 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS | | 36,451 | | 36,451 | | 36,451 | | | | 36,451 |
| 168 | CONST EQUIP ESP | | 8,391 | | 8,391 | | 8,391 | | | | 8,391 |
| 169 | ITEMS LESS THAN $5.0M (CONST EQUIP) | | 12,562 | | 12,562 | | 12,562 | | | | 12,562 |
| | **RAIL FLOAT CONTAINERIZATION EQUIPMENT** | | | | | | | | | | |
| 170 | JOINT HIGH SPEED VESSEL (JHSV) | | 183,666 | | 183,666 | | 183,666 | | | | 183,666 |
| 171 | HARBORMASTER COMMAND AND CONTROL CENTER (HCCC | | 10,962 | | 10,962 | | 10,962 | | | | 10,962 |
| 172 | ITEMS LESS THAN $5.0M (FLOAT/RAIL) | | 6,785 | | 6,785 | | 6,785 | | | | 6,785 |
| | **GENERATORS** | | | | | | | | | | |
| 173 | GENERATORS AND ASSOCIATED EQUIP | | 146,067 | | 146,067 | | 146,067 | | | | 146,067 |
| | **MATERIAL HANDLING EQUIPMENT** | | | | | | | | | | |
| 174 | ROUGH TERRAIN CONTAINER HANDLER (RTCH) | | 41,239 | | 41,239 | | 41,239 | | | | 41,239 |
| 175 | ALL TERRAIN LIFTING ARMY SYSTEM | | 44,898 | | 44,898 | | 44,898 | | | | 44,898 |
| | **TRAINING EQUIPMENT** | | | | | | | | | | |
| 176 | COMBAT TRAINING CENTERS SUPPORT | | 22,967 | | 22,967 | | 22,967 | | | | 22,967 |
| 177 | TRAINING DEVICES, NONSYSTEM | | 261,348 | | 282,148 | | 283,788 | | 15,350 | | 276,698 |
| | Operator driving simulator | | | | | | [5,000] | | [350] | | |
| | Immersive group simulation virtual training system | | | | | | [5,500] | | | | |
| | Joint fires & effects training systems (JFETS) | | | | | | [5,000] | | [5,000] | | |
| | Urban training instrumentation | | | | | | [2,000] | | | | |
| | Virtual interactive combat environment (VICE) | | | | | | [4,940] | | [4,000] | | |
| | Basic Rifle and Pistol Marksmanship Program—U.S. Army Reserve | | | | [2,500] | | | | | | |
| | Marksmanship Skills Trainer—TX ARNG | | | | [2,200] | | | | | | |
| | Mobile Firing Range—TX ARNG | | | | [1,500] | | | | [1,500] | | |
| | Training Aid Enhancements—VT ARNG | | | | [1,300] | | | | | | |
| | Virtual Door Gunner—TX ARNG | | | | [1,100] | | | | | | |
| | Virtual Interactive Combat Environment (V.I.C.E.) Training System—VA ARNG. | | | | [4,900] | | | | [2,000] | | |
| | Immersive Group Simulation Virtual Training Systems for the Hawaii ARNG | | | | [2,500] | | | | [2,500] | | |
| | Virtual Interactive Combat Environment (V.I.C.E.) Training System—Ft. Jackson. | | | | [4,800] | | | | | | |
| 178 | CLOSE COMBAT TACTICAL TRAINER | | 65,155 | | 65,155 | | 65,155 | | | | 65,155 |
| 179 | AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA | | 12,794 | | 12,794 | | 12,794 | | | | 12,794 |
| 180 | GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING | | 7,870 | | 7,870 | | 7,870 | | | | 7,870 |
| | **TEST MEASURE AND DIG EQUIPMENT (TMD)** | | | | | | | | | | |
| 181 | CALIBRATION SETS EQUIPMENT | | 16,844 | | 16,844 | | 16,844 | | | | 16,844 |
| 182 | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) | | 101,320 | | 101,320 | | 101,320 | | | | 101,320 |
| 183 | TEST EQUIPMENT MODERNIZATION (TEMOD) | | 15,526 | | 15,526 | | 15,526 | | | | 15,526 |
| | **OTHER SUPPORT EQUIPMENT** | | | | | | | | | | |
| 184 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT | | 21,770 | | 21,770 | | 21,770 | | | | 21,770 |
| 185 | PHYSICAL SECURITY SYSTEMS (OPA3) | | 49,758 | | 49,758 | | 49,758 | | | | 49,758 |
| 186 | BASE LEVEL COM'L EQUIPMENT | | 1,303 | | 1,303 | | 1,303 | | | | 1,303 |
| 187 | MODIFICATION OF IN-SVC EQUIPMENT (OPA–3) | | 53,884 | | 53,884 | | 53,884 | | | | 53,884 |
| 188 | PRODUCTION BASE SUPPORT (OTH) | | 3,050 | | 3,050 | | 3,050 | | | | 3,050 |
| 189 | BUILDING, PRE-FAB, RELOCATABLE | | | | | | | | | | |
| 190 | SPECIAL EQUIPMENT FOR USER TESTING | | 45,516 | | 45,516 | | 45,516 | | | | 45,516 |
| 191 | AMC CRITICAL ITEMS OPA3 | | 12,232 | | 12,232 | | 12,232 | | | | 12,232 |
| 192 | MA8975 | | 4,492 | | 4,492 | | 4,492 | | | | 4,492 |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| | **OPA2** | | | | | | | | | | |
| 193 | INITIAL SPARES—C&E | | 25,867 | | 25,867 | | 25,867 | | | | 25,867 |
| 194 | WIN-T INCREMENT 2 SPARES | | 9,758 | | 9,758 | | 9,758 | | | | 9,758 |
| 194a | Procurement of computer services / systems | | | | | | –75,000 | | | | |
| | Eliminate redundant activities | | | | | | [–75,000] | | | | |
| | **TOTAL—OTHER PROCUREMENT, ARMY** | | **9,907,151** | | **9,762,539** | | **9,617,991** | | **–456,288** | | **9,450,863** |
| | **JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND** | | | | | | | | | | |
| | **NETWORK ATTACK** | | | | | | | | | | |
| 001 | ATTACK THE NETWORK | | 203,100 | | | | | | –203,100 | | |
| | Transfer to OCO | | | | | | [–203,100] | | [–203,100] | | |
| | Transfer to Title II and Title III | | | | [–203,100] | | | | | | |
| | **JIEDDO DEVICE DEFEAT** | | | | | | | | | | |
| 002 | DEFEAT THE DEVICE | | 199,100 | | | | | | –199,100 | | |
| | Transfer to OCO | | | | | | [–199,100] | | [–199,100] | | |
| | Transfer to Title II and Title III | | | | [–199,100] | | | | | | |
| | **FORCE TRAINING** | | | | | | | | | | |
| 003 | TRAIN THE FORCE | | 41,100 | | | | | | –41,100 | | |
| | Transfer to OCO | | | | | | [–41,100] | | [–41,100] | | |
| | Transfer to Title II and Title III | | | | [–41,100] | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **STAFF AND INFRASTRUCTURE** | | | | | | | | | | |
| 004 | OPERATIONS | | 121,550 | | | | | | –121,550 | | |
| | Transfer to OCO | | | | | | [–121,550] | | [–121,550] | | |
| | Transfer to Title II and Title III | | | | [–121,550] | | | | | | |
| | **TOTAL—JOINT IED DEFEAT FUND** | | **564,850** | | **0** | | **0** | | **–564,850** | | **0** |
| | **AIRCRAFT PROCUREMENT, NAVY** | | | | | | | | | | |
| | **COMBAT AIRCRAFT** | | | | | | | | | | |
| 001 | AV–8B (V/STOL) HARRIER | | | | | | | | | | |
| 002 | EA–18G | 22 | 1,611,837 | 22 | 1,667,837 | | 1,611,837 | | | 22 | 1,611,837 |
| | Aircraft Support Equipment | | | | [56,000] | | | | | | |
| 003 | ADVANCE PROCUREMENT (CY) | | 20,559 | | 20,559 | | 20,559 | | | | 20,559 |
| 004 | F/A–18E/F (FIGHTER) HORNET | 9 | 1,009,537 | 9 | 1,009,537 | | 1,569,537 | 9 | 512,280 | 18 | 1,521,817 |
| | Additional aircraft | | | | | | [560,000] | | [512,280] | | |
| 005 | ADVANCE PROCUREMENT (CY) | | 51,431 | | 159,431 | | 51,431 | | 108,000 | | 159,431 |
| | EOQ for MYP III | | | | [108,000] | | | | [108,000] | | |
| 006 | JOINT STRIKE FIGHTER | 20 | 3,997,048 | 19 | 3,875,048 | | 3,997,048 | | | 20 | 3,997,048 |
| | Program Reduction | | | [–1] | [–164,000] | | | | | | |
| | F136 Procurement | | | | [42,000] | | | | | | |
| 007 | ADVANCE PROCUREMENT (CY) | | 481,000 | | 486,000 | | 481,000 | | | | 481,000 |
| | F136 Procurement | | | | [5,000] | | | | | | |
| 008 | V–22 (MEDIUM LIFT) | 30 | 2,215,829 | 30 | 2,215,829 | | 2,215,829 | | | 30 | 2,215,829 |
| 009 | ADVANCE PROCUREMENT (CY) | | 84,342 | | 84,342 | | 84,342 | | | | 84,342 |
| 010 | UH–1Y/AH–1Z | 28 | 709,801 | 18 | 426,901 | | 709,801 | –4 | –100,000 | 24 | 609,801 |
| | UH–1Y/AH–1Z Program Reduction | | | [–10] | [–282,900] | | | [–4] | [–100,000] | | |
| 011 | ADVANCE PROCUREMENT (CY) | | 70,550 | | 70,550 | | 70,550 | | | | 70,550 |
| 012 | MH–60S (MYP) | 18 | 414,145 | 18 | 414,145 | | 414,145 | | | 18 | 414,145 |
| 013 | ADVANCE PROCUREMENT (CY) | | 78,830 | | 78,830 | | 78,830 | | | | 78,830 |
| 014 | MH–60R | 24 | 811,781 | 24 | 811,781 | | 811,781 | | | 24 | 811,781 |
| 015 | ADVANCE PROCUREMENT (CY) | | 131,504 | | 131,504 | | 131,504 | | | | 131,504 |
| 016 | P–8A POSEIDON | 6 | 1,664,525 | 6 | 1,664,525 | | 1,664,525 | | | 6 | 1,664,525 |
| 017 | ADVANCE PROCUREMENT (CY) | | 160,526 | | 160,526 | | 160,526 | | –10,880 | | 149,646 |
| | Excessive advance procurement growth | | | | | | | | [–7,680] | | |
| | Funding for production line slots | | | | | | | | [–3,200] | | |
| 018 | E–2D ADV HAWKEYE | 2 | 511,245 | 2 | 511,245 | | 511,245 | | | 2 | 511,245 |
| 019 | ADVANCE PROCUREMENT (CY) | | 94,924 | | 94,924 | | 94,924 | | | | 94,924 |
| | **AIRLIFT AIRCRAFT** | | | | | | | | | | |
| 020 | C–40A | 1 | 74,381 | 1 | 74,381 | | 74,381 | | | 1 | 74,381 |
| | **TRAINER AIRCRAFT** | | | | | | | | | | |
| 021 | T–45TS (TRAINER) GOSHAWK | | | | | | | | | | |
| 022 | JPATS | 38 | 266,539 | 38 | 266,539 | | 266,539 | | | 38 | 266,539 |
| | **OTHER AIRCRAFT** | | | | | | | | | | |
| 023 | KC–130J | | | | | | | | | | |
| 024 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 025 | RQ–7 UAV | 11 | 56,797 | 11 | 56,797 | | 56,797 | | –3,000 | 11 | 53,797 |
| | Attrition vehicles | | | | | | | | [–3,000] | | |
| 026 | MQ–8 UAV | 5 | 77,616 | 5 | 77,616 | | 77,616 | | | 5 | 77,616 |
| 027 | OTHER SUPPORT AIRCRAFT | | | | | | | | | | |
| | **MODIFICATION OF AIRCRAFT** | | | | | | | | | | |
| 028 | EA–6 SERIES | | 39,977 | | 39,977 | | 39,977 | | | | 39,977 |
| 029 | AV–8 SERIES | | 35,668 | | 35,668 | | 35,668 | | | | 35,668 |
| 030 | F–18 SERIES | | 484,129 | | 484,129 | | 484,129 | | –3,400 | | 480,729 |
| | Excessive growth of IR Marker ECP | | | | | | | | [–3,400] | | |
| 031 | H–46 SERIES | | 35,325 | | 35,325 | | 35,325 | | | | 35,325 |
| 032 | AH–1W SERIES | | 66,461 | | 66,461 | | 66,461 | | | | 66,461 |
| 033 | H–53 SERIES | | 68,197 | | 68,197 | | 68,197 | | | | 68,197 |
| 034 | SH–60 SERIES | | 82,253 | | 82,253 | | 82,253 | | | | 82,253 |
| 035 | H–1 SERIES | | 20,040 | | 20,040 | | 20,040 | | | | 20,040 |
| 036 | EP–3 SERIES | | 92,530 | | 92,530 | | 92,530 | | | | 92,530 |
| 037 | P–3 SERIES | | 485,171 | | 435,171 | | 485,171 | | –39,600 | | 445,571 |
| | P–3 Series Program Reduction | | | | [–50,000] | | | | [–39,600] | | |
| 038 | S–3 SERIES | | | | | | | | | | |
| 039 | E–2 SERIES | | 22,853 | | 22,853 | | 22,853 | | | | 22,853 |
| 040 | TRAINER A/C SERIES | | 20,907 | | 20,907 | | 20,907 | | | | 20,907 |
| 041 | C–2A | | 21,343 | | 21,343 | | 21,343 | | | | 21,343 |
| 042 | C–130 SERIES | | 22,449 | | 22,449 | | 22,449 | | | | 22,449 |
| 043 | FEWSG | | 9,486 | | 9,486 | | 9,486 | | | | 9,486 |
| 044 | CARGO/TRANSPORT A/C SERIES | | 19,429 | | 19,429 | | 19,429 | | | | 19,429 |
| 045 | E–6 SERIES | | 102,646 | | 102,646 | | 102,646 | | | | 102,646 |
| 046 | EXECUTIVE HELICOPTERS SERIES | | 42,456 | | 42,456 | | 42,456 | | | | 42,456 |
| 047 | SPECIAL PROJECT AIRCRAFT | | 14,869 | | 14,869 | | 14,869 | | | | 14,869 |
| 048 | T–45 SERIES | | 51,484 | | 51,484 | | 51,484 | | | | 51,484 |
| 049 | POWER PLANT CHANGES | | 26,395 | | 26,395 | | 26,395 | | | | 26,395 |
| 050 | JPATS SERIES | | 4,922 | | 4,922 | | 4,922 | | | | 4,922 |
| 051 | AVIATION LIFE SUPPORT MODS | | 5,594 | | 5,594 | | 5,594 | | | | 5,594 |
| 052 | COMMON ECM EQUIPMENT | | 47,419 | | 55,719 | | 47,419 | | 2,000 | | 49,419 |
| | Crane Integrated Defensive Countermeasures (IDECM) Depot Capability | | | | [8,300] | | | | [2,000] | | |
| 053 | COMMON AVIONICS CHANGES | | 151,112 | | 151,112 | | 151,112 | | | | 151,112 |
| 054 | COMMON DEFENSIVE WEAPON SYSTEM | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 055 | ID SYSTEMS | | 24,125 | | 24,125 | | 24,125 | | | | 24,125 |
| 056 | V–22 (TILT/ROTOR ACFT) OSPREY | | 24,502 | | 24,502 | | 24,502 | | | | 24,502 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 057 | SPARES AND REPAIR PARTS | | 1,264,012 | | 1,262,012 | | 1,264,012 | | –1,600 | | 1,262,412 |
| | F–35 Spares Reduction | | | | [–4,000] | | | | | | |
| | F136 Spares | | | | [2,000] | | | | | | |
| | UH–1Y/AH–1Z reduction | | | | | | | | [–1,600] | | |
| | **AIRCRAFT SUPPORT EQUIP & FACILITIES** | | | | | | | | | | |
| 058 | COMMON GROUND EQUIPMENT | | 363,588 | | 366,988 | | 363,588 | | | | 363,588 |
| | Engine Intallation & Removal Vehicle (EIRV) | | | | [3,400] | | | | | | |
| 059 | AIRCRAFT INDUSTRIAL FACILITIES | | 11,075 | | 11,075 | | 11,075 | | | | 11,075 |
| 060 | WAR CONSUMABLES | | 55,406 | | 55,406 | | 55,406 | | | | 55,406 |
| 061 | OTHER PRODUCTION CHARGES | | 23,861 | | 23,861 | | 23,861 | | | | 23,861 |
| 062 | SPECIAL SUPPORT EQUIPMENT | | 42,147 | | 42,147 | | 42,147 | | | | 42,147 |
| 063 | FIRST DESTINATION TRANSPORTATION | | 1,734 | | 1,734 | | 1,734 | | | | 1,734 |
| 064 | CANCELLED ACCOUNT ADJUSTMENTS | | | | | | | | | | |
| | **TOTAL—AIRCRAFT PROCUREMENT, NAVY** | | **18,378,312** | | **18,102,112** | | **18,938,312** | | **463,800** | | **18,842,112** |
| | **WEAPONS PROCUREMENT, NAVY** | | | | | | | | | | |
| | **BALLISTIC MISSILES** | | | | | | | | | | |
| | **MODIFICATION OF MISSILES** | | | | | | | | | | |
| 001 | TRIDENT II MODS | 24 | 1,060,504 | 24 | 1,060,504 | 24 | 1,060,504 | | | 24 | 1,060,504 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | | | | | | | | | |
| 002 | MISSILE INDUSTRIAL FACILITIES | | 3,447 | | 3,447 | | 3,447 | | | | 3,447 |
| | **OTHER MISSILES** | | | | | | | | | | |
| | **STRATEGIC MISSILES** | | | | | | | | | | |
| 003 | TOMAHAWK | 196 | 283,055 | 196 | 283,055 | 196 | 283,055 | | | 196 | 283,055 |
| | **TACTICAL MISSILES** | | | | | | | | | | |
| 004 | AMRAAM | 79 | 145,506 | 79 | 145,506 | 79 | 145,506 | | –5,000 | 79 | 140,506 |
| | Diminished manufacturing sources funding ahead of need | | | | | | | | [–5,000] | | |
| 005 | SIDEWINDER | 161 | 56,845 | 161 | 56,845 | 161 | 56,845 | | | 161 | 56,845 |
| 006 | JSOW | 430 | 145,336 | 430 | 145,336 | 430 | 145,336 | | | 430 | 145,336 |
| 007 | SLAM-ER | | | | | | | | | | |
| 008 | STANDARD MISSILE | 62 | 249,233 | 62 | 249,233 | 62 | 249,233 | | | 62 | 249,233 |
| 009 | RAM | 90 | 74,784 | 90 | 74,784 | 90 | 74,784 | | | 90 | 74,784 |
| 010 | HELLFIRE | 818 | 59,411 | 818 | 59,411 | 818 | 59,411 | | | 818 | 59,411 |
| 011 | AERIAL TARGETS | | 47,003 | | 47,003 | | 47,003 | | | | 47,003 |
| 012 | OTHER MISSILE SUPPORT | | 3,928 | | 3,928 | | 3,928 | | | | 3,928 |
| | **MODIFICATION OF MISSILES** | | | | | | | | | | |
| 013 | ESSM | 50 | 51,388 | 50 | 51,388 | 50 | 51,388 | | | 50 | 51,388 |
| 014 | HARM MODS | | 47,973 | | 47,973 | | 47,973 | | | | 47,973 |
| 015 | STANDARD MISSILES MODS | | 81,451 | | 81,451 | | 81,451 | | | | 81,451 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | | | | | | | | | |
| 016 | WEAPONS INDUSTRIAL FACILITIES | | 3,211 | | 3,211 | | 33,211 | | 10,000 | | 13,211 |
| | Accelerate facility restoration program | | | | | | [30,000] | | [10,000] | | |
| 017 | FLEET SATELLITE COMM FOLLOW-ON | 1 | 487,280 | 1 | 487,280 | 1 | 487,280 | | | 1 | 487,280 |
| 018 | ADVANCE PROCUREMENT (CY) | | 28,847 | | 28,847 | | 60,847 | | | | 28,847 |
| | MUOS UHF augmentation—transfer from PE 33109N (RDN 192) | | | | | | [32,000] | | | | |
| | **ORDNANCE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 019 | ORDNANCE SUPPORT EQUIPMENT | | 48,883 | | 48,883 | | 48,883 | | | | 48,883 |
| | **TORPEDOES AND RELATED EQUIPMENT** | | | | | | | | | | |
| | **TORPEDOES AND RELATED EQUIP.** | | | | | | | | | | |
| 020 | SSTD | | | | | | | | | | |
| 021 | ASW TARGETS | | 9,288 | | 9,288 | | 9,288 | | | | 9,288 |
| | **MOD OF TORPEDOES AND RELATED EQUIP** | | | | | | | | | | |
| 022 | MK–46 TORPEDO MODS | | 94,159 | | 94,159 | | 94,159 | | –7,136 | | 87,023 |
| | Support funding carryover | | | | | | | | [–7,136] | | |
| 023 | MK–48 TORPEDO ADCAP MODS | | 61,608 | | 61,608 | | 61,608 | | –5,300 | | 56,308 |
| | Support funding carryover | | | | | | | | [–5,300] | | |
| 024 | QUICKSTRIKE MINE | | 4,680 | | 4,680 | | 4,680 | | | | 4,680 |
| | **SUPPORT EQUIPMENT** | | | | | | | | | | |
| 025 | TORPEDO SUPPORT EQUIPMENT | | 39,869 | | 39,869 | | 39,869 | | | | 39,869 |
| 026 | ASW RANGE SUPPORT | | 10,044 | | 10,044 | | 10,044 | | | | 10,044 |
| | **DESTINATION TRANSPORTATION** | | | | | | | | | | |
| 027 | FIRST DESTINATION TRANSPORTATION | | 3,434 | | 3,434 | | 3,434 | | | | 3,434 |
| | **OTHER WEAPONS** | | | | | | | | | | |
| | **GUNS AND GUN MOUNTS** | | | | | | | | | | |
| 028 | SMALL ARMS AND WEAPONS | | 12,742 | | 12,742 | | 12,742 | | | | 12,742 |
| | **MODIFICATION OF GUNS AND GUN MOUNTS** | | | | | | | | | | |
| 029 | CIWS MODS | | 158,896 | | 158,896 | | 158,896 | | | | 158,896 |
| 030 | COAST GUARD WEAPONS | | 21,157 | | 21,157 | | 21,157 | | | | 21,157 |
| 031 | GUN MOUNT MODS | | 30,761 | | 30,761 | | 30,761 | | | | 30,761 |
| 032 | LCS MODULE WEAPONS | | | | | | | | | | |
| 033 | CRUISER MODERNIZATION WEAPONS | | 51,227 | | 51,227 | | 51,227 | | | | 51,227 |
| 034 | AIRBORNE MINE NEUTRALIZATION SYSTEMS | | 12,309 | | 12,309 | | 12,309 | | | | 12,309 |
| | **OTHER** | | | | | | | | | | |
| 035 | MARINE CORPS TACTIAL UNMANNED AERIAL SYSTEM | | | | | | | | | | |
| 036 | CANCELLED ACCOUNT ADJUSTMENTS | | | | | | | | | | |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 037 | SPARES AND REPAIR PARTS | | 65,196 | | 65,196 | | 65,196 | | | | 65,196 |
| | **TOTAL—WEAPONS PROCUREMENT, NAVY** | | **3,453,455** | | **3,453,455** | | **3,515,455** | | **–7,436** | | **3,446,019** |
| | **PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | | | | | | | | | | |
| | **PROC AMMO, NAVY** | | | | | | | | | | |
| | **NAVY AMMUNITION** | | | | | | | | | | |
| 001 | GENERAL PURPOSE BOMBS | | 75,227 | | 75,227 | | 75,227 | | | | 75,227 |
| 002 | JDAM | | 1,968 | | 1,968 | | 1,968 | | | | 1,968 |
| 003 | AIRBORNE ROCKETS, ALL TYPES | | 38,643 | | 38,643 | | 38,643 | | | | 38,643 |
| 004 | MACHINE GUN AMMUNITION | | 19,622 | | 19,622 | | 19,622 | | –7,560 | | 12,062 |
| | 20MM linkless TP cost growth | | | | | | | | [–2,900] | | |
| | 20MM linked TP cost growth | | | | | | | | [–1,990] | | |
| | 20MM linked HEI cost growth | | | | | | | | [–2,670] | | |
| 005 | PRACTICE BOMBS | | 33,803 | | 33,803 | | 33,803 | | –9,300 | | 24,503 |
| | Enhanced laser guided training round cost growth | | | | | | | | [–9,300] | | |
| 006 | CARTRIDGES & CART ACTUATED DEVICES | | 50,600 | | 50,600 | | 50,600 | | | | 50,600 |
| 007 | AIR EXPENDABLE COUNTERMEASURES | | 79,102 | | 79,102 | | 79,102 | | –9,800 | | 69,302 |
| | MJU–55 production termination | | | | | | | | [–9,800] | | |
| 008 | JATOS | | 3,230 | | 3,230 | | 3,230 | | | | 3,230 |
| 009 | 5 INCH/54 GUN AMMUNITION | | 27,483 | | 27,483 | | 27,483 | | | | 27,483 |
| 010 | INTERMEDIATE CALIBER GUN AMMUNITION | | 25,974 | | 25,974 | | 25,974 | | | | 25,974 |
| 011 | OTHER SHIP GUN AMMUNITION | | 35,934 | | 35,934 | | 35,934 | | | | 35,934 |
| 012 | SMALL ARMS & LANDING PARTY AMMO | | 43,490 | | 43,490 | | 43,490 | | | | 43,490 |
| 013 | PYROTECHNIC AND DEMOLITION | | 10,623 | | 10,623 | | 10,623 | | | | 10,623 |
| 014 | AMMUNITION LESS THAN $5 MILLION | | 3,214 | | 3,214 | | 3,214 | | | | 3,214 |
| | **PROC AMMO, MC** | | | | | | | | | | |
| | **MARINE CORPS AMMUNITION** | | | | | | | | | | |
| 015 | SMALL ARMS AMMUNITION | | 87,781 | | 87,781 | | 87,781 | | | | 87,781 |
| 016 | LINEAR CHARGES, ALL TYPES | | 23,582 | | 23,582 | | 23,582 | | | | 23,582 |
| 017 | 40 MM, ALL TYPES | | 57,291 | | 57,291 | | 57,291 | | | | 57,291 |
| 018 | 60MM, ALL TYPES | | 22,037 | | 22,037 | | 22,037 | | | | 22,037 |
| 019 | 81MM, ALL TYPES | | 54,869 | | 54,869 | | 54,869 | | | | 54,869 |
| 020 | 120MM, ALL TYPES | | 29,579 | | 29,579 | | 29,579 | | | | 29,579 |
| 021 | CTG 25MM, ALL TYPES | | 2,259 | | 2,259 | | 2,259 | | | | 2,259 |
| 022 | GRENADES, ALL TYPES | | 10,694 | | 10,694 | | 10,694 | | | | 10,694 |
| 023 | ROCKETS, ALL TYPES | | 13,948 | | 13,948 | | 13,948 | | | | 13,948 |
| 024 | ARTILLERY, ALL TYPES | | 57,948 | | 57,948 | | 57,948 | | | | 57,948 |
| 025 | EXPEDITIONARY FIGHTING VEHICLE | | | | | | | | | | |
| 026 | DEMOLITION MUNITIONS, ALL TYPES | | 14,886 | | 14,886 | | 14,886 | | | | 14,886 |
| 027 | FUZE, ALL TYPES | | 575 | | 575 | | 575 | | | | 575 |
| 028 | NON LETHALS | | 3,034 | | 3,034 | | 3,034 | | | | 3,034 |
| 029 | AMMO MODERNIZATION | | 8,886 | | 8,886 | | 8,886 | | | | 8,886 |
| 030 | ITEMS LESS THAN $5 MILLION | | 4,393 | | 4,393 | | 4,393 | | | | 4,393 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | | **840,675** | | **840,675** | | **840,675** | | **–26,660** | | **814,015** |
| | **SHIPBUILDING AND CONVERSION, NAVY** | | | | | | | | | | |
| | **OTHER WARSHIPS** | | | | | | | | | | |
| 001 | CARRIER REPLACEMENT PROGRAM | | 739,269 | | 739,269 | | 739,269 | | | | 739,269 |
| 002 | ADVANCE PROCUREMENT (CY) | | 484,432 | | 484,432 | | 484,432 | | | | 484,432 |
| 003 | VIRGINIA CLASS SUBMARINE | 1 | 1,964,317 | 1 | 1,964,317 | 1 | 1,964,317 | | | 1 | 1,964,317 |
| 004 | ADVANCE PROCUREMENT (CY) | | 1,959,725 | | 1,959,725 | | 1,959,725 | | | | 1,959,725 |
| 005 | CVN REFUELING OVERHAULS | | 1,563,602 | | 1,563,602 | | 1,563,602 | | | | 1,563,602 |
| 006 | ADVANCE PROCUREMENT (CY) | | 211,820 | | 211,820 | | 211,820 | | | | 211,820 |
| 007 | SSBN ERO | | | | | | | | | | |
| 008 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 009 | DDG 1000 | | 1,084,161 | | 1,084,161 | | 1,084,161 | | | | 1,084,161 |
| 010 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 011 | DDG–51 | 1 | 1,912,267 | 1 | 1,912,267 | 1 | 1,912,267 | | | 1 | 1,912,267 |
| 012 | ADVANCE PROCUREMENT (CY) | | 328,996 | | 428,996 | | 328,996 | | | | 328,996 |
| | Program Increase—EOQ Quantity | | | | [100,000] | | | | | | |
| 013 | LITTORAL COMBAT SHIP | 3 | 1,380,000 | 3 | 1,380,000 | 3 | 1,380,000 | -1 | | 2 | 1,380,000 |
| | **AMPHIBIOUS SHIPS** | | | | | | | | | | |
| 014 | LPD–17 | | 872,392 | | 872,392 | | 872,392 | | | | 872,392 |
| 015 | ADVANCE PROCUREMENT (CY) | | 184,555 | | 244,555 | | 184,555 | | | | 184,555 |
| | Program Increase | | | | [60,000] | | | | | | |
| 016 | LHA REPLACEMENT | | | | | | | | | | |
| 017 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 018 | INTRATHEATER CONNECTOR | 1 | 177,956 | 1 | 177,956 | 1 | 177,956 | | | 1 | 177,956 |
| | **AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST** | | | | | | | | | | |
| 019 | OUTFITTING | | 391,238 | | 391,238 | | 391,238 | | | | 391,238 |
| 020 | SERVICE CRAFT | | 3,694 | | 3,694 | | 3,694 | | | | 3,694 |
| 021 | LCAC SLEP | 3 | 63,857 | 3 | 63,857 | 3 | 63,857 | | | 3 | 63,857 |
| 022 | COMPLETION OF PY SHIPBUILDING PROGRAMS | | 454,586 | | 304,586 | | 454,586 | | | | 454,586 |
| | Completion of Prior Year Shipbuilding (DDG 1000) | | | | [–150,000] | | | | | | |
| | **TOTAL—SHIPBUILDING AND CONVERSION, NAVY** | | **13,776,867** | | **13,786,867** | | **13,776,867** | | **0** | | **13,776,867** |
| | **OTHER PROCUREMENT, NAVY** | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **SHIPS SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **SHIP PROPULSION EQUIPMENT** | | | | | | | | | | |
| 001 | LM–2500 GAS TURBINE | | 8,014 | | 8,014 | | 8,014 | | | | 8,014 |
| 002 | ALLISON 501K GAS TURBINE | | 9,162 | | 9,162 | | 9,162 | | | | 9,162 |
| 003 | OTHER PROPULSION EQUIPMENT | | | | | | | | | | |
| | **NAVIGATION EQUIPMENT** | | | | | | | | | | |
| 004 | OTHER NAVIGATION EQUIPMENT | | 34,743 | | 34,743 | | 34,743 | | | | 34,743 |
| | **PERISCOPES** | | | | | | | | | | |
| 005 | SUB PERISCOPES & IMAGING EQUIP | | 75,127 | | 75,127 | | 75,127 | | –5,000 | | 70,127 |
| | Digital periscope contract delay | | | | | | | | [–5,000] | | |
| | **OTHER SHIPBOARD EQUIPMENT** | | | | | | | | | | |
| 006 | DDG MOD | | 142,262 | | 142,262 | | 142,262 | | | | 142,262 |
| 007 | FIREFIGHTING EQUIPMENT | | 11,423 | | 11,423 | | 15,423 | | 3,100 | | 14,523 |
| | Smart valves for fire suppression | | | | | | [4,000] | | [3,100] | | |
| 008 | COMMAND AND CONTROL SWITCHBOARD | | 4,383 | | 4,383 | | 4,383 | | | | 4,383 |
| 009 | POLLUTION CONTROL EQUIPMENT | | 24,992 | | 24,992 | | 24,992 | | | | 24,992 |
| 010 | SUBMARINE SUPPORT EQUIPMENT | | 16,867 | | 16,867 | | 16,867 | | | | 16,867 |
| 011 | VIRGINIA CLASS SUPPORT EQUIPMENT | | 103,153 | | 103,153 | | 103,153 | | | | 103,153 |
| 012 | SUBMARINE BATTERIES | | 51,482 | | 51,482 | | 51,482 | | | | 51,482 |
| 013 | STRATEGIC PLATFORM SUPPORT EQUIP | | 15,672 | | 15,672 | | 15,672 | | | | 15,672 |
| 014 | DSSP EQUIPMENT | | 10,641 | | 10,641 | | 10,641 | | | | 10,641 |
| 015 | CG MODERNIZATION | | 315,323 | | 315,323 | | 315,323 | | | | 315,323 |
| 016 | LCAC | | 6,642 | | 6,642 | | 6,642 | | | | 6,642 |
| 017 | MINESWEEPING EQUIPMENT | | | | | | | | | | |
| 018 | UNDERWATER EOD PROGRAMS | | 19,232 | | 19,232 | | 19,232 | | | | 19,232 |
| 019 | ITEMS LESS THAN $5 MILLION | | 127,554 | | 131,554 | | 127,554 | | –3,124 | | 124,430 |
| | M952 Weapon Light | | | | [4,000] | | | | | | |
| | CVN auto voltage regulators ahead of need | | | | | | | | [–3,124] | | |
| 020 | CHEMICAL WARFARE DETECTORS | | 8,899 | | 8,899 | | 8,899 | | | | 8,899 |
| 021 | SUBMARINE LIFE SUPPORT SYSTEM | | 14,721 | | 14,721 | | 14,721 | | | | 14,721 |
| | **REACTOR PLANT EQUIPMENT** | | | | | | | | | | |
| 022 | REACTOR POWER UNITS | | | | | | | | | | |
| 023 | REACTOR COMPONENTS | | 262,354 | | 262,354 | | 262,354 | | | | 262,354 |
| | **OCEAN ENGINEERING** | | | | | | | | | | |
| 024 | DIVING AND SALVAGE EQUIPMENT | | 5,304 | | 5,304 | | 5,304 | | | | 5,304 |
| | **SMALL BOATS** | | | | | | | | | | |
| 025 | STANDARD BOATS | | 35,318 | | 40,318 | | 35,318 | | | | 35,318 |
| | Barrier Boat Craft | | | | [5,000] | | | | | | |
| | **TRAINING EQUIPMENT** | | | | | | | | | | |
| 026 | OTHER SHIPS TRAINING EQUIPMENT | | 15,113 | | 15,113 | | 15,113 | | | | 15,113 |
| | **PRODUCTION FACILITIES EQUIPMENT** | | | | | | | | | | |
| 027 | OPERATING FORCES IPE | | 47,172 | | 47,172 | | 47,172 | | | | 47,172 |
| | **OTHER SHIP SUPPORT** | | | | | | | | | | |
| 028 | NUCLEAR ALTERATIONS | | 136,683 | | 136,683 | | 136,683 | | | | 136,683 |
| 029 | LCS MODULES | | 137,259 | | 137,259 | | 137,259 | | | | 137,259 |
| | **LOGISTIC SUPPORT** | | | | | | | | | | |
| 030 | LSD MIDLIFE | | 117,856 | | 117,856 | | 117,856 | | | | 117,856 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | | | | | | | | | |
| | **SHIP RADARS** | | | | | | | | | | |
| 031 | RADAR SUPPORT | | 9,968 | | 9,968 | | 9,968 | | | | 9,968 |
| 032 | SPQ–9B RADAR | | 13,476 | | 13,476 | | 13,476 | | | | 13,476 |
| 033 | AN/SQQ–89 SURF ASW COMBAT SYSTEM | | 111,093 | | 111,093 | | 111,093 | | –15,500 | | 95,593 |
| | SQQ–89 backfit suites ahead of need | | | | | | | | [–15,500] | | |
| 034 | SSN ACOUSTICS | | 299,962 | | 299,962 | | 303,962 | | 4,000 | | 303,962 |
| | TB–33 thinline towed array | | | | | | [4,000] | | [4,000] | | |
| 035 | UNDERSEA WARFARE SUPPORT EQUIPMENT | | 38,705 | | 38,705 | | 38,705 | | | | 38,705 |
| 036 | SONAR SWITCHES AND TRANSDUCERS | | 13,537 | | 13,537 | | 13,537 | | | | 13,537 |
| | **ASW ELECTRONIC EQUIPMENT** | | | | | | | | | | |
| 037 | SUBMARINE ACOUSTIC WARFARE SYSTEM | | 20,681 | | 20,681 | | 20,681 | | | | 20,681 |
| 038 | SSTD | | 2,184 | | 2,184 | | 2,184 | | | | 2,184 |
| 039 | FIXED SURVEILLANCE SYSTEM | | 63,017 | | 63,017 | | 63,017 | | | | 63,017 |
| 040 | SURTASS | | 24,108 | | 24,108 | | 24,108 | | | | 24,108 |
| 041 | TACTICAL SUPPORT CENTER | | 22,464 | | 22,464 | | 22,464 | | | | 22,464 |
| | **ELECTRONIC WARFARE EQUIPMENT** | | | | | | | | | | |
| 042 | AN/SLQ–32 | | 34,264 | | 34,264 | | 34,264 | | | | 34,264 |
| | **RECONNAISSANCE EQUIPMENT** | | | | | | | | | | |
| 043 | SHIPBOARD IW EXPLOIT | | 105,883 | | 105,883 | | 105,883 | | | | 105,883 |
| | **SUBMARINE SURVEILLANCE EQUIPMENT** | | | | | | | | | | |
| 044 | SUBMARINE SUPPORT EQUIPMENT PROG | | 98,645 | | 98,645 | | 98,645 | | –15,150 | | 83,495 |
| | Multi-function modular mast units ahead of need | | | | | | | | [–15,150] | | |
| | **OTHER SHIP ELECTRONIC EQUIPMENT** | | | | | | | | | | |
| 045 | NAVY TACTICAL DATA SYSTEM | | | | 3,000 | | | | | | |
| | AN/USQ–167 COMSEC Upgrade | | | | [3,000] | | | | | | |
| 046 | COOPERATIVE ENGAGEMENT CAPABILITY | | 30,522 | | 30,522 | | 30,522 | | | | 30,522 |
| 047 | GCCS-M EQUIPMENT | | 13,594 | | 13,594 | | 13,594 | | | | 13,594 |
| 048 | NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) | | 35,933 | | 35,933 | | 35,933 | | | | 35,933 |
| 049 | ATDLS | | 7,314 | | 7,314 | | 7,314 | | | | 7,314 |
| 050 | MINESWEEPING SYSTEM REPLACEMENT | | 79,091 | | 79,091 | | 79,091 | | –4,800 | | 74,291 |
| | RMS restructure | | | | | | | | [–4,800] | | |
| 051 | SHALLOW WATER MCM | | 7,835 | | 7,835 | | 7,835 | | | | 7,835 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 052 | NAVSTAR GPS RECEIVERS (SPACE) | | 10,845 | | 10,845 | | 10,845 | | | | 10,845 |
| 053 | ARMED FORCES RADIO AND TV | | 3,333 | | 3,333 | | 3,333 | | | | 3,333 |
| 054 | STRATEGIC PLATFORM SUPPORT EQUIP | | 4,149 | | 4,149 | | 4,149 | | | | 4,149 |
| | **TRAINING EQUIPMENT** | | | | | | | | | | |
| 055 | OTHER TRAINING EQUIPMENT | | 36,784 | | 36,784 | | 36,784 | | | | 36,784 |
| | **AVIATION ELECTRONIC EQUIPMENT** | | | | | | | | | | |
| 056 | MATCALS | | 17,468 | | 17,468 | | 17,468 | | | | 17,468 |
| 057 | SHIPBOARD AIR TRAFFIC CONTROL | | 7,970 | | 7,970 | | 7,970 | | | | 7,970 |
| 058 | AUTOMATIC CARRIER LANDING SYSTEM | | 18,878 | | 18,878 | | 18,878 | | | | 18,878 |
| 059 | NATIONAL AIR SPACE SYSTEM | | 28,988 | | 28,988 | | 28,988 | | | | 28,988 |
| 060 | AIR STATION SUPPORT EQUIPMENT | | 8,203 | | 8,203 | | 8,203 | | | | 8,203 |
| 061 | MICROWAVE LANDING SYSTEM | | 10,526 | | 10,526 | | 10,526 | | | | 10,526 |
| 062 | ID SYSTEMS | | 38,682 | | 38,682 | | 38,682 | | | | 38,682 |
| 063 | TAC A/C MISSION PLANNING SYS(TAMPS) | | 9,102 | | 9,102 | | 9,102 | | | | 9,102 |
| | **OTHER SHORE ELECTRONIC EQUIPMENT** | | | | | | | | | | |
| 064 | DEPLOYABLE JOINT COMMAND AND CONT | | 8,719 | | 12,719 | | 8,719 | | 3,000 | | 11,719 |
| | Shelter Upgrade Program | | | | [4,000] | | | | [3,000] | | |
| 065 | TADIX-B | | 793 | | 793 | | 793 | | | | 793 |
| 066 | GCCS-M EQUIPMENT TACTICAL/MOBILE | | 11,820 | | 11,820 | | 11,820 | | | | 11,820 |
| 067 | COMMON IMAGERY GROUND SURFACE SYSTEMS | | 27,632 | | 27,632 | | 27,632 | | | | 27,632 |
| 068 | CANES | | 1,181 | | 1,181 | | 1,181 | | | | 1,181 |
| 069 | RADIAC | | 5,990 | | 5,990 | | 5,990 | | | | 5,990 |
| 070 | GPETE | | 3,737 | | 3,737 | | 3,737 | | | | 3,737 |
| 071 | INTEG COMBAT SYSTEM TEST FACILITY | | 4,423 | | 4,423 | | 4,423 | | | | 4,423 |
| 072 | EMI CONTROL INSTRUMENTATION | | 4,778 | | 4,778 | | 4,778 | | | | 4,778 |
| 073 | ITEMS LESS THAN $5 MILLION | | 65,760 | | 65,760 | | 65,760 | | | | 65,760 |
| | **SHIPBOARD COMMUNICATIONS** | | | | | | | | | | |
| 074 | SHIPBOARD TACTICAL COMMUNICATIONS | | | | | | | | | | |
| 075 | PORTABLE RADIOS | | | | | | | | | | |
| 076 | SHIP COMMUNICATIONS AUTOMATION | | 310,605 | | 310,605 | | 310,605 | | –20,300 | | 290,305 |
| | Shipboard network systems ahead of need | | | | | | | | [–20,300] | | |
| 077 | AN/URC–82 RADIO | | 4,913 | | 4,913 | | 4,913 | | | | 4,913 |
| 078 | COMMUNICATIONS ITEMS UNDER $5M | | 25,314 | | 25,314 | | 25,314 | | | | 25,314 |
| | **SUBMARINE COMMUNICATIONS** | | | | | | | | | | |
| 079 | SUBMARINE BROADCAST SUPPORT | | 105 | | 105 | | 105 | | | | 105 |
| 080 | SUBMARINE COMMUNICATION EQUIPMENT | | 48,729 | | 48,729 | | 48,729 | | | | 48,729 |
| | **SATELLITE COMMUNICATIONS** | | | | | | | | | | |
| 081 | SATELLITE COMMUNICATIONS SYSTEMS | | 50,172 | | 50,172 | | 50,172 | | | | 50,172 |
| 082 | NAVY MULTIBAND TERMINAL (NMT) | | 72,496 | | 72,496 | | 72,496 | | | | 72,496 |
| | **SHORE COMMUNICATIONS** | | | | | | | | | | |
| 083 | JCS COMMUNICATIONS EQUIPMENT | | 2,322 | | 2,322 | | 2,322 | | | | 2,322 |
| 084 | ELECTRICAL POWER SYSTEMS | | 1,293 | | 1,293 | | 1,293 | | | | 1,293 |
| 085 | NAVAL SHORE COMMUNICATIONS | | 2,542 | | 2,542 | | 2,542 | | | | 2,542 |
| | **CRYPTOGRAPHIC EQUIPMENT** | | | | | | | | | | |
| 086 | INFO SYSTEMS SECURITY PROGRAM (ISSP) | | 119,054 | | 119,054 | | 119,054 | | | | 119,054 |
| 087 | CRYPTOLOGIC COMMUNICATIONS EQUIP | | 16,839 | | 16,839 | | 16,839 | | | | 16,839 |
| | **OTHER ELECTRONIC SUPPORT** | | | | | | | | | | |
| 088 | COAST GUARD EQUIPMENT | | 18,892 | | 18,892 | | 18,892 | | | | 18,892 |
| | **DRUG INTERDICTION SUPPORT** | | | | | | | | | | |
| 089 | OTHER DRUG INTERDICTION SUPPORT | | | | | | | | | | |
| | **AVIATION SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **SONOBUOYS** | | | | | | | | | | |
| 090 | SONOBUOYS—ALL TYPES | | 91,976 | | 91,976 | | 91,976 | | | | 91,976 |
| | **AIRCRAFT SUPPORT EQUIPMENT** | | | | | | | | | | |
| 091 | WEAPONS RANGE SUPPORT EQUIPMENT | | 75,329 | | 75,329 | | 75,329 | | | | 75,329 |
| 092 | EXPEDITIONARY AIRFIELDS | | 8,343 | | 8,343 | | 8,343 | | | | 8,343 |
| 093 | AIRCRAFT REARMING EQUIPMENT | | 12,850 | | 12,850 | | 12,850 | | | | 12,850 |
| 094 | AIRCRAFT LAUNCH & RECOVERY EQUIPMENT | | 48,670 | | 48,670 | | 48,670 | | –1,821 | | 46,849 |
| | ADMACS Block II upgrade cost growth | | | | | | | | [–1,821] | | |
| 095 | METEOROLOGICAL EQUIPMENT | | 21,458 | | 21,458 | | 21,458 | | | | 21,458 |
| 096 | OTHER PHOTOGRAPHIC EQUIPMENT | | 1,582 | | 1,582 | | 1,582 | | | | 1,582 |
| 097 | AVIATION LIFE SUPPORT | | 27,367 | | 32,367 | | 27,367 | | 5,000 | | 32,367 |
| | Multi Climate Protection System | | | | [5,000] | | | | [5,000] | | |
| 098 | AIRBORNE MINE COUNTERMEASURES | | 55,408 | | 55,408 | | 55,408 | | | | 55,408 |
| 099 | LAMPS MK III SHIPBOARD EQUIPMENT | | 23,694 | | 23,694 | | 23,694 | | | | 23,694 |
| 100 | PORTABLE ELECTRONIC MAINTENANCE AIDS | | 9,710 | | 9,710 | | 9,710 | | | | 9,710 |
| 101 | OTHER AVIATION SUPPORT EQUIPMENT | | 16,541 | | 16,541 | | 16,541 | | | | 16,541 |
| | **ORDNANCE SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **SHIP GUN SYSTEM EQUIPMENT** | | | | | | | | | | |
| 102 | NAVAL FIRES CONTROL SYSTEM | | 1,391 | | 1,391 | | 1,391 | | | | 1,391 |
| 103 | GUN FIRE CONTROL EQUIPMENT | | 7,891 | | 7,891 | | 7,891 | | | | 7,891 |
| | **SHIP MISSILE SYSTEMS EQUIPMENT** | | | | | | | | | | |
| 104 | NATO SEASPARROW | | 13,556 | | 13,556 | | 13,556 | | | | 13,556 |
| 105 | RAM GMLS | | 7,762 | | 7,762 | | 7,762 | | | | 7,762 |
| 106 | SHIP SELF DEFENSE SYSTEM | | 34,079 | | 34,079 | | 34,079 | | | | 34,079 |
| 107 | AEGIS SUPPORT EQUIPMENT | | 108,886 | | 108,886 | | 108,886 | | | | 108,886 |
| 108 | TOMAHAWK SUPPORT EQUIPMENT | | 88,475 | | 88,475 | | 88,475 | | | | 88,475 |
| 109 | VERTICAL LAUNCH SYSTEMS | | 5,513 | | 5,513 | | 5,513 | | | | 5,513 |
| | **FBM SUPPORT EQUIPMENT** | | | | | | | | | | |
| 110 | STRATEGIC MISSILE SYSTEMS EQUIP | | 155,579 | | 155,579 | | 155,579 | | | | 155,579 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **ASW SUPPORT EQUIPMENT** | | | | | | | | | | |
| 111 | SSN COMBAT CONTROL SYSTEMS | | 118,528 | | 118,528 | | 118,528 | | | | 118,528 |
| 112 | SUBMARINE ASW SUPPORT EQUIPMENT | | 5,200 | | 5,200 | | 5,200 | | | | 5,200 |
| 113 | SURFACE ASW SUPPORT EQUIPMENT | | 13,646 | | 13,646 | | 13,646 | | | | 13,646 |
| 114 | ASW RANGE SUPPORT EQUIPMENT | | 7,256 | | 7,256 | | 7,256 | | | | 7,256 |
| | **OTHER ORDNANCE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 115 | EXPLOSIVE ORDNANCE DISPOSAL EQUIP | | 54,069 | | 54,069 | | 54,069 | | | | 54,069 |
| 116 | ITEMS LESS THAN $5 MILLION | | 3,478 | | 3,478 | | 3,478 | | | | 3,478 |
| | **OTHER EXPENDABLE ORDNANCE** | | | | | | | | | | |
| 117 | ANTI-SHIP MISSILE DECOY SYSTEM | | 37,128 | | 37,128 | | 37,128 | | | | 37,128 |
| 118 | SURFACE TRAINING DEVICE MODS | | 7,430 | | 7,430 | | 7,430 | | | | 7,430 |
| 119 | SUBMARINE TRAINING DEVICE MODS | | 25,271 | | 25,271 | | 25,271 | | | | 25,271 |
| | **CIVIL ENGINEERING SUPPORT EQUIPMENT** | | | | | | | | | | |
| 120 | PASSENGER CARRYING VEHICLES | | 4,139 | | 4,139 | | 4,139 | | | | 4,139 |
| 121 | GENERAL PURPOSE TRUCKS | | 1,731 | | 1,731 | | 1,731 | | | | 1,731 |
| 122 | CONSTRUCTION & MAINTENANCE EQUIP | | 12,931 | | 12,931 | | 12,931 | | | | 12,931 |
| 123 | FIRE FIGHTING EQUIPMENT | | 12,976 | | 12,976 | | 12,976 | | | | 12,976 |
| 124 | TACTICAL VEHICLES | | 25,352 | | 25,352 | | 25,352 | | | | 25,352 |
| 125 | AMPHIBIOUS EQUIPMENT | | 2,950 | | 2,950 | | 2,950 | | | | 2,950 |
| 126 | POLLUTION CONTROL EQUIPMENT | | 5,097 | | 5,097 | | 5,097 | | | | 5,097 |
| 127 | ITEMS UNDER $5 MILLION | | 23,787 | | 23,787 | | 23,787 | | | | 23,787 |
| 128 | PHYSICAL SECURITY VEHICLES | | 1,115 | | 6,115 | | 1,115 | | | | 1,115 |
| | LRAD (Long Range Acoustical Device) Anti-Terrorism Force Protection Equipment for USN Assets. | | | | [5,000] | | | | | | |
| | **SUPPLY SUPPORT EQUIPMENT** | | | | | | | | | | |
| 129 | MATERIALS HANDLING EQUIPMENT | | 17,153 | | 17,153 | | 17,153 | | | | 17,153 |
| 130 | OTHER SUPPLY SUPPORT EQUIPMENT | | 6,368 | | 6,368 | | 6,368 | | | | 6,368 |
| 131 | FIRST DESTINATION TRANSPORTATION | | 6,217 | | 6,217 | | 6,217 | | | | 6,217 |
| 132 | SPECIAL PURPOSE SUPPLY SYSTEMS | | 71,597 | | 71,597 | | 71,597 | | | | 71,597 |
| | **PERSONNEL AND COMMAND SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **TRAINING DEVICES** | | | | | | | | | | |
| 133 | TRAINING SUPPORT EQUIPMENT | | 12,944 | | 12,944 | | 12,944 | | | | 12,944 |
| | **COMMAND SUPPORT EQUIPMENT** | | | | | | | | | | |
| 134 | COMMAND SUPPORT EQUIPMENT | | 55,267 | | 57,267 | | 56,267 | | | | 55,267 |
| | National small unit center of excellence | | | | | | [–3,000] | | | | |
| | Man overboard indicators | | | | [2,000] | | [4,000] | | | | |
| 135 | EDUCATION SUPPORT EQUIPMENT | | 2,084 | | 2,084 | | 2,084 | | | | 2,084 |
| 136 | MEDICAL SUPPORT EQUIPMENT | | 5,517 | | 5,517 | | 5,517 | | | | 5,517 |
| 137 | NAVAL MIP SUPPORT EQUIPMENT | | 1,537 | | 1,537 | | 1,537 | | | | 1,537 |
| 139 | OPERATING FORCES SUPPORT EQUIPMENT | | 12,250 | | 12,250 | | 12,250 | | | | 12,250 |
| 140 | C4ISR EQUIPMENT | | 5,324 | | 5,324 | | 5,324 | | | | 5,324 |
| 141 | ENVIRONMENTAL SUPPORT EQUIPMENT | | 18,183 | | 18,183 | | 18,183 | | | | 18,183 |
| 142 | PHYSICAL SECURITY EQUIPMENT | | 128,921 | | 128,921 | | 128,921 | | | | 128,921 |
| 143 | ENTERPRISE INFORMATION TECHNOLOGY | | 79,747 | | 79,747 | | 79,747 | | | | 79,747 |
| | **OTHER** | | | | | | | | | | |
| 144 | CANCELLED ACCOUNT ADJUSTMENTS | | | | | | | | | | |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 145 | SPARES AND REPAIR PARTS | | 247,796 | | 247,796 | | 247,796 | | | | 247,796 |
| 145a | PROCUREMENT OF COMPUTER SERVICES / SYSTEMS | | | | | | –75,000 | | | | |
| | Eliminate redundant activities | | | | | | [–75,000] | | | | |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 19,463 | | 19,463 | | 19,463 | | | | 19,463 |
| | **TOTAL—OTHER PROCUREMENT, NAVY** | | **5,661,176** | | **5,689,176** | | **5,595,176** | | **–50,595** | | **5,610,581** |
| | **PROCUREMENT, MARINE CORPS** | | | | | | | | | | |
| | **WEAPONS AND COMBAT VEHICLES** | | | | | | | | | | |
| | **TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| 001 | AAV7A1 PIP | | 9,127 | | 9,127 | | 9,127 | | | | 9,127 |
| 002 | LAV PIP | | 34,969 | | 34,969 | | 34,969 | | | | 34,969 |
| 003 | IMPROVED RECOVERY VEHICLE (IRV) | | | | | | | | | | |
| 004 | M1A1 FIREPOWER ENHANCEMENTS | | | | | | | | | | |
| | **ARTILLERY AND OTHER WEAPONS** | | | | | | | | | | |
| 005 | EXPEDITIONARY FIRE SUPPORT SYSTEM | 20 | 19,591 | 20 | 19,591 | 20 | 19,591 | | | 20 | 19,591 |
| 006 | 155MM LIGHTWEIGHT TOWED HOWITZER | | 7,420 | | 7,420 | | 7,420 | | | | 7,420 |
| 007 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM | | 71,476 | | 71,476 | | 71,476 | | | | 71,476 |
| 008 | WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION | | 25,949 | | 25,949 | | 25,949 | | | | 25,949 |
| | **WEAPONS** | | | | | | | | | | |
| 009 | MODULAR WEAPON SYSTEM | | | | | | | | | | |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 010 | MODIFICATION KITS | | 33,990 | | 33,990 | | 33,990 | | | | 33,990 |
| 011 | WEAPONS ENHANCEMENT PROGRAM | | 22,238 | | 22,238 | | 22,238 | | | | 22,238 |
| | **GUIDED MISSILES AND EQUIPMENT** | | | | | | | | | | |
| | **GUIDED MISSILES** | | | | | | | | | | |
| 012 | GROUND BASED AIR DEFENSE | | 11,387 | | 11,387 | | 11,387 | | | | 11,387 |
| 013 | JAVELIN | | | | | | | | | | |
| 014 | FOLLOW ON TO SMAW | | 25,333 | | 25,333 | | 25,333 | | | | 25,333 |
| 015 | ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H) | | 71,225 | | 71,225 | | 71,225 | | | | 71,225 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 016 | MODIFICATION KITS | | 2,114 | | 2,114 | | 2,114 | | | | 2,114 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **COMMUNICATIONS & ELECTRONICS EQUIPMENT** | | | | | | | | | | |
| | **COMMAND AND CONTROL SYSTEMS** | | | | | | | | | | |
| 017 | UNIT OPERATIONS CENTER | | 19,832 | | 19,832 | | 19,832 | | | | 19,832 |
| | **REPAIR AND TEST EQUIPMENT** | | | | | | | | | | |
| 018 | REPAIR AND TEST EQUIPMENT | | 31,087 | | 31,087 | | 31,087 | | | | 31,087 |
| | **OTHER SUPPORT (TEL)** | | | | | | | | | | |
| 019 | COMBAT SUPPORT SYSTEM | | 11,368 | | 11,368 | | 11,368 | | | | 11,368 |
| 020 | MODIFICATION KITS | | | | | | | | | | |
| | **COMMAND AND CONTROL SYSTEM (NON-TEL)** | | | | | | | | | | |
| 021 | ITEMS UNDER $5 MILLION (COMM & ELEC) | | 3,531 | | 3,531 | | 3,531 | | | | 3,531 |
| 022 | AIR OPERATIONS C2 SYSTEMS | | 45,084 | | 45,084 | | 45,084 | | | | 45,084 |
| | **RADAR + EQUIPMENT (NON-TEL)** | | | | | | | | | | |
| 023 | RADAR SYSTEMS | | 7,428 | | 7,428 | | 7,428 | | | | 7,428 |
| | **INTELL/COMM EQUIPMENT (NON-TEL)** | | | | | | | | | | |
| 024 | FIRE SUPPORT SYSTEM | | 2,580 | | 2,580 | | 2,580 | | | | 2,580 |
| 025 | INTELLIGENCE SUPPORT EQUIPMENT | | 37,581 | | 48,081 | | 37,581 | | | | 37,581 |
| | Tier I Unmanned Aircraft Systems | | | | [10,500] | | | | | | |
| 026 | RQ–11 UAV | 517 | 42,403 | 517 | 42,403 | 517 | 42,403 | | | 517 | 42,403 |
| | **OTHER COMM/ELEC EQUIPMENT (NON-TEL)** | | | | | | | | | | |
| 027 | NIGHT VISION EQUIPMENT | | 10,360 | | 10,360 | | 10,360 | | | | 10,360 |
| | **OTHER SUPPORT (NON-TEL)** | | | | | | | | | | |
| 028 | COMMON COMPUTER RESOURCES | | 115,263 | | 115,263 | | 115,263 | | | | 115,263 |
| 029 | COMMAND POST SYSTEMS | | 49,820 | | 49,820 | | 49,820 | | | | 49,820 |
| 030 | RADIO SYSTEMS | | 61,954 | | 61,954 | | 61,954 | | | | 61,954 |
| 031 | COMM SWITCHING & CONTROL SYSTEMS | | 98,254 | | 98,254 | | 98,254 | | | | 98,254 |
| 032 | COMM & ELEC INFRASTRUCTURE SUPPORT | | 15,531 | | 15,531 | | 15,531 | | | | 15,531 |
| | **SUPPORT VEHICLES** | | | | | | | | | | |
| | **ADMINISTRATIVE VEHICLES** | | | | | | | | | | |
| 033 | COMMERCIAL PASSENGER VEHICLES | | 1,265 | | 1,265 | | 1,265 | | | | 1,265 |
| 034 | COMMERCIAL CARGO VEHICLES | | 13,610 | | 16,610 | | 13,610 | | | | 13,610 |
| | Mountain Terrain Support Vehicles | | | | [3,000] | | | | | | |
| 035 | 5/4T TRUCK HMMWV (MYP) | 54 | 9,796 | 54 | 9,796 | 54 | 9,796 | | | 54 | 9,796 |
| 036 | MOTOR TRANSPORT MODIFICATIONS | | 6,111 | | 6,111 | | 6,111 | | | | 6,111 |
| 037 | MEDIUM TACTICAL VEHICLE REPLACEMENT | | 10,792 | | 39,692 | | 10,792 | | | | 10,792 |
| | Medium Tactical Vehicle Replacement Trailers | | | | [28,900] | | | | | | |
| 038 | LOGISTICS VEHICLE SYSTEM REP | 495 | 217,390 | 495 | 217,390 | 495 | 217,390 | | | 495 | 217,390 |
| 039 | FAMILY OF TACTICAL TRAILERS | | 26,497 | | 26,497 | | 26,497 | | | | 26,497 |
| 040 | TRAILERS | | 18,122 | | 18,122 | | 18,122 | | | | 18,122 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 041 | ITEMS LESS THAN $5 MILLION | | 5,948 | | 5,948 | | 5,948 | | | | 5,948 |
| | **ENGINEER AND OTHER EQUIPMENT** | | | | | | | | | | |
| 042 | ENVIRONMENTAL CONTROL EQUIP ASSORT | | 5,121 | | 5,121 | | 5,121 | | | | 5,121 |
| 043 | BULK LIQUID EQUIPMENT | | 13,035 | | 13,035 | | 13,035 | | | | 13,035 |
| 044 | TACTICAL FUEL SYSTEMS | | 35,059 | | 40,159 | | 35,059 | | 3,100 | | 38,159 |
| | Nitrile Rubber Collapsible Storage Units | | | | [5,100] | | | | [3,100] | | |
| 045 | POWER EQUIPMENT ASSORTED | | 21,033 | | 21,033 | | 21,033 | | | | 21,033 |
| 046 | AMPHIBIOUS SUPPORT EQUIPMENT | | 39,876 | | 39,876 | | 39,876 | | | | 39,876 |
| 047 | EOD SYSTEMS | | 93,335 | | 93,335 | | 93,335 | | | | 93,335 |
| | **MATERIALS HANDLING EQUIPMENT** | | | | | | | | | | |
| 048 | PHYSICAL SECURITY EQUIPMENT | | 12,169 | | 12,169 | | 12,169 | | | | 12,169 |
| 049 | GARRISON MOBILE ENGINEER EQUIPMENT (GMEE) | | 11,825 | | 11,825 | | 11,825 | | | | 11,825 |
| 050 | MATERIAL HANDLING EQUIP | | 41,430 | | 105,430 | | 41,430 | | | | 41,430 |
| | Tractors, Rubber Tired, Articulated Steering, Multi-purpose (TRAM) | | | | [21,000] | | | | | | |
| | Light Rough Terrain Forks (LRTF) | | | | [13,000] | | | | | | |
| | Millennia Military Vehicle/Extendable Boom Fork Lift (MMV/EBFL) | | | | [30,000] | | | | | | |
| 051 | FIRST DESTINATION TRANSPORTATION | | 5,301 | | 5,301 | | 5,301 | | | | 5,301 |
| | **GENERAL PROPERTY** | | | | | | | | | | |
| 052 | FIELD MEDICAL EQUIPMENT | | 6,811 | | 6,811 | | 6,811 | | | | 6,811 |
| 053 | TRAINING DEVICES | | 14,854 | | 14,854 | | 14,854 | | | | 14,854 |
| 054 | CONTAINER FAMILY | | 3,770 | | 3,770 | | 3,770 | | | | 3,770 |
| 055 | FAMILY OF CONSTRUCTION EQUIPMENT | | 37,735 | | 37,735 | | 37,735 | | | | 37,735 |
| 056 | FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) | 52 | 10,360 | 52 | 10,360 | 52 | 10,360 | | | 52 | 10,360 |
| 057 | BRIDGE BOATS | | | | | | | | | | |
| 058 | RAPID DEPLOYABLE KITCHEN | | 2,159 | | 2,159 | | 2,159 | | | | 2,159 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 059 | ITEMS LESS THAN $5 MILLION | | 8,792 | | 8,792 | | 8,792 | | | | 8,792 |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 060 | SPARES AND REPAIR PARTS | | 41,547 | | 41,547 | | 41,547 | | | | 41,547 |
| | **TOTAL—PROCUREMENT, MARINE CORPS** | | **1,600,638** | | **1,712,138** | | **1,600,638** | | **3,100** | | **1,603,738** |
| | **AIRCRAFT PROCUREMENT, AIR FORCE** | | | | | | | | | | |
| | **COMBAT AIRCRAFT** | | | | | | | | | | |
| | **TACTICAL FORCES** | | | | | | | | | | |
| 001 | F–35 | 10 | 2,048,830 | 9 | 2,115,830 | 10 | 2,048,830 | | 130,000 | 10 | 2,178,830 |
| | Program Reduction | | | | [–131,000] | | | | | | |
| | Spares Decrease | | | | [–9,000] | | | | | | |
| | F136 Engine Procurement | | | | [57,000] | | | | [130,000] | | |
| | F136 Engine Spares | | | | [21,000] | | | | | | |
| | F–35 Spares and Support Equipment | | | | [129,000] | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 002 | ADVANCE PROCUREMENT (CY) | | 300,600 | | 313,600 | | 300,600 | | –22,000 | | 278,600 |
| | F136 Advance Procurement | | | | [13,000] | | | | | | |
| | Reduction of 2 aircraft previously funded in fiscal year 2009 | | | | | | | | [–22,000] | | |
| 003 | F–22A | | 95,163 | | 95,163 | | 62,898 | | | | 95,163 |
| | Use FY 09 funds to offset FY 10 requirements | | | | | | [–32,265] | | | | |
| | Unneeded production shutdown costs | | | | | | [–64,000] | | | | |
| | Other program requirements | | | | | | [64,000] | | | | |
| 004 | ADVANCE PROCUREMENT (CY) | | | | 368,800 | | | | | | |
| | Program Increase | | | | [368,800] | | | | | | |
| | **AIRLIFT AIRCRAFT** | | | | | | | | | | |
| | **TACTICAL AIRLIFT** | | | | | | | | | | |
| 005 | C–17A (MYP) | | 88,510 | | 88,510 | | 88,510 | | | | 88,510 |
| | **OTHER AIRLIFT** | | | | | | | | | | |
| 006 | C–130J | 3 | 285,632 | 3 | 285,632 | 3 | 285,632 | | | 3 | 285,632 |
| 007 | ADVANCE PROCUREMENT (CY) | | 108,000 | | 96,000 | | 108,000 | | | | 108,000 |
| | Excess AP Based on FY09 Projections | | | | [–12,000] | | | | | | |
| 008 | HC/MC–130 RECAP | 9 | 879,231 | 9 | 879,231 | 9 | 879,231 | –7 | –504,000 | 2 | 375,231 |
| | Funded in fiscal year 2009 supplemental | | | | | | | | [–504,000] | | |
| 009 | ADVANCE PROCUREMENT (CY) | | 137,360 | | 87,360 | | 137,360 | | | | 137,360 |
| | Excess AP Based on FY09 Projections | | | | [–50,000] | | | | | | |
| 010 | JOINT CARGO AIRCRAFT | 8 | 319,050 | 8 | 319,050 | 8 | 319,050 | | | 8 | 319,050 |
| | **TRAINER AIRCRAFT** | | | | | | | | | | |
| | **UPT TRAINERS** | | | | | | | | | | |
| 011 | USAFA POWERED FLIGHT PROGRAM | 13 | 4,144 | 13 | 4,144 | 13 | 4,144 | | | 13 | 4,144 |
| | **OPERATIONAL TRAINERS** | | | | | | | | | | |
| 012 | JPATS | | 15,711 | | 15,711 | | 15,711 | | | | 15,711 |
| | **OTHER AIRCRAFT** | | | | | | | | | | |
| | **HELICOPTERS** | | | | | | | | | | |
| 013 | V22 OSPREY | 5 | 437,272 | 5 | 437,272 | 5 | 437,272 | | | 5 | 437,272 |
| 014 | ADVANCE PROCUREMENT (CY) | | 13,835 | | 13,835 | | 13,835 | | | | 13,835 |
| | **MISSION SUPPORT AIRCRAFT** | | | | | | | | | | |
| 015 | C–29A FLIGHT INSPECTION ACFT | | | | | | | | | | |
| 016 | C–12 A | | | | | | | | | | |
| 017 | C–40 | 3 | 154,044 | 4 | 259,294 | 3 | 154,044 | 1 | 105,250 | 4 | 259,294 |
| | Program Increase | | | | [105,250] | | | | [105,250] | | |
| 018 | CIVIL AIR PATROL A/C | | 2,426 | | 2,426 | | 2,426 | | | | 2,426 |
| | **OTHER AIRCRAFT** | | | | | | | | | | |
| 020 | TARGET DRONES | | 78,511 | | 78,511 | | 78,511 | | | | 78,511 |
| 021 | C–37A | 1 | 66,400 | 1 | 66,400 | 1 | 66,400 | | | 1 | 66,400 |
| 022 | GLOBAL HAWK | 5 | 554,775 | 5 | 554,775 | 5 | 504,775 | | | 5 | 554,775 |
| | Reduction due to program delays | | | | | | [–50,000] | | | | |
| 023 | ADVANCE PROCUREMENT (CY) | | 113,049 | | 113,049 | | 113,049 | | | | 113,049 |
| 024 | MQ–1 | | | | | | | | | | |
| 025 | MQ–9 | 24 | 489,469 | 13 | 274,134 | 24 | 469,569 | | | 24 | 489,469 |
| | Gorgon Stare | | | | | | [–19,900] | | | | |
| | Transfer to Title XV | | | [–11] | [–215,335] | | | | | | |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 3,608 | | 3,608 | | 3,608 | | | | 3,608 |
| | **MODIFICATION OF IN-SERVICE AIRCRAFT** | | | | | | | | | | |
| | **STRATEGIC AIRCRAFT** | | | | | | | | | | |
| 026 | B–2A | | 283,955 | | 283,955 | | 283,955 | | –19,800 | | 264,155 |
| | USAF requested transfer to APAF 78A, B–2 Post Production Support for the B–2 Weapon System Support Center. | | | | | | | | [–19,800] | | |
| 027 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 028 | B–1B | | 107,558 | | 107,558 | | 107,558 | | –29,000 | | 78,558 |
| | Program delay for various programs. Funding transferred to PE 11126F (RDAF 119). | | | | | | | | [–29,000] | | |
| 029 | B–52 | | 78,788 | | 78,788 | | 78,788 | | –17,322 | | 61,466 |
| | Air Force identified excess | | | | | | | | [–17,322] | | |
| | **TACTICAL AIRCRAFT** | | | | | | | | | | |
| 030 | A–10 | | 252,488 | | 319,588 | | 252,488 | | | | 252,488 |
| | AAR–47 Kits/Installations | | | | [67,100] | | | | | | |
| 031 | F–15 | | 92,921 | | 143,421 | | 92,921 | | 50,500 | | 143,421 |
| | 5 AESA Radars | | | | [50,500] | | | | [50,500] | | |
| 032 | F–16 | | 224,642 | | 224,642 | | 224,642 | | –2,767 | | 221,875 |
| | Funding ahead of need—BLOS Installs | | | | | | | | [–2,767] | | |
| 033 | F–22A | | 350,735 | | 12,735 | | | | –158,399 | | 192,336 |
| | Use FY 09 funds to offset FY 10 requirements | | | | | | [–350,735] | | | | |
| | FY 09 Funds Available to Meet Requirement | | | | [–338,000] | | | | | | |
| | Common Configuration—Early to need | | | | | | | | [–158,399] | | |
| | **AIRLIFT AIRCRAFT** | | | | | | | | | | |
| 034 | C–5 | | 606,993 | | 606,993 | | 606,993 | | –28,000 | | 578,993 |
| | Funding ahead of need—RERP Install | | | | | | | | [–28,000] | | |
| 035 | ADVANCE PROCUREMENT (CY) | | 108,300 | | 108,300 | | 108,300 | | | | 108,300 |
| 036 | C–9C | | 10 | | 10 | | 10 | | | | 10 |
| 037 | C–17A | | 469,731 | | 469,731 | | 469,731 | | –45,300 | | 424,431 |
| | Funding requested ahead of need | | | | | | | | [–45,300] | | |
| 038 | C–21 | | 562 | | 562 | | 562 | | | | 562 |
| 039 | C–32A | | 10,644 | | 10,644 | | 10,644 | | | | 10,644 |
| 040 | C–37A | | 4,336 | | 4,336 | | 4,336 | | | | 4,336 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **TRAINER AIRCRAFT** | | | | | | | | | | |
| 041 | GLIDER MODS | | 119 | | 119 | | 119 | | | | 119 |
| 042 | T–6 | | 33,074 | | 33,074 | | 33,074 | | | | 33,074 |
| 043 | T–1 | | 35 | | 35 | | 35 | | | | 35 |
| 044 | T–38 | | 75,274 | | 75,274 | | 75,274 | | –14,217 | | 61,057 |
| | Improved Brake System Program Termination | | | | | | | | [–14,217] | | |
| 045 | T–43 | | | | | | | | | | |
| | **OTHER AIRCRAFT** | | | | | | | | | | |
| 046 | KC–10A (ATCA) | | 9,441 | | 9,441 | | 9,441 | | | | 9,441 |
| 047 | C–12 | | 472 | | 472 | | 472 | | | | 472 |
| 048 | MC–12W | | 63,000 | | 63,000 | | 63,000 | | | | 63,000 |
| 049 | C–20 MODS | | 734 | | 734 | | 734 | | | | 734 |
| 050 | VC–25A MOD | | 15,610 | | 15,610 | | 15,610 | | | | 15,610 |
| 051 | C–40 | | 9,162 | | 9,162 | | 9,162 | | | | 9,162 |
| 052 | C–130 | | 354,421 | | 154,321 | | 144,921 | | –220,250 | | 134,171 |
| | Use FY 08 & FY 09 resources to fund AMP production | | | | | | [–209,500] | | | | |
| | Scathe View Hyper-Spectral Imagery Upgrade | | | | [5,400] | | | | [4,500] | | |
| | Senior Scout COMINT Capability Upgrade | | | | [4,000] | | | | [3,750] | | |
| | Program Excess | | | | [–209,500] | | | | [–209,500] | | |
| | Centerwing Replacements—Early to need | | | | | | | | [–19,000] | | |
| 053 | C130J MODS | | 13,627 | | 13,627 | | 13,627 | | | | 13,627 |
| 054 | C–135 | | 150,425 | | 150,425 | | 150,425 | | | | 150,425 |
| 055 | COMPASS CALL MODS | | 29,187 | | 107,187 | | 29,187 | | | | 29,187 |
| | Baseline 1 Group B Kits | | | | [78,000] | | | | | | |
| 056 | DARP | | 107,859 | | 107,859 | | 107,859 | | | | 107,859 |
| 057 | E–3 | | 79,263 | | 79,263 | | 79,263 | | | | 79,263 |
| 058 | E–4 | | 73,058 | | 73,058 | | 73,058 | | | | 73,058 |
| 059 | E–8 | | 225,973 | | 225,973 | | 225,973 | | | | 225,973 |
| 060 | H–1 | | 18,280 | | 18,280 | | 18,280 | | | | 18,280 |
| 061 | H–60 | | 14,201 | | 95,201 | | 14,201 | | 81,000 | | 95,201 |
| | HH–60G AAQ–29 FLIR | | | | [81,000] | | | | [81,000] | | |
| 062 | GLOBAL HAWK MODS | | 134,864 | | 134,864 | | 134,864 | | | | 134,864 |
| 063 | HC/MC–130 MODIFICATIONS | | 1,964 | | 1,964 | | 1,964 | | | | 1,964 |
| 064 | OTHER AIRCRAFT | | 103,274 | | 103,274 | | 127,274 | | 24,000 | | 127,274 |
| | Litening ATP upgrade kits | | | | | | [24,000] | | [24,000] | | |
| 065 | MQ–1 MODS | | 123,889 | | 123,889 | | 123,889 | | | | 123,889 |
| 066 | MQ–9 MODS | | 48,837 | | 48,837 | | 48,837 | | | | 48,837 |
| | Reflect USAF decision to change sensor payload | | | | | | | | | | |
| 067 | CV–22 MODS | | 24,429 | | 24,429 | | 24,429 | | | | 24,429 |
| 067A | CAF Restructure | | | | 10,500 | | | | | | |
| | **AIRCRAFT SPARES + REPAIR PARTS** | | | | | | | | | | |
| 068 | INITIAL SPARES/REPAIR PARTS | | 418,604 | | 418,604 | | 418,604 | | | | 418,604 |
| | **AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES** | | | | | | | | | | |
| | **COMMON SUPPORT EQUIP** | | | | | | | | | | |
| 069 | AIRCRAFT REPLACEMENT SUPPORT EQUIP | | 105,820 | | 105,820 | | 105,820 | | | | 105,820 |
| | **POST PRODUCTION SUPPORT** | | | | | | | | | | |
| 070 | B–1 | | 3,929 | | 3,929 | | 3,929 | | | | 3,929 |
| 071 | B–2A | | | | | | | | | | |
| 072 | B–2A | | 24,481 | | 24,481 | | 24,481 | | | | 24,481 |
| 073 | C–5 | | 2,259 | | 2,259 | | 2,259 | | | | 2,259 |
| 074 | C–5 | | 11,787 | | 11,787 | | 11,787 | | | | 11,787 |
| 075 | KC–10A (ATCA) | | 4,125 | | 4,125 | | 4,125 | | | | 4,125 |
| 076 | C–17A | | 91,400 | | 91,400 | | 91,400 | | –91,400 | | |
| | Funding requested ahead of need | | | | | | | | [–91,400] | | |
| 077 | C–130 | | 28,092 | | 28,092 | | 28,092 | | | | 28,092 |
| 078 | EC–130J | | 5,283 | | 5,283 | | 5,283 | | | | 5,283 |
| 078A | B–2 POST PRODUCTION SUPPORT | | | | | | | | 19,800 | | 19,800 |
| | USAF requested transfer from APAF 26 for the B–2 Weapon System Support Center. | | | | | | | | [19,800] | | |
| 079 | F–15 | | 15,744 | | 15,744 | | 15,744 | | | | 15,744 |
| 080 | F–16 | | 19,951 | | 19,951 | | 19,951 | | | | 19,951 |
| 081 | OTHER AIRCRAFT | | 51,980 | | 51,980 | | 51,980 | | | | 51,980 |
| 082 | T–1 | | | | | | | | | | |
| | **INDUSTRIAL PREPAREDNESS** | | | | | | | | | | |
| 083 | INDUSTRIAL RESPONSIVENESS | | 25,529 | | 25,529 | | 25,529 | | | | 25,529 |
| | **WAR CONSUMABLES** | | | | | | | | | | |
| 084 | WAR CONSUMABLES | | 134,427 | | 134,427 | | 134,427 | | | | 134,427 |
| | **OTHER PRODUCTION CHARGES** | | | | | | | | | | |
| 085 | OTHER PRODUCTION CHARGES | | 490,344 | | 490,344 | | 490,344 | | | | 490,344 |
| | **OTHER PRODUCTION CHARGES—SOF** | | | | | | | | | | |
| 087 | CANCELLED ACCT ADJUSTMENTS | | | | | | | | | | |
| | **DARP** | | | | | | | | | | |
| 088 | DARP | | 15,323 | | 15,323 | | 15,323 | | | | 15,323 |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 19,443 | | 19,443 | | 19,443 | | | | 19,443 |
| | **TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE** | | **11,966,276** | | **11,991,991** | | **11,327,876** | | **–741,905** | | **11,224,371** |
| | **PROCUREMENT OF AMMUNITION, AIR FORCE** | | | | | | | | | | |
| | **PROCUREMENT OF AMMO, AIR FORCE** | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **ROCKETS** | | | | | | | | | | |
| 001 | ROCKETS | | 43,461 | | 43,461 | | 43,461 | | | | 43,461 |
| | **CARTRIDGES** | | | | | | | | | | |
| 002 | CARTRIDGES | | 123,886 | | 123,886 | | 123,886 | | | | 123,886 |
| | **BOMBS** | | | | | | | | | | |
| 003 | PRACTICE BOMBS | | 52,459 | | 52,459 | | 52,459 | | | | 52,459 |
| 004 | GENERAL PURPOSE BOMBS | | 225,145 | | 225,145 | | 225,145 | | | | 225,145 |
| 005 | JOINT DIRECT ATTACK MUNITION | 3592 | 103,041 | 3,592 | 103,041 | 3,592 | 103,041 | | | 3592 | 103,041 |
| | **FLARE, IR MJU–7B** | | | | | | | | | | |
| 006 | CAD/PAD | | 40,522 | | 40,522 | | 40,522 | | | | 40,522 |
| 007 | EXPLOSIVE ORDINANCE DISPOSAL (EOD) | | 3,302 | | 3,302 | | 3,302 | | | | 3,302 |
| 008 | SPARES AND REPAIR PARTS | | 4,582 | | 4,582 | | 4,582 | | | | 4,582 |
| 009 | MODIFICATIONS | | 1,289 | | 1,289 | | 1,289 | | | | 1,289 |
| 010 | ITEMS LESS THAN $5,000,000 | | 5,061 | | 5,061 | | 5,061 | | | | 5,061 |
| | **FUZES** | | | | | | | | | | |
| 011 | FLARES | | 152,515 | | 152,515 | | 152,515 | | | | 152,515 |
| 012 | FUZES | | 61,037 | | 61,037 | | 61,037 | | | | 61,037 |
| | **WEAPONS** | | | | | | | | | | |
| | **SMALL ARMS** | | | | | | | | | | |
| 013 | SMALL ARMS | | 6,162 | | 6,162 | | 6,162 | | | | 6,162 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE** | | **822,462** | | **822,462** | | **822,462** | | **0** | | **822,462** |
| | **MISSILE PROCUREMENT, AIR FORCE** | | | | | | | | | | |
| | **BALLISTIC MISSILES** | | | | | | | | | | |
| | **MISSILE REPLACEMENT EQUIPMENT-BALLISTIC** | | | | | | | | | | |
| 001 | MISSILE REPLACEMENT EQ-BALLISTIC | | 58,139 | | 58,139 | | 58,139 | | | | 58,139 |
| | **OTHER MISSILES** | | | | | | | | | | |
| | **TACTICAL** | | | | | | | | | | |
| 002 | JASSM | | 52,666 | | 51,666 | | 52,666 | | | | 52,666 |
| | Program Decrease | | | | [–1,000] | | | | | | |
| 003 | SIDEWINDER (AIM–9X) | 219 | 78,753 | 219 | 78,753 | 219 | 78,753 | | | 219 | 78,753 |
| 004 | AMRAAM | 196 | 291,827 | 196 | 291,827 | 196 | 291,827 | | –5,000 | 196 | 286,827 |
| | Funding ahead of need for DMS | | | | | | | | [–5,000] | | |
| 005 | PREDITOR HELLFIRE MISSILE | 792 | 79,699 | 792 | 79,699 | 792 | 79,699 | | –15,169 | 792 | 64,530 |
| | Updated pricing | | | | | | | | [–15,169] | | |
| 006 | SMALL DIAMETER BOMB | 2340 | 134,801 | 2,340 | 134,801 | 2,340 | 134,801 | | | 2340 | 134,801 |
| | **INDUSTRIAL FACILITIES** | | | | | | | | | | |
| 007 | INDUSTR'L PREPAREDNS/POL PREVENTION | | 841 | | 841 | | 841 | | | | 841 |
| | **MODIFICATION OF IN-SERVICE MISSILES** | | | | | | | | | | |
| | **CLASS IV** | | | | | | | | | | |
| 008 | ADVANCED CRUISE MISSILE | | 32 | | 32 | | 32 | | | | 32 |
| 009 | MM III MODIFICATIONS | | 199,484 | | 199,484 | | 199,484 | | | | 199,484 |
| 010 | AGM–65D MAVERICK | | 258 | | 258 | | 258 | | | | 258 |
| 011 | AGM–88A HARM | | 30,280 | | 30,280 | | 30,280 | | | | 30,280 |
| 012 | AIR LAUNCH CRUISE MISSILE (ALCM) | | | | | | | | | | |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| | **MISSILE SPARES + REPAIR PARTS** | | | | | | | | | | |
| 013 | INITIAL SPARES/REPAIR PARTS | | 70,185 | | 70,185 | | 70,185 | | | | 70,185 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| | **SPACE PROGRAMS** | | | | | | | | | | |
| 014 | ADVANCED EHF | 1 | 1,843,475 | 1 | 1,843,475 | 1 | 1,843,475 | | | 1 | 1,843,475 |
| 015 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 016 | WIDEBAND GAPFILLER SATELLITES(SPACE) | | 201,671 | | 201,671 | | 201,671 | | –50,000 | | 151,671 |
| | Program delay | | | | | | | | [–50,000] | | |
| 017 | ADVANCE PROCUREMENT (CY) | | 62,380 | | 62,380 | | 62,380 | | | | 62,380 |
| 018 | SPACEBORNE EQUIP (COMSEC) | | 9,871 | | 9,871 | | 9,871 | | | | 9,871 |
| 019 | GLOBAL POSITIONING (SPACE) | | 53,140 | | 53,140 | | 53,140 | | | | 53,140 |
| 020 | ADVANCE PROCUREMENT (CY) | | | | | | | | | | |
| 021 | NUDET DETECTION SYSTEM | | | | | | | | | | |
| 022 | DEF METEOROLOGICAL SAT PROG(SPACE) | | 97,764 | | 97,764 | | 97,764 | | | | 97,764 |
| 023 | TITAN SPACE BOOSTERS(SPACE) | | | | | | | | | | |
| 024 | EVOLVED EXPENDABLE LAUNCH VEH(SPACE) | 5 | 1,295,325 | 4 | 1,207,225 | 5 | 1,102,325 | –2 | –193,100 | 3 | 1,102,225 |
| | EELV reduction for GPS IF8 | | | | | | [–88,000] | | | | |
| | EELV reduction for AFSPC4 | | | | | | [–105,000] | [–1] | [–105,000] | | |
| | Reduction in Requirement for Launch Vehicles | | | [–1] | [–88,100] | | | [–1] | [–88,100] | | |
| 025 | MEDIUM LAUNCH VEHICLE(SPACE) | | | | | | | | | | |
| 026 | SBIR HIGH (SPACE) | 1 | 307,456 | 1 | 307,456 | 1 | 307,456 | | | 1 | 307,456 |
| 027 | ADVANCE PROCUREMENT (CY) | | 159,000 | | 159,000 | | 159,000 | | | | 159,000 |
| 028 | NATL POLAR-ORBITING OP ENV SATELLITE | | 3,900 | | 3,900 | | 3,900 | | | | 3,900 |
| | **SPECIAL PROGRAMS** | | | | | | | | | | |
| 029 | DEFENSE SPACE RECONN PROGRAM | | 105,152 | | 105,152 | | 105,152 | | | | 105,152 |
| 031 | SPECIAL UPDATE PROGRAMS | | 311,070 | | 311,070 | | 311,070 | | | | 311,070 |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 853,559 | | 853,559 | | 853,559 | | | | 853,559 |
| | **TOTAL—MISSILE PROCUREMENT, AIR FORCE** | | **6,300,728** | | **6,211,628** | | **6,107,728** | | **–263,269** | | **6,037,459** |
| | **OTHER PROCUREMENT, AIR FORCE** | | | | | | | | | | |
| | **VEHICULAR EQUIPMENT** | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **CARGO + UTILITY VEHICLES** | | | | | | | | | | |
| 002 | MEDIUM TACTICAL VEHICLE | | 25,922 | | 25,922 | | 25,922 | | | | 25,922 |
| 003 | CAP VEHICLES | | 897 | | 897 | | 897 | | | | 897 |
| | **SPECIAL PURPOSE VEHICLES** | | | | | | | | | | |
| 004 | SECURITY AND TACTICAL VEHICLES | | 44,603 | | 44,603 | | 44,603 | | | | 44,603 |
| | **FIRE FIGHTING EQUIPMENT** | | | | | | | | | | |
| 005 | FIRE FIGHTING/CRASH RESCUE VEHICLES | | 27,760 | | 27,760 | | 27,760 | | | | 27,760 |
| | **MATERIALS HANDLING EQUIPMENT** | | | | | | | | | | |
| 006 | HALVERSEN LOADER | | | | | | 12,000 | | | | |
| | Procure additional loaders | | | | | | [12,000] | | | | |
| | **BASE MAINTENANCE SUPPORT** | | | | | | | | | | |
| 007 | RUNWAY SNOW REMOV AND CLEANING EQU | | 24,884 | | 24,884 | | 24,884 | | | | 24,884 |
| 008 | ITEMS LESS THAN $5,000,000(VEHICLES) | | 57,243 | | 57,243 | | 57,243 | | –17,000 | | 40,243 |
| | Reduce program growth | | | | | | | | [–17,000] | | |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 18,163 | | 18,163 | | 18,163 | | | | 18,163 |
| | **ELECTRONICS AND TELECOMMUNICATIONS** | | | | | | | | | | |
| | **COMM SECURITY EQUIPMENT(COMSEC)** | | | | | | | | | | |
| 009 | COMSEC EQUIPMENT | | 209,249 | | 209,249 | | 209,249 | | | | 209,249 |
| 010 | MODIFICATIONS (COMSEC) | | 1,570 | | 1,570 | | 1,570 | | | | 1,570 |
| | **INTELLIGENCE PROGRAMS** | | | | | | | | | | |
| 011 | INTELLIGENCE TRAINING EQUIPMENT | | 4,230 | | 4,230 | | 4,230 | | | | 4,230 |
| 012 | INTELLIGENCE COMM EQUIPMENT | | 21,965 | | 27,965 | | 21,965 | | 5,500 | | 27,465 |
| | Eagle Vision-ANG | | | | [4,000] | | | | [4,000] | | |
| | Eagle Vision Upgrade-ANG | | | | [2,000] | | | | [1,500] | | |
| | **ELECTRONICS PROGRAMS** | | | | | | | | | | |
| 013 | AIR TRAFFIC CONTROL & LANDING SYS | | 22,591 | | 22,591 | | 22,591 | | | | 22,591 |
| 014 | NATIONAL AIRSPACE SYSTEM | | 47,670 | | 47,670 | | 47,670 | | | | 47,670 |
| 015 | THEATER AIR CONTROL SYS IMPROVEMEN | | 56,776 | | 56,776 | | 56,776 | | | | 56,776 |
| 016 | WEATHER OBSERVATION FORECAST | | 19,357 | | 19,357 | | 19,357 | | | | 19,357 |
| 017 | STRATEGIC COMMAND AND CONTROL | | 35,116 | | 35,116 | | 35,116 | | | | 35,116 |
| 018 | CHEYENNE MOUNTAIN COMPLEX | | 28,608 | | 28,608 | | 28,608 | | | | 28,608 |
| 019 | DRUG INTERDICTION SPT | | 452 | | 452 | | 452 | | | | 452 |
| | **SPCL COMM-ELECTRONICS PROJECTS** | | | | | | | | | | |
| 020 | GENERAL INFORMATION TECHNOLOGY | | 111,282 | | 111,282 | | 111,282 | | | | 111,282 |
| | Program Reduction | | | | [–5,000] | | | | | | |
| | Application Software Assurance Center of Excellence | | | | [5,000] | | | | | | |
| 021 | AF GLOBAL COMMAND & CONTROL SYS | | 15,499 | | 15,499 | | 15,499 | | | | 15,499 |
| 022 | MOBILITY COMMAND AND CONTROL | | 8,610 | | 8,610 | | 8,610 | | | | 8,610 |
| 023 | AIR FORCE PHYSICAL SECURITY SYSTEM | | 137,293 | | 137,293 | | 137,293 | | –60,000 | | 77,293 |
| | Weapons Storage Area—Request ahead of need | | | | | | | | [–60,000] | | |
| 024 | COMBAT TRAINING RANGES | | 40,633 | | 40,633 | | 46,833 | | 4,000 | | 44,633 |
| | Unmanned modular threat emitter (UMTE) | | | | | | [3,000] | | [3,000] | | |
| | Joint threat emitter (JTE) | | | | | | [3,200] | | [1,000] | | |
| 025 | C3 COUNTERMEASURES | | 8,177 | | 8,177 | | 8,177 | | | | 8,177 |
| 026 | GCSS-AF FOS | | 81,579 | | 81,579 | | 81,579 | | | | 81,579 |
| 027 | THEATER BATTLE MGT C2 SYSTEM | | 29,687 | | 29,687 | | 29,687 | | | | 29,687 |
| 028 | AIR & SPACE OPERATIONS CTR-WPN SYS | | 54,093 | | 54,093 | | 54,093 | | | | 54,093 |
| | **AIR FORCE COMMUNICATIONS** | | | | | | | | | | |
| 029 | BASE INFO INFRASTRUCTURE | | 433,859 | | 433,859 | | 433,859 | | –49,000 | | 384,859 |
| | Excess funding | | | | | | | | [–49,000] | | |
| 030 | USCENTCOM | | 38,958 | | 38,958 | | 38,958 | | | | 38,958 |
| 031 | AUTOMATED TELECOMMUNICATIONS PRG | | | | | | | | | | |
| | **DISA PROGRAMS** | | | | | | | | | | |
| 032 | SPACE BASED IR SENSOR PGM SPACE | | 34,440 | | 34,440 | | 34,440 | | | | 34,440 |
| 033 | NAVSTAR GPS SPACE | | 6,415 | | 6,415 | | 6,415 | | | | 6,415 |
| 034 | NUDET DETECTION SYS SPACE | | 15,436 | | 15,436 | | 15,436 | | | | 15,436 |
| 035 | AF SATELLITE CONTROL NETWORK SPACE | | 58,865 | | 58,865 | | 58,865 | | | | 58,865 |
| 036 | SPACELIFT RANGE SYSTEM SPACE | | 100,275 | | 100,275 | | 100,275 | | | | 100,275 |
| 037 | MILSATCOM SPACE | | 110,575 | | 110,575 | | 119,575 | | | | 110,575 |
| | Application software assurance | | | | | | [9,000] | | | | |
| 038 | SPACE MODS SPACE | | 30,594 | | 30,594 | | 30,594 | | | | 30,594 |
| 039 | COUNTERSPACE SYSTEM | | 29,793 | | 29,793 | | 29,793 | | | | 29,793 |
| | **ORGANIZATION AND BASE** | | | | | | | | | | |
| 040 | TACTICAL C-E EQUIPMENT | | 240,890 | | 230,890 | | 240,890 | | –33,000 | | 207,890 |
| | Network Control Center-Deployed Cost Growth | | | | [–10,000] | | | | | | |
| | Reduce Vehicle Communication Systems | | | | | | | | [–33,000] | | |
| 041 | COMBAT SURVIVOR EVADER LOCATER | | 35,029 | | 35,029 | | 35,029 | | | | 35,029 |
| 042 | RADIO EQUIPMENT | | 15,536 | | 15,536 | | 15,536 | | | | 15,536 |
| 043 | TV EQUIPMENT (AFRTV) | | | | | | | | | | |
| 044 | CCTV/AUDIOVISUAL EQUIPMENT | | 12,961 | | 12,961 | | 12,961 | | | | 12,961 |
| 045 | BASE COMM INFRASTRUCTURE | | 121,049 | | 121,049 | | 121,049 | | | | 121,049 |
| | **MODIFICATIONS** | | | | | | | | | | |
| 046 | COMM ELECT MODS | | 64,087 | | 64,087 | | 64,087 | | | | 64,087 |
| | **OTHER BASE MAINTENANCE AND SUPPORT EQUIP** | | | | | | | | | | |
| | **PERSONAL SAFETY & RESCUE EQUIP** | | | | | | | | | | |
| 047 | NIGHT VISION GOGGLES | | 28,226 | | 28,226 | | 28,226 | | | | 28,226 |
| 048 | ITEMS LESS THAN $5,000,000 (SAFETY) | | 17,223 | | 17,223 | | 17,223 | | | | 17,223 |
| | **DEPOT PLANT+MTRLS HANDLING EQ** | | | | | | | | | | |
| 049 | MECHANIZED MATERIAL HANDLING EQUIP | | 15,449 | | 15,449 | | 15,449 | | | | 15,449 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **BASE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 050 | BASE PROCURED EQUIPMENT | | 14,300 | | 14,300 | | 14,300 | | | | 14,300 |
| 051 | CONTINGENCY OPERATIONS | | 22,973 | | 22,973 | | 22,973 | | –12,973 | | 10,000 |
| | Reduce program growth | | | | | | | | [–12,973] | | |
| 052 | PRODUCTIVITY CAPITAL INVESTMENT | | 3,020 | | 3,020 | | 3,020 | | | | 3,020 |
| 053 | MOBILITY EQUIPMENT | | 32,855 | | 32,855 | | 32,855 | | | | 32,855 |
| 054 | ITEMS LESS THAN $5,000,000 (BASE S) | | 8,195 | | 18,895 | | 8,195 | | 3,000 | | 11,195 |
| | Advanced Reconfigurable Containers | | | | [1,700] | | | | | | |
| | Aircrew Body Armor and Load Carriage Vest | | | | [9,000] | | | | [3,000] | | |
| | **SPECIAL SUPPORT PROJECTS** | | | | | | | | | | |
| 056 | DARP RC135 | | 23,132 | | 23,132 | | 23,132 | | | | 23,132 |
| 057 | DISTRIBUTED GROUND SYSTEMS | | 293,640 | | 293,640 | | 293,640 | | | | 293,640 |
| 059 | SPECIAL UPDATE PROGRAM | | 471,234 | | 471,234 | | 471,234 | | | | 471,234 |
| 060 | DEFENSE SPACE RECONNAISSANCE PROG. | | 30,041 | | 30,041 | | 30,041 | | | | 30,041 |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 13,830,722 | | 13,830,722 | | 13,830,722 | | | | 13,830,722 |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 061 | SPARES AND REPAIR PARTS | | 19,460 | | 19,460 | | 19,460 | | | | 19,460 |
| 061a | Procurement of computer services / systems | | | | | | –75,000 | | | | |
| | Eliminate redundant activities | | | | | | [–75,000] | | | | |
| | **TOTAL—OTHER PROCUREMENT, AIR FORCE** | | **17,293,141** | | **17,299,841** | | **17,245,341** | | **–159,473** | | **17,133,668** |
| | **MINE RESISTANT AMBUSH PROT VEH FUND** | | | | | | | | | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | | | | | 1,200,000 | | 600,000 | | 600,000 |
| | Additional MRAP vehicles to meet new requirement | | | | | | [1,200,000] | | [600,000] | | |
| | **TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND** | | **0** | | **0** | | **1,200,000** | | **600,000** | | **600,000** |
| | **PROCUREMENT, DEFENSE-WIDE** | | | | | | | | | | |
| | **MAJOR EQUIPMENT** | | | | | | | | | | |
| | **MAJOR EQUIPMENT, AFIS** | | | | | | | | | | |
| 001 | MAJOR EQUIPMENT, AFIS | | | | | | | | | | |
| | **MAJOR EQUIPMENT, BTA** | | | | | | | | | | |
| 002 | MAJOR EQUIPMENT, BTA | | 8,858 | | 8,858 | | 8,858 | | | | 8,858 |
| | **MAJOR EQUIPMENT, DCAA** | | | | | | | | | | |
| 003 | ITEMS LESS THAN $5 MILLION | | 1,489 | | 1,489 | | 1,489 | | | | 1,489 |
| | **MAJOR EQUIPMENT, DCMA** | | | | | | | | | | |
| 004 | MAJOR EQUIPMENT | | 2,012 | | 2,012 | | 2,012 | | | | 2,012 |
| | **MAJOR EQUIPMENT, DHRA** | | | | | | | | | | |
| 005 | PERSONNEL ADMINISTRATION | | 10,431 | | 10,431 | | 10,431 | | | | 10,431 |
| | **MAJOR EQUIPMENT, DISA** | | | | | | | | | | |
| 017 | INTERDICTION SUPPORT | | | | | | | | | | |
| 018 | INFORMATION SYSTEMS SECURITY | | 13,449 | | 13,449 | | 13,449 | | | | 13,449 |
| 019 | GLOBAL COMMAND AND CONTROL SYSTEM | | 7,053 | | 7,053 | | 7,053 | | | | 7,053 |
| 020 | GLOBAL COMBAT SUPPORT SYSTEM | | 2,820 | | 2,820 | | 2,820 | | | | 2,820 |
| 021 | TELEPORT PROGRAM | | 68,037 | | 68,037 | | 68,037 | | | | 68,037 |
| 022 | ITEMS LESS THAN $5 MILLION | | 196,232 | | 196,232 | | 196,232 | | | | 196,232 |
| 023 | NET CENTRIC ENTERPRISE SERVICES (NCES) | | 3,051 | | 3,051 | | 3,051 | | | | 3,051 |
| 024 | DEFENSE INFORMATION SYSTEM NETWORK (DISN) | | 89,725 | | 89,725 | | 89,725 | | | | 89,725 |
| 025 | PUBLIC KEY INFRASTRUCTURE | | 1,780 | | 1,780 | | 1,780 | | | | 1,780 |
| 026 | JOINT COMMAND AND CONTROL PROGRAM | | 2,835 | | 2,835 | | 2,835 | | | | 2,835 |
| 027 | CYBER SECURITY INITIATIVE | | 18,188 | | 18,188 | | 18,188 | | | | 18,188 |
| | **MAJOR EQUIPMENT, DLA** | | | | | | | | | | |
| 028 | MAJOR EQUIPMENT | | 7,728 | | 7,728 | | 7,728 | | | | 7,728 |
| | **MAJOR EQUIPMENT, DMACT** | | | | | | | | | | |
| 029 | MAJOR EQUIPMENT | 4 | 10,149 | 4 | 10,149 | 4 | 10,149 | | | 4 | 10,149 |
| | **MAJOR EQUIPMENT, DODEA** | | | | | | | | | | |
| 030 | AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS | | 1,463 | | 1,463 | | 1,463 | | | | 1,463 |
| | **MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY** | | | | | | | | | | |
| 031 | EQUIPMENT | | | | | | | | | | |
| 032 | VEHICLES | | 50 | | 50 | | 50 | | | | 50 |
| 033 | OTHER MAJOR EQUIPMENT | | 7,447 | | 7,447 | | 7,447 | | | | 7,447 |
| | **MAJOR EQUIPMENT, DTSA** | | | | | | | | | | |
| 034 | MAJOR EQUIPMENT | | 436 | | 436 | | 436 | | | | 436 |
| | **MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY** | | | | | | | | | | |
| 035 | THAAD SYSTEM | | 420,300 | | 420,300 | | 420,300 | | | | 420,300 |
| 036 | SM–3 | | 168,723 | | 168,723 | | 168,723 | | 23,200 | | 191,923 |
| | Additional SM–3 Block 1A missiles | | | | | | | | [23,200] | | |
| 036A | TPY–2 Radar | | | | | | | | | | |
| | **MAJOR EQUIPMENT, NSA** | | | | | | | | | | |
| 044 | INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) | | 4,013 | | 4,013 | | 4,013 | | | | 4,013 |
| | **MAJOR EQUIPMENT, OSD** | | | | | | | | | | |
| 047 | MAJOR EQUIPMENT, OSD | | 111,487 | | 256,097 | | 111,487 | | | | 111,487 |
| | Transfer from Title XIV | | | | [144,610] | | | | | | |
| | **MAJOR EQUIPMENT, TJS** | | | | | | | | | | |
| 048 | MAJOR EQUIPMENT, TJS | | 12,065 | | 12,065 | | 12,065 | | | | 12,065 |
| | **MAJOR EQUIPMENT, WHS** | | | | | | | | | | |
| 049 | WHS MOTOR VEHICLES | | | | | | | | | | |
| 050 | MAJOR EQUIPMENT, WHS | | 26,945 | | 26,945 | | 26,945 | | | | 26,945 |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 818,766 | | 818,766 | | 818,766 | | | | 818,766 |
| | **SPECIAL OPERATIONS COMMAND** | | | | | | | | | | |
| | **AVIATION PROGRAMS** | | | | | | | | | | |
| 051 | ROTARY WING UPGRADES AND SUSTAINMENT | | 101,936 | | 101,936 | | 101,936 | | | | 101,936 |
| 052 | MH–47 SERVICE LIFE EXTENSION PROGRAM | | 22,958 | | 22,958 | | 22,958 | | | | 22,958 |
| 053 | MH–60 SOF MODERNIZATION PROGRAM | | 146,820 | | 146,820 | | 146,820 | | | | 146,820 |
| 054 | NON-STANDARD AVIATION | 9 | 227,552 | 9 | 227,552 | 9 | 227,552 | | –30,000 | 9 | 197,552 |
| | Procurement Schedule | | | | | | | | [–30,000] | | |
| 055 | UNMANNED VEHICLES | | | | | | | | | | |
| 056 | SOF TANKER RECAPITALIZATION | | 34,200 | | 34,200 | | 34,200 | | | | 34,200 |
| 057 | SOF U–28 | | 2,518 | | 2,518 | | 2,518 | | | | 2,518 |
| 058 | MC–130H, COMBAT TALON II | | | | | | | | | | |
| 059 | CV–22 SOF MOD | 5 | 114,553 | 5 | 114,553 | 5 | 114,553 | | | 5 | 114,553 |
| 060 | MQ–1 UAV | | 10,930 | | 10,930 | | 10,930 | | | | 10,930 |
| 061 | MQ–9 UAV | | 12,671 | | 12,671 | | 12,671 | | | | 12,671 |
| 062 | STUASLO | 9 | 12,223 | 9 | 12,223 | 9 | 12,223 | | | 9 | 12,223 |
| 063 | C–130 MODIFICATIONS | | 59,950 | | 66,450 | | 144,950 | | 86,000 | | 145,950 |
| | MC–130W multi-mission modifications | | | | | | [85,000] | | [85,000] | | |
| | Intelligence Broadcast Receiver (IBR) for AFSOC MC–130 | | | | [2,500] | | | | [1,000] | | |
| | LAIRCM for AFSOC MC–130 | | | | [4,000] | | | | | | |
| 064 | AIRCRAFT SUPPORT | | 973 | | 973 | | 973 | | | | 973 |
| | **SHIPBUILDING** | | | | | | | | | | |
| 065 | ADVANCED SEAL DELIVERY SYSTEM (ASDS) | | 5,236 | | 5,236 | | 5,236 | | –5,236 | | |
| | Program termination | | | | | | | | [–5,236] | | |
| 066 | MK8 MOD1 SEAL DELIVERY VEHICLE | | 1,463 | | 1,463 | | 1,463 | | | | 1,463 |
| | **AMMUNITION PROGRAMS** | | | | | | | | | | |
| 067 | SOF ORDNANCE REPLENISHMENT | | 61,360 | | 61,360 | | 61,360 | | | | 61,360 |
| 068 | SOF ORDNANCE ACQUISITION | | 26,791 | | 26,791 | | 26,791 | | | | 26,791 |
| | **OTHER PROCUREMENT PROGRAMS** | | | | | | | | | | |
| 069 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS | | 55,080 | | 55,080 | | 55,080 | | | | 55,080 |
| 070 | SOF INTELLIGENCE SYSTEMS | | 72,811 | | 72,811 | | 72,811 | | | | 72,811 |
| 071 | SMALL ARMS AND WEAPONS | | 35,235 | | 39,535 | | 40,235 | | 7,500 | | 42,735 |
| | Advanced lightweight grenade launcher | | | | | | [5,000] | | [5,000] | | |
| | Special Operations Forces Combat Assault Rifle (SCAR) | | | | [4,300] | | | | [2,500] | | |
| 072 | MARITIME EQUIPMENT MODIFICATIONS | | 791 | | 791 | | 791 | | | | 791 |
| 073 | SPEC APPLICATION FOR CONT | | | | | | | | | | |
| 074 | SOF COMBATANT CRAFT SYSTEMS | | 6,156 | | 16,956 | | 6,156 | | 10,000 | | 16,156 |
| | Special Operations Craft-Riverine | | | | [10,800] | | | | [10,000] | | |
| 075 | SPARES AND REPAIR PARTS | | 2,010 | | 2,010 | | 2,010 | | | | 2,010 |
| 076 | TACTICAL VEHICLES | | 18,821 | | 18,821 | | 18,821 | | | | 18,821 |
| 077 | MISSION TRAINING AND PREPARATION SYSTEMS | | 17,265 | | 17,265 | | 17,265 | | | | 17,265 |
| 078 | COMBAT MISSION REQUIREMENTS | | 20,000 | | 20,000 | | 20,000 | | | | 20,000 |
| 079 | MILCON COLLATERAL EQUIPMENT | | 6,835 | | 6,835 | | 6,835 | | | | 6,835 |
| 081 | SOF AUTOMATION SYSTEMS | | 60,836 | | 60,836 | | 60,836 | | | | 60,836 |
| 082 | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | | 12,401 | | 12,401 | | 12,401 | | | | 12,401 |
| 083 | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | | 26,070 | | 26,070 | | 26,070 | | | | 26,070 |
| 084 | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | | 550 | | 550 | | 550 | | | | 550 |
| 085 | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS | | 33,741 | | 33,741 | | 49,141 | | 5,000 | | 38,741 |
| | Special operations visual augmentation systems | | | | | | [15,400] | | [5,000] | | |
| 086 | SOF TACTICAL RADIO SYSTEMS | | 53,034 | | 53,034 | | 84,334 | | 10,000 | | 63,034 |
| | Special operations forces multi-band inter/intra team radio | | | | | | [31,300] | | [10,000] | | |
| 087 | SOF MARITIME EQUIPMENT | | 2,777 | | 2,777 | | 2,777 | | | | 2,777 |
| 088 | DRUG INTERDICTION | | | | | | | | | | |
| 089 | MISCELLANEOUS EQUIPMENT | | 7,576 | | 7,576 | | 7,576 | | | | 7,576 |
| 090 | SOF OPERATIONAL ENHANCEMENTS | | 273,998 | | 273,998 | | 273,998 | | | | 273,998 |
| 091 | PSYOP EQUIPMENT | | 43,081 | | 43,081 | | 43,081 | | | | 43,081 |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 5,573 | | 5,573 | | 5,573 | | | | 5,573 |
| | **CHEMICAL/BIOLOGICAL DEFENSE** | | | | | | | | | | |
| | **CBDP** | | | | | | | | | | |
| 092 | Installation Force Protection | | 65,590 | | 65,590 | | 65,590 | | | | 65,590 |
| 093 | Individual Force Protection | | 92,004 | | 92,004 | | 96,004 | | | | 92,004 |
| | M53 joint chemical biological protection mask | | | | | | [4,000] | | | | |
| 094 | Decontamination | | 22,008 | | 22,008 | | 22,008 | | | | 22,008 |
| 095 | Joint Bio Defense Program (Medical) | | 12,740 | | 12,740 | | 12,740 | | | | 12,740 |
| 096 | Collective Protection | | 27,938 | | 27,938 | | 27,938 | | | | 27,938 |
| 097 | Contamination Avoidance | | 151,765 | | 151,765 | | 151,765 | | | | 151,765 |
| 097a | Procurement of computer services / systems | | | | | | –75,000 | | | | |
| | **TOTAL—PROCUREMENT, DEFENSE-WIDE** | | **3,984,352** | | **4,150,562** | | **4,050,052** | | **106,464** | | **4,090,816** |
| | **RAPID ACQUISITION FUND** | | | | | | | | | | |
| 001 | JOINT RAPID ACQUISITION CELL | | 79,300 | | 55,000 | | 79,300 | | –79,300 | | |
| | Program Reduction | | | | [–24,300] | | | | [–79,300] | | |
| | **TOTAL—RAPID ACQUISITION FUND** | | **79,300** | | **55,000** | | **79,300** | | **–79,300** | | **0** |
| | **NATIONAL GUARD & RESERVE EQUIPMENT** | | | | | | | | | | |
| | **RESERVE EQUIPMENT** | | | | | | | | | | |

**PROCUREMENT**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | UNDISTRIBUTED | | | | 600,000 | | | | 600,000 | | 600,000 |
| | **ARMY RESERVE** | | | | | | | | | | |
| 001 | MISCELLANEOUS EQUIPMENT | | | | | | | | | | |
| | **NAVY RESERVE** | | | | | | | | | | |
| 002 | MISCELLANEOUS EQUIPMENT | | | | | | | | | | |
| | **MARINE CORPS RESERVE** | | | | | | | | | | |
| 003 | MISCELLANEOUS EQUIPMENT | | | | | | | | | | |
| | **AIR FORCE RESERVE** | | | | | | | | | | |
| 004 | MISCELLANEOUS EQUIPMENT | | | | | | | | | | |
| | **ARMY NATIONAL GUARD** | | | | | | | | | | |
| 005 | MISCELLANEOUS EQUIPMENT | | | | | | | | | | |
| | **AIR NATIONAL GUARD** | | | | | | | | | | |
| 006 | MISCELLANEOUS EQUIPMENT | | | | | | | | | | |
| | **TOTAL—NATIONAL GUARD & RESERVE EQUIPMENT** | | **0** | | **600,000** | | **0** | | **600,000** | | **600,000** |
| | **Total Procurement** | | **105,819,330** | | **105,198,234** | | **105,749,720** | | **–789,951** | | **105,029,379** |

*Procurement for overseas contingency operations (sec. 4102)*

The Senate amendment contained an authorization funding table (sec. 4102) for procurement for overseas contingency operations.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **AIRCRAFT PROCUREMENT, ARMY** | | | | | | | | | | |
| | **AIRCRAFT** | | | | | | | | | | |
| | **FIXED WING** | | | | | | | | | | |
| 003 | MQ–1 UAV | 12 | 250,000 | 24 | 487,989 | 12 | 250,000 | | | 12 | 250,000 |
| | Transfer from Title I | | | [12] | [237,989] | | | | | | |
| 004 | RQ–11 (RAVEN) | 86 | 44,640 | 86 | 44,640 | 86 | 44,640 | | | 86 | 44,640 |
| 004A | C–12A | 6 | 45,000 | 6 | 45,000 | 6 | 45,000 | | | 6 | 45,000 |
| | **ROTARY WING** | | | | | | | | | | |
| 011 | UH–60 BLACKHAWK (MYP) | 4 | 74,340 | 4 | 74,340 | 4 | 74,340 | | | 4 | 74,340 |
| 013 | CH–47 HELICOPTER | 4 | 141,200 | 4 | 141,200 | 4 | 141,200 | | | 4 | 141,200 |
| | **MODIFICATION OF AIRCRAFT** | | | | | | | | | | |
| 016 | MQ–1 PAYLOAD—UAS | | | | 87,424 | | | | | | |
| | Transfer from Title I | | | | [87,424] | | | | | | |
| 017 | MQ–1 WEAPONIZATION—UAS | | | | 14,832 | | | | | | |
| | Transfer from Title I | | | | [14,832] | | | | | | |
| 018 | GUARDRAIL MODS (MIP) | | 50,210 | | 50,210 | | 50,210 | | | | 50,210 |
| 019 | MULTI SENSOR ABN RECON (MIP) | | 54,000 | | 54,000 | | 54,000 | | | | 54,000 |
| 020 | AH–64 MODS | 4 | 315,300 | 4 | 315,300 | 4 | 315,300 | | | 4 | 315,300 |
| 026 | UTILITY HELICOPTER MODS | | 2,500 | | 2,500 | | 2,500 | | | | 2,500 |
| 027 | KIOWA WARRIOR | 6 | 94,335 | 6 | 94,335 | 6 | 94,335 | | | 6 | 94,335 |
| 030 | RQ–7 UAV MODS | | 326,400 | | 326,400 | | 326,400 | | | | 326,400 |
| 030A | C–12A | | 60,000 | | 60,000 | | 60,000 | | | | 60,000 |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 031 | SPARE PARTS (AIR) | | 18,200 | | 18,200 | | 18,200 | | | | 18,200 |
| | **SUPPORT EQUIPMENT AND FACILITIES** | | | | | | | | | | |
| | **GROUND SUPPORT AVIONICS** | | | | | | | | | | |
| 033 | ASE INFRARED CM | | 111,600 | | 111,600 | | 111,600 | | | | 111,600 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 035 | COMMON GROUND EQUIPMENT | | 23,704 | | 23,704 | | 23,704 | | | | 23,704 |
| 036 | AIRCREW INTEGRATED SYSTEMS | | 24,800 | | 24,800 | | 24,800 | | | | 24,800 |
| | **TOTAL—AIRCRAFT PROCUREMENT, ARMY** | | **1,636,229** | | **1,976,474** | | **1,636,229** | | **0** | | **1,636,229** |
| | **MISSILE PROCUREMENT, ARMY** | | | | | | | | | | |
| | **OTHER MISSILES** | | | | | | | | | | |
| | **AIR-TO-SURFACE MISSILE SYSTEM** | | | | | | | | | | |
| 005 | HELLFIRE SYS SUMMARY | 2133 | 219,700 | 2,133 | 219,700 | 2,133 | 219,700 | | | 2133 | 219,700 |
| | **ANTI-TANK/ASSAULT MISSILE SYSTEM** | | | | | | | | | | |
| 006 | JAVELIN (AAWS-M) SYSTEM SUMMARY | 864 | 140,979 | 864 | 140,979 | 864 | 140,979 | | –25,000 | 864 | 115,979 |
| | Funding ahead of need | | | | | | | | [–25,000] | | |
| 007 | TOW 2 SYSTEM SUMMARY | 1294 | 59,200 | 1,294 | 59,200 | 1,294 | 59,200 | | –25,000 | 1294 | 34,200 |
| | Funding ahead of need | | | | | | | | [–25,000] | | |
| 008 | GUIDED MLRS ROCKET (GMLRS) | 678 | 60,600 | 678 | 60,600 | 678 | 60,600 | | | 678 | 60,600 |
| | **MODIFICATIONS** | | | | | | | | | | |
| 014 | MLRS MODS | | 18,772 | | 18,772 | | 18,772 | | | | 18,772 |
| 015 | HIMARS MODIFICATIONS | | 32,319 | | 32,319 | | 32,319 | | | | 32,319 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **TOTAL—MISSILE PROCUREMENT, ARMY** | | **531,570** | | **531,570** | | **531,570** | | **–50,000** | | **481,570** |
| | **PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| | **MODIFICATION OF TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| 009 | FIST VEHICLE (MOD) | | 36,000 | | 36,000 | | 36,000 | | | | 36,000 |
| 010 | BRADLEY PROGRAM (MOD) | | 243,600 | | 243,600 | | 243,600 | | | | 243,600 |
| 011 | HOWITZER, MED SP FT 155MM M109A6 (MOD) | | 37,620 | | 37,620 | | 37,620 | | | | 37,620 |
| 012 | IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) | | | | 115,000 | | | | | | |
| | M88A2 Program Increase | | | | [115,000] | | | | | | |
| | **SUPPORT EQUIPMENT & FACILITIES** | | | | | | | | | | |
| | **WEAPONS AND OTHER COMBAT VEHICLES** | | | | | | | | | | |
| 027 | XM320 GRENADE LAUNCHER MODULE (GLM) | 3643 | 13,900 | 3,643 | 13,900 | 3,643 | 13,900 | | | 3643 | 13,900 |
| 031 | COMMON REMOTELY OPERATED WEAPONS STATION (CRO | 1000 | 235,000 | 1,000 | 235,000 | 1,000 | 235,000 | | | 1000 | 235,000 |
| 033 | HOWITZER LT WT 155MM (T) | 36 | 107,996 | 36 | 107,996 | 36 | 107,996 | | | 36 | 107,996 |
| | **MOD OF WEAPONS AND OTHER COMBAT VEH** | | | | | | | | | | |
| 036 | M2 50 CAL MACHINE GUN MODS | | 27,600 | | 27,600 | | 27,600 | | | | 27,600 |
| 037 | M249 SAW MACHINE GUN MODS | | 20,900 | | 20,900 | | 20,900 | | | | 20,900 |
| 038 | M240 MEDIUM MACHINE GUN MODS | | 4,800 | | 4,800 | | 4,800 | | | | 4,800 |
| 040 | M119 MODIFICATIONS | | 21,250 | | 21,250 | | 21,250 | | | | 21,250 |
| 041A | M14 7.62 RIFLE MODS | | 5,800 | | 5,800 | | 5,800 | | | | 5,800 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | | | | | | | | | |
| 043 | ITEMS LESS THAN $5.0M (WOCV-WTCV) | | 5,000 | | 5,000 | | 5,000 | | | | 5,000 |
| | **TOTAL—PROCUREMENT OF WTCV, ARMY** | | **759,466** | | **874,466** | | **759,466** | | **0** | | **759,466** |
| | **PROCUREMENT OF AMMUNITION, ARMY** | | | | | | | | | | |
| | **AMMUNITION** | | | | | | | | | | |
| | **SMALL/MEDIUM CALIBER AMMUNITION** | | | | | | | | | | |
| 001 | CTG, 5.56MM, ALL TYPES | | 22,000 | | 22,000 | | 22,000 | | | | 22,000 |
| 002 | CTG, 7.62MM, ALL TYPES | | 8,300 | | 8,300 | | 8,300 | | | | 8,300 |
| 003 | CTG, HANDGUN, ALL TYPES | | 500 | | 500 | | 500 | | | | 500 |
| 004 | CTG, .50 CAL, ALL TYPES | | 26,500 | | 26,500 | | 26,500 | | | | 26,500 |
| 006 | CTG, 30MM, ALL TYPES | | 530 | | 530 | | 530 | | | | 530 |
| | **MORTAR AMMUNITION** | | | | | | | | | | |
| 008 | 60MM MORTAR, ALL TYPES | | 20,000 | | 20,000 | | 20,000 | | | | 20,000 |
| | **TANK AMMUNITION** | | | | | | | | | | |
| | **ARTILLERY AMMUNITION** | | | | | | | | | | |
| 014 | CTG, ARTY, 105MM: ALL TYPES | | 9,200 | | 9,200 | | 9,200 | | | | 9,200 |
| 016 | PROJ 155MM EXTENDED RANGE XM982 | | 52,200 | | 52,200 | | 52,200 | | | | 52,200 |
| 017 | MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T | | 10,000 | | 10,000 | | 10,000 | | | | 10,000 |
| | **ARTILLERY FUZES** | | | | | | | | | | |
| 018 | ARTILLERY FUZES, ALL TYPES | | 7,800 | | 7,800 | | 7,800 | | | | 7,800 |
| | **MINES** | | | | | | | | | | |
| 019 | MINES, ALL TYPES | | 5,000 | | 5,000 | | 5,000 | | | | 5,000 |
| 020 | MINE, CLEARING CHARGE, ALL TYPES | | 7,000 | | 7,000 | | 7,000 | | | | 7,000 |
| | **ROCKETS** | | | | | | | | | | |
| 024 | ROCKET, HYDRA 70, ALL TYPES | | 169,505 | | 169,505 | | 169,505 | | | | 169,505 |
| | **OTHER AMMUNITION** | | | | | | | | | | |
| 027 | SIGNALS, ALL TYPES | | 100 | | 100 | | 100 | | | | 100 |
| | **MISCELLANEOUS** | | | | | | | | | | |
| 030 | NON-LETHAL AMMUNITION, ALL TYPES | | 32,000 | | 32,000 | | 32,000 | | | | 32,000 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, ARMY** | | **370,635** | | **370,635** | | **370,635** | | **0** | | **370,635** |
| | **OTHER PROCUREMENT, ARMY** | | | | | | | | | | |
| | **TACTICAL AND SUPPORT VEHICLES** | | | | | | | | | | |
| | **TACTICAL VEHICLES** | | | | | | | | | | |
| 001 | TACTICAL TRAILERS/DOLLY SETS | 185 | 1,948 | 185 | 1,948 | 185 | 1,948 | | | 185 | 1,948 |
| 002 | SEMITRAILERS, FLATBED: | 670 | 40,403 | 670 | 40,403 | 670 | 40,403 | | | 670 | 40,403 |
| 003 | SEMITRAILERS, TANKERS | 44 | 8,651 | 44 | 8,651 | 44 | 8,651 | | | 44 | 8,651 |
| 004 | HI MOB MULTI-PURP WHLD VEH (HMMWV) | 8,444 | 1,251,038 | 8,444 | 1,251,038 | 8,444 | 1,251,038 | | –375,320 | 8,444 | 875,718 |
| | Army end strength budget amendment | | | | | | | | [–375,320] | | |
| 005 | FAMILY OF MEDIUM TACTICAL VEH (FMTV) | 1,643 | 461,657 | 1,643 | 261,657 | 1,643 | 461,657 | | –175,320 | 1,643 | 286,337 |
| | Production and Delivery Delays | | | | [–200,000] | | | | | | |
| | Army end strength budget amendment | | | | | | | | [–175,320] | | |
| 007 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) | | 623,230 | | 623,230 | | 623,230 | | | | 623,230 |
| 009 | ARMORED SECURITY VEHICLES (ASV) | | 13,206 | | 13,206 | | 13,206 | | | | 13,206 |
| 012 | TRUCK, TRACTOR, LINE HAUL, M915/M916 | 259 | 62,654 | 259 | 62,654 | 259 | 62,654 | | | 259 | 62,654 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | | | | | | | | | |
| | **COMM-JOINT COMMUNICATIONS** | | | | | | | | | | |
| 023 | WIN-T—GROUND FORCES TACTICAL NETWORK | | 13,500 | | 13,500 | | 13,500 | | | | 13,500 |
| | **COMM—SATELLITE COMMUNICATIONS** | | | | | | | | | | |
| 028 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE) | | 53,486 | | 58,486 | | 53,486 | | | | 53,486 |
| | Defense Advanced GPS Receiver (DAGR) | | | | [5,000] | | | | | | |
| 029 | SMART-T (SPACE) | | 26,000 | | 26,000 | | 26,000 | | | | 26,000 |
| 032 | MOD OF IN-SVC EQUIP (TAC SAT) | | 23,900 | | 23,900 | | 23,900 | | | | 23,900 |
| | **COMM—COMBAT SUPPORT COMM** | | | | | | | | | | |
| 032A | MOD-IN-SERVICE PROFILER | | 6,070 | | 6,070 | | 6,070 | | | | 6,070 |
| | **COMM—COMBAT COMMUNICATIONS** | | | | | | | | | | |
| 034 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO) | | 239 | | 239 | | 239 | | | | 239 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 037 | SINCGARS FAMILY | | 128,180 | | | | 53,180 | | –75,000 | | 53,180 |
| | Unjustified program growth | | | | | | [–75,000] | | [–75,000] | | |
| | SINCGARS Family | | | | [–128,180] | | | | | | |
| 038 | AMC CRITICAL ITEMS—OPA2 | | 100,000 | | 100,000 | | 100,000 | | | | 100,000 |
| 046 | RADIO, IMPROVED HF (COTS) FAMILY | | 11,286 | | 11,286 | | 11,286 | | | | 11,286 |
| 047 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4) | | 18 | | 18 | | 18 | | | | 18 |
| | **INFORMATION SECURITY** | | | | | | | | | | |
| 050 | INFORMATION SYSTEM SECURITY PROGRAM-ISSP | | 32,095 | | 32,095 | | 32,095 | | | | 32,095 |
| | **COMM—BASE COMMUNICATIONS** | | | | | | | | | | |
| 055 | INFORMATION SYSTEMS | | 330,342 | | 330,342 | | 330,342 | | | | 330,342 |
| 057 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM( | | 227,733 | | 227,733 | | 227,733 | | | | 227,733 |
| | **ELECT EQUIP—TACT INT REL ACT (TIARA)** | | | | | | | | | | |
| 062 | JTT/CIBS-M (MIP) | | 1,660 | | 1,660 | | 1,660 | | | | 1,660 |
| 066 | DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP) | | 265 | | 265 | | 265 | | | | 265 |
| 069 | DCGS-A (MIP) | | 167,100 | | 167,100 | | 167,100 | | | | 167,100 |
| 073 | CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP | | 34,208 | | 34,208 | | 34,208 | | | | 34,208 |
| 075 | ITEMS LESS THAN $5.0M (MIP) | | 5,064 | | 5,064 | | 5,064 | | | | 5,064 |
| | **ELECT EQUIP—ELECTRONIC WARFARE (EW)** | | | | | | | | | | |
| 076 | LIGHTWEIGHT COUNTER MORTAR RADAR | | 58,590 | | 58,590 | | 58,590 | | | | 58,590 |
| 077 | WARLOCK | | 164,435 | | 164,435 | | 164,435 | | | | 164,435 |
| 078 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES | | 126,030 | | 126,030 | | 126,030 | | | | 126,030 |
| | **ELECT EQUIP—TACTICAL SURV. (TAC SURV)** | | | | | | | | | | |
| 082 | NIGHT VISION DEVICES | | 93,183 | | 93,183 | | 93,183 | | | | 93,183 |
| 084 | NIGHT VISION, THERMAL WPN SIGHT | | 25,000 | | 25,000 | | 25,000 | | | | 25,000 |
| 085 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF | | 15,000 | | 15,000 | | 15,000 | | | | 15,000 |
| 087 | COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) | | 150,400 | | 150,400 | | 150,400 | | | | 150,400 |
| 091 | ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE | | 1,900 | | 1,900 | | 1,900 | | | | 1,900 |
| 094 | FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2) | | 242,999 | | 421,999 | | 421,999 | | | | 242,999 |
| | Unfunded requirement | | | | [179,000] | | [179,000] | | | | |
| 096 | LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD | | 97,020 | | 97,020 | | 97,020 | | | | 97,020 |
| 097 | COMPUTER BALLISTICS: LHMBC XM32 | | 3,780 | | 3,780 | | 3,780 | | | | 3,780 |
| 099 | COUNTERFIRE RADARS | | 26,000 | | 26,000 | | 26,000 | | | | 26,000 |
| | **ELECT EQUIP—TACTICAL C2 SYSTEMS** | | | | | | | | | | |
| 103 | FIRE SUPPORT C2 FAMILY | | 14,840 | | 14,840 | | 14,840 | | | | 14,840 |
| 104 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC | | 16 | | 16 | | 16 | | | | 16 |
| 107 | KNIGHT FAMILY | | 178,500 | | 178,500 | | 178,500 | | | | 178,500 |
| 113 | NETWORK MANAGEMENT INITIALIZATION AND SERVICE | | 58,900 | | 58,900 | | 58,900 | | | | 58,900 |
| 114 | MANEUVER CONTROL SYSTEM (MCS) | | 5,000 | | 5,000 | | 5,000 | | | | 5,000 |
| 115 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE) | | 1,440 | | 1,440 | | 1,440 | | | | 1,440 |
| | **ELECT EQUIP—SUPPORT** | | | | | | | | | | |
| | CLASSIFIED PROGRAMS | | 760 | | 760 | | 760 | | | | 760 |
| | **CHEMICAL DEFENSIVE EQUIPMENT** | | | | | | | | | | |
| 129 | PROTECTIVE SYSTEMS | | 44,460 | | 44,460 | | 44,460 | | | | 44,460 |
| 130 | CBRN SOLDIER PROTECTION | | 38,811 | | 38,811 | | 38,811 | | | | 38,811 |
| | **BRIDGING EQUIPMENT** | | | | | | | | | | |
| 133 | TACTICAL BRIDGE, FLOAT-RIBBON | | 13,525 | | 13,525 | | 13,525 | | | | 13,525 |
| | **ENGINEER (NON-CONSTRUCTION) EQUIPMENT** | | | | | | | | | | |
| 136 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) | | 10,800 | | 10,800 | | 10,800 | | | | 10,800 |
| | **COMBAT SERVICE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 140 | LAUNDRIES, SHOWERS AND LATRINES | | 21,561 | | 21,561 | | 21,561 | | | | 21,561 |
| 142 | LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME) | | 1,955 | | 1,955 | | 1,955 | | | | 1,955 |
| 146 | FORCE PROVIDER | | 245,382 | | 185,382 | | 245,382 | | | | 245,382 |
| | Funding in Excess of Requirement | | | | [–60,000] | | | | | | |
| 147 | FIELD FEEDING EQUIPMENT | | 4,011 | | 4,011 | | 4,011 | | | | 4,011 |
| 150 | ITEMS LESS THAN $5M (ENG SPT) | | 4,987 | | 4,987 | | 4,987 | | | | 4,987 |
| | **PETROLEUM EQUIPMENT** | | | | | | | | | | |
| 152 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER | | 58,554 | | 58,554 | | 58,554 | | | | 58,554 |
| | **WATER EQUIPMENT** | | | | | | | | | | |
| 153 | WATER PURIFICATION SYSTEMS | | 3,017 | | 3,017 | | 3,017 | | | | 3,017 |
| | **MEDICAL EQUIPMENT** | | | | | | | | | | |
| 154 | COMBAT SUPPORT MEDICAL | | 11,386 | | 11,386 | | 11,386 | | | | 11,386 |
| | **MAINTENANCE EQUIPMENT** | | | | | | | | | | |
| 155 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS | | 12,365 | | 12,365 | | 12,365 | | | | 12,365 |
| 156 | ITEMS LESS THAN $5.0M (MAINT EQ) | | 546 | | 546 | | 546 | | | | 546 |
| | **CONSTRUCTION EQUIPMENT** | | | | | | | | | | |
| 162 | LOADERS | | 1,100 | | 1,100 | | 1,100 | | | | 1,100 |
| 163 | HYDRAULIC EXCAVATOR | | 290 | | 290 | | 290 | | | | 290 |
| 166 | PLANT, ASPHALT MIXING | | 2,500 | | 2,500 | | 2,500 | | | | 2,500 |
| 167 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS | | 16,500 | | 16,500 | | 16,500 | | | | 16,500 |
| 169 | ITEMS LESS THAN $5.0M (CONST EQUIP) | | 360 | | 360 | | 360 | | | | 360 |
| | **RAIL FLOAT CONTAINERIZATION EQUIPMENT** | | | | | | | | | | |
| 172 | ITEMS LESS THAN $5.0M (FLOAT/RAIL) | | 3,550 | | 3,550 | | 3,550 | | | | 3,550 |
| | **GENERATORS** | | | | | | | | | | |
| 173 | GENERATORS AND ASSOCIATED EQUIP | | 62,210 | | 62,210 | | 62,210 | | | | 62,210 |
| | **MATERIAL HANDLING EQUIPMENT** | | | | | | | | | | |
| 174 | ROUGH TERRAIN CONTAINER HANDLER (RTCH) | | 54,360 | | 54,360 | | 54,360 | | | | 54,360 |
| 175 | ALL TERRAIN LIFTING ARMY SYSTEM | | 49,319 | | 49,319 | | 49,319 | | | | 49,319 |
| | **TRAINING EQUIPMENT** | | | | | | | | | | |
| 176 | COMBAT TRAINING CENTERS SUPPORT | | 60,200 | | 60,200 | | 60,200 | | | | 60,200 |
| 177 | TRAINING DEVICES, NONSYSTEM | | 28,200 | | 28,200 | | 28,200 | | | | 28,200 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **TEST MEASURE AND DIG EQUIPMENT (TMD)** | | | | | | | | | | |
| 182 | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) | | 1,524 | | 1,524 | | 1,524 | | | | 1,524 |
| 183 | TEST EQUIPMENT MODERNIZATION (TEMOD) | | 3,817 | | 3,817 | | 3,817 | | | | 3,817 |
| | **OTHER SUPPORT EQUIPMENT** | | | | | | | | | | |
| 184 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT | | 27,000 | | 27,000 | | 27,000 | | | | 27,000 |
| 187 | MODIFICATION OF IN-SVC EQUIPMENT (OPA–3) | | 555,950 | | 555,950 | | 555,950 | | | | 555,950 |
| | **TOTAL—OTHER PROCUREMENT, ARMY** | | **6,225,966** | | **6,021,786** | | **6,329,966** | | **–625,640** | | **5,600,326** |
| | **JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND** | | | | | | | | | | |
| | **NETWORK ATTACK** | | | | | | | | | | |
| 001 | ATTACK THE NETWORK | | 812,000 | | 712,000 | | 1,015,100 | | 203,100 | | 1,015,100 |
| | Transfer from base budget | | | | | | [203,100] | | [203,100] | | |
| | Transfer to RDDW–24 | | | | [–100,000] | | | | | | |
| | **JIEDDO DEVICE DEFEAT** | | | | | | | | | | |
| 002 | DEFEAT THE DEVICE | | 536,000 | | 536,000 | | 735,100 | | 199,100 | | 735,100 |
| | Transfer from base budget | | | | | | [199,100] | | [199,100] | | |
| | **FORCE TRAINING** | | | | | | | | | | |
| 003 | TRAIN THE FORCE | | 187,000 | | 187,000 | | 228,100 | | 41,100 | | 228,100 |
| | Transfer from base budget | | | | | | [41,100] | | [41,100] | | |
| | **STAFF AND INFRASTRUCTURE** | | | | | | | | | | |
| 004 | OPERATIONS | | | | | | 121,550 | | 121,550 | | 121,550 |
| | Transfer from base budget | | | | | | [121,550] | | [121,550] | | |
| | **TOTAL—JOINT IED DEFEAT FUND** | | **1,535,000** | | **1,435,000** | | **2,099,850** | | **564,850** | | **2,099,850** |
| | **AIRCRAFT PROCUREMENT, NAVY** | | | | | | | | | | |
| | **COMBAT AIRCRAFT** | | | | | | | | | | |
| 010 | UH–1Y/AH–1Z | 2 | 55,006 | 2 | 55,006 | 2 | 55,006 | | | 2 | 55,006 |
| | **MODIFICATION OF AIRCRAFT** | | | | | | | | | | |
| 028 | EA–6 SERIES | | 45,000 | | 45,000 | | 45,000 | | | | 45,000 |
| 029 | AV–8 SERIES | | 28,296 | | 28,296 | | 28,296 | | –8,900 | | 19,396 |
| | ALE–47 upgrades complete | | | | | | | | [–8,900] | | |
| 030 | F–18 SERIES | | 96,000 | | 96,000 | | 96,000 | | | | 96,000 |
| 031 | H–46 SERIES | | 17,485 | | 17,485 | | 17,485 | | | | 17,485 |
| 033 | H–53 SERIES | | 164,730 | | 164,730 | | 164,730 | | | | 164,730 |
| 034 | SH–60 SERIES | | 11,192 | | 11,192 | | 11,192 | | | | 11,192 |
| 035 | H–1 SERIES | | 11,217 | | 11,217 | | 11,217 | | | | 11,217 |
| 037 | P–3 SERIES | | 74,900 | | 74,900 | | 74,900 | | | | 74,900 |
| 039 | E–2 SERIES | | 17,200 | | 17,200 | | 17,200 | | | | 17,200 |
| 041 | C–2A | | 14,100 | | 14,100 | | 14,100 | | | | 14,100 |
| 042 | C–130 SERIES | | 52,324 | | 52,324 | | 52,324 | | | | 52,324 |
| 049 | POWER PLANT CHANGES | | 4,456 | | 4,456 | | 4,456 | | –4,456 | | |
| | Non-emergency modifications | | | | | | | | [–4,456] | | |
| 052 | COMMON ECM EQUIPMENT | | 263,382 | | 263,382 | | 263,382 | | | | 263,382 |
| 054 | COMMON DEFENSIVE WEAPON SYSTEM | | 5,500 | | 5,500 | | 5,500 | | | | 5,500 |
| 056 | V–22 (TILT/ROTOR ACFT) OSPREY | | 53,500 | | 53,500 | | 53,500 | | | | 53,500 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 057 | SPARES AND REPAIR PARTS | | 2,265 | | 2,265 | | 2,265 | | | | 2,265 |
| | **TOTAL—AIRCRAFT PROCUREMENT, NAVY** | | **916,553** | | **916,553** | | **916,553** | | **–13,356** | | **903,197** |
| 010 | HELLFIRE | 782 | 73,700 | 782 | 73,700 | 782 | 73,700 | –381 | –23,000 | 401 | 50,700 |
| | Army end strength budget amendment | | | | | | | | [–23,000] | | |
| | **TOTAL—WEAPONS PROCUREMENT, NAVY** | | **73,700** | | **73,700** | | **73,700** | | **–23,000** | | **50,700** |
| | **PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | | | | | | | | | | |
| | **PROC AMMO, NAVY** | | | | | | | | | | |
| | **NAVY AMMUNITION** | | | | | | | | | | |
| 001 | GENERAL PURPOSE BOMBS | | 40,500 | | 40,500 | | 40,500 | | | | 40,500 |
| 003 | AIRBORNE ROCKETS, ALL TYPES | | 42,510 | | 42,510 | | 42,510 | | | | 42,510 |
| 004 | MACHINE GUN AMMUNITION | | 109,200 | | 109,200 | | 109,200 | | –28,823 | | 80,377 |
| | Army end strength budget amendment | | | | | | | | [–28,823] | | |
| 007 | AIR EXPENDABLE COUNTERMEASURES | | 5,501 | | 5,501 | | 5,501 | | | | 5,501 |
| 009 | 5 INCH/54 GUN AMMUNITION | | 352 | | 352 | | 352 | | | | 352 |
| 011 | OTHER SHIP GUN AMMUNITION | | 2,835 | | 2,835 | | 2,835 | | | | 2,835 |
| 012 | SMALL ARMS & LANDING PARTY AMMO | | 14,229 | | 14,229 | | 14,229 | | | | 14,229 |
| 013 | PYROTECHNIC AND DEMOLITION | | 1,442 | | 1,442 | | 1,442 | | | | 1,442 |
| | **PROC AMMO, MC** | | | | | | | | | | |
| | **MARINE CORPS AMMUNITION** | | | | | | | | | | |
| 015 | SMALL ARMS AMMUNITION | | 16,930 | | 16,930 | | 16,930 | | | | 16,930 |
| 016 | LINEAR CHARGES, ALL TYPES | | 5,881 | | 5,881 | | 5,881 | | | | 5,881 |
| 017 | 40 MM, ALL TYPES | | 104,824 | | 104,824 | | 104,824 | | | | 104,824 |
| 018 | 60MM, ALL TYPES | | 43,623 | | 43,623 | | 43,623 | | | | 43,623 |
| 019 | 81MM, ALL TYPES | | 103,647 | | 103,647 | | 103,647 | | | | 103,647 |
| 020 | 120MM, ALL TYPES | | 62,265 | | 62,265 | | 62,265 | | | | 62,265 |
| 021 | CTG 25MM, ALL TYPES | | 563 | | 563 | | 563 | | | | 563 |
| 022 | GRENADES, ALL TYPES | | 6,074 | | 6,074 | | 6,074 | | | | 6,074 |
| 023 | ROCKETS, ALL TYPES | | 8,117 | | 8,117 | | 8,117 | | | | 8,117 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 024 | ARTILLERY, ALL TYPES | | 81,975 | | 81,975 | | 81,975 | | | | 81,975 |
| 026 | DEMOLITION MUNITIONS, ALL TYPES | | 9,241 | | 9,241 | | 9,241 | | | | 9,241 |
| 027 | FUZE, ALL TYPES | | 51,071 | | 51,071 | | 51,071 | | | | 51,071 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS** | | **710,780** | | **710,780** | | **710,780** | | **–28,823** | | **681,957** |
| | **OTHER PROCUREMENT, NAVY** | | | | | | | | | | |
| | **OTHER SHIPBOARD EQUIPMENT** | | | | | | | | | | |
| 018 | UNDERWATER EOD PROGRAMS | | 12,040 | | 12,040 | | 12,040 | | | | 12,040 |
| | **SMALL BOATS** | | | | | | | | | | |
| 025 | STANDARD BOATS | | 13,000 | | 13,000 | | 13,000 | | | | 13,000 |
| | **COMMUNICATIONS AND ELECTRONICS EQUIPMENT** | | | | | | | | | | |
| | **AVIATION ELECTRONIC EQUIPMENT** | | | | | | | | | | |
| 056 | MATCALS | | 400 | | 400 | | 400 | | | | 400 |
| | **SHIPBOARD COMMUNICATIONS** | | | | | | | | | | |
| 076 | SHIP COMMUNICATIONS AUTOMATION | | 1,500 | | 1,500 | | 1,500 | | | | 1,500 |
| | **AIRCRAFT SUPPORT EQUIPMENT** | | | | | | | | | | |
| 092 | EXPEDITIONARY AIRFIELDS | | 37,345 | | 37,345 | | 37,345 | | | | 37,345 |
| 097 | AVIATION LIFE SUPPORT | | 17,883 | | 17,883 | | 17,883 | | | | 17,883 |
| | **ORDNANCE SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **OTHER ORDNANCE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 115 | EXPLOSIVE ORDNANCE DISPOSAL EQUIP | | 43,650 | | 43,650 | | 43,650 | | | | 43,650 |
| | **CIVIL ENGINEERING SUPPORT EQUIPMENT** | | | | | | | | | | |
| 120 | PASSENGER CARRYING VEHICLES | | 25 | | 25 | | 25 | | | | 25 |
| 121 | GENERAL PURPOSE TRUCKS | | 93 | | 93 | | 93 | | | | 93 |
| 122 | CONSTRUCTION & MAINTENANCE EQUIP | | 11,167 | | 11,167 | | 11,167 | | | | 11,167 |
| 124 | TACTICAL VEHICLES | | 54,008 | | 54,008 | | 54,008 | | | | 54,008 |
| 127 | ITEMS UNDER $5 MILLION | | 10,842 | | 10,842 | | 10,842 | | | | 10,842 |
| 128 | PHYSICAL SECURITY VEHICLES | | 1,130 | | 1,130 | | 1,130 | | | | 1,130 |
| | **SUPPLY SUPPORT EQUIPMENT** | | | | | | | | | | |
| 129 | MATERIALS HANDLING EQUIPMENT | | 25 | | 25 | | 25 | | | | 25 |
| | **PERSONNEL AND COMMAND SUPPORT EQUIPMENT** | | | | | | | | | | |
| | **COMMAND SUPPORT EQUIPMENT** | | | | | | | | | | |
| 134 | COMMAND SUPPORT EQUIPMENT | | 4,000 | | 4,000 | | 4,000 | | | | 4,000 |
| 139 | OPERATING FORCES SUPPORT EQUIPMENT | | 15,452 | | 15,452 | | 15,452 | | | | 15,452 |
| 140 | C4ISR EQUIPMENT | | 3,100 | | 3,100 | | 3,100 | | | | 3,100 |
| 142 | PHYSICAL SECURITY EQUIPMENT | | 89,521 | | 89,521 | | 89,521 | | –25,000 | | 64,521 |
| | OCO unjustified request | | | | | | | | [–25,000] | | |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| 145 | SPARES AND REPAIR PARTS | | 2,837 | | 2,837 | | 2,837 | | | | 2,837 |
| | **TOTAL—OTHER PROCUREMENT, NAVY** | | **318,018** | | **318,018** | | **318,018** | | **–25,000** | | **293,018** |
| | **PROCUREMENT, MARINE CORPS** | | | | | | | | | | |
| | **WEAPONS AND COMBAT VEHICLES** | | | | | | | | | | |
| | **TRACKED COMBAT VEHICLES** | | | | | | | | | | |
| 002 | LAV PIP | | 58,229 | | 58,229 | | 58,229 | | | | 58,229 |
| | **ARTILLERY AND OTHER WEAPONS** | | | | | | | | | | |
| 006 | 155MM LIGHTWEIGHT TOWED HOWITZER | 18 | 54,000 | 18 | 54,000 | 18 | 54,000 | –18 | –54,000 | | |
| | Army end strength budget amendment | | | | | | | | [–54,000] | | |
| 008 | WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION | | 3,351 | | 3,351 | | 3,351 | | | | 3,351 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 010 | MODIFICATION KITS | | 20,183 | | 20,183 | | 20,183 | | | | 20,183 |
| 011 | WEAPONS ENHANCEMENT PROGRAM | | 9,151 | | 9,151 | | 9,151 | | | | 9,151 |
| | **GUIDED MISSILES AND EQUIPMENT** | | | | | | | | | | |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 016 | MODIFICATION KITS | | 8,506 | | 8,506 | | 8,506 | | | | 8,506 |
| | **COMMUNICATIONS & ELECTRONICS EQUIPMENT** | | | | | | | | | | |
| | **REPAIR AND TEST EQUIPMENT** | | | | | | | | | | |
| 018 | REPAIR AND TEST EQUIPMENT | | 11,741 | | 11,741 | | 11,741 | | | | 11,741 |
| | **OTHER SUPPORT (TEL)** | | | | | | | | | | |
| 019 | COMBAT SUPPORT SYSTEM | | 462 | | 462 | | 462 | | | | 462 |
| | **COMMAND AND CONTROL SYSTEM (NON-TEL)** | | | | | | | | | | |
| 021 | ITEMS UNDER $5 MILLION (COMM & ELEC) | | 4,153 | | 4,153 | | 4,153 | | | | 4,153 |
| 022 | AIR OPERATIONS C2 SYSTEMS | | 3,096 | | 3,096 | | 3,096 | | | | 3,096 |
| | **RADAR + EQUIPMENT (NON-TEL)** | | | | | | | | | | |
| 023 | RADAR SYSTEMS | | 3,417 | | 3,417 | | 3,417 | | | | 3,417 |
| | **INTELL/COMM EQUIPMENT (NON-TEL)** | | | | | | | | | | |
| 024 | FIRE SUPPORT SYSTEM | | 521 | | 521 | | 521 | | | | 521 |
| 025 | INTELLIGENCE SUPPORT EQUIPMENT | | 37,547 | | 37,547 | | 37,547 | | | | 37,547 |
| 026 | RQ–11 UAV | | 13,000 | | 13,000 | | 13,000 | | | | 13,000 |
| | **OTHER COMM/ELEC EQUIPMENT (NON-TEL)** | | | | | | | | | | |
| 027 | NIGHT VISION EQUIPMENT | | 12,570 | | 12,570 | | 12,570 | | –12,570 | | |
| | Army end strength budget amendment | | | | | | | | [–12,570] | | |
| | **OTHER SUPPORT (NON-TEL)** | | | | | | | | | | |
| 028 | COMMON COMPUTER RESOURCES | | 23,105 | | 23,105 | | 23,105 | | | | 23,105 |
| 029 | COMMAND POST SYSTEMS | | 23,041 | | 23,041 | | 23,041 | | | | 23,041 |
| 030 | RADIO SYSTEMS | | 32,497 | | 32,497 | | 32,497 | | | | 32,497 |
| 031 | COMM SWITCHING & CONTROL SYSTEMS | | 2,044 | | 2,044 | | 2,044 | | | | 2,044 |
| 032 | COMM & ELEC INFRASTRUCTURE SUPPORT | | 64 | | 64 | | 64 | | | | 64 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | **SUPPORT VEHICLES** | | | | | | | | | | |
| | **ADMINISTRATIVE VEHICLES** | | | | | | | | | | |
| 035 | 5/4T TRUCK HMMWV (MYP) | | 205,036 | | 205,036 | | 205,036 | | | | 205,036 |
| 036 | MOTOR TRANSPORT MODIFICATIONS | | 10,177 | | 10,177 | | 10,177 | | –10,177 | | |
| | Army end strength budget amendment | | | | | | | | [–10,177] | | |
| 037 | MEDIUM TACTICAL VEHICLE REPLACEMENT | | 131,044 | | 131,044 | | 131,044 | | | | 131,044 |
| 038 | LOGISTICS VEHICLE SYSTEM REP | | 59,219 | | 59,219 | | 59,219 | | | | 59,219 |
| 039 | FAMILY OF TACTICAL TRAILERS | | 13,388 | | 13,388 | | 13,388 | | | | 13,388 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| | **ENGINEER AND OTHER EQUIPMENT** | | | | | | | | | | |
| 042 | ENVIRONMENTAL CONTROL EQUIP ASSORT | | 5,119 | | 5,119 | | 5,119 | | | | 5,119 |
| 043 | BULK LIQUID EQUIPMENT | | 4,549 | | 4,549 | | 4,549 | | | | 4,549 |
| 044 | TACTICAL FUEL SYSTEMS | | 33,421 | | 33,421 | | 33,421 | | | | 33,421 |
| 045 | POWER EQUIPMENT ASSORTED | | 24,860 | | 24,860 | | 24,860 | | | | 24,860 |
| 047 | EOD SYSTEMS | | 47,697 | | 47,697 | | 47,697 | | | | 47,697 |
| | **MATERIALS HANDLING EQUIPMENT** | | | | | | | | | | |
| 048 | PHYSICAL SECURITY EQUIPMENT | | 19,720 | | 19,720 | | 19,720 | | –17,000 | | 2,720 |
| | Army end strength budget amendment | | | | | | | | [–17,000] | | |
| 050 | MATERIAL HANDLING EQUIP | | 56,875 | | 56,875 | | 56,875 | | | | 56,875 |
| | **GENERAL PROPERTY** | | | | | | | | | | |
| 053 | TRAINING DEVICES | | 157,734 | | 157,734 | | 157,734 | | –10,430 | | 147,304 |
| | Army end strength budget amendment | | | | | | | | [–10,430] | | |
| 055 | FAMILY OF CONSTRUCTION EQUIPMENT | | 35,818 | | 35,818 | | 35,818 | | | | 35,818 |
| 058 | RAPID DEPLOYABLE KITCHEN | | 55 | | 55 | | 55 | | | | 55 |
| | **OTHER SUPPORT** | | | | | | | | | | |
| 059 | ITEMS LESS THAN $5 MILLION | | 39,055 | | 39,055 | | 39,055 | | | | 39,055 |
| | **SPARES AND REPAIR PARTS** | | | | | | | | | | |
| | **TOTAL—PROCUREMENT, MARINE CORPS** | | **1,164,445** | | **1,164,445** | | **1,164,445** | | **–104,177** | | **1,060,268** |
| | **AIRCRAFT PROCUREMENT, AIR FORCE** | | | | | | | | | | |
| | **OTHER AIRLIFT** | | | | | | | | | | |
| 006 | C–130J | | 72,000 | | 72,000 | | 72,000 | | | | 72,000 |
| | **OTHER AIRCRAFT** | | | | | | | | | | |
| 025 | MQ–9 | | | 11 | 215,335 | | | | | | |
| | Transfer from Title I | | | [11] | [215,335] | | | | | | |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| | **MODIFICATION OF IN-SERVICE AIRCRAFT** | | | | | | | | | | |
| | **STRATEGIC AIRCRAFT** | | | | | | | | | | |
| 028 | B–1B | | 20,500 | | 20,500 | | 20,500 | | | | 20,500 |
| | **TACTICAL AIRCRAFT** | | | | | | | | | | |
| 030 | A–10 | | 10,000 | | 10,000 | | 10,000 | | | | 10,000 |
| 032 | F–16 | | 20,025 | | 20,025 | | 20,025 | | –20,025 | | |
| | Army end strength budget amendment—secure line-of-sight/beyond line-of-sight mods. | | | | | | | | [–20,025] | | |
| | **AIRLIFT AIRCRAFT** | | | | | | | | | | |
| 034 | C–5 | | 57,400 | | 57,400 | | 57,400 | | | | 57,400 |
| 037 | C–17A | | 132,300 | | 132,300 | | 132,300 | | –11,575 | | 120,725 |
| | Army end strength budget amendment—LAIRCM mods | | | | | | | | [–11,575] | | |
| | **OTHER AIRCRAFT** | | | | | | | | | | |
| 052 | C–130 | | 210,800 | | 210,800 | | 210,800 | | –124,400 | | 86,400 |
| | Army end strength budget amendment—LAIRCM mods | | | | | | | | [–124,400] | | |
| 054 | C–135 | | 16,916 | | 16,916 | | 16,916 | | | | 16,916 |
| 056 | DARP | | 10,300 | | 10,300 | | 10,300 | | | | 10,300 |
| 063 | HC/MC–130 MODIFICATIONS | | 7,000 | | 7,000 | | 7,000 | | | | 7,000 |
| 064 | OTHER AIRCRAFT | | 90,000 | | 90,000 | | 90,000 | | | | 90,000 |
| 065 | MQ–1 MODS | | 65,000 | | 65,000 | | 65,000 | | | | 65,000 |
| 066 | MQ–9 MODS | | 99,200 | | 99,200 | | 59,200 | | | | 99,200 |
| | Reflect USAF decision to change sensor payload | | | | | | [–40,000] | | | | |
| | **AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES** | | | | | | | | | | |
| | **POST PRODUCTION SUPPORT** | | | | | | | | | | |
| 076 | C–17A | | 11,000 | | 11,000 | | 11,000 | | | | 11,000 |
| | **WAR CONSUMABLES** | | | | | | | | | | |
| | **OTHER PRODUCTION CHARGES** | | | | | | | | | | |
| 085 | OTHER PRODUCTION CHARGES | | 114,000 | | 114,000 | | 114,000 | | | | 114,000 |
| | **TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE** | | **936,441** | | **1,151,776** | | **896,441** | | **–156,000** | | **780,441** |
| | **PROCUREMENT OF AMMUNITION, AIR FORCE** | | | | | | | | | | |
| | **ROCKETS** | | | | | | | | | | |
| 001 | ROCKETS | | 3,488 | | 3,488 | | 3,488 | | | | 3,488 |
| | **CARTRIDGES** | | | | | | | | | | |
| 002 | CARTRIDGES | | 39,236 | | 39,236 | | 39,236 | | | | 39,236 |
| | **BOMBS** | | | | | | | | | | |
| 004 | GENERAL PURPOSE BOMBS | | 34,085 | | 34,085 | | 34,085 | | | | 34,085 |
| 005 | JOINT DIRECT ATTACK MUNITION | 3,860 | 97,978 | 3,860 | 97,978 | 3,860 | 97,978 | | | 3,860 | 97,978 |
| | **FLARE, IR MJU–7B** | | | | | | | | | | |
| 007 | EXPLOSIVE ORDINANCE DISPOSAL (EOD) | | 4,800 | | 4,800 | | 4,800 | | | | 4,800 |
| | **FUZES** | | | | | | | | | | |
| 011 | FLARES | | 41,000 | | 41,000 | | 41,000 | | | | 41,000 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| 012 | FUZES | | 14,595 | | 14,595 | | 14,595 | | | | 14,595 |
| | **WEAPONS** | | | | | | | | | | |
| | **SMALL ARMS** | | | | | | | | | | |
| 013 | SMALL ARMS | | 21,637 | | 21,637 | | 21,637 | | | | 21,637 |
| | **TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE** | | **256,819** | | **256,819** | | **256,819** | | **0** | | **256,819** |
| | **MISSILE PROCUREMENT, AIR FORCE** | | | | | | | | | | |
| | **OTHER MISSILES** | | | | | | | | | | |
| | **TACTICAL** | | | | | | | | | | |
| 005 | PREDITOR HELLFIRE MISSILE | 385 | 29,325 | 385 | 29,325 | 385 | 29,325 | | | 385 | 29,325 |
| 006 | SMALL DIAMETER BOMB | 100 | 7,300 | 100 | 7,300 | 100 | 7,300 | | | 100 | 7,300 |
| | **TOTAL—MISSILE PROCUREMENT, AIR FORCE** | | **36,625** | | **36,625** | | **36,625** | | **0** | | **36,625** |
| | **OTHER PROCUREMENT, AIR FORCE** | | | | | | | | | | |
| | **VEHICULAR EQUIPMENT** | | | | | | | | | | |
| | **CARGO + UTILITY VEHICLES** | | | | | | | | | | |
| 002 | MEDIUM TACTICAL VEHICLE | | 3,364 | | 3,364 | | 3,364 | | | | 3,364 |
| | **SPECIAL PURPOSE VEHICLES** | | | | | | | | | | |
| 004 | SECURITY AND TACTICAL VEHICLES | | 11,337 | | 11,337 | | 11,337 | | | | 11,337 |
| | **FIRE FIGHTING EQUIPMENT** | | | | | | | | | | |
| 005 | FIRE FIGHTING/CRASH RESCUE VEHICLES | | 8,626 | | 8,626 | | 8,626 | | | | 8,626 |
| | **MATERIALS HANDLING EQUIPMENT** | | | | | | | | | | |
| | **SPCL COMM-ELECTRONICS PROJECTS** | | | | | | | | | | |
| 023 | AIR FORCE PHYSICAL SECURITY SYSTEM | | 1,600 | | 1,600 | | 1,600 | | | | 1,600 |
| | **DISA PROGRAMS** | | | | | | | | | | |
| 037 | MILSATCOM SPACE | | 714 | | 714 | | 714 | | | | 714 |
| | **OTHER BASE MAINTENANCE AND SUPPORT EQUIP** | | | | | | | | | | |
| | **PERSONAL SAFETY & RESCUE EQUIP** | | | | | | | | | | |
| 047 | NIGHT VISION GOGGLES | | 14,528 | | 14,528 | | 14,528 | | | | 14,528 |
| 048 | ITEMS LESS THAN $5,000,000 (SAFETY) | | 4,900 | | 4,900 | | 4,900 | | | | 4,900 |
| | **DEPOT PLANT+MTRLS HANDLING EQ** | | | | | | | | | | |
| | **BASE SUPPORT EQUIPMENT** | | | | | | | | | | |
| 051 | CONTINGENCY OPERATIONS | | 11,300 | | 11,300 | | 11,300 | | | | 11,300 |
| | **SPECIAL SUPPORT PROJECTS** | | | | | | | | | | |
| 060 | DEFENSE SPACE RECONNAISSANCE PROG. | | 34,400 | | 34,400 | | 34,400 | | | | 34,400 |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 2,230,780 | | 2,230,780 | | 2,230,780 | | | | 2,230,780 |
| | **TOTAL—OTHER PROCUREMENT, AIR FORCE** | | **2,321,549** | | **2,321,549** | | **2,321,549** | | **0** | | **2,321,549** |
| | **MINE RESISTANT AMBUSH PROT VEH FUND** | | | | | | | | | | |
| | MINE RESISTANT AMBUSH PROT VEH FUND | | 5,456,000 | | 5,456,000 | | 5,456,000 | | 600,000 | | 6,056,000 |
| | Additional MRAP vehicles to meet new requirement | | | | | | | | [600,000] | | |
| | **TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND** | | **5,456,000** | | **5,456,000** | | **5,456,000** | | **600,000** | | **6,056,000** |
| | **PROCUREMENT, DEFENSE-WIDE** | | | | | | | | | | |
| | **MAJOR EQUIPMENT, DISA** | | | | | | | | | | |
| 019 | GLOBAL COMMAND AND CONTROL SYSTEM | | 1,500 | | 1,500 | | 1,500 | | | | 1,500 |
| 021 | TELEPORT PROGRAM | | 7,411 | | 7,411 | | 7,411 | | | | 7,411 |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 304,794 | | 304,794 | | 304,794 | | | | 304,794 |
| | **SPECIAL OPERATIONS COMMAND** | | | | | | | | | | |
| | **AVIATION PROGRAMS** | | | | | | | | | | |
| 052 | MH–47 SERVICE LIFE EXTENSION PROGRAM | | 5,900 | | 5,900 | | 5,900 | | | | 5,900 |
| 055 | UNMANNED VEHICLES | | | | 14,000 | | | | | | |
| | All Environment Capable Variant UAV | | | | [14,000] | | | | | | |
| 057 | SOF U–28 | | 3,000 | | 3,000 | | 3,000 | | | | 3,000 |
| 060 | MQ–1 UAV | | 1,450 | | 1,450 | | 1,450 | | –1,450 | | |
| | Funding Early to Need | | | | | | | | [–1,450] | | |
| 062 | STUASL0 | 9 | 12,000 | 9 | 12,000 | 9 | 12,000 | | | 9 | 12,000 |
| 063 | C–130 MODIFICATIONS | | 19,500 | | 104,500 | | 19,500 | | | | 19,500 |
| | MC–130W Dragon Spear Modifications | | | | [85,000] | | | | | | |
| | **SHIPBUILDING** | | | | | | | | | | |
| | **AMMUNITION PROGRAMS** | | | | | | | | | | |
| 067 | SOF ORDNANCE REPLENISHMENT | | 51,156 | | 51,156 | | 51,156 | | | | 51,156 |
| 068 | SOF ORDNANCE ACQUISITION | | 17,560 | | 17,560 | | 17,560 | | | | 17,560 |
| | **OTHER PROCUREMENT PROGRAMS** | | | | | | | | | | |
| 069 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS | | 2,000 | | 2,000 | | 2,000 | | | | 2,000 |
| 070 | SOF INTELLIGENCE SYSTEMS | | 23,260 | | 57,060 | | 23,260 | | | | 23,260 |
| | HF-TTL Mission Set | | | | [33,800] | | | | | | |
| 071 | SMALL ARMS AND WEAPONS | | 3,800 | | 3,800 | | 3,800 | | | | 3,800 |
| 076 | TACTICAL VEHICLES | | 6,865 | | 50,165 | | 6,865 | | | | 6,865 |
| | Ground Mobility Vehicle SOF Mod Kits | | | | [43,300] | | | | | | |
| 083 | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | | 11,000 | | 11,000 | | 11,000 | | | | 11,000 |
| 085 | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS | | | | 28,900 | | | | | | |
| | Hand Held Imager—Pocket/Short Range and Long Range | | | | [28,900] | | | | | | |
| 086 | SOF TACTICAL RADIO SYSTEMS | | 5,448 | | 36,748 | | 5,448 | | | | 5,448 |

**PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | | House Authorized | | Senate Authorized | | Conference Change | | Conference Agreement | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost | Qty | Cost |
| | MultiBand Inter/Intra Team Radios | | | | [31,300] | | | | | | |
| 090 | SOF OPERATIONAL ENHANCEMENTS | | 11,900 | | 84,000 | | 11,900 | | | | 11,900 |
| | Classified | | | | [9,500] | | | | | | |
| | PRC 117G | | | | [23,900] | | | | | | |
| | Hatch Mounted Satellite Antenna | | | | [13,000] | | | | | | |
| | Multi-Discipline Intel PED Capability | | | | [6,200] | | | | | | |
| | Classified | | | | [19,500] | | | | | | |
| | **CLASSIFIED PROGRAMS** | | | | | | | | | | |
| 999 | CLASSIFIED PROGRAMS | | 2,886 | | 2,886 | | 2,886 | | | | 2,886 |
| | **TOTAL—PROCUREMENT, DEFENSE-WIDE** | | **491,430** | | **799,830** | | **491,430** | | **–1,450** | | **489,980** |
| | **Total Procurement** | | **23,741,226** | | **24,416,026** | | **24,370,076** | | **137,404** | | **23,878,630** |

## TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

*Research, development, test, and evaluation (sec. 4201)*

The Senate amendment contained an authorization funding table (sec. 4201) for research, development, test, and evaluation.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY** | | | | | |
| | | **BASIC RESEARCH** | | | | | |
| 001 | 0601101A | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 19,671 | 19,671 | 19,671 | | 19,671 |
| 002 | 0601102A | DEFENSE RESEARCH SCIENCES | 173,024 | 173,024 | 178,524 | 3,500 | 176,524 |
| | | Ballistic materials research | | | [3,500] | [3,500] | |
| | | Military operating environments research | | | [2,000] | | |
| 003 | 0601103A | UNIVERSITY RESEARCH INITIATIVES | 88,421 | 92,421 | 92,421 | 4,000 | 92,421 |
| | | Nanocomposite materials research | | | [2,000] | [2,000] | |
| | | Open source intelligence research | | | [2,000] | [1,000] | |
| | | Smart Wound Dressing for MRSA-Infected Battle Wounds | | [4,000] | | [1,000] | |
| 004 | 0601104A | UNIVERSITY AND INDUSTRY RESEARCH CENTERS | 96,144 | 101,144 | 103,844 | 2,700 | 98,844 |
| | | Advanced nanomaterials design | | | [2,000] | | |
| | | Electrolyte research for batteries | | | [1,000] | | |
| | | Immersive simulation research | | | [1,200] | [1,200] | |
| | | Materials processing research | | | [2,000] | [1,500] | |
| | | Structural modeling and analysis | | | [1,500] | | |
| | | Performance Steel Castings for Improved Weapons Systems Reliability. | | [4,000] | | | |
| | | AEOP eCybermission | | [1,000] | | | |
| | | **SUBTOTAL, BASIC RESEARCH, ARMY** | **377,260** | **386,260** | **394,460** | **10,200** | **387,460** |
| | | **APPLIED RESEARCH** | | | | | |
| 005 | 0602105A | MATERIALS TECHNOLOGY | 27,206 | 50,576 | 50,206 | 20,000 | 47,206 |
| | | Advanced manufacturing technologies | | | [2,000] | | |
| | | Advanced renewable jet fuels | | | [4,000] | [3,000] | |
| | | Applied composite materials research | | | [3,000] | [3,000] | |
| | | High strength fibers for ballistic armor applications | | | [3,000] | [2,000] | |
| | | Moldable fabric armor | | | [2,500] | [2,000] | |
| | | Nanosensor manufacturing research | | | [4,000] | | |
| | | Smart materials and structures | | | [4,500] | [1,000] | |
| | | Multi-Scale Modeling of 3–D Damage Tolerant Composite Materials. | | [1,000] | | | |
| | | Dual Stage Variable Energy Absorber | | [4,070] | | [3,000] | |
| | | Hardmetal Epidemiology Investigation | | [7,000] | | | |
| | | Next Generation High Strength Glass Fibers for Ballistic Armor Applications. | | [3,300] | | [2,000] | |
| | | Ultra Lightweight Metallic Armor | | [3,000] | | [1,000] | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Advanced Nanoscale Tungsten Kinetic Energy Composites | | [2,000] | | | |
| | | Nanomanufacturing of Multifunctional Sensors | | [3,000] | | [3,000] | |
| 006 | 0602120A | SENSORS AND ELECTRONIC SURVIVABILITY | 50,641 | 52,641 | 53,141 | 2,500 | 53,141 |
| | | Nanoelectronic memory, sensor and energy devices | | | [2,500] | [2,500] | |
| | | Electromagnetic Geolocation | | [2,000] | | | |
| 007 | 0602122A | TRACTOR HIP | 14,324 | 14,324 | 14,324 | | 14,324 |
| 008 | 0602211A | AVIATION TECHNOLOGY | 41,332 | 41,332 | 43,332 | | 41,332 |
| | | Manned-unmanned aerial system teaming technologies | | | [2,000] | | |
| 009 | 0602270A | ELECTRONIC WARFARE TECHNOLOGY | 16,119 | 16,119 | 16,119 | | 16,119 |
| 010 | 0602303A | MISSILE TECHNOLOGY | 50,716 | 54,466 | 50,716 | | 50,716 |
| | | Anti-Material Explosive Round for Javelin | | [3,000] | | | |
| | | CoE in Integrated Sensor Systems | | [750] | | | |
| 011 | 0602307A | ADVANCED WEAPONS TECHNOLOGY | 19,678 | 19,678 | 19,678 | | 19,678 |
| 012 | 0602308A | ADVANCED CONCEPTS AND SIMULATION | 17,473 | 17,473 | 19,473 | 2,000 | 19,473 |
| | | Cognitive modeling and simulation research | | | [2,000] | [2,000] | |
| 013 | 0602601A | COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY | 55,937 | 65,487 | 118,937 | 18,500 | 74,437 |
| | | Advanced composite materials research | | | [4,000] | [3,500] | |
| | | Army vehicle modernization research | | | [25,000] | | |
| | | Composite vehicle shelters | | | [2,500] | [2,000] | |
| | | Fuel cell APU systems | | | [3,000] | | |
| | | Hybrid electric vehicle reliability research | | | [2,000] | | |
| | | Materials research for alternative energy and transportation | | | [1,500] | | |
| | | Tactical metal fabrication program | | [4,800] | [3,000] | [1,000] | |
| | | Tribology research | | | [2,000] | [2,000] | |
| | | Vehicle systems engineering and integration activities | | | [20,000] | [10,000] | |
| | | Advanced Lightweight Opaque Ceramic Armor | | [1,250] | | | |
| | | Digital Engine/Hydraulic Value Actuation Technology | | [3,500] | | | |
| 014 | 0602618A | BALLISTICS TECHNOLOGY | 61,843 | 63,843 | 87,843 | 4,000 | 65,843 |
| | | Army vehicle survivability research | | | [25,000] | | |
| | | Electromagnetic gun | | | [–2,000] | [–2,000] | |
| | | Reactive armor research | | | [3,000] | [3,000] | |
| | | Beneficial Infrastructure for Rotorcraft Risk Reduction | | [2,000] | | [1,000] | |
| | | Lethality research | | | | [2,000] | |
| 015 | 0602622A | CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY | 5,293 | 5,293 | 5,293 | | 5,293 |
| 016 | 0602623A | JOINT SERVICE SMALL ARMS PROGRAM | 7,674 | 7,674 | 7,674 | | 7,674 |
| 017 | 0602624A | WEAPONS AND MUNITIONS TECHNOLOGY | 41,085 | 68,285 | 50,085 | 18,000 | 59,085 |
| | | Acoustic gun detection systems | | | [2,000] | [2,000] | |
| | | Acoustic research | | | [3,000] | [3,000] | |
| | | UGV weaponization | | | [4,000] | [2,500] | |
| | | Highly Integrated Production for Expediting RESET | | [8,200] | | [2,500] | |
| | | Hybrid Projectile Program | | [3,000] | | [3,000] | |
| | | High Power Electrolytic Conducting Polymer Super-Capacitors | | [9,000] | | | |
| | | Specialized Compact Automated Mechanical Clearance Platform | | [4,000] | | [4,000] | |
| | | Defense Support for Civil Authorities (DSCA) for Key Resource Protection—South Central, PA. | | [3,000] | | [1,000] | |
| 018 | 0602705A | ELECTRONICS AND ELECTRONIC DEVICES | 61,404 | 68,904 | 67,404 | 5,700 | 67,104 |
| | | Hybrid battery systems | | | [2,500] | | |
| | | Hybrid portable power program | | | [3,500] | [3,200] | |
| | | Recon Scout Robot | | [3,500] | | | |
| | | Novel Zinc Air Power Sources for Military | | [4,000] | | [2,500] | |
| 019 | 0602709A | NIGHT VISION TECHNOLOGY | 26,893 | 26,893 | 26,893 | | 26,893 |
| 020 | 0602712A | COUNTERMINE SYSTEMS | 18,945 | 18,945 | 18,945 | | 18,945 |
| 021 | 0602716A | HUMAN FACTORS ENGINEERING TECHNOLOGY | 18,605 | 33,605 | 18,605 | 15,000 | 33,605 |
| | | LWI Training-Based Collaborative Research | | [15,000] | | [15,000] | |
| 022 | 0602720A | ENVIRONMENTAL QUALITY TECHNOLOGY | 15,902 | 29,752 | 15,902 | 4,500 | 20,402 |
| | | Cluster Bomb Unit & Combined Effects Munitions Demil System | | [1,000] | | [1,000] | |
| | | Self-Inerting Munitions | | [4,500] | | | |
| | | SUNY Cobleskill Biowaste-to-Bioenergy Center | | [4,650] | | [2,500] | |
| | | Range Scrap Demil System | | [1,500] | | | |
| | | Renewable Energy Testing Center | | [2,200] | | [1,000] | |
| 023 | 0602782A | COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY | 24,833 | 26,833 | 24,833 | | 24,833 |
| | | Portable Non-Magnetic Compass Positioning and Timing Device | | [2,000] | | | |
| 024 | 0602783A | COMPUTER AND SOFTWARE TECHNOLOGY | 5,639 | 9,639 | 5,639 | | 5,639 |
| | | SIDEP Supporting Project National Shield | | [4,000] | | | |
| 025 | 0602784A | MILITARY ENGINEERING TECHNOLOGY | 54,818 | 69,318 | 63,318 | 5,000 | 59,818 |
| | | Ballistic materials for force protection | | | [3,000] | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Critical infrastructure monitoring and protection research | | | [3,500] | | |
| | | Geosciences research | | | [2,000] | | |
| | | Cellulose Nanocomposite Panels for Ballistic Protection | | [5,000] | | [2,000] | |
| | | Encapsulated Ballistic Protection System | | [5,000] | | | |
| | | Geosciences Atmospheric Research | | [3,000] | | [3,000] | |
| | | Photovoltaic Rooftop Systems | | [1,500] | | | |
| 026 | 0602785A | MANPOWER/PERSONNEL/TRAINING TECHNOLOGY | 18,701 | 18,701 | 18,701 | | 18,701 |
| 027 | 0602786A | WARFIGHTER TECHNOLOGY | 27,109 | 27,109 | 35,609 | 2,500 | 29,609 |
| | | Airbeam shelter protection systems | | | [3,000] | | |
| | | Enhanced ballistic protection research | | | [3,000] | | |
| | | Thermal resistant fiber research | | | [2,500] | [2,500] | |
| 028 | 0602787A | MEDICAL TECHNOLOGY | 99,027 | 138,077 | 125,527 | 35,500 | 134,527 |
| | | Bioengineering research | | | [2,500] | | |
| | | Biomechanics research | | | [3,500] | [3,500] | |
| | | Blast protection for ground soldiers | | | [2,000] | | |
| | | Blast wave modeling | | | [3,000] | [3,000] | |
| | | Dengue fever research | | | [2,000] | | |
| | | Hemorrhage research | | | [3,000] | [3,000] | |
| | | Malaria vaccine development | | | [2,500] | [2,500] | |
| | | Nanomaterials for biological processes | | | [2,000] | | |
| | | Neurotrauma research | | | [3,500] | [3,500] | |
| | | Secondary trauma research | | | [2,500] | [2,500] | |
| | | Plasma Technologies | | [1,000] | | | |
| | | Prevention of Compartment Syndrome with Ultrafiltration Catheters. | | [1,900] | | | |
| | | Advanced Functional Nanomaterials for Biological Processes | | [2,500] | | [2,500] | |
| | | Post Traumatic Stress Disorder Attention Modification | | [1,250] | | | |
| | | Locally Delivered Treatments for Noise Induced Hearing Loss | | [1,500] | | | |
| | | Improving Soldier Recovery from Catastrophic Bone Injuries | | [5,000] | | [4,000] | |
| | | Developing Interventions to Repress Viral Replication | | [2,500] | | | |
| | | Advanced Bio-Engineering for Enhancement of Soldier Survivability. | | [3,000] | | [3,000] | |
| | | Self-Powered Prosthetic Limb Technology | | [2,000] | | [2,000] | |
| | | Center for Vaccine Scale-Up/Process Research | | [1,700] | | | |
| | | Human Organ and Tissue Preservation Technology | | [3,000] | | [2,000] | |
| | | Optical Neural Techniques for Combat and Post Trauma Care | | [4,700] | | [4,000] | |
| | | Brain Injury Recovery Clinic | | [6,000] | | | |
| | | Military Photomedicine Program | | [3,000] | | | |
| | | **SUBTOTAL, APPLIED RESEARCH, ARMY** | **781,197** | **944,967** | **958,197** | **133,200** | **914,397** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | | | | |
| 029 | 0603001A | WARFIGHTER ADVANCED TECHNOLOGY | 37,574 | 48,764 | 37,574 | 8,300 | 45,874 |
| | | High Pressure Pasteurization & Pressure Assisted Thermal Sterilization. | | [4,300] | | [4,300] | |
| | | Next Generation Precision Airdrop System | | [3,000] | | [2,500] | |
| | | Onyx System Precision Guided Airdropped Equipment | | [3,890] | | [1,500] | |
| 030 | 0603002A | MEDICAL ADVANCED TECHNOLOGY | 72,940 | 110,490 | 110,940 | 51,300 | 124,240 |
| | | Biosensor controller systems development | | | [2,000] | [2,000] | |
| | | Body temperature conditioner systems | | | [2,500] | [2,500] | |
| | | Gulf War illness research | | | [12,000] | [12,000] | |
| | | Integrated medical technology program | | | [7,500] | [7,500] | |
| | | Lower limb prosthetics research | | | [2,000] | [2,000] | |
| | | Prosthetics technology transition | | | [8,000] | | |
| | | Regenerative medical research | | | [4,000] | [4,000] | |
| | | Nightengale | | [5,000] | | | |
| | | Proton Treatment and Research Center—Northern Illinois | | [2,000] | | [2,000] | |
| | | Pediatric Adolescent Trauma and Resuscitation | | [2,900] | | | |
| | | Wounded Service Member Bioelectrics Research | | [2,000] | | [1,500] | |
| | | Malaria Vaccine Development | | [5,000] | | [5,000] | |
| | | Regenerative Medicine to Address Astute Hearing Loss | | [3,000] | | [3,000] | |
| | | Multi-Dose Closed Loop pH Monitoring System for Platelets | | [1,000] | | [1,000] | |
| | | Carbide-Derived Carbon for Treatment of Combat Related Sepsis | | [2,750] | | [1,000] | |
| | | Clinical Technology Integration for Military Health | | [8,100] | | [2,000] | |
| | | Institute for Simulation and Interprofessional Studies | | [5,800] | | [5,800] | |
| 031 | 0603003A | AVIATION ADVANCED TECHNOLOGY | 60,097 | 95,097 | 79,847 | 20,500 | 80,597 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Advanced Affordable Turbine Engine Program | | [6,000] | [4,000] | [5,000] | |
| | | Advanced ultrasonic inspections | | | [2,000] | | |
| | | Aviation weapons technology integration | | | [2,000] | | |
| | | Full authority digital engine control systems | | | [5,000] | | |
| | | Heavy fuel UAV propulsion systems | | | [3,000] | | |
| | | Integration facility enterprise resource planning system | | | [3,750] | | |
| | | Robust Composite Structural Core for Army Helicopters | | [4,000] | | [2,000] | |
| | | Mission Equipment Technology Implementation | | [5,300] | | | |
| | | UH–60 Transmission/Gearbox Galvanic Corrosion Reduction | | [3,800] | | [1,500] | |
| | | Advanced Performance for Military Helicopters | | [1,900] | | | |
| | | Drive System Composite Structural Component Risk Reduction Program. | | [5,000] | | [3,000] | |
| | | Universal Control—FADEC | | [9,000] | | [9,000] | |
| 032 | 0603004A | WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY | 66,410 | 75,910 | 61,910 | –5,000 | 61,410 |
| | | Electromagnetic gun | | | [–11,500] | [–11,500] | |
| | | Lightweight advanced metals program | | | [3,000] | | |
| | | Nanotechnology manufacturing research | | | [4,000] | | |
| | | Dual Mode Mortar SAL Integration | | [7,500] | | | |
| | | Remote Sighting System | | [2,000] | | | |
| | | Lethality research | | | | [6,500] | |
| 033 | 0603005A | COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY | 89,586 | 121,986 | 272,686 | 85,400 | 174,986 |
| | | Advanced APU development | | | [6,000] | [2,000] | |
| | | Advanced battery development program | | | [20,000] | [10,000] | |
| | | Advanced lithium ion battery systems | | [3,000] | [3,000] | [3,000] | |
| | | Advanced suspension systems for heavy vehicles | | | [3,500] | [2,700] | |
| | | Advanced thermal management systems | | | [5,500] | [3,000] | |
| | | Alternative energy research | | | [20,000] | [20,000] | |
| | | Applied power management controls | | | [3,000] | | |
| | | Army vehicle modernization technologies | | | [50,000] | | |
| | | Dynamometer facility upgrade | | | [4,000] | | |
| | | Electric drive advanced tactical wheeled armored vehicle system | | | [5,500] | | |
| | | Fuel cell unmanned robotic system | | | [4,500] | | |
| | | Ground robotics reliability research | | | [2,000] | | |
| | | Heavy fuel engines for unmanned ground vehicles | | | [2,500] | | |
| | | Hybrid blast protected vehicle technologies | | | [4,000] | | |
| | | Hybrid engine development program | | | [8,000] | [4,000] | |
| | | Hybrid truck development | | | [4,000] | [4,000] | |
| | | Next generation superchargers for military engines | | | [3,000] | | |
| | | Silicon carbide electronics for ground vehicles | | | [2,500] | | |
| | | Simulations for vehicle reliability and performance | | | [2,000] | | |
| | | Smart plug-in hybrid electric vehicle program | | | [4,100] | [4,100] | |
| | | Threat cue research | | | [2,000] | [2,000] | |
| | | Tire development for JLTV program | | | [1,500] | | |
| | | Unmanned ground vehicle initiative | | | [12,000] | [12,000] | |
| | | Vehicle autonomy research | | | [1,500] | | |
| | | Vehicle prognostics technologies | | | [4,000] | [3,100] | |
| | | Water analysis technologies | | | [2,000] | | |
| | | Unmanned Robotic System Utilizing Hydrocarbon Fueled Solid Oxide Fuel Cell. | | [6,000] | | [3,000] | |
| | | Advanced Composites for Light Weight, Low Cost Transportation Systems Using a 3+ Ring Extruder. | | [4,000] | | [3,000] | |
| | | Protective 3–D Armor Structure to Safeguard Military Vehicles and Troops. | | [2,000] | | [2,000] | |
| | | Automatic Data Organization for Vehicle and Diagnostic Systems | | [1,500] | | | |
| | | Industry Innovation for Defense Sustainment Program | | [5,000] | | | |
| | | Fire Shield | | [2,000] | | [2,000] | |
| | | Hydraulic Hybrid Vehicle (HHV) for the Tactical Wheeled Fleet | | [3,500] | [3,000] | [3,500] | |
| | | Heavy Duty Hybrid Electric Vehicle | | [3,000] | | [2,000] | |
| | | Vehicle Electronics SWaP2–C2 Optimization | | [2,400] | | | |
| 034 | 0603006A | COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY | 8,667 | 15,667 | 8,667 | 3,800 | 12,467 |
| | | Applied Communications and Information Networking (ACIN) | | [7,000] | | [3,800] | |
| 035 | 0603007A | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY | 7,410 | 7,410 | 7,410 | | 7,410 |
| 036 | 0603008A | ELECTRONIC WARFARE ADVANCED TECHNOLOGY | 50,458 | 50,458 | 50,458 | | 50,458 |
| 037 | 0603009A | TRACTOR HIKE | 11,328 | 11,328 | 11,328 | | 11,328 |
| 038 | 0603015A | NEXT GENERATION TRAINING & SIMULATION SYSTEMS | 19,415 | 22,915 | 26,415 | 5,500 | 24,915 |
| | | Combat medic training systems | | | [2,500] | [2,000] | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Joint Fires & Effects Trainer System enhancements | | [2,500] | [4,500] | [2,500] | |
| | | HapMed Combat Medic Trainer | | [1,000] | | [1,000] | |
| 039 | 0603020A | TRACTOR ROSE | 14,569 | 14,569 | 14,569 | | 14,569 |
| 040 | 0603103A | EXPLOSIVES DEMILITARIZATION TECHNOLOGY | | 8,400 | | 2,000 | 2,000 |
| | | Propellant Conversion to Fertilizer Program for Tooele Army Depot | | [3,400] | | [2,000] | |
| | | Development of Demilitarized Equipment for Cluster Ammunition—MCAAP. | | [5,000] | | | |
| 041 | 0603105A | MILITARY HIV RESEARCH | 6,657 | 6,657 | 6,657 | | 6,657 |
| 042 | 0603125A | COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT | 11,989 | 11,989 | 15,489 | | 11,989 |
| | | Mid-sized unmanned ground vehicle | | | [3,500] | | |
| 043 | 0603270A | ELECTRONIC WARFARE TECHNOLOGY | 19,192 | 26,192 | 21,192 | 3,500 | 22,692 |
| | | Laser systems for light aircraft missile defense | | | [2,000] | [1,000] | |
| | | Advanced Ground Electronic Warfare & Signals Intelligence System. | | [7,000] | | [2,500] | |
| 044 | 0603313A | MISSILE AND ROCKET ADVANCED TECHNOLOGY | 63,951 | 64,751 | 66,951 | 3,300 | 67,251 |
| | | Discriminatory imaging research | | | [3,000] | [2,500] | |
| | | Scenario Generation for Integrated Air and Missile Defense Evaluation. | | [800] | | [800] | |
| 045 | 0603322A | TRACTOR CAGE | 12,154 | 12,154 | 12,154 | | 12,154 |
| 046 | 0603606A | LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY | 30,317 | 30,317 | 30,317 | | 30,317 |
| 047 | 0603607A | JOINT SERVICE SMALL ARMS PROGRAM | 8,996 | 8,996 | 8,996 | | 8,996 |
| 048 | 0603710A | NIGHT VISION ADVANCED TECHNOLOGY | 40,329 | 59,129 | 45,329 | 12,000 | 52,329 |
| | | Bradley third generation FLIR | | | [5,000] | [5,000] | |
| | | Buster/Blacklight UAV Development | | [5,000] | | [1,000] | |
| | | Hyper Spectral Sensor for Improved Force Protection System | | [5,400] | | [2,000] | |
| | | Brownout Situational Awareness | | [3,000] | | [3,000] | |
| | | Infrared Goggle Upgrade System | | [3,200] | | | |
| | | High Resolution Personal Miniature Thermal Viewer | | [2,200] | | [1,000] | |
| 049 | 0603728A | ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS | 15,706 | 15,706 | 15,706 | | 15,706 |
| 050 | 0603734A | MILITARY ENGINEERING ADVANCED TECHNOLOGY | 5,911 | 23,261 | 14,411 | 13,300 | 19,211 |
| | | Permafrost tunnel | | | [500] | [500] | |
| | | Photovoltaic technology development | | | [8,000] | [2,000] | |
| | | PacCom Renewable Energy Security System | | [3,500] | | [3,000] | |
| | | Electric Vehicle Charging Network | | [2,500] | | | |
| | | Field Deployable Hologram Production System | | [4,800] | | [4,800] | |
| | | Demonstration of Thin Film Solar Modules as a Renewable Energy Source. | | [1,000] | | [1,000] | |
| | | Renewable Energy Project—Fort Jackson | | [3,550] | | | |
| | | Nanotechnology for Potable Water and Waste Treatment | | [2,000] | | [2,000] | |
| 051 | 0603772A | ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY | 41,561 | 58,061 | 45,561 | 3,500 | 45,061 |
| | | Wideband digital airborne electronic sensing array | | | [4,000] | | |
| | | Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar. | | [5,000] | | [2,000] | |
| | | X Band Interferrometric Radar | | [5,000] | | | |
| | | Optimizing Natural Language Processing of Open Source Intelligence (OSINT). | | [1,500] | | [1,500] | |
| | | Software Lifecycle Affordability Management (SLAM) | | [5,000] | | | |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, ARMY** | **695,217** | **900,207** | **964,567** | **207,400** | **902,617** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | | | | |
| 052 | 0603024A | UNIQUE ITEM IDENTIFICATION (UID) | | | | | |
| 053 | 0603305A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE) | 14,683 | 27,183 | 14,683 | 15,500 | 30,183 |
| | | Biological Air Filtering System Technology | | [4,000] | | [3,000] | |
| | | Compact Pulsed Power for Military Applications | | [8,500] | | [4,000] | |
| | | Adaptive robotic technology | | | | [3,500] | |
| | | Advanced electronics integration | | | | [3,000] | |
| | | Advanced environmental controls | | | | [2,000] | |
| 054 | 0603308A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE) | 117,471 | 117,471 | 117,471 | | 117,471 |
| 055 | 0603327A | AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING | 209,531 | 32,057 | 222,031 | –49,000 | 160,531 |
| | | Adaptive robotic technology | | | [3,500] | | |
| | | Advanced electronics integration | | | [4,000] | | |
| | | Advanced environmental controls | | | [5,000] | | |
| | | Center for Defense Systems Research | | [1,000] | | [1,000] | |
| | | Excessive Project Cost Growth—Integrated Air and Missile Defense. | | [–178,474] | | [–50,000] | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 056 | 0603460A | JOINT AIR-TO-GROUND MISSILE (JAGM) | | | | | |
| 057 | 0603619A | LANDMINE WARFARE AND BARRIER—ADV DEV | 17,536 | 17,536 | 17,536 | | 17,536 |
| 058 | 0603627A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV | 4,920 | 4,920 | 4,920 | | 4,920 |
| 059 | 0603639A | TANK AND MEDIUM CALIBER AMMUNITION | 33,934 | 23,134 | 33,934 | | 33,934 |
| | | Funding Ahead of Need for Advanced Kinetic Energy Cartridge | | [–10,800] | | | |
| 060 | 0603653A | ADVANCED TANK ARMAMENT SYSTEM (ATAS) | 90,299 | 90,299 | 140,299 | | 90,299 |
| | | Advanced Tank Armament Systems | | | [50,000] | | |
| 061 | 0603747A | SOLDIER SUPPORT AND SURVIVABILITY | 31,752 | 31,752 | 31,752 | | 31,752 |
| 062 | 0603766A | TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV | 18,228 | 18,228 | 18,228 | | 18,228 |
| 063 | 0603774A | NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT | | 10,000 | | | |
| | | Enhanced Threat Imaging | | [10,000] | | | |
| 064 | 0603779A | ENVIRONMENTAL QUALITY TECHNOLOGY | 4,770 | 10,970 | 4,770 | 4,000 | 8,770 |
| | | Cadmium Emissions Reduction—Letterkenny Army Depot | | [1,000] | | [1,000] | |
| | | Vanadium Technology Program | | [4,000] | | [3,000] | |
| | | Zero Waste to Landfill Demonstration—Washington State | | [1,200] | | | |
| 065 | 0603782A | WARFIGHTER INFORMATION NETWORK-TACTICAL | 180,673 | 165,673 | 180,673 | | 180,673 |
| | | Program Reduction | | [–15,000] | | | |
| 066 | 0603790A | NATO RESEARCH AND DEVELOPMENT | 5,048 | 5,048 | 5,048 | | 5,048 |
| 067 | 0603801A | AVIATION—ADV DEV | 8,537 | 8,537 | 58,537 | | 8,537 |
| | | Joint Future Theater Lift | | | [50,000] | | |
| 068 | 0603804A | LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV | 56,373 | 46,373 | 46,373 | –10,000 | 46,373 |
| | | Premature JLTV program growth | | | [–10,000] | [–10,000] | |
| | | Unjustified Cost Growth (RDA 068a) | | [–10,000] | | | |
| 069 | 0603805A | COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS. | 9,868 | 9,868 | 9,868 | | 9,868 |
| 070 | 0603807A | MEDICAL SYSTEMS—ADV DEV | 31,275 | 33,475 | 31,275 | | 31,275 |
| | | Leishmaniasis Skin Test | | [1,000] | | | |
| | | Rapid Bone Fracture Reduction and Fixation | | [1,200] | | | |
| 071 | 0603827A | SOLDIER SYSTEMS—ADVANCED DEVELOPMENT | 71,832 | 76,832 | 71,832 | 2,000 | 73,832 |
| | | Acid Alkaline Direct Methanol Fuel Cell | | [5,000] | | [2,000] | |
| 072 | 0603850A | INTEGRATED BROADCAST SERVICE | 1,476 | 1,476 | 1,476 | | 1,476 |
| 072A | XXXXXXXA | JOINT IMPROVISED EXPLOSIVE DEVICE | | 327,100 | | | |
| | | Transfer from Title I | | [327,100] | | | |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY.** | **908,206** | **1,057,932** | **1,010,706** | **–37,500** | **870,706** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | | | | |
| 073 | 0604201A | AIRCRAFT AVIONICS | 92,977 | 92,977 | 92,977 | | 92,977 |
| 074 | 0604220A | ARMED, DEPLOYABLE HELOS | 65,515 | 65,515 | 65,515 | | 65,515 |
| 075 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 248,463 | 248,463 | 248,463 | | 248,463 |
| 076 | 0604321A | ALL SOURCE ANALYSIS SYSTEM | 13,107 | 13,107 | 13,107 | | 13,107 |
| 077 | 0604328A | TRACTOR CAGE | 16,286 | 16,286 | 16,286 | | 16,286 |
| 078 | 0604601A | INFANTRY SUPPORT WEAPONS | 74,814 | 74,814 | 82,814 | 4,000 | 78,814 |
| | | Lightweight caliber .50 machine gun | | | [5,000] | [4,000] | |
| | | Next generation helmet ballistic materials technology | | | [3,000] | | |
| 079 | 0604604A | MEDIUM TACTICAL VEHICLES | 5,683 | 5,683 | 15,683 | | 5,683 |
| | | Medium tactical vehicle development | | | [10,000] | | |
| 080 | 0604609A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD | 978 | 978 | 978 | | 978 |
| 081 | 0604622A | FAMILY OF HEAVY TACTICAL VEHICLES | 7,477 | 7,477 | 17,477 | 2,000 | 9,477 |
| | | Heavy tactical vehicle development | | | [10,000] | [2,000] | |
| 082 | 0604633A | AIR TRAFFIC CONTROL | 7,578 | 7,578 | 7,578 | | 7,578 |
| 083 | 0604646A | NON-LINE OF SIGHT LAUNCH SYSTEM | 88,660 | 88,660 | 88,660 | | 88,660 |
| 084 | 0604647A | NON-LINE OF SIGHT CANNON | 58,216 | 0 | 0 | –27,000 | 31,216 |
| | | Unjustified Termination Costs | | [–58,216] | [–58,216] | [–27,000] | |
| 085 | 0604660A | FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE | 368,557 | 100,000 | 45,000 | –184,000 | 184,557 |
| | | Unjustified Termination Costs | | [–268,557] | [–323,557] | [–184,000] | |
| 086 | 0604661A | FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT | 1,067,191 | 1,067,191 | 1,067,191 | | 1,067,191 |
| 087 | 0604662A | FCS RECONNAISSANCE (UAV) PLATFORMS | 68,701 | 68,701 | 68,701 | | 68,701 |
| 088 | 0604663A | FCS UNMANNED GROUND VEHICLES | 125,616 | 125,616 | 125,616 | | 125,616 |
| 089 | 0604664A | FCS UNATTENDED GROUND SENSORS | 26,919 | 26,919 | 26,919 | | 26,919 |
| 090 | 0604665A | FCS SUSTAINMENT & TRAINING R&D | 749,182 | 749,182 | 749,182 | | 749,182 |
| 091 | 0604666A | SPIN OUT TECHNOLOGY/CAPABILITY INSERTION | | | | | |
| 092 | 0604710A | NIGHT VISION SYSTEMS—SDD | 55,410 | 55,410 | 55,410 | | 55,410 |
| 093 | 0604713A | COMBAT FEEDING, CLOTHING, AND EQUIPMENT | 2,092 | 2,092 | 2,092 | | 2,092 |
| 094 | 0604715A | NON-SYSTEM TRAINING DEVICES—SDD | 30,209 | 30,209 | 33,209 | | 30,209 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Urban training development | | | [3,000] | | |
| 095 | 0604741A | AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—SDD | 28,936 | 28,936 | 28,936 | | 28,936 |
| 096 | 0604742A | CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT | 33,213 | 33,213 | 33,213 | | 33,213 |
| 097 | 0604746A | AUTOMATIC TEST EQUIPMENT DEVELOPMENT | 15,320 | 15,320 | 15,320 | | 15,320 |
| 098 | 0604760A | DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD | 15,727 | 15,727 | 15,727 | | 15,727 |
| 099 | 0604778A | POSITIONING SYSTEMS DEVELOPMENT (SPACE) | 9,446 | 9,446 | 9,446 | | 9,446 |
| 100 | 0604780A | COMBINED ARMS TACTICAL TRAINER (CATT) CORE | 26,243 | 26,243 | 26,243 | | 26,243 |
| 101 | 0604783A | JOINT NETWORK MANAGEMENT SYSTEM | | | | | |
| 102 | 0604802A | WEAPONS AND MUNITIONS—SDD | 34,878 | 34,878 | 42,378 | 7,500 | 42,378 |
| | | Common guidance control module | | | [7,500] | [7,500] | |
| 103 | 0604804A | LOGISTICS AND ENGINEER EQUIPMENT—SDD | 36,018 | 43,518 | 36,018 | 1,500 | 37,518 |
| | | Autonomous Sustainment Cargo Container Sea Truck | | [7,500] | | [1,500] | |
| 104 | 0604805A | COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD | 88,995 | 88,995 | 88,995 | | 88,995 |
| 105 | 0604807A | MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—SDD. | 33,893 | 37,193 | 33,893 | 800 | 34,693 |
| | | Rotary Valve Pressure Swing Absorption Oxygen Generator | | [2,500] | | | |
| | | Plasma Sterilizer | | [800] | | [800] | |
| 106 | 0604808A | LANDMINE WARFARE/BARRIER—SDD | 82,260 | 60,960 | 82,260 | 21,300 | 60,960 |
| | | Program Reduction | | [–21,300] | | [–21,300] | |
| 107 | 0604814A | ARTILLERY MUNITIONS | 42,452 | 42,452 | 42,452 | | 42,452 |
| 108 | 0604817A | COMBAT IDENTIFICATION | 20,070 | 20,070 | 20,070 | | 20,070 |
| 109 | 0604818A | ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE | 90,864 | 90,864 | 90,864 | | 90,864 |
| 110 | 0604820A | RADAR DEVELOPMENT | | | | | |
| 111 | 0604822A | GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS) | 6,002 | 6,002 | 6,002 | | 6,002 |
| 112 | 0604823A | FIREFINDER | 20,333 | 20,333 | 20,333 | | 20,333 |
| 113 | 0604827A | SOLDIER SYSTEMS—WARRIOR DEM/VAL | 19,786 | 19,786 | 19,786 | | 19,786 |
| 114 | 0604854A | ARTILLERY SYSTEMS | 23,318 | 32,318 | 81,534 | 58,216 | 81,534 |
| | | Accelerate Paladin integration management | | [9,000] | [58,216] | [58,216] | |
| 115 | 0604869A | PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP) | 569,182 | 568,182 | 569,182 | | 569,182 |
| | | Program Reduction | | [–5,000] | | | |
| | | Ultra Low Phase Noise Oscillator | | [4,000] | | | |
| 116 | 0604870A | NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK | 7,140 | 7,140 | 7,140 | | 7,140 |
| 117 | 0605013A | INFORMATION TECHNOLOGY DEVELOPMENT | 35,309 | 35,309 | 35,309 | 30,800 | 66,109 |
| | | Transfer from RDDW, line 117, for DIMHRS execution | | | | [30,800] | |
| 118 | 0605450A | JOINT AIR-TO-GROUND MISSILE (JAGM) | 127,439 | 127,439 | 127,439 | | 127,439 |
| 119 | 0605625A | MANNED GROUND VEHICLE | 100,000 | 50,000 | 100,000 | | 100,000 |
| | | Program Reduction | | [–50,000] | | | |
| 119A | XXXXXXXA | AERIAL COMMON SENSOR | | 210,035 | | | |
| | | Transfer from RDA 170 | | [210,035] | | | |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY** | **4,640,455** | **4,471,217** | **4,355,398** | **–127,484** | **4,512,971** |
| | | **RDT&E MANAGEMENT SUPPORT** | | | | | |
| 120 | 0604256A | THREAT SIMULATOR DEVELOPMENT | 22,222 | 22,222 | 22,222 | | 22,222 |
| 121 | 0604258A | TARGET SYSTEMS DEVELOPMENT | 13,615 | 13,615 | 13,615 | | 13,615 |
| 122 | 0604759A | MAJOR T&E INVESTMENT | 51,846 | 51,846 | 51,846 | | 51,846 |
| 123 | 0605103A | RAND ARROYO CENTER | 16,305 | 20,305 | 16,305 | 2,000 | 18,305 |
| | | Program Increase | | [4,000] | | [2,000] | |
| 124 | 0605301A | ARMY KWAJALEIN ATOLL | 163,514 | 163,514 | 163,514 | | 163,514 |
| 125 | 0605326A | CONCEPTS EXPERIMENTATION PROGRAM | 23,445 | 23,445 | 23,445 | | 23,445 |
| 126 | 0605502A | SMALL BUSINESS INNOVATIVE RESEARCH | | | | | |
| 127 | 0605601A | ARMY TEST RANGES AND FACILITIES | 354,693 | 354,693 | 380,293 | | 354,693 |
| | | Program increase | | | [25,600] | | |
| 128 | 0605602A | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS | 72,911 | 74,111 | 82,911 | 11,200 | 84,111 |
| | | Common regional operational systems | | | [3,000] | [3,000] | |
| | | Data fusion systems | | | [2,500] | [2,500] | |
| | | Dugway field test improvements | | | [4,500] | [4,500] | |
| | | MOTS All Sky Imager | | [1,200] | | [1,200] | |
| 129 | 0605604A | SURVIVABILITY/LETHALITY ANALYSIS | 45,016 | 45,016 | 45,016 | | 45,016 |
| 130 | 0605605A | DOD HIGH ENERGY LASER TEST FACILITY | 2,891 | 2,891 | 8,891 | 6,000 | 8,891 |
| | | Program increase | | | [6,000] | [6,000] | |
| 131 | 0605606A | AIRCRAFT CERTIFICATION | 3,766 | 3,766 | 3,766 | | 3,766 |
| 132 | 0605702A | METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES | 8,391 | 8,391 | 8,391 | | 8,391 |
| 133 | 0605706A | MATERIEL SYSTEMS ANALYSIS | 19,969 | 19,969 | 19,969 | | 19,969 |
| 134 | 0605709A | EXPLOITATION OF FOREIGN ITEMS | 5,432 | 5,432 | 5,432 | | 5,432 |
| 135 | 0605712A | SUPPORT OF OPERATIONAL TESTING | 77,877 | 77,877 | 77,877 | | 77,877 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 136 | 0605716A | ARMY EVALUATION CENTER | 66,309 | 66,309 | 66,309 | | 66,309 |
| 137 | 0605718A | ARMY MODELING & SIM X-CMD COLLABORATION & INTEG | 5,357 | 5,357 | 5,357 | | 5,357 |
| 138 | 0605801A | PROGRAMWIDE ACTIVITIES | 77,823 | 77,823 | 77,823 | | 77,823 |
| 139 | 0605803A | TECHNICAL INFORMATION ACTIVITIES | 51,620 | 51,620 | 51,620 | | 51,620 |
| 140 | 0605805A | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY | 45,053 | 45,053 | 47,253 | 2,000 | 47,053 |
| | | 3D woven preform technology for Army munitions | | | [2,200] | [2,000] | |
| 141 | 0605857A | ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT | 5,191 | 5,191 | 5,191 | | 5,191 |
| 142 | 0605898A | MANAGEMENT HQ—R&D | 15,866 | 15,866 | 15,866 | | 15,866 |
| 143 | 0909999A | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | | | | |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, ARMY** | **1,149,112** | **1,154,312** | **1,192,912** | **21,200** | **1,170,312** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 144 | 0603778A | MLRS PRODUCT IMPROVEMENT PROGRAM | 27,693 | 27,693 | 27,693 | | 27,693 |
| 145 | 0603820A | WEAPONS CAPABILITY MODIFICATIONS UAV | | | | | |
| 146 | 0102419A | AEROSTAT JOINT PROJECT OFFICE | 360,076 | 238,076 | 340,076 | –20,000 | 340,076 |
| | | Program delay reduction | | [–122,000] | [–20,000] | [–20,000] | |
| 147 | 0203726A | ADV FIELD ARTILLERY TACTICAL DATA SYSTEM | 23,727 | 26,227 | 23,727 | 2,500 | 26,227 |
| | | AFATDS Voice Recognition and Cross Platform Speech Interface System. | | [2,500] | | [2,500] | |
| 148 | 0203735A | COMBAT VEHICLE IMPROVEMENT PROGRAMS | 190,301 | 190,301 | 190,301 | | 190,301 |
| 149 | 0203740A | MANEUVER CONTROL SYSTEM | 21,394 | 21,394 | 21,394 | | 21,394 |
| 150 | 0203744A | AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS | 209,401 | 213,001 | 209,401 | | 209,401 |
| | | Boned Cellular Aluminum Tail Rotor Blades | | [3,600] | | | |
| 151 | 0203752A | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 792 | 792 | 792 | | 792 |
| 152 | 0203758A | DIGITIZATION | 10,692 | 10,692 | 10,692 | | 10,692 |
| 153 | 0203759A | FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2) | | | | | |
| 154 | 0203801A | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM | 39,273 | 39,273 | 39,273 | | 39,273 |
| 155 | 0203802A | OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS | | 10,000 | 5,000 | 5,000 | 5,000 |
| | | TOW LBS | | | [5,000] | | |
| | | Javelin Warhead Improvement Plan | | [10,000] | | [5,000] | |
| 156 | 0203808A | TRACTOR CARD | 20,035 | 20,035 | 20,035 | | 20,035 |
| 157 | 0208010A | JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC) | | | | | |
| 158 | 0208053A | JOINT TACTICAL GROUND SYSTEM | 13,258 | 13,258 | 0 | | 13,258 |
| | | Joint Tactical Ground System | | | [–13,258] | | |
| 159 | 0208058A | JOINT HIGH SPEED VESSEL (JHSV) | 3,082 | 3,082 | 3,082 | | 3,082 |
| 160 | 0301359A | SPECIAL ARMY PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 161 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 2,144 | 2,144 | 7,144 | | 2,144 |
| | | Collection management tools | | | [5,000] | | |
| 162 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 74,355 | 74,355 | 74,355 | | 74,355 |
| 163 | 0303141A | GLOBAL COMBAT SUPPORT SYSTEM | 144,733 | 144,733 | 144,733 | | 144,733 |
| 164 | 0303142A | SATCOM GROUND ENVIRONMENT (SPACE) | 40,097 | 40,097 | 40,097 | | 40,097 |
| 165 | 0303150A | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 12,034 | 12,034 | 12,034 | | 12,034 |
| 166 | 0303158A | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 20,365 | 20,365 | 20,365 | | 20,365 |
| 167 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 202,521 | 202,521 | 288,521 | | 202,521 |
| | | A160 Afghanistan deployment | | | [86,000] | | |
| 168 | 0305208A | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 188,414 | 204,414 | 188,414 | 2,300 | 190,714 |
| | | Joint STARS Surveillance and Control Data Link (SCDL) Technology Refresh. | | [5,000] | | [1,000] | |
| | | Adaptive Defense High-Speed IP Packet Inspection Engine on a Chip. | | [6,000] | | [1,300] | |
| | | Asymmetric Threat Response and Analysis | | [5,000] | | | |
| 169 | 0305287A | BASE EXPED TARGETING SURVEILLANCE SYS-COMBINED | | | | | |
| 170 | 0307207A | AERIAL COMMON SENSOR (ACS) | 210,035 | 0 | 210,035 | | 210,035 |
| | | Transfer to RDA 119A | | [–210,035] | | | |
| 171 | 0702239A | AVIONICS COMPONENT IMPROVEMENT PROGRAM | | | | | |
| 172 | 0708045A | END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES | 68,466 | 73,466 | 105,716 | 3,500 | 71,966 |
| | | Combat vehicle manufacturing technology | | | [30,000] | | |
| | | Manufacturing metrology research | | | [2,750] | | |
| | | Smart machine platform initiative | | | [2,000] | [2,000] | |
| | | Weapon systems repair technologies | | | [2,500] | [1,500] | |
| | | Lightweight Armored Windows for Airborne Vehicles | | [3,000] | | | |
| | | Moldable Ceramic Composite for Tactical Vehicle Protection | | [2,000] | | | |
| 999 | 9999999 | OTHER PROGRAMS | 3,883 | 3,883 | 3,883 | | 3,883 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY** | **1,886,771** | **1,591,836** | **1,986,763** | **–6,700** | **1,880,071** |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | **TOTAL, RDT&E ARMY** | **10,438,218** | **10,506,731** | **10,863,003** | **200,316** | **10,638,534** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY** | | | | | |
| | | **BASIC RESEARCH** | | | | | |
| 001 | 0601103N | UNIVERSITY RESEARCH INITIATIVES | 99,472 | 104,972 | 101,472 | | 99,472 |
| | | Blast and impact resistant structures | | | [2,000] | | |
| | | Gulf of Mexico Geoid Model | | [3,500] | | | |
| | | Study of Renewable and Alternative Energy Options for Military Build-Up. | | [2,000] | | | |
| 002 | 0601152N | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 18,076 | 18,076 | 19,076 | | 18,076 |
| | | S&T educational outreach | | | [1,000] | | |
| 003 | 0601153N | DEFENSE RESEARCH SCIENCES | 413,743 | 417,743 | 415,743 | 2,500 | 416,243 |
| | | Nanoscale research program | | | [2,000] | | |
| | | Nanoelectronics, Nanometrology, and Nanobiology Initiative | | [2,000] | | [2,500] | |
| | | Development of Cyber Security K–12 Outreach Program | | [2,000] | | | |
| | | **SUBTOTAL, BASIC RESEARCH, NAVY** | **531,291** | **540,791** | **536,291** | **2,500** | **533,791** |
| | | **APPLIED RESEARCH** | | | | | |
| 004 | 0602114N | POWER PROJECTION APPLIED RESEARCH | 59,787 | 67,337 | 62,787 | 5,000 | 64,787 |
| | | Energetics research | | | [3,000] | [3,000] | |
| | | Multifunctional Materials, their Applications and Devices | | [5,000] | | [2,000] | |
| | | Whale and Dolphin Hearing and Echolocation | | [2,550] | | | |
| 005 | 0602123N | FORCE PROTECTION APPLIED RESEARCH | 91,400 | 106,186 | 123,400 | 33,000 | 124,400 |
| | | Alternative energy research | | | [20,000] | [20,000] | |
| | | Energy systems integration research | | | [4,000] | [4,000] | |
| | | Port security technologies | | | [3,500] | [2,000] | |
| | | Reconfigurable shipboard power systems | | | [2,500] | | |
| | | SOF combatant research | | | [2,000] | | |
| | | Standoff Explosive Detection System | | [2,000] | | | |
| | | Advanced Energy Storage Technologies for UUVs | | [3,000] | | | |
| | | Design Optimization of Composite High-Speed Boats Using Advanced Composite and Manufacturing and Non-destructive Evaluation. | | [2,000] | | [2,000] | |
| | | Lithium Ion Storage Advancement for Aircraft Applications | | [4,200] | | [2,500] | |
| | | Non-Traditional Weaving Applications for Aramid Ballistic Fibers and Fabrics. | | [3,586] | | [2,500] | |
| 006 | 0602131M | MARINE CORPS LANDING FORCE TECHNOLOGY | 39,308 | 39,308 | 39,308 | | 39,308 |
| 007 | 0602234N | MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY | | | | | |
| 008 | 0602235N | COMMON PICTURE APPLIED RESEARCH | 83,163 | 85,163 | 83,163 | | 83,163 |
| | | Coordinated Operation of Unmanned Vehicles for Littoral Defense | | [2,000] | | | |
| 009 | 0602236N | WARFIGHTER SUSTAINMENT APPLIED RESEARCH | 104,169 | 109,169 | 109,169 | 3,000 | 107,169 |
| | | Anti-reverse engineering technologies | | | [1,000] | [1,000] | |
| | | Asset lifecycle program | | | [4,000] | | |
| | | Remote Fuel Assessment System | | [2,000] | | | |
| | | Managing and Extending DOD Asset Lifecycles (MEDAL) | | [3,000] | | [2,000] | |
| 010 | 0602271N | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH | 64,816 | 70,316 | 67,816 | | 64,816 |
| | | Photonic digital radar systems | | | [3,000] | | |
| | | Photonic Digital Radar for the Next Generation of Electronic Warfare Systems. | | [5,500] | | | |
| 011 | 0602435N | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH | 48,750 | 48,750 | 54,250 | 3,000 | 51,750 |
| | | Advanced UUV research | | | [3,500] | [1,000] | |
| | | Laser underwater imaging and communications research | | | [2,000] | [2,000] | |
| 012 | 0602651M | JOINT NON-LETHAL WEAPONS APPLIED RESEARCH | 6,008 | 6,008 | 6,008 | | 6,008 |
| 013 | 0602747N | UNDERSEA WARFARE APPLIED RESEARCH | 55,694 | 55,694 | 59,444 | | 55,694 |
| | | Littoral glider systems | | | [3,000] | | |
| | | Quiet power technologies | | | [750] | | |
| 014 | 0602782N | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH | 40,880 | 40,880 | 42,880 | 2,000 | 42,880 |
| | | Electromagnetic signature assessment system | | | [2,000] | [2,000] | |
| | | **SUBTOTAL, APPLIED RESEARCH, NAVY** | **593,975** | **628,811** | **648,225** | **46,000** | **639,975** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | | | | |
| 015 | 0603114N | POWER PROJECTION ADVANCED TECHNOLOGY | 107,969 | 117,969 | 111,969 | 8,400 | 116,369 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Mobile target tracking technologies | | | [4,000] | | |
| | | Countermine Lidar UAV-Based System (CLUBS) | | [2,600] | | [2,000] | |
| | | Detection, Tracking, and Identification for ISRTE of Mobile Asymmetric Targets. | | [3,500] | | [2,500] | |
| | | Quiet Drive Advanced Rotary Actuator | | [2,000] | | [2,000] | |
| | | Tactical High Speed Anti-Radiation Missile Demonstration | | [1,900] | | [1,900] | |
| 016 | 0603123N | FORCE PROTECTION ADVANCED TECHNOLOGY | 66,035 | 82,535 | 74,035 | 12,000 | 78,035 |
| | | Advanced coatings for aviation components | | | [3,000] | [2,000] | |
| | | Single generator operations lithium ion battery | | | [5,000] | [5,000] | |
| | | Euler Turbine for Fuel Cell Energy Recovery | | [2,000] | | | |
| | | High Speed Power Node Switching and Power Node Control Centers. | | [5,000] | | | |
| | | High-Temperature Radar Dome Materials | | [2,250] | | [2,000] | |
| | | ASC–1187 ADV Countermeasures | | [1,250] | | | |
| | | Pure Hydrogen Supply from Logistic Fuels | | [4,000] | | [3,000] | |
| | | Strategic Mobility 21 | | [2,000] | | | |
| 017 | 0603235N | COMMON PICTURE ADVANCED TECHNOLOGY | 108,394 | 49,284 | 49,294 | –59,100 | 49,294 |
| | | High-integrity GPS | | [–59,110] | [–59,100] | [–59,100] | |
| 018 | 0603236N | WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY | 86,239 | 90,239 | 86,239 | | 86,239 |
| | | Active Acoustic Analysis and Mitigation System | | [4,000] | | | |
| 019 | 0603271N | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY | 65,827 | 65,827 | 65,827 | | 65,827 |
| 020 | 0603640M | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) | 107,363 | 107,363 | 116,863 | 5,000 | 112,363 |
| | | Acoustic combat sensors | | | [7,500] | [5,000] | |
| | | Unmanned vehicle conversion kits | | | [2,000] | | |
| 021 | 0603651M | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT | 10,998 | 10,998 | 10,998 | | 10,998 |
| 022 | 0603729N | WARFIGHTER PROTECTION ADVANCED TECHNOLOGY | 18,609 | 21,109 | 18,609 | 2,500 | 21,109 |
| | | Navy Special Warfare Performance and Injury Prevention Program for SBT 22 at Stennis Space Center. | | [2,500] | | [2,500] | |
| 023 | 0603747N | UNDERSEA WARFARE ADVANCED TECHNOLOGY | 68,037 | 71,537 | 68,037 | | 68,037 |
| | | Navy Use of UNOLS Fleet | | [3,500] | | | |
| 024 | 0603758N | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS | 52,643 | 52,643 | 52,643 | | 52,643 |
| 025 | 0603782N | MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY | 28,782 | 28,782 | 28,782 | | 28,782 |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY** | **720,896** | **698,286** | **683,296** | **–31,200** | **689,696** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | | | | |
| 026 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | 116,082 | 116,082 | 117,482 | 1,400 | 117,482 |
| | | Semi-submersible for UUV sensor developments | | | [1,400] | [1,400] | |
| 027 | 0603216N | AVIATION SURVIVABILITY | 6,505 | 12,505 | 6,505 | 3,000 | 9,505 |
| | | Lighter Than Air Stratospheric UAV for Persistant Communications Relay and Surveillance. | | [6,000] | | [3,000] | |
| 028 | 0603237N | DEPLOYABLE JOINT COMMAND AND CONTROL | 6,032 | 6,032 | 6,032 | | 6,032 |
| 029 | 0603254N | ASW SYSTEMS DEVELOPMENT | 16,585 | 28,785 | 20,585 | 4,000 | 20,585 |
| | | Sonobuoy wave energy module | | | [4,000] | [1,000] | |
| | | Marine Mammal Awareness, Alert, and Response Systems | | [3,500] | | [3,000] | |
| | | Trigger and Alert Sonobuoy System Project | | [1,500] | | | |
| | | Air Deployable ASW Cluster Sensors for Non-Acoustic Detection | | [2,000] | | | |
| | | Airborne Aquatic Detection Sensor System | | [1,200] | | | |
| | | NIR Sight (Near-Infra-Red Ranging) | | [4,000] | | | |
| 030 | 0603261N | TACTICAL AIRBORNE RECONNAISSANCE | 7,713 | 7,713 | 7,713 | | 7,713 |
| 031 | 0603382N | ADVANCED COMBAT SYSTEMS TECHNOLOGY | 1,677 | 1,677 | 1,677 | | 1,677 |
| 032 | 0603502N | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES | 76,739 | 76,739 | 76,739 | | 76,739 |
| 033 | 0603506N | SURFACE SHIP TORPEDO DEFENSE | 57,538 | 62,538 | 57,538 | 4,500 | 62,038 |
| | | Continuous Active Sonar for Torpedo Systems | | [5,000] | | [4,500] | |
| 034 | 0603512N | CARRIER SYSTEMS DEVELOPMENT | 173,594 | 173,594 | 173,594 | | 173,594 |
| 035 | 0603513N | SHIPBOARD SYSTEM COMPONENT DEVELOPMENT | 1,691 | 15,191 | 10,991 | 17,100 | 18,791 |
| | | DDG–51 hybrid propulsion system | | | [9,300] | [8,100] | |
| | | Advanced Steam Turbine | | [7,500] | | [4,000] | |
| | | Mobile Valve and Flex Hose Maintenance (MVFM) | | [1,000] | | | |
| | | Next Generation Shipboard Intergrated Power: Fuel Efficiency and Advanced Capability Enhancer. | | [5,000] | | [5,000] | |
| 036 | 0603525N | PILOT FISH | 79,194 | 79,194 | 79,194 | | 79,194 |
| 037 | 0603527N | RETRACT LARCH | 99,757 | 99,757 | 99,757 | | 99,757 |
| 038 | 0603536N | RETRACT JUNIPER | 120,752 | 120,752 | 120,752 | | 120,752 |
| 039 | 0603542N | RADIOLOGICAL CONTROL | 1,372 | 1,372 | 1,372 | | 1,372 |
| 040 | 0603553N | SURFACE ASW | 21,995 | 21,995 | 21,995 | | 21,995 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 551,836 | 561,236 | 551,836 | 2,000 | 553,836 |
| | | Future Generation Thinline Towed Array | | [4,700] | | | |
| | | Submarine Fatline Vector Sensor Towed Array | | [3,200] | | [2,000] | |
| | | Low-Cost Laser Module Assembly for Navy's Acoustic Sensors (LC-LMA). | | [1,500] | | | |
| 042 | 0603562N | SUBMARINE TACTICAL WARFARE SYSTEMS | 10,172 | 10,172 | 10,172 | | 10,172 |
| 043 | 0603563N | SHIP CONCEPT ADVANCED DESIGN | 22,541 | 22,541 | 28,361 | | 22,541 |
| | | Remote monitoring & troubleshooting project | | | [5,820] | | |
| 044 | 0603564N | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES | 28,135 | 38,135 | 28,135 | 4,000 | 32,135 |
| | | Support for Naval Ship Hydrodynamics Test Facilities | | [10,000] | | [4,000] | |
| 045 | 0603570N | ADVANCED NUCLEAR POWER SYSTEMS | 259,887 | 259,887 | 259,887 | | 259,887 |
| 046 | 0603573N | ADVANCED SURFACE MACHINERY SYSTEMS | 5,599 | 13,999 | 5,599 | 3,500 | 9,099 |
| | | High Denstiy Power Conversion and Distribution Equipment | | [3,400] | | [1,500] | |
| | | Hybrid Electric Drive | | [5,000] | | [2,000] | |
| 047 | 0603576N | CHALK EAGLE | 443,555 | 443,555 | 443,555 | | 443,555 |
| 048 | 0603581N | LITTORAL COMBAT SHIP (LCS) | 360,518 | 360,518 | 360,518 | | 360,518 |
| 049 | 0603582N | COMBAT SYSTEM INTEGRATION | 22,558 | 22,558 | 22,558 | | 22,558 |
| 050 | 0603609N | CONVENTIONAL MUNITIONS | 3,458 | 3,458 | 3,458 | | 3,458 |
| 051 | 0603611M | MARINE CORPS ASSAULT VEHICLES | 293,466 | 293,466 | 293,466 | | 293,466 |
| 052 | 0603612M | USMC MINE COUNTERMEASURES SYSTEMS—ADV DEV | | | | | |
| 053 | 0603635M | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM | 73,798 | 73,798 | 66,298 | –12,000 | 61,798 |
| | | Model-based management decision tools | | | [4,500] | | |
| | | Premature JLTV program growth | | | [–12,000] | [–12,000] | |
| 054 | 0603654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 21,054 | 21,054 | 21,054 | | 21,054 |
| 055 | 0603658N | COOPERATIVE ENGAGEMENT | 56,586 | 56,586 | 56,586 | | 56,586 |
| 056 | 0603713N | OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT | 17,328 | 17,328 | 17,328 | | 17,328 |
| 057 | 0603721N | ENVIRONMENTAL PROTECTION | 20,661 | 20,661 | 20,661 | | 20,661 |
| 058 | 0603724N | NAVY ENERGY PROGRAM | 8,476 | 8,476 | 10,250 | 7,750 | 16,226 |
| | | Fuel cell and hydrogen generation technologies | | | [2,500] | | |
| | | Molten carbonate fuel cell demonstrator | | | [3,000] | [3,000] | |
| | | Solar heat reflective film development | | | [4,750] | [4,750] | |
| | | Unjustified request | | | [–8,476] | | |
| 059 | 0603725N | FACILITIES IMPROVEMENT | 4,002 | 14,002 | 4,002 | 5,600 | 9,602 |
| | | Wave Energy Powerbuoy Generating System | | [3,000] | | [2,400] | |
| | | Photovoltaic Rooftop Systems—Navy | | [1,500] | | [1,500] | |
| | | Regenerative Fuel Cell Back-Up Power | | [1,700] | | [1,700] | |
| | | Testing of Critical Components for Ocean Alternate Energy Options | | [3,800] | | | |
| 060 | 0603734N | CHALK CORAL | 70,772 | 70,772 | 70,772 | | 70,772 |
| 061 | 0603739N | NAVY LOGISTIC PRODUCTIVITY | 4,301 | 5,501 | 9,301 | 2,000 | 6,301 |
| | | Highly integrated optical interconnects for advanced air vehicles | | | [4,000] | [1,000] | |
| | | RFID technology exploitation | | | [1,000] | [1,000] | |
| | | In Transit Visibility System | | [1,200] | | | |
| 062 | 0603746N | RETRACT MAPLE | 210,237 | 210,237 | 210,237 | | 210,237 |
| 063 | 0603748N | LINK PLUMERIA | 69,313 | 69,313 | 69,313 | | 69,313 |
| 064 | 0603751N | RETRACT ELM | 152,151 | 152,151 | 152,151 | | 152,151 |
| 065 | 0603755N | SHIP SELF DEFENSE | 6,960 | 6,960 | 6,960 | | 6,960 |
| 066 | 0603764N | LINK EVERGREEN | 123,660 | 123,660 | 123,660 | | 123,660 |
| 067 | 0603787N | SPECIAL PROCESSES | 54,115 | 54,115 | 54,115 | | 54,115 |
| 068 | 0603790N | NATO RESEARCH AND DEVELOPMENT | 10,194 | 10,194 | 10,194 | | 10,194 |
| 069 | 0603795N | LAND ATTACK TECHNOLOGY | 1,238 | 6,238 | 1,238 | | 1,238 |
| | | Land Attack Technology | | [5,000] | | | |
| 070 | 0603851M | NONLETHAL WEAPONS | 46,971 | 46,971 | 46,971 | | 46,971 |
| 071 | 0603860N | JOINT PRECISION APPROACH AND LANDING SYSTEMS | 150,304 | 150,304 | 150,304 | | 150,304 |
| 072 | 0603879N | SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE) | 52,716 | 52,716 | 52,716 | | 52,716 |
| 073 | 0603889N | COUNTERDRUG RDT&E PROJECTS | | | | | |
| 074 | 0603925N | DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS | 5,003 | 12,003 | 5,003 | 2,000 | 7,003 |
| | | High Energy Density Capacitors for Military Applications | | [3,000] | | | |
| | | Joint Technology Insertion & Accelerated System Intergration Capability for Electronic Warfare. | | [4,000] | | [2,000] | |
| 075 | 0604272N | TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM). | 63,702 | 63,702 | 63,702 | | 63,702 |
| 076 | 0604450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | | | | | |
| 077 | 0604653N | JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW). | 67,843 | 67,843 | 67,843 | | 67,843 |
| 078 | 0604659N | PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM | 40,926 | 40,926 | 40,926 | | 40,926 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 079 | 0604707N | SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT. | 42,533 | 42,533 | 42,533 | | 42,533 |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY.** | **4,163,795** | **4,251,495** | **4,183,589** | **44,850** | **4,208,645** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | | | | |
| 080 | 0604212N | OTHER HELO DEVELOPMENT | 54,092 | 54,092 | 54,092 | | 54,092 |
| 081 | 0604214N | AV–8B AIRCRAFT—ENG DEV | 20,886 | 20,886 | 20,886 | | 20,886 |
| 082 | 0604215N | STANDARDS DEVELOPMENT | 53,540 | 55,540 | 53,540 | 2,000 | 55,540 |
| | | Measurement Standards Research and Development | | [2,000] | | [2,000] | |
| 083 | 0604216N | MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT | 81,953 | 86,653 | 81,953 | 4,700 | 86,653 |
| | | USN MH–60S "Close the Lethality Gap" M230 Pylon Qualification | | [4,700] | | [4,700] | |
| 084 | 0604218N | AIR/OCEAN EQUIPMENT ENGINEERING | 7,485 | 7,485 | 7,485 | | 7,485 |
| 085 | 0604221N | P–3 MODERNIZATION PROGRAM | 3,659 | 3,659 | 3,659 | | 3,659 |
| 086 | 0604230N | WARFARE SUPPORT SYSTEM | 6,307 | 6,307 | 6,307 | | 6,307 |
| 087 | 0604231N | TACTICAL COMMAND SYSTEM | 86,462 | 86,462 | 86,462 | | 86,462 |
| 088 | 0604234N | ADVANCED HAWKEYE | 364,557 | 364,557 | 364,557 | | 364,557 |
| 089 | 0604245N | H–1 UPGRADES | 32,830 | 32,830 | 32,830 | | 32,830 |
| 090 | 0604261N | ACOUSTIC SEARCH SENSORS | 56,369 | 56,369 | 56,369 | | 56,369 |
| 091 | 0604262N | V–22A | 89,512 | 92,512 | 89,512 | | 89,512 |
| | | MV–22 Satellite Weather Systems Development | | [3,000] | | | |
| 092 | 0604264N | AIR CREW SYSTEMS DEVELOPMENT | 14,265 | 14,265 | 14,265 | | 14,265 |
| 093 | 0604269N | EA–18 | 55,446 | 55,446 | 55,446 | | 55,446 |
| 094 | 0604270N | ELECTRONIC WARFARE DEVELOPMENT | 97,635 | 101,635 | 97,635 | | 97,635 |
| | | Electronic Warfare Technology, Doctrine, and Tactics Development | | [4,000] | | | |
| 095 | 0604273N | VH–71A EXECUTIVE HELO DEVELOPMENT | 85,240 | 85,240 | 85,240 | | 85,240 |
| 096 | 0604274N | NEXT GENERATION JAMMER (NGJ) | 127,970 | 127,970 | 127,970 | | 127,970 |
| 097 | 0604280N | JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) | 876,374 | 876,374 | 876,374 | | 876,374 |
| 098 | 0604300N | SC–21 TOTAL SHIP SYSTEM ENGINEERING | | | | | |
| 099 | 0604307N | SURFACE COMBATANT COMBAT SYSTEM ENGINEERING | 178,459 | 183,459 | 178,459 | 2,000 | 180,459 |
| | | Surface Ship Advanced Capability Build | | [5,000] | | [2,000] | |
| 100 | 0604311N | LPD–17 CLASS SYSTEMS INTEGRATION | 5,304 | 5,304 | 5,304 | | 5,304 |
| 101 | 0604329N | SMALL DIAMETER BOMB (SDB) | 43,902 | 43,902 | 43,902 | | 43,902 |
| 102 | 0604366N | STANDARD MISSILE IMPROVEMENTS | 182,197 | 182,197 | 182,197 | | 182,197 |
| 103 | 0604373N | AIRBORNE MCM | 48,712 | 48,712 | 48,712 | | 48,712 |
| 104 | 0604378N | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING. | 11,727 | 11,727 | 11,727 | | 11,727 |
| 105 | 0604501N | ADVANCED ABOVE WATER SENSORS | 236,078 | 236,078 | 286,078 | 15,000 | 251,078 |
| | | Mobile maritime sensor technology development | | | [50,000] | [15,000] | |
| 106 | 0604503N | SSN–688 AND TRIDENT MODERNIZATION | 122,733 | 122,733 | 127,733 | | 122,733 |
| | | SSN Communications | | | [5,000] | | |
| 107 | 0604504N | AIR CONTROL | 6,533 | 6,533 | 6,533 | | 6,533 |
| 108 | 0604512N | SHIPBOARD AVIATION SYSTEMS | 80,623 | 80,623 | 80,623 | | 80,623 |
| 109 | 0604518N | COMBAT INFORMATION CENTER CONVERSION | 13,305 | 13,305 | 13,305 | | 13,305 |
| 110 | 0604558N | NEW DESIGN SSN | 154,756 | 165,756 | 165,756 | 8,000 | 162,756 |
| | | Common command & control system module | | [9,000] | [9,000] | [6,000] | |
| | | Mold-in-place coating development | | | [2,000] | | |
| | | Mold-in-Place Coating for Development of U.S. Submarine Fleet | | [2,000] | | [2,000] | |
| 111 | 0604561N | SSN–21 DEVELOPMENTS | | | | | |
| 112 | 0604562N | SUBMARINE TACTICAL WARFARE SYSTEM | 59,703 | 59,703 | 72,703 | 10,000 | 69,703 |
| | | Artificial Intelligence-based combat system kernel | | | [5,000] | [4,000] | |
| | | Submarine environment for evaluation & development | | | [4,000] | [3,000] | |
| | | Weapon acquisition & firing system | | | [4,000] | [3,000] | |
| 113 | 0604567N | SHIP CONTRACT DESIGN/LIVE FIRE T&E | 89,988 | 95,188 | 91,988 | 2,500 | 92,488 |
| | | Automated fiber optic manufacturing | | | [2,000] | | |
| | | Automated Fiber Optic Manufacturing Initiative for Navy Ships | | [5,200] | | [2,500] | |
| 114 | 0604574N | NAVY TACTICAL COMPUTER RESOURCES | 4,620 | 4,620 | 4,620 | | 4,620 |
| 115 | 0604601N | MINE DEVELOPMENT | 2,249 | 2,249 | 2,249 | | 2,249 |
| 116 | 0604610N | LIGHTWEIGHT TORPEDO DEVELOPMENT | 21,105 | 21,105 | 21,105 | | 21,105 |
| 117 | 0604654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 10,327 | 10,327 | 10,327 | | 10,327 |
| 118 | 0604703N | PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS | 5,898 | 5,898 | 5,898 | | 5,898 |
| 119 | 0604727N | JOINT STANDOFF WEAPON SYSTEMS | 10,022 | 16,522 | 10,022 | | 10,022 |
| | | Extended Range Joint Stand-Off Weapon | | [6,500] | | | |
| 120 | 0604755N | SHIP SELF DEFENSE (DETECT & CONTROL) | 35,459 | 35,459 | 40,459 | 3,000 | 38,459 |
| | | AUSV | | | [5,000] | [3,000] | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 121 | 0604756N | SHIP SELF DEFENSE (ENGAGE: HARD KILL) | 34,236 | 34,236 | 46,236 | 12,000 | 46,236 |
| | | Phalanx Next Generation | | | [12,000] | [12,000] | |
| 122 | 0604757N | SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) | 88,895 | 88,895 | 97,895 | | 88,895 |
| | | NULKA decoy R&D | | | [9,000] | | |
| 123 | 0604761N | INTELLIGENCE ENGINEERING | 14,438 | 14,438 | 14,438 | | 14,438 |
| 124 | 0604771N | MEDICAL DEVELOPMENT | 9,888 | 33,388 | 20,388 | 13,600 | 23,488 |
| | | Composite tissue transplantation research | | | [2,000] | [2,000] | |
| | | Custom body implant development | | | [2,000] | [2,000] | |
| | | Multivalent dengue vaccine program | | | [3,500] | [1,600] | |
| | | Orthopedic surgery instrumentation | | | [3,000] | [3,000] | |
| | | Flexible Medical Solutions FlexMedPatch Program | | [2,000] | | | |
| | | HI-CA Biorepository Consortium for DOD Research | | [2,500] | | | |
| | | Neurogenesis Therapeutics for PTSD | | [3,000] | | | |
| | | Strategies to Reduce Post Traumatic Stress Disorder (PTSD) & Traumatic Brain Injury (TBI) Burden. | | [4,000] | | | |
| | | U.S. Navy Vaccine Program | | [4,000] | | [3,000] | |
| | | U.S. Navy Pandemic Influenza Vaccine Program: Enhancement of Influenza Vaccine Efficacy. | | [8,000] | | [2,000] | |
| 125 | 0604777N | NAVIGATION/ID SYSTEM | 63,184 | 63,184 | 63,184 | | 63,184 |
| 126 | 0604784N | DISTRIBUTED SURVEILLANCE SYSTEM | | | | | |
| 127 | 0604800N | JOINT STRIKE FIGHTER (JSF) | 1,741,296 | 1,894,796 | 1,741,296 | 215,000 | 1,956,296 |
| | | F136 Development | | [231,500] | | [215,000] | |
| | | Program Excess | | [–78,000] | | | |
| 128 | 0605013M | INFORMATION TECHNOLOGY DEVELOPMENT | 9,868 | 9,868 | 9,868 | | 9,868 |
| 129 | 0605013N | INFORMATION TECHNOLOGY DEVELOPMENT | 69,026 | 72,626 | 81,026 | 8,100 | 77,126 |
| | | Information systems research | | | [7,000] | [4,000] | |
| | | Integrated network-centric technology systems | | | [5,000] | [2,600] | |
| | | Maintenance Planning and Assessment Technology (MPAT) Insertion. | | [3,000] | | [1,500] | |
| | | Advanced Maintenance and Environmental Monitoring Technologies for Public Shipyards. | | [600] | | | |
| 130 | 0605212N | CH–53K RDTE | 554,827 | 554,827 | 554,827 | | 554,827 |
| 131 | 0605430N | C/KC–130 AVIONICS MODERNIZATION PROGRAM (AMP) | | | | | |
| 132 | 0605450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | 81,434 | 81,434 | 81,434 | | 81,434 |
| 133 | 0605500N | MULTI-MISSION MARITIME AIRCRAFT (MMA) | 1,162,417 | 1,162,417 | 1,162,417 | | 1,162,417 |
| 134 | 0204201N | CG(X) | 150,022 | 150,022 | 150,022 | –40,000 | 110,022 |
| | | Program delay | | | | [–40,000] | |
| 135 | 0204202N | DDG–1000 | 539,053 | 539,053 | 539,053 | | 539,053 |
| 136 | 0304785N | TACTICAL CRYPTOLOGIC SYSTEMS | 19,016 | 19,016 | 19,016 | | 19,016 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY** | **7,975,882** | **8,197,882** | **8,105,382** | **255,900** | **8,231,782** |
| | | **RDT&E MANAGEMENT SUPPORT** | | | | | |
| 137 | 0604256N | THREAT SIMULATOR DEVELOPMENT | 25,534 | 25,534 | 25,534 | | 25,534 |
| 138 | 0604258N | TARGET SYSTEMS DEVELOPMENT | 79,603 | 79,603 | 79,603 | | 79,603 |
| 139 | 0604759N | MAJOR T&E INVESTMENT | 44,844 | 44,844 | 49,844 | 5,000 | 49,844 |
| | | Aviation enterprise interoperability upgrades | | | [5,000] | [5,000] | |
| 140 | 0605152N | STUDIES AND ANALYSIS SUPPORT—NAVY | 11,422 | 11,422 | 11,422 | | 11,422 |
| 141 | 0605154N | CENTER FOR NAVAL ANALYSES | 49,821 | 49,821 | 49,821 | | 49,821 |
| 142 | 0605502N | SMALL BUSINESS INNOVATIVE RESEARCH | | | | | |
| 143 | 0605804N | TECHNICAL INFORMATION SERVICES | 735 | 3,735 | 735 | 2,500 | 3,235 |
| | | Center for Commercialization of Advanced Technology | | [3,000] | | [2,500] | |
| 144 | 0605853N | MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT | 60,590 | 60,590 | 60,590 | | 60,590 |
| 145 | 0605856N | STRATEGIC TECHNICAL SUPPORT | 3,633 | 3,633 | 3,633 | | 3,633 |
| 146 | 0605861N | RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT | 70,942 | 70,942 | 70,942 | | 70,942 |
| 147 | 0605862N | RDT&E INSTRUMENTATION MODERNIZATION | | | | | |
| 148 | 0605863N | RDT&E SHIP AND AIRCRAFT SUPPORT | 193,353 | 193,353 | 193,353 | | 193,353 |
| 149 | 0605864N | TEST AND EVALUATION SUPPORT | 380,733 | 380,733 | 380,733 | | 380,733 |
| 150 | 0605865N | OPERATIONAL TEST AND EVALUATION CAPABILITY | 12,010 | 12,010 | 12,010 | | 12,010 |
| 151 | 0605866N | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT | 2,703 | 2,703 | 2,703 | | 2,703 |
| 152 | 0605867N | SEW SURVEILLANCE/RECONNAISSANCE SUPPORT | 20,921 | 20,921 | 20,921 | | 20,921 |
| 153 | 0605873M | MARINE CORPS PROGRAM WIDE SUPPORT | 19,004 | 19,004 | 19,004 | | 19,004 |
| 154 | 0305885N | TACTICAL CRYPTOLOGIC ACTIVITIES | 2,464 | 2,464 | 2,464 | | 2,464 |
| 155 | 0804758N | SERVICE SUPPORT TO JFCOM, JNTC | 4,197 | 4,197 | 4,197 | | 4,197 |
| 156 | 0909999N | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | | | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, NAVY** | **982,509** | **985,509** | **987,509** | **7,500** | **990,009** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 158 | 0604227N | HARPOON MODIFICATIONS | | | | | |
| 159 | 0604402N | UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT. | 311,204 | 311,204 | 311,204 | | 311,204 |
| 160 | 0101221N | STRATEGIC SUB & WEAPONS SYSTEM SUPPORT | 74,939 | 76,109 | 76,109 | 1,170 | 76,109 |
| | | Advanced LINAC Facility | | [1,170] | [1,170] | [1,170] | |
| 161 | 0101224N | SSBN SECURITY TECHNOLOGY PROGRAM | 34,479 | 34,479 | 34,479 | | 34,479 |
| 162 | 0101226N | SUBMARINE ACOUSTIC WARFARE DEVELOPMENT | 7,211 | 7,211 | 7,211 | | 7,211 |
| 163 | 0101402N | NAVY STRATEGIC COMMUNICATIONS | 43,982 | 47,982 | 43,982 | 3,000 | 46,982 |
| | | E–6B Strategic Communications Upgrade Block 1A (VLF-TX & HPTS). | | [4,000] | | [3,000] | |
| 164 | 0203761N | RAPID TECHNOLOGY TRANSITION (RTT) | 39,125 | 39,125 | 39,125 | | 39,125 |
| 165 | 0204136N | F/A–18 SQUADRONS | 127,733 | 127,733 | 127,733 | | 127,733 |
| 166 | 0204152N | E–2 SQUADRONS | 63,058 | 63,058 | 63,058 | | 63,058 |
| 167 | 0204163N | FLEET TELECOMMUNICATIONS (TACTICAL) | 37,431 | 37,431 | 37,431 | | 37,431 |
| 168 | 0204229N | TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) | 13,238 | 13,238 | 13,238 | | 13,238 |
| 169 | 0204311N | INTEGRATED SURVEILLANCE SYSTEM | 24,835 | 28,435 | 24,835 | | 24,835 |
| | | Deployable Autonomous Distributed System | | [3,600] | | | |
| 170 | 0204413N | AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) | 2,324 | 2,324 | 2,324 | | 2,324 |
| 171 | 0204571N | CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT | 49,293 | 49,293 | 49,293 | | 49,293 |
| 172 | 0204574N | CRYPTOLOGIC DIRECT SUPPORT | 1,609 | 1,609 | 1,609 | | 1,609 |
| 173 | 0204575N | ELECTRONIC WARFARE (EW) READINESS SUPPORT | 37,524 | 37,524 | 37,524 | | 37,524 |
| 174 | 0205601N | HARM IMPROVEMENT | 30,045 | 31,945 | 30,045 | | 30,045 |
| | | AARGM Derivative Program | | [1,900] | | | |
| 175 | 0205604N | TACTICAL DATA LINKS | 25,003 | 25,003 | 25,003 | | 25,003 |
| 176 | 0205620N | SURFACE ASW COMBAT SYSTEM INTEGRATION | 41,803 | 41,803 | 41,803 | | 41,803 |
| 177 | 0205632N | MK–48 ADCAP | 28,438 | 28,438 | 28,438 | | 28,438 |
| 178 | 0205633N | AVIATION IMPROVEMENTS | 135,840 | 139,840 | 135,840 | –12,491 | 123,349 |
| | | Reduction of Weapon System Downtime Rapid Repair Structural Adhesives. | | [4,000] | | | |
| | | F135 engine funding ahead of need | | | | [–12,491] | |
| 179 | 0205658N | NAVY SCIENCE ASSISTANCE PROGRAM | 3,716 | 3,716 | 3,716 | | 3,716 |
| 180 | 0205675N | OPERATIONAL NUCLEAR POWER SYSTEMS | 72,031 | 72,031 | 72,031 | | 72,031 |
| 181 | 0206313M | MARINE CORPS COMMUNICATIONS SYSTEMS | 287,348 | 287,348 | 287,348 | | 287,348 |
| 182 | 0206623M | MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS | 120,379 | 120,379 | 128,579 | 4,000 | 124,379 |
| | | Expandable rigid wall composite shelters | | | [1,300] | [1,000] | |
| | | Marine personnel carrier support system | | | [3,000] | [3,000] | |
| | | Ultrasonic armor consolidation | | | [3,900] | | |
| 183 | 0206624M | MARINE CORPS COMBAT SERVICES SUPPORT | 17,057 | 17,057 | 18,057 | 1,000 | 18,057 |
| | | High performance capabilities for military vehicles | | | [1,000] | [1,000] | |
| 184 | 0206625M | USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) | 30,167 | 30,167 | 30,167 | | 30,167 |
| 185 | 0207161N | TACTICAL AIM MISSILES | 2,298 | 2,298 | 2,298 | | 2,298 |
| 186 | 0207163N | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 3,604 | 3,604 | 3,604 | | 3,604 |
| 187 | 0208058N | JOINT HIGH SPEED VESSEL (JHSV) | 8,431 | 8,431 | 8,431 | | 8,431 |
| 188 | 0301303N | MARITIME INTELLIGENCE | [ ] | [ ] | [ ] | [ ] | [ ] |
| 189 | 0301323N | COLLECTION MANAGEMENT | [ ] | [ ] | [ ] | [ ] | [ ] |
| 190 | 0301327N | TECHNICAL RECONNAISSANCE AND SURVEILLANCE | [ ] | [ ] | [ ] | [ ] | [ ] |
| 191 | 0301372N | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 192 | 0303109N | SATELLITE COMMUNICATIONS (SPACE) | 474,009 | 474,009 | 442,009 | | 474,009 |
| | | MUOS program transfer to WPN | | | [–32,000] | | |
| 193 | 0303138N | CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) | 45,513 | 45,513 | 45,513 | | 45,513 |
| 194 | 0303140N | INFORMATION SYSTEMS SECURITY PROGRAM | 24,226 | 24,226 | 27,726 | | 24,226 |
| | | Policy decision point for Consolidated Afloat Networks and Enterprise Services. | | | [3,500] | | |
| 195 | 0303158M | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 2,453 | 2,453 | 2,453 | | 2,453 |
| 196 | 0303158N | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 4,139 | 4,139 | 4,139 | | 4,139 |
| 197 | 0305149N | COBRA JUDY | 62,061 | 62,061 | 62,061 | | 62,061 |
| 198 | 0305160N | NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC) | 28,094 | 28,094 | 28,094 | | 28,094 |
| 199 | 0305192N | MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES | 4,600 | 4,600 | 4,600 | | 4,600 |
| 200 | 0305204N | TACTICAL UNMANNED AERIAL VEHICLES | 8,971 | 8,971 | 8,971 | | 8,971 |
| 201 | 0305205N | ENDURANCE UNMANNED AERIAL VEHICLES | | | | | |
| 202 | 0305206N | AIRBORNE RECONNAISSANCE SYSTEMS | 46,208 | 46,208 | 46,208 | | 46,208 |
| 203 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 22,599 | 22,599 | 22,599 | | 22,599 |
| 204 | 0305208N | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 18,079 | 18,079 | 18,079 | | 18,079 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 205 | 0305220N | RQ–4 UAV | 465,839 | 465,839 | 465,839 | | 465,839 |
| 206 | 0305231N | MQ–8 UAV | 25,639 | 25,639 | 25,639 | | 25,639 |
| 207 | 0305232M | RQ–11 UAV | 553 | 553 | 553 | | 553 |
| 208 | 0305233N | RQ–7 UAV | 986 | 986 | 986 | | 986 |
| 209 | 0305234M | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 18,763 | 18,763 | 18,763 | | 18,763 |
| 210 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 23,594 | 23,594 | 23,594 | | 23,594 |
| 211 | 0307207N | AERIAL COMMON SENSOR (ACS) | | | | | |
| 212 | 0307217N | EP–3E REPLACEMENT (EPX) | 11,976 | 11,976 | 11,976 | | 11,976 |
| 213 | 0308601N | MODELING AND SIMULATION SUPPORT | 8,028 | 8,028 | 8,028 | | 8,028 |
| 214 | 0702207N | DEPOT MAINTENANCE (NON-IF) | 14,675 | 14,675 | 14,675 | | 14,675 |
| 215 | 0702239N | AVIONICS COMPONENT IMPROVEMENT PROGRAM | 2,725 | 2,725 | 2,725 | | 2,725 |
| 216 | 0708011N | INDUSTRIAL PREPAREDNESS | 56,691 | 59,191 | 64,191 | 10,000 | 66,691 |
| | | Integrated manufacturing enterprise | | | [5,000] | [5,000] | |
| | | Life extension of weapon system structures research | | | [2,500] | [2,500] | |
| | | Laser Optimization Remote Lighting Systems | | [2,500] | | [2,500] | |
| 217 | 0708730N | MARITIME TECHNOLOGY (MARITECH) | | | 20,000 | 4,000 | 4,000 |
| | | National Shipbuilding Research Program | | | [20,000] | [4,000] | |
| 999 | 9999999 | OTHER PROGRAMS | 1,258,018 | 1,258,018 | 1,258,018 | | 1,258,018 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E** | **4,302,584** | **4,319,754** | **4,311,954** | **10,679** | **4,313,263** |
| | | **TOTAL, RDT&E NAVY** | **19,270,932** | **19,622,528** | **19,456,246** | **336,229** | **19,607,161** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE** | | | | | |
| | | **BASIC RESEARCH** | | | | | |
| 001 | 0601102F | DEFENSE RESEARCH SCIENCES | 321,028 | 321,028 | 323,528 | 1,000 | 322,028 |
| | | Coal transformation research | | | [1,000] | [1,000] | |
| | | Nanotechnology for portable power research | | | [1,500] | | |
| 002 | 0601103F | UNIVERSITY RESEARCH INITIATIVES | 132,249 | 132,249 | 145,749 | 6,200 | 138,449 |
| | | Cybersecurity for control networks research | | | [4,000] | [1,700] | |
| | | End-user software safeguard research | | | [2,000] | [2,000] | |
| | | Informatics research | | | [1,500] | [1,000] | |
| | | Information security research | | | [4,000] | [1,500] | |
| | | Integrated design and manufacturing research | | | [2,000] | | |
| 003 | 0601108F | HIGH ENERGY LASER RESEARCH INITIATIVES | 12,834 | 12,834 | 12,834 | | 12,834 |
| 004 | 0301555F | CLASSIFIED PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 005 | 0301556F | SPECIAL PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | **SUBTOTAL, BASIC RESEARCH, AIR FORCE** | **466,111** | **466,111** | **482,111** | **7,200** | **473,311** |
| | | **APPLIED RESEARCH** | | | | | |
| 006 | 0602015F | MEDICAL DEVELOPMENT | | 1,000 | | | |
| | | AFSOC Injury Prevention and Human Performance Initiative | | [1,000] | | | |
| 007 | 0602102F | MATERIALS | 127,957 | 132,957 | 147,707 | 9,000 | 136,957 |
| | | Advanced aerospace heat exchangers | | | [3,000] | [3,000] | |
| | | Aircraft active corrosion protection systems | | | [2,000] | | |
| | | Energy and automation technologies | | | [4,000] | [2,000] | |
| | | Energy efficiency, recovery, and generation systems | | | [4,000] | [1,000] | |
| | | Health monitoring sensors for aerospace components | | | [2,000] | [2,000] | |
| | | Intelligent manufacturing research | | | [1,000] | | |
| | | Light alloy aerospace and automotive parts development | | | [1,000] | | |
| | | Mid-infrared laser source research | | | [2,750] | [1,000] | |
| | | Rio Grande Valley Nanotech Institute | | [5,000] | | | |
| 008 | 0602201F | AEROSPACE VEHICLE TECHNOLOGIES | 127,129 | 135,629 | 129,629 | 9,400 | 136,529 |
| | | Unmanned aerial system collaboration technologies | | | [2,500] | [2,500] | |
| | | UAV Sensor and Maintenance Development | | [5,500] | | [4,900] | |
| | | Unmanned Sense, Track, and Avoid Radar | | [3,000] | | [2,000] | |
| 009 | 0602202F | HUMAN EFFECTIVENESS APPLIED RESEARCH | 85,122 | 85,122 | 85,122 | | 85,122 |
| 010 | 0602203F | AEROSPACE PROPULSION | 196,529 | 218,029 | 214,529 | 13,500 | 210,029 |
| | | Hybrid bearing development | | | [1,000] | [1,000] | |
| | | Integrated electrical starter/generator systems | | [3,500] | [2,500] | [2,000] | |
| | | Lithium battery manufacturing | | | [5,000] | | |
| | | Lithium ion technologies for aviation batteries | | | [2,000] | [1,500] | |
| | | Scramjet research | | | [3,500] | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Thermally efficient engine pumping system | | | [4,000] | [2,000] | |
| | | Advanced Lithium Battery Scale-Up and Manufacturing | | [10,000] | | [2,000] | |
| | | Advanced Vehicle Propulsion Center (AVPC) | | [3,000] | | [3,000] | |
| | | Multi-Mode Propulsion Phase IIA: High Performance Green Propellant. | | [5,000] | | [2,000] | |
| 011 | 0602204F | AEROSPACE SENSORS | 121,768 | 130,518 | 121,768 | 4,800 | 126,568 |
| | | Net-Centric Sensor Grids | | [3,000] | | [3,000] | |
| | | Advanced Meta Materials | | [3,750] | | | |
| | | Information Quality Tools for Persistent Survelliance Data Sets | | [2,000] | | [1,800] | |
| 012 | 0602601F | SPACE TECHNOLOGY | 104,148 | 108,948 | 113,648 | 9,100 | 113,248 |
| | | Reconfigurable electronics research | | | [2,000] | [1,000] | |
| | | Seismic research program | | | [7,500] | [5,000] | |
| | | Advanced Modular Avionics for ORS Use | | [4,800] | | [3,100] | |
| 013 | 0602602F | CONVENTIONAL MUNITIONS | 58,289 | 58,289 | 58,289 | | 58,289 |
| 014 | 0602605F | DIRECTED ENERGY TECHNOLOGY | 105,677 | 105,677 | 99,927 | –4,250 | 101,427 |
| | | Chemical laser technology | | | [–5,750] | [–4,250] | |
| 015 | 0602702F | COMMAND CONTROL AND COMMUNICATIONS | | | | | |
| 016 | 0602788F | DOMINANT INFORMATION SCIENCES AND METHODS | 115,278 | 116,278 | 115,278 | | 115,278 |
| | | Cyber Boot Camp | | [1,000] | | | |
| 017 | 0602890F | HIGH ENERGY LASER RESEARCH | 52,754 | 54,754 | 48,654 | –4,100 | 48,654 |
| | | Advanced deformable mirrors for high energy laser weapons | | [2,000] | [2,000] | [2,000] | |
| | | Chemical laser technology | | | [–6,100] | [–6,100] | |
| | | **SUBTOTAL, APPLIED RESEARCH, AIR FORCE** | **1,094,651** | **1,147,201** | **1,134,551** | **37,450** | **1,132,101** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | | | | |
| 018 | 0603112F | ADVANCED MATERIALS FOR WEAPON SYSTEMS | 37,901 | 52,401 | 51,901 | 16,300 | 54,201 |
| | | Sewage-derived biofuels program | | | [5,000] | [4,800] | |
| | | Sonic infrared imaging technology development | | | [2,000] | | |
| | | Metals Affordability Initiative | | [10,000] | [7,000] | [10,000] | |
| | | Rapid Automated Processing of Advances Low Observables | | [4,500] | | [1,500] | |
| 019 | 0603199F | SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) | 2,955 | 2,955 | 2,955 | | 2,955 |
| 020 | 0603203F | ADVANCED AEROSPACE SENSORS | 51,482 | 54,482 | 55,482 | 2,000 | 53,482 |
| | | Reconfigurable secure computing technologies | | | [4,000] | [2,000] | |
| | | Moving Target Strike | | [3,000] | | | |
| 021 | 0603211F | AEROSPACE TECHNOLOGY DEV/DEMO | 76,844 | 84,844 | 76,844 | 5,000 | 81,844 |
| | | Long Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence. | | [8,000] | | [5,000] | |
| 022 | 0603216F | AEROSPACE PROPULSION AND POWER TECHNOLOGY | 175,676 | 184,876 | 215,176 | 23,000 | 198,676 |
| | | Alternative energy research | | | [20,000] | [20,000] | |
| | | Long range supersonic engine for high speed strike | | | [10,000] | | |
| | | Scalable UAV engines | | | [3,500] | | |
| | | Silicon carbide power electronics research | | | [6,000] | [3,000] | |
| | | 150 Shaft HP Scaleable UAV Engine | | [5,000] | | | |
| | | Adaptable Integrated Vapor Cycle Based Environmental Control and Power System. | | [4,200] | | | |
| 023 | 0603231F | CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY | | 5,000 | | | |
| | | JSF Tactical Air Configuration Module | | [5,000] | | | |
| 024 | 0603270F | ELECTRONIC COMBAT TECHNOLOGY | 31,021 | 32,521 | 31,021 | | 31,021 |
| | | COTS Analysis Tools for Navigational Warfare | | [1,500] | | | |
| 025 | 0603401F | ADVANCED SPACECRAFT TECHNOLOGY | 83,909 | 90,409 | 83,909 | 3,000 | 86,909 |
| | | Department of Defense Cubesat Bus Development | | [2,000] | | | |
| | | Small Responsive Spacecraft at Low-Cost (SRSL) | | [4,500] | | [3,000] | |
| 026 | 0603444F | MAUI SPACE SURVEILLANCE SYSTEM (MSSS) | 5,813 | 5,813 | 5,813 | | 5,813 |
| 027 | 0603456F | HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT | 24,565 | 24,565 | 24,565 | | 24,565 |
| 028 | 0603601F | CONVENTIONAL WEAPONS TECHNOLOGY | 14,356 | 14,356 | 14,356 | | 14,356 |
| 029 | 0603605F | ADVANCED WEAPONS TECHNOLOGY | 30,056 | 30,056 | 30,056 | | 30,056 |
| 030 | 0603680F | MANUFACTURING TECHNOLOGY PROGRAM | 39,913 | 55,613 | 43,163 | 5,250 | 45,163 |
| | | Next generation casting initiative | | | [3,250] | [3,250] | |
| | | Nano-Composite and Structures Manufacturing Technology Development. | | [4,000] | | | |
| | | Repair Technology Insertion Program | | [5,200] | | | |
| | | Advanced Integrated Structrure for Affordable Transport Aircraft | | [3,000] | | | |
| | | Production of Nanocomposites for Aerospace Applications | | [3,500] | | [2,000] | |
| 031 | 0603788F | BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION | 39,708 | 44,708 | 42,208 | 6,500 | 46,208 |
| | | Optical interconnects research | | | [2,500] | [2,500] | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Cyber Attack and Security Environment | | [5,000] | | [4,000] | |
| 032 | 0603789F | C3I ADVANCED DEVELOPMENT | | | | | |
| 033 | 0603924F | HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM | 3,831 | 3,831 | 3,831 | | 3,831 |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE** | **618,030** | **686,430** | **681,280** | **61,050** | **679,080** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | | | | |
| 034 | 0603260F | INTELLIGENCE ADVANCED DEVELOPMENT | 5,009 | 5,009 | 5,009 | | 5,009 |
| 035 | 0603287F | PHYSICAL SECURITY EQUIPMENT | 3,623 | 3,623 | 3,623 | | 3,623 |
| 036 | 0603421F | NAVSTAR GLOBAL POSITIONING SYSTEM III | | | | | |
| 037 | 0603423F | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT | | | | | |
| 038 | 0603430F | ADVANCED EHF MILSATCOM (SPACE) | 464,335 | 464,335 | 464,335 | | 464,335 |
| 039 | 0603432F | POLAR MILSATCOM (SPACE) | 253,150 | 253,150 | 253,150 | | 253,150 |
| 040 | 0603438F | SPACE CONTROL TECHNOLOGY | 97,701 | 97,701 | 110,201 | 5,000 | 102,701 |
| | | Space protection program | | | [6,500] | | |
| | | Space situational awareness | | | [6,000] | [5,000] | |
| 041 | 0603742F | COMBAT IDENTIFICATION TECHNOLOGY | 27,252 | 27,252 | 27,252 | | 27,252 |
| 042 | 0603790F | NATO RESEARCH AND DEVELOPMENT | 4,351 | 4,351 | 4,351 | | 4,351 |
| 043 | 0603791F | INTERNATIONAL SPACE COOPERATIVE R&D | 632 | 632 | 632 | | 632 |
| 044 | 0603845F | TRANSFORMATIONAL SATCOM (TSAT) | | | | | |
| 045 | 0603850F | INTEGRATED BROADCAST SERVICE | 20,739 | 20,739 | 20,739 | | 20,739 |
| 046 | 0603851F | INTERCONTINENTAL BALLISTIC MISSILE | 66,079 | 66,079 | 61,079 | | 66,079 |
| | | Program decrease | | | [–5,000] | | |
| 047 | 0603854F | WIDEBAND GLOBAL SATCOM RDT&E (SPACE) | 70,956 | 70,956 | 70,956 | | 70,956 |
| 048 | 0603859F | POLLUTION PREVENTION | 2,896 | 2,896 | 2,896 | | 2,896 |
| 049 | 0603860F | JOINT PRECISION APPROACH AND LANDING SYSTEMS | 23,174 | 23,174 | 23,174 | | 23,174 |
| 050 | 0604015F | NEXT GENERATION BOMBER | | | | | |
| 051 | 0604283F | BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT | 22,612 | 22,612 | 22,612 | | 22,612 |
| 052 | 0604327F | HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM. | 20,891 | 20,891 | 20,891 | | 20,891 |
| 053 | 0604330F | JOINT DUAL ROLE AIR DOMINANCE MISSILE | 6,882 | 6,882 | 6,882 | | 6,882 |
| 054 | 0604337F | REQUIREMENTS ANALYSIS AND MATURATION | 35,533 | 35,533 | 35,533 | | 35,533 |
| 055 | 0604635F | GROUND ATTACK WEAPONS FUZE DEVELOPMENT | 18,778 | 18,778 | 18,778 | | 18,778 |
| 056 | 0604796F | ALTERNATIVE FUELS | 89,020 | 97,520 | 89,020 | 2,000 | 91,020 |
| | | Bio-Diesel Algae Fuel Production Program | | [3,000] | | | |
| | | Advanced Propulsion Non-Tactical Vehicle | | [5,500] | | [2,000] | |
| 057 | 0604830F | AUTOMATED AIR-TO-AIR REFUELING | 43,158 | 43,158 | 43,158 | | 43,158 |
| 058 | 0604856F | COMMON AERO VEHICLE (CAV) | | | | | |
| 059 | 0604857F | OPERATIONALLY RESPONSIVE SPACE | 112,861 | 136,261 | 282,861 | | 112,861 |
| | | ORS smallsat imaging prototyping | | | [115,000] | | |
| | | ORS–1 | | | [40,000] | | |
| | | RSLV | | | [15,000] | | |
| | | Program Increase | | [23,400] | | | |
| 060 | 0604858F | TECH TRANSITION PROGRAM | 9,611 | 9,611 | 9,611 | | 9,611 |
| 061 | 0305178F | NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS). | 396,641 | 396,641 | 476,641 | | 396,641 |
| | | Program increase | | | [80,000] | | |
| 061a | 604xxxxF | NEXT GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT | | | 53,000 | 50,000 | 50,000 |
| | | IRIS | | | [3,000] | | |
| | | Next generation MILSATCOM technology development | | | [50,000] | [50,000] | |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE.** | **1,795,884** | **1,827,784** | **2,106,384** | **57,000** | **1,852,884** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | | | | |
| 062 | 0603840F | GLOBAL BROADCAST SERVICE (GBS) | 31,124 | 31,124 | 31,124 | | 31,124 |
| 063 | 0604222F | NUCLEAR WEAPONS SUPPORT | 37,860 | 37,860 | 37,860 | | 37,860 |
| 064 | 0604226F | B–1B | | | 2,000 | | |
| | | B–1B AESA radar | | | [2,000] | | |
| 065 | 0604233F | SPECIALIZED UNDERGRADUATE FLIGHT TRAINING | 6,227 | 6,227 | 6,227 | | 6,227 |
| 066 | 0604240F | B–2 ADVANCED TECHNOLOGY BOMBER | | 14,600 | | 12,000 | 12,000 |
| | | Advanced Data Link | | [14,600] | | [12,000] | |
| 067 | 0604261F | PERSONNEL RECOVERY SYSTEMS | | | | | |
| 068 | 0604270F | ELECTRONIC WARFARE DEVELOPMENT | 97,275 | 102,175 | 97,275 | | 97,275 |
| | | Rapid Replacement of Mission Critical Logistics Electronics | | [4,900] | | | |
| 069 | 0604281F | TACTICAL DATA NETWORKS ENTERPRISE | 88,444 | 88,444 | 88,444 | | 88,444 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 070 | 0604287F | PHYSICAL SECURITY EQUIPMENT | 50 | 50 | 50 | | 50 |
| 071 | 0604329F | SMALL DIAMETER BOMB (SDB) | 153,815 | 153,815 | 153,815 | | 153,815 |
| 072 | 0604421F | COUNTERSPACE SYSTEMS | 64,248 | 64,248 | 64,248 | | 64,248 |
| 073 | 0604425F | SPACE SITUATION AWARENESS SYSTEMS | 308,134 | 308,134 | 308,134 | –36,700 | 271,434 |
| | | SBSS follow-on—program delay | | | | [–36,700] | |
| 074 | 0604429F | AIRBORNE ELECTRONIC ATTACK | 11,107 | 11,107 | 11,107 | | 11,107 |
| 075 | 0604441F | SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD | 512,642 | 512,642 | 527,642 | | 512,642 |
| | | HEO ground and data exploitation | | | [15,000] | | |
| 076 | 0604443F | THIRD GENERATION INFRARED SURVEILLANCE (3GIRS) | 143,169 | 123,169 | 143,169 | | 143,169 |
| | | Program Reduction | | [–20,000] | | | |
| 077 | 0604602F | ARMAMENT/ORDNANCE DEVELOPMENT | 18,671 | 18,671 | 18,671 | | 18,671 |
| 078 | 0604604F | SUBMUNITIONS | 1,784 | 1,784 | 1,784 | | 1,784 |
| 079 | 0604617F | AGILE COMBAT SUPPORT | 11,261 | 14,161 | 11,261 | 1,000 | 12,261 |
| | | Backpack Medical Oxygen System | | [2,900] | | [1,000] | |
| 080 | 0604706F | LIFE SUPPORT SYSTEMS | 10,711 | 17,711 | 10,711 | 2,400 | 13,111 |
| | | ACES 5 Ejection Seat | | [7,000] | | [2,400] | |
| 081 | 0604735F | COMBAT TRAINING RANGES | 29,718 | 29,718 | 29,718 | | 29,718 |
| 082 | 0604740F | INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A) | 10 | 7,010 | 10 | 4,000 | 4,010 |
| | | Distributed Mission Interoperability Toolkit (DMIT) | | [7,000] | | [4,000] | |
| 083 | 0604750F | INTELLIGENCE EQUIPMENT | 1,495 | 1,495 | 1,495 | | 1,495 |
| 084 | 0604800F | JOINT STRIKE FIGHTER (JSF) | 1,858,055 | 2,011,555 | 1,858,055 | 215,000 | 2,073,055 |
| | | F136 Engine Development | | [231,500] | | [215,000] | |
| | | Program Excess | | [–78,000] | | | |
| 085 | 0604851F | INTERCONTINENTAL BALLISTIC MISSILE | 60,010 | 60,010 | 60,010 | | 60,010 |
| 086 | 0604853F | EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) | 26,545 | 26,545 | 38,545 | | 26,545 |
| | | EELV metric tracking | | | [12,000] | | |
| 087 | 0605011F | RDT&E FOR AGING AIRCRAFT | | | | | |
| 088 | 0605221F | NEXT GENERATION AERIAL REFUELING AIRCRAFT | 439,615 | 439,615 | 439,615 | | 439,615 |
| 089 | 0605277F | CSAR-X RDT&E | 89,975 | 14,975 | 0 | –89,975 | 0 |
| | | Use available prior year funds | | | [–89,975] | [–89,975] | |
| | | Unjustified Request for HH–60M | | [–75,000] | | | |
| 090 | 0605278F | HC/MC–130 RECAP RDT&E | 20,582 | 20,582 | 20,582 | | 20,582 |
| 091 | 0605452F | JOINT SIAP EXECUTIVE PROGRAM OFFICE | 34,877 | 34,877 | 34,877 | | 34,877 |
| 092 | 0207434F | LINK–16 SUPPORT AND SUSTAINMENT | | | | | |
| 093 | 0207450F | E–10 SQUADRONS | | | | | |
| 094 | 0207451F | SINGLE INTEGRATED AIR PICTURE (SIAP) | 13,466 | 13,466 | 13,466 | | 13,466 |
| 095 | 0207701F | FULL COMBAT MISSION TRAINING | 99,807 | 99,807 | 99,807 | | 99,807 |
| 096 | 0305176F | COMBAT SURVIVOR EVADER LOCATOR | | | | | |
| 097 | 0401138F | JOINT CARGO AIRCRAFT (JCA) | 9,353 | 9,353 | 9,353 | | 9,353 |
| 098 | 0401318F | CV–22 | 19,640 | 19,640 | 19,640 | | 19,640 |
| 099 | 0401845F | AIRBORNE SENIOR LEADER C3 (SLC3S) | 20,056 | 20,056 | 20,056 | | 20,056 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE** | **4,219,726** | **4,314,626** | **4,158,751** | **107,725** | **4,327,451** |
| | | **RDT&E MANAGEMENT SUPPORT** | | | | | |
| 100 | 0604256F | THREAT SIMULATOR DEVELOPMENT | 27,789 | 27,789 | 27,789 | | 27,789 |
| 101 | 0604759F | MAJOR T&E INVESTMENT | 60,824 | 63,824 | 65,824 | 7,500 | 68,324 |
| | | Holloman High Speed Test Track | | | [5,000] | [5,000] | |
| | | Eglin AFB Range Operations Control Center | | [3,000] | | [2,500] | |
| 102 | 0605101F | RAND PROJECT AIR FORCE | 27,501 | 27,501 | 27,501 | | 27,501 |
| 103 | 0605502F | SMALL BUSINESS INNOVATION RESEARCH | | | | | |
| 104 | 0605712F | INITIAL OPERATIONAL TEST & EVALUATION | 25,833 | 25,833 | 25,833 | | 25,833 |
| 105 | 0605807F | TEST AND EVALUATION SUPPORT | 736,488 | 736,488 | 756,488 | 19,300 | 755,788 |
| | | Program increase | | | [20,000] | [19,300] | |
| 106 | 0605860F | ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) | 14,637 | 14,637 | 14,637 | | 14,637 |
| 107 | 0605864F | SPACE TEST PROGRAM (STP) | 47,215 | 47,215 | 47,215 | | 47,215 |
| 108 | 0605976F | FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT. | 52,409 | 52,409 | 52,409 | | 52,409 |
| 109 | 0605978F | FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT | 29,683 | 31,433 | 29,683 | | 29,683 |
| | | Computer-Control Upgrade to the BAK–12 | | [1,750] | | | |
| 110 | 0702806F | ACQUISITION AND MANAGEMENT SUPPORT | 18,947 | 18,947 | 18,947 | | 18,947 |
| 111 | 0804731F | GENERAL SKILL TRAINING | 1,450 | 1,450 | 1,450 | | 1,450 |
| 112 | 0909999F | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | | | | |
| 113 | 1001004F | INTERNATIONAL ACTIVITIES | 3,748 | 3,748 | 3,748 | | 3,748 |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE** | **1,046,524** | **1,051,274** | **1,071,524** | **26,800** | **1,073,324** |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 114 | 0604263F | COMMON VERTICAL LIFT SUPPORT PLATFORM | 9,513 | 9,513 | 9,513 | | 9,513 |
| 115 | 0605024F | ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY | 47,276 | 47,276 | 47,276 | | 47,276 |
| 116 | 0605798F | ANALYSIS SUPPORT GROUP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 117 | 0101113F | B–52 SQUADRONS | 93,930 | 93,930 | 93,930 | | 93,930 |
| 118 | 0101122F | AIR-LAUNCHED CRUISE MISSILE (ALCM) | 3,652 | 3,652 | 3,652 | | 3,652 |
| 119 | 0101126F | B–1B SQUADRONS | 148,025 | 148,025 | 148,025 | 29,000 | 177,025 |
| | | Transferred from APAF Line 28 | | | | [29,000] | |
| 120 | 0101127F | B–2 SQUADRONS | 415,414 | 415,414 | 415,414 | | 415,414 |
| 121 | 0101313F | STRAT WAR PLANNING SYSTEM—USSTRATCOM | 33,836 | 33,836 | 33,836 | | 33,836 |
| 122 | 0101314F | NIGHT FIST—USSTRATCOM | 5,328 | 5,328 | 5,328 | | 5,328 |
| 123 | 0101815F | ADVANCED STRATEGIC PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | DaVinci Project | | [1,250] | | | |
| 124 | 0102325F | ATMOSPHERIC EARLY WARNING SYSTEM | 9,832 | 9,832 | 9,832 | | 9,832 |
| 125 | 0102326F | REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM. | 25,734 | 25,734 | 25,734 | | 25,734 |
| 126 | 0102823F | STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES | 18 | 18 | 18 | | 18 |
| 127 | 0203761F | WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND. | 11,996 | 11,996 | 11,996 | | 11,996 |
| 128 | 0205219F | MQ–9 UAV | 39,245 | 39,245 | 39,245 | | 39,245 |
| 129 | 0207040F | MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT | 14,747 | 14,747 | 14,747 | | 14,747 |
| 130 | 0207131F | A–10 SQUADRONS | 9,697 | 9,697 | 9,697 | | 9,697 |
| 131 | 0207133F | F–16 SQUADRONS | 141,020 | 141,020 | 141,020 | | 141,020 |
| 132 | 0207134F | F–15E SQUADRONS | 311,167 | 313,167 | 311,167 | 1,000 | 312,167 |
| | | Corrosion Detection and Visualization Program | | [2,000] | | [1,000] | |
| 133 | 0207136F | MANNED DESTRUCTIVE SUPPRESSION | 10,748 | 10,748 | 10,748 | | 10,748 |
| 134 | 0207138F | F–22A SQUADRONS | 569,345 | 569,345 | 569,345 | | 569,345 |
| 135 | 0207161F | TACTICAL AIM MISSILES | 5,915 | 5,915 | 5,915 | | 5,915 |
| 136 | 0207163F | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 49,971 | 49,971 | 49,971 | | 49,971 |
| 137 | 0207170F | JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) | 2,529 | 2,529 | 2,529 | | 2,529 |
| 138 | 0207227F | COMBAT RESCUE—PARARESCUE | 2,950 | 2,950 | 2,950 | | 2,950 |
| 139 | 0207247F | AF TENCAP | 11,643 | 11,643 | 11,643 | | 11,643 |
| 140 | 0207249F | PRECISION ATTACK SYSTEMS PROCUREMENT | 2,950 | 2,950 | 2,950 | | 2,950 |
| 141 | 0207253F | COMPASS CALL | 13,019 | 13,019 | 13,019 | | 13,019 |
| 142 | 0207268F | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 166,563 | 166,563 | 166,563 | –12,000 | 154,563 |
| | | F135 Engine—Early to need | | | | [–12,000] | |
| 143 | 0207277F | CSAF INNOVATION PROGRAM | 4,621 | 4,621 | 4,621 | | 4,621 |
| 144 | 0207325F | JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) | 29,494 | 29,494 | 29,494 | | 29,494 |
| 145 | 0207410F | AIR & SPACE OPERATIONS CENTER (AOC) | 99,405 | 99,405 | 99,405 | | 99,405 |
| 146 | 0207412F | CONTROL AND REPORTING CENTER (CRC) | 52,508 | 52,508 | 52,508 | | 52,508 |
| 147 | 0207417F | AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) | 176,040 | 176,040 | 176,040 | | 176,040 |
| 148 | 0207418F | TACTICAL AIRBORNE CONTROL SYSTEMS | | | | | |
| 149 | 0207423F | ADVANCED COMMUNICATIONS SYSTEMS | 63,782 | 63,782 | 63,782 | | 63,782 |
| 150 | 0207424F | EVALUATION AND ANALYSIS PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 151 | 0207431F | COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES | 1,475 | 1,475 | 1,475 | | 1,475 |
| 152 | 0207438F | THEATER BATTLE MANAGEMENT (TBM) C4I | 19,067 | 19,067 | 19,067 | | 19,067 |
| 153 | 0207445F | FIGHTER TACTICAL DATA LINK | 72,106 | 72,106 | 72,106 | | 72,106 |
| 154 | 0207446F | BOMBER TACTICAL DATA LINK | | | | | |
| 155 | 0207448F | C2ISR TACTICAL DATA LINK | 1,667 | 1,667 | 1,667 | | 1,667 |
| 156 | 0207449F | COMMAND AND CONTROL (C2) CONSTELLATION | 26,792 | 26,792 | 26,792 | | 26,792 |
| 157 | 0207581F | JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS) | 140,670 | 140,670 | 232,670 | | 140,670 |
| | | MP-RTIP integration & test on JSTARS aircraft | | | [92,000] | | |
| 158 | 0207590F | SEEK EAGLE | 22,071 | 22,071 | 22,071 | | 22,071 |
| 159 | 0207601F | USAF MODELING AND SIMULATION | 27,245 | 27,245 | 27,245 | | 27,245 |
| 160 | 0207605F | WARGAMING AND SIMULATION CENTERS | 7,018 | 7,018 | 7,018 | | 7,018 |
| 161 | 0207697F | DISTRIBUTED TRAINING AND EXERCISES | 6,740 | 6,740 | 6,740 | | 6,740 |
| 162 | 0208006F | MISSION PLANNING SYSTEMS | 91,995 | 91,995 | 91,995 | | 91,995 |
| 163 | 0208021F | INFORMATION WARFARE SUPPORT | 12,271 | 12,271 | 12,271 | | 12,271 |
| 164 | 0208161F | SPECIAL EVALUATION SYSTEM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 165 | 0301310F | NATIONAL AIR INTELLIGENCE CENTER | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | Open Source Research Centers | | [4,000] | | [1,000] | |
| 166 | 0301314F | COBRA BALL | [ ] | [ ] | [ ] | [ ] | [ ] |
| 167 | 0301315F | MISSILE AND SPACE TECHNICAL COLLECTION | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | Technical Sensors Integrated Ground Station | | [4,800] | | | |
| 168 | 0301324F | FOREST GREEN | [ ] | [ ] | [ ] | [ ] | [ ] |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
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| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 169 | 0301386F | GDIP COLLECTION MANAGEMENT | [ ] | [ ] | [ ] | [ ] | [ ] |
| 170 | 0302015F | E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) | 26,107 | 26,107 | 26,107 | | 26,107 |
| 171 | 0303112F | AIR FORCE COMMUNICATIONS (AIRCOM) | | | | | |
| 172 | 0303131F | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN). | 72,694 | 72,694 | 72,694 | | 72,694 |
| 173 | 0303140F | INFORMATION SYSTEMS SECURITY PROGRAM | 196,621 | 196,621 | 196,621 | | 196,621 |
| 174 | 0303141F | GLOBAL COMBAT SUPPORT SYSTEM | 3,375 | 3,375 | 3,375 | | 3,375 |
| 175 | 0303150F | GLOBAL COMMAND AND CONTROL SYSTEM | 3,149 | 3,149 | 3,149 | | 3,149 |
| 176 | 0303158F | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 3,087 | 3,087 | 3,087 | | 3,087 |
| 177 | 0303601F | MILSATCOM TERMINALS | 257,693 | 257,693 | 257,693 | | 257,693 |
| 179 | 0304260F | AIRBORNE SIGINT ENTERPRISE | 176,989 | 176,989 | 176,989 | | 176,989 |
| 180 | 0304311F | SELECTED ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 181 | 0304348F | ADVANCED GEOSPATIAL INTELLIGENCE (AGI) | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | Advanced Technical Intelligence Center | | [9,000] | | [6,500] | |
| 182 | 0305099F | GLOBAL AIR TRAFFIC MANAGEMENT (GATM) | 6,028 | 9,328 | 6,028 | | 6,028 |
| | | Carbon Nanotube Enhanced Power Sources for Space | | [3,300] | | | |
| 183 | 0305103F | CYBER SECURITY INITIATIVE | 2,065 | 2,065 | 2,065 | | 2,065 |
| 184 | 0305110F | SATELLITE CONTROL NETWORK (SPACE) | 20,991 | 20,991 | 20,991 | | 20,991 |
| 185 | 0305111F | WEATHER SERVICE | 33,531 | 33,531 | 33,531 | | 33,531 |
| 186 | 0305114F | AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) | 9,006 | 9,006 | 9,006 | | 9,006 |
| 187 | 0305116F | AERIAL TARGETS | 54,807 | 54,807 | 54,807 | | 54,807 |
| 188 | 0305124F | SPECIAL APPLICATIONS PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 189 | 0305127F | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 190 | 0305128F | SECURITY AND INVESTIGATIVE ACTIVITIES | 742 | 742 | 742 | | 742 |
| 191 | 0305142F | APPLIED TECHNOLOGY AND INTEGRATION | [ ] | [ ] | [ ] | [ ] | [ ] |
| 192 | 0305146F | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | 39 | 39 | 39 | | 39 |
| 194 | 0305164F | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) | 137,692 | 137,692 | 137,692 | | 137,692 |
| 195 | 0305165F | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS). | 52,039 | 52,039 | 52,039 | | 52,039 |
| 196 | 0305172F | COMBINED ADVANCED APPLICATIONS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 197 | 0305173F | SPACE AND MISSILE TEST AND EVALUATION CENTER | 3,599 | 3,599 | 3,599 | | 3,599 |
| 198 | 0305174F | SPACE WARFARE CENTER | 3,009 | 3,009 | 3,009 | | 3,009 |
| 199 | 0305182F | SPACELIFT RANGE SYSTEM (SPACE) | 9,957 | 9,957 | 9,957 | | 9,957 |
| 200 | 0305193F | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | 1,240 | 1,240 | 1,240 | | 1,240 |
| 201 | 0305202F | DRAGON U–2 | | | | | |
| 202 | 0305205F | ENDURANCE UNMANNED AERIAL VEHICLES | 73,736 | 73,736 | 38,736 | –35,000 | 38,736 |
| | | ISIS | | | [–35,000] | [–35,000] | |
| 203 | 0305206F | AIRBORNE RECONNAISSANCE SYSTEMS | 143,892 | 151,392 | 97,892 | 2,000 | 145,892 |
| | | GORGON STARE | | | [–46,000] | | |
| | | Multiple UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Objective. | | [7,500] | | [2,000] | |
| 204 | 0305207F | MANNED RECONNAISSANCE SYSTEMS | 12,846 | 15,346 | 12,846 | 2,500 | 15,346 |
| | | Rivet Joint Services Oriented Architecture (SOA) | | [2,500] | | [2,500] | |
| 205 | 0305208F | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 82,765 | 82,765 | 82,765 | | 82,765 |
| 206 | 0305219F | MQ–1 PREDATOR A UAV | 18,101 | 18,101 | 22,101 | 4,000 | 22,101 |
| | | Sense and avoid | | | [4,000] | [4,000] | |
| 207 | 0305220F | RQ–4 UAV | 317,316 | 317,316 | 317,316 | | 317,316 |
| 208 | 0305221F | NETWORK-CENTRIC COLLABORATIVE TARGETING | 8,160 | 8,160 | 8,160 | | 8,160 |
| 209 | 0305265F | GPS III SPACE SEGMENT | 815,095 | 815,095 | 815,095 | –97,400 | 717,695 |
| | | GPS Control Segment (OCX) | | | | [–97,400] | |
| 210 | 0305614F | JSPOC MISSION SYSTEM | 131,271 | 131,271 | 137,271 | 6,000 | 137,271 |
| | | Karnac | | | [6,000] | [6,000] | |
| 211 | 0305887F | INTELLIGENCE SUPPORT TO INFORMATION WARFARE | 5,267 | 5,267 | 5,267 | | 5,267 |
| 212 | 0305906F | NCMC—TW/AA SYSTEM | | | | | |
| 213 | 0305913F | NUDET DETECTION SYSTEM (SPACE) | 84,021 | 84,021 | 84,021 | | 84,021 |
| 214 | 0305924F | NATIONAL SECURITY SPACE OFFICE | 10,634 | 10,634 | 10,634 | | 10,634 |
| 215 | 0305940F | SPACE SITUATION AWARENESS OPERATIONS | 54,648 | 54,648 | 54,648 | | 54,648 |
| 216 | 0307141F | INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT. | 30,076 | 30,076 | 30,076 | | 30,076 |
| 217 | 0308699F | SHARED EARLY WARNING (SEW) | 3,082 | 3,082 | 3,082 | | 3,082 |
| 218 | 0401115F | C–130 AIRLIFT SQUADRON | 201,250 | 201,250 | 201,250 | | 201,250 |
| 219 | 0401119F | C–5 AIRLIFT SQUADRONS (IF) | 95,266 | 95,266 | 95,266 | | 95,266 |
| 220 | 0401130F | C–17 AIRCRAFT (IF) | 161,855 | 161,855 | 161,855 | | 161,855 |
| 221 | 0401132F | C–130J PROGRAM | 30,019 | 30,019 | 30,019 | | 30,019 |
| 222 | 0401134F | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) | 31,784 | 31,784 | 31,784 | | 31,784 |
| 223 | 0401218F | KC–135S | 10,297 | 10,297 | 10,297 | | 10,297 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
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|---|---|---|---|---|---|---|---|
| 224 | 0401219F | KC–10S | 35,586 | 35,586 | 35,586 | | 35,586 |
| 225 | 0401221F | KC–135 TANKER REPLACEMENT | | | | | |
| 226 | 0401314F | OPERATIONAL SUPPORT AIRLIFT | 4,916 | 0 | 4,916 | | 4,916 |
| | | Unjustified Requirement for PAR | | [–4,916] | | | |
| 227 | 0401839F | AIR MOBILITY TACTICAL DATA LINK | | | | | |
| 228 | 0408011F | SPECIAL TACTICS / COMBAT CONTROL | 8,222 | 10,922 | 8,222 | | 8,222 |
| | | Special Mission Clothing for AFSOC | | [2,700] | | | |
| 229 | 0702207F | DEPOT MAINTENANCE (NON-IF) | 1,508 | 1,508 | 1,508 | | 1,508 |
| 230 | 0702976F | FACILITIES RESTORATION & MODERNIZATION—LOGISTICS | | | | | |
| 231 | 0708011F | INDUSTRIAL PREPAREDNESS | | 2,000 | | 2,000 | 2,000 |
| | | Wire Integrity Technology | | [2,000] | | [2,000] | |
| 232 | 0708610F | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) | 246,483 | 246,483 | 246,483 | | 246,483 |
| 233 | 0708611F | SUPPORT SYSTEMS DEVELOPMENT | 6,288 | 17,488 | 6,288 | 2,000 | 8,288 |
| | | Warner-Robins Air Logistics Center Streamlined Processes | | [4,200] | | | |
| | | Micro-Grid Energy Storage Utilizing a Deployable Zinc-Bromide Flow Battery. | | [5,000] | | | |
| | | ALC Logistics Integration Environment | | [2,000] | | [2,000] | |
| 234 | 0804743F | OTHER FLIGHT TRAINING | 805 | 805 | 805 | | 805 |
| 235 | 0804757F | JOINT NATIONAL TRAINING CENTER | 3,220 | 3,220 | 3,220 | | 3,220 |
| 236 | 0804772F | TRAINING DEVELOPMENTS | 1,769 | 1,769 | 1,769 | | 1,769 |
| 237 | 0808716F | OTHER PERSONNEL ACTIVITIES | 116 | 116 | 116 | | 116 |
| 238 | 0901202F | JOINT PERSONNEL RECOVERY AGENCY | 6,376 | 6,376 | 11,376 | 5,000 | 11,376 |
| | | Biometric signature and passive physiological monitoring | | | [5,000] | [5,000] | |
| 239 | 0901212F | SERVICE-WIDE SUPPORT (NOT OTHERWISE ACCOUNTED FOR) | | | | | |
| 240 | 0901218F | CIVILIAN COMPENSATION PROGRAM | 8,174 | 8,174 | 8,174 | | 8,174 |
| 241 | 0901220F | PERSONNEL ADMINISTRATION | 10,492 | 10,492 | 10,492 | 20,490 | 30,982 |
| | | DIMHRS—OSD requested transfer from RDDW, Line 117 | | | | [20,490] | |
| 242 | 0901538F | FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT | 55,991 | 55,991 | 55,991 | | 55,991 |
| 999 | 9999999 | OTHER PROGRAMS | 11,955,084 | 12,189,134 | 12,095,084 | 182,000 | 12,137,084 |
| | | Program Increase | | [215,000] | [140,000] | [172,500] | |
| | | Carbon Nanotube Enhanced Power Sources for Space | | | | [2,000] | |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE** | **18,751,901** | **19,012,235** | **18,917,901** | **111,590** | **18,863,491** |
| | | **TOTAL, RDT&E AIR FORCE** | **27,992,827** | **28,505,661** | **28,552,502** | **408,815** | **28,401,642** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE** | | | | | |
| | | **BASIC RESEARCH** | | | | | |
| 001 | 0601000BR | DTRA BASIC RESEARCH INITIATIVE | 48,544 | 50,544 | 48,544 | | 48,544 |
| | | Virtual Perimeter Monitoring System (VPMS) | | [2,000] | | | |
| 002 | 0601101E | DEFENSE RESEARCH SCIENCES | 226,125 | 230,325 | 226,125 | | 226,125 |
| | | Development of Low-Cost, Stable Vaccines for Field Application | | [3,200] | | | |
| | | High School Science Study Group/CS Futures | | [1,000] | | | |
| 003 | 0601111D8Z | GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH | | | | | |
| 004 | 0601114D8Z | DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH. | | | 8,000 | | |
| | | Program Increase | | | [8,000] | | |
| 005 | 0601120D8Z | NATIONAL DEFENSE EDUCATION PROGRAM | 89,980 | 89,980 | 89,980 | | 89,980 |
| 006 | 0601384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 58,974 | 63,974 | 60,974 | 5,900 | 64,874 |
| | | In-vitro models for bio-defense vaccines | | | [2,000] | [1,900] | |
| | | Synchrotron Beamline and Experimental Station | | [5,000] | | [4,000] | |
| | | **SUBTOTAL, BASIC RESEARCH, DEFENSE-WIDE** | **423,623** | **434,823** | **433,623** | **5,900** | **429,523** |
| | | **APPLIED RESEARCH** | | | | | |
| 007 | 0602000D8Z | JOINT MUNITIONS TECHNOLOGY | 22,669 | 22,669 | 22,669 | –3,708 | 18,961 |
| | | Partial Program Growth Reduction | | | | [–3,708] | |
| 008 | 0602227D8Z | MEDICAL FREE ELECTRON LASER | | | | | |
| 009 | 0602228D8Z | HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE | 15,164 | 20,164 | 15,164 | 5,000 | 20,164 |
| | | Historically Black Colleges and Universities and Minority Serving Institutions Program. | | [5,000] | | [5,000] | |
| 010 | 0602234D8Z | LINCOLN LABORATORY RESEARCH PROGRAM | 34,034 | 34,034 | 34,034 | | 34,034 |
| 011 | 0602303E | INFORMATION & COMMUNICATIONS TECHNOLOGY | 282,749 | 272,749 | 270,749 | –10,000 | 272,749 |
| | | Content distribution | | | [–4,500] | | |
| | | CORONET | | | [–7,500] | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
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|---|---|---|---|---|---|---|---|
| | | Program Reduction | | [–10,000] | | [–10,000] | |
| 012 | 0602304E | COGNITIVE COMPUTING SYSTEMS | 142,840 | 142,840 | 117,840 | | 142,840 |
| | | Cognitive networking | | | [–25,000] | | |
| 013 | 0602383E | BIOLOGICAL WARFARE DEFENSE | 40,587 | 40,587 | 40,587 | | 40,587 |
| 014 | 0602384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 209,072 | 211,072 | 222,950 | 3,900 | 212,972 |
| | | Chemical and biological infrared detector | | | [3,000] | [1,900] | |
| | | Biological decontamination research | | | [1,000] | | |
| | | Funding for meritorious unfunded TMTI projects | | | [9,878] | | |
| | | Chemical and Biological Resistant Clothing | | [2,000] | | [2,000] | |
| 015 | 0602663D8Z | JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT | 4,940 | 4,940 | 4,940 | | 4,940 |
| 016 | 0602670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH. | 9,446 | 9,446 | 9,446 | | 9,446 |
| 017 | 0602702E | TACTICAL TECHNOLOGY | 276,075 | 266,075 | 263,075 | –10,000 | 266,075 |
| | | EXACTO | | | [–10,000] | | |
| | | Submersible aircraft | | | [–3,000] | | |
| | | Program Reduction | | [–10,000] | | [–10,000] | |
| 018 | 0602715E | MATERIALS AND BIOLOGICAL TECHNOLOGY | 268,859 | 265,859 | 268,859 | –5,000 | 263,859 |
| | | Improved Performance of ODS Ferritic Steels | | [2,000] | | | |
| | | Program Reduction | | [–5,000] | | [–5,000] | |
| 019 | 0602716E | ELECTRONICS TECHNOLOGY | 223,841 | 213,841 | 223,841 | –10,000 | 213,841 |
| | | Program Reduction | | [–10,000] | | [–10,000] | |
| 020 | 0602718BR | WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES | 219,130 | 222,730 | 221,130 | 1,500 | 220,630 |
| | | Blast mitigation and protection | | | [2,000] | [1,500] | |
| | | Eagles Eyes—Stand-off Radiation Detection | | [3,600] | | | |
| 021 | 1160401BB | SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT | 27,384 | 31,634 | 27,384 | | 27,384 |
| | | SOF Craft Integrated Backbone | | [2,000] | | | |
| | | Rapid and Low Cost Development of Next Generation Patrol Ships for Special Operations. | | [2,250] | | | |
| 022 | 1160407BB | SOF MEDICAL TECHNOLOGY DEVELOPMENT | | | | | |
| | | **SUBTOTAL, APPLIED RESEARCH, DEFENSE-WIDE** | **1,776,790** | **1,758,640** | **1,742,668** | **–28,308** | **1,748,482** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | | | | |
| 023 | 0603000D8Z | JOINT MUNITIONS ADVANCED TECHNOLOGY | 23,538 | 23,538 | 23,538 | –6,784 | 16,754 |
| | | Partial Program Growth Reduction | | | | [–6,784] | |
| 024 | 0603121D8Z | SO/LIC ADVANCED DEVELOPMENT | 43,808 | 46,808 | 43,808 | | 43,808 |
| | | Lasercomm Link for Explosive Ordnance Disposal Robot Operations | | [3,000] | | | |
| 025 | 0603122D8Z | COMBATING TERRORISM TECHNOLOGY SUPPORT | 81,868 | 95,268 | 87,868 | 10,500 | 92,368 |
| | | Impact and blast loading laboratory testing program | | | [2,500] | | |
| | | Reconnaissance and data exploitation systems | | | [3,500] | [3,500] | |
| | | Affordable Robust Mid-Sized UGV | | [4,000] | | [2,000] | |
| | | Advanced Transparent LAS Glass Ceramic Armor Systems for Force Protection. | | [1,250] | | | |
| | | Integrated Rugged Checkpoint Container | | [2,500] | | [2,500] | |
| | | Combating Terrorism: Threat and Risk Assessment | | [2,650] | | [2,500] | |
| | | Thresholds for Neurological Injuries from Repeated Blast Exposures. | | [3,000] | | | |
| 026 | 0603160BR | COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT. | 233,203 | 233,203 | 233,203 | | 233,203 |
| 027 | 0603175C | BALLISTIC MISSILE DEFENSE TECHNOLOGY | 109,760 | 109,760 | 109,760 | –5,000 | 104,760 |
| | | General Reduction | | | | [–5,000] | |
| 028 | 0603200D8Z | JOINT ADVANCED CONCEPTS | 7,817 | 11,817 | 10,817 | | 7,817 |
| | | Joint Future Theater Lift joint advanced concepts | | | [3,000] | | |
| | | Robotic Border Area Surveillance System Program | | [4,000] | | | |
| 029 | 0603225D8Z | JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT | 23,276 | 23,276 | 23,276 | | 23,276 |
| 030 | 0603286E | ADVANCED AEROSPACE SYSTEMS | 338,360 | 253,360 | 232,360 | –89,000 | 249,360 |
| | | Disc-rotor compound helicopter | | | [–5,000] | | |
| | | Endurance UAS programs | | | [–90,000] | | |
| | | Heliplane | | | [–4,000] | | |
| | | Triple target terminator | | | [–7,000] | | |
| | | Program Reduction | | [–75,000] | | [–89,000] | |
| | | Integrated Sensor is Structure | | [–10,000] | | | |
| 031 | 0603287E | SPACE PROGRAMS AND TECHNOLOGY | 200,612 | 200,612 | 200,612 | | 200,612 |
| 032 | 0603384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT. | 282,235 | 284,235 | 282,235 | 2,000 | 284,235 |
| | | Total Perimeter Surveillance | | [2,000] | | [2,000] | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 033 | 0603618D8Z | JOINT ELECTRONIC ADVANCED TECHNOLOGY | 10,838 | 10,838 | 10,838 | | 10,838 |
| 034 | 0603648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 198,352 | 202,652 | 173,352 | –21,000 | 177,352 |
| | | JCTD new starts | | | [–25,000] | [–25,000] | |
| | | High Accuracy Network Determination System—Intelligent Optical Networks (HANDS-ION). | | [2,000] | | [2,000] | |
| | | Distributed Network Switching and Security | | [2,300] | | [2,000] | |
| 035 | 0603662D8Z | NETWORKED COMMUNICATIONS CAPABILITIES | 28,212 | 28,212 | 28,212 | | 28,212 |
| 036 | 0603663D8Z | JOINT DATA MANAGEMENT RESEARCH | 4,935 | 4,935 | 4,935 | | 4,935 |
| 037 | 0603665D8Z | BIOMETRICS SCIENCE AND TECHNOLOGY | 10,993 | 10,993 | 10,993 | | 10,993 |
| 038 | 0603670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT. | 11,480 | 11,480 | 11,480 | | 11,480 |
| 039 | 0603680D8Z | DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM. | 14,638 | 14,638 | 24,638 | 10,000 | 24,638 |
| | | High performance defense manufacturing technology | | | [10,000] | [10,000] | |
| 040 | 0603711D8Z | JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS | 9,110 | 9,110 | 11,110 | 2,000 | 11,110 |
| | | Robotics training systems | | | [2,000] | [2,000] | |
| 041 | 0603712S | GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS | 19,043 | 21,043 | 60,293 | 14,600 | 33,643 |
| | | Alternative energy research | | | [20,000] | | |
| | | Biofuels program | | | [4,000] | [2,000] | |
| | | Biomass conversion research | | | [2,500] | [1,600] | |
| | | Fuel cell manufacturing research | | | [3,750] | [1,000] | |
| | | Renewable power for forward operating bases | | | [3,000] | | |
| | | Vehicle fuel cell and hydrogen logistics program | | | [8,000] | [8,000] | |
| | | Next Generation Manufacturing Technologies Initiative | | [2,000] | | [2,000] | |
| 042 | 0603713S | DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY | 29,356 | 29,356 | 29,356 | | 29,356 |
| 043 | 0603716D8Z | STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM | 69,175 | 69,175 | 69,175 | | 69,175 |
| 044 | 0603720S | MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT | 26,310 | 33,810 | 26,310 | 4,500 | 30,810 |
| | | Feature Size Yield Enhancement at DMEA's Semiconductors Foundry. | | [2,500] | | [2,500] | |
| | | End to End Semi Fab Alpha Tool | | [5,000] | | [2,000] | |
| 045 | 0603727D8Z | JOINT WARFIGHTING PROGRAM | 11,135 | 11,135 | 11,135 | | 11,135 |
| 046 | 0603739E | ADVANCED ELECTRONICS TECHNOLOGIES | 205,912 | 190,912 | 205,912 | –15,000 | 190,912 |
| | | Program Reduction | | [–15,000] | | [–15,000] | |
| 047 | 0603745D8Z | SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD). | 4,864 | 4,864 | 4,864 | | 4,864 |
| 048 | 0603750D8Z | ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS | | | | | |
| 049 | 0603755D8Z | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM | 221,286 | 221,286 | 224,286 | 3,000 | 224,286 |
| | | Computational design of novel materials | | | [3,000] | [3,000] | |
| 050 | 0603760E | COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS | 293,476 | 293,476 | 283,476 | –18,150 | 275,326 |
| | | Deep Green | | | [–10,000] | | |
| | | CCC-CLS execution delays | | | | [–18,150] | |
| 051 | 0603764E | LAND WARFARE TECHNOLOGY | | | | | |
| 052 | 0603765E | CLASSIFIED DARPA PROGRAMS | 186,526 | 186,526 | 186,526 | | 186,526 |
| 053 | 0603766E | NETWORK-CENTRIC WARFARE TECHNOLOGY | 135,941 | 135,941 | 135,941 | | 135,941 |
| 054 | 0603767E | SENSOR TECHNOLOGY | 243,056 | 228,056 | 235,556 | –25,000 | 218,056 |
| | | SUDS | | | [–7,500] | | |
| | | Program Reduction | | [–15,000] | | [–15,000] | |
| | | SEN-CLS execution delays | | | | [–10,000] | |
| 055 | 0603768E | GUIDANCE TECHNOLOGY | 37,040 | 37,040 | 37,040 | | 37,040 |
| 056 | 0603769SE | DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT | 13,822 | 13,822 | 13,822 | | 13,822 |
| 057 | 0603781D8Z | SOFTWARE ENGINEERING INSTITUTE | 31,298 | 31,298 | 31,298 | | 31,298 |
| 058 | 0603805S | DUAL USE TECHNOLOGY | | | | | |
| 059 | 0603826D8Z | QUICK REACTION SPECIAL PROJECTS | 107,984 | 97,984 | 94,784 | –13,500 | 94,484 |
| | | Quick Reaction Fund | | | [–15,000] | [–15,000] | |
| | | Special warfare domain awareness | | | [1,800] | [1,500] | |
| | | Program Reduction | | [–10,000] | | | |
| 060 | 0603828D8Z | JOINT EXPERIMENTATION | 124,480 | 127,180 | 119,480 | –2,300 | 122,180 |
| | | Space control and GPS experimentation | | | [–5,000] | | |
| | | Tidewater Full Scale Exercise | | [2,700] | | [2,700] | |
| | | National Center for Small Unit Excellence | | | | [–5,000] | |
| 061 | 0603832D8Z | DOD MODELING AND SIMULATION MANAGEMENT OFFICE | 38,505 | 38,505 | 38,505 | | 38,505 |
| 062 | 0603941D8Z | TEST & EVALUATION SCIENCE & TECHNOLOGY | 95,734 | 95,734 | 95,734 | | 95,734 |
| 063 | 0603942D8Z | TECHNOLOGY TRANSFER | 2,219 | 5,219 | 2,219 | 3,000 | 5,219 |
| | | National Radio Frequency RD&T Transfer Center | | [3,000] | | [3,000] | |
| 064 | 0909999D8Z | FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS | | | | | |
| 065 | 1160402BB | SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT | 31,675 | 35,175 | 33,275 | 5,100 | 36,775 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | Lithium ion battery safety research | | | [1,600] | [1,600] | |
| | | Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center. | | [3,500] | | [3,500] | |
| 066 | 1160422BB | AVIATION ENGINEERING ANALYSIS | 3,544 | 3,544 | 3,544 | | 3,544 |
| 067 | 1160472BB | SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY. | 4,988 | 4,988 | 4,988 | | 4,988 |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, DEFENSE-WIDE** | **3,570,404** | **3,490,804** | **3,470,554** | **–141,034** | **3,429,370** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | | | | |
| 068 | 0603161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P. | 36,019 | 36,019 | 36,019 | | 36,019 |
| 069 | 0603228D8Z | PHYSICAL SECURITY EQUIPMENT | | | | | |
| 070 | 0603527D8Z | RETRACT LARCH | 21,718 | 21,718 | 21,718 | | 21,718 |
| 071 | 0603709D8Z | JOINT ROBOTICS PROGRAM | 11,803 | 15,653 | 11,803 | 2,000 | 13,803 |
| | | Autonomous Machine Vision for Mapping and Investigation of Remote Sites. | | [2,250] | | [2,000] | |
| | | RobonostiX Integration to Improve Readiness of Robotic Unmanned Systems. | | [1,600] | | | |
| 072 | 0603714D8Z | ADVANCED SENSOR APPLICATIONS PROGRAM | 17,771 | 17,771 | 17,771 | | 17,771 |
| 073 | 0603851D8Z | ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM | 31,613 | 31,613 | 31,613 | | 31,613 |
| 074 | 0603881C | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT | 719,465 | 719,465 | 719,465 | | 719,465 |
| 075 | 0603882C | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT | 982,922 | 982,922 | 982,922 | 20,000 | 1,002,922 |
| | | GBI vendor base sustainment | | | | [20,000] | |
| 076 | 0603883C | BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT | 186,697 | 186,697 | 186,697 | | 186,697 |
| 077 | 0603884BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 205,952 | 205,952 | 207,952 | 1,600 | 207,552 |
| | | Real-time non-specific viral agent detector | | | [2,000] | [1,600] | |
| 078 | 0603884C | BALLISTIC MISSILE DEFENSE SENSORS | 636,856 | 636,856 | 641,856 | | 636,856 |
| | | Airborne infrared surveillance technology | | | [5,000] | | |
| 079 | 0603886C | BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR | | | | | |
| 080 | 0603888C | BALLISTIC MISSILE DEFENSE TEST & TARGETS | 966,752 | 966,752 | 966,752 | –26,000 | 940,752 |
| | | Target Synchronization with Test Schedule | | | | [–26,000] | |
| 081 | 0603890C | BMD ENABLING PROGRAMS | 369,145 | 344,145 | 369,145 | –15,000 | 354,145 |
| | | Programs Reduction | | [–25,000] | | [–15,000] | |
| 082 | 0603891C | SPECIAL PROGRAMS—MDA | 301,566 | 301,566 | 301,566 | –15,000 | 286,566 |
| | | Program Decrease due to excessive growth | | | | [–15,000] | |
| 083 | 0603892C | AEGIS BMD | 1,690,758 | 1,690,758 | 1,660,758 | | 1,690,758 |
| | | Excess to execution | | | [–30,000] | | |
| 084 | 0603893C | SPACE TRACKING & SURVEILLANCE SYSTEM | 180,000 | 180,000 | 180,000 | –6,800 | 173,200 |
| | | Demonstration Satellites | | | | [–6,800] | |
| 085 | 0603894C | MULTIPLE KILL VEHICLE | | | | | |
| 086 | 0603895C | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS | 12,549 | 12,549 | 12,549 | | 12,549 |
| 087 | 0603896C | BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS. | 340,014 | 340,014 | 340,014 | | 340,014 |
| 088 | 0603897C | BALLISTIC MISSILE DEFENSE HERCULES | 48,186 | 48,186 | 48,186 | | 48,186 |
| 089 | 0603898C | BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT | 60,921 | 61,421 | 60,921 | 500 | 61,421 |
| | | Independent Advisory Group to Review Ballistic Missile Defense Training Needs. | | [500] | | [500] | |
| 090 | 0603904C | MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) | 86,949 | 91,949 | 86,949 | | 86,949 |
| | | Joint Data Exchange Center-Missile Defense | | [5,000] | | | |
| 091 | 0603906C | REGARDING TRENCH | 6,164 | 6,164 | 6,164 | | 6,164 |
| 092 | 0603907C | SEA BASED X-BAND RADAR (SBX) | 174,576 | 174,576 | 174,576 | | 174,576 |
| 093 | 0603908C | BMD EUROPEAN INTERCEPTOR SITE | | | | | |
| 094 | 0603909C | BMD EUROPEAN MIDCOURSE RADAR | | | | | |
| 095 | 0603911C | BMD EUROPEAN CAPABILITY | 50,504 | 50,504 | 50,504 | | 50,504 |
| 096 | 0603912C | BMD EUROPEAN COMMUNICATIONS SUPPORT | | | | | |
| 097 | 0603913C | ISRAELI COOPERATIVE PROGRAMS | 119,634 | 140,134 | 144,634 | 25,000 | 144,634 |
| | | Short-range ballistic missile defense | | [20,500] | [25,000] | [25,000] | |
| 098 | 0603920D8Z | HUMANITARIAN DEMINING | 14,687 | 14,687 | 14,687 | | 14,687 |
| 099 | 0603923D8Z | COALITION WARFARE | 13,885 | 13,885 | 13,885 | | 13,885 |
| 100 | 0604016D8Z | DEPARTMENT OF DEFENSE CORROSION PROGRAM | 4,887 | 4,887 | 8,387 | 3,500 | 8,387 |
| | | Corrosion control research | | | [3,500] | [3,500] | |
| 101 | 0604400D8Z | DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT. | 55,289 | 55,289 | 55,289 | | 55,289 |
| 102 | 0604648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 18,577 | 22,877 | 18,577 | | 18,577 |
| | | Mobile Detection Assessment Response System Enhancements | | [4,300] | | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 103 | 0604670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING. | 7,006 | 7,006 | 7,006 | | 7,006 |
| 104 | 0604787D8Z | JOINT SYSTEMS INTEGRATION COMMAND (JSIC) | 19,744 | 19,744 | 69,744 | | 19,744 |
| | | Systems engineering and prototyping program | | | [50,000] | | |
| 105 | 0604828D8Z | JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM | 16,972 | 16,972 | 16,972 | | 16,972 |
| 106 | 0605017D8Z | REDUCTION OF TOTAL OWNERSHIP COST | 24,647 | 24,647 | 24,647 | | 24,647 |
| 107 | 0303191D8Z | JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM | 3,949 | 3,949 | 3,949 | | 3,949 |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DEFENSE-WIDE.** | **7,438,177** | **7,447,327** | **7,493,677** | **–10,200** | **7,427,977** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | | | | |
| 108 | 0604051D8Z | DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP) | 28,862 | 28,862 | 28,862 | | 28,862 |
| 109 | 0604161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD. | 7,628 | 7,628 | 7,628 | | 7,628 |
| 110 | 0604165D8Z | PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT | 166,913 | 166,913 | 166,913 | | 166,913 |
| 111 | 0604384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 332,895 | 332,895 | 332,895 | | 332,895 |
| 112 | 0604709D8Z | JOINT ROBOTICS PROGRAM | 5,127 | 5,127 | 5,127 | | 5,127 |
| 113 | 0604764K | ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO) | 39,911 | 39,911 | 39,911 | | 39,911 |
| 114 | 0604771D8Z | JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) | 20,633 | 20,633 | 20,633 | | 20,633 |
| 115 | 0605000BR | WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES | 8,735 | 8,735 | 8,735 | | 8,735 |
| 116 | 0605013BL | INFORMATION TECHNOLOGY DEVELOPMENT | 11,705 | 136,115 | 11,705 | | 11,705 |
| | | Transfer from Title XIV | | [124,410] | | | |
| 117 | 0605018BTA | DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS). | 70,000 | 70,000 | 70,000 | –51,290 | 18,710 |
| | | Transfer to RDA, line 117 for DIMHRS execution | | | | [–30,800] | |
| | | Transfer to RDAF, line 241 for DIMHRS execution | | | | [–20,490] | |
| 118 | 0605020BTA | BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES | 197,008 | 197,008 | 197,008 | | 197,008 |
| 119 | 0605021SE | HOMELAND PERSONNEL SECURITY INITIATIVE | 395 | 395 | 395 | | 395 |
| 120 | 0605027D8Z | OUSD(C) IT DEVELOPMENT INITIATIVES | 5,000 | 5,000 | 5,000 | | 5,000 |
| 121 | 0605140D8Z | TRUSTED FOUNDRY | 41,223 | 41,223 | 41,223 | | 41,223 |
| 122 | 0605648D8Z | DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM | 4,267 | 4,267 | 4,267 | | 4,267 |
| 123 | 0303141K | GLOBAL COMBAT SUPPORT SYSTEM | 18,431 | 18,431 | 18,431 | | 18,431 |
| 124 | 0303158K | JOINT COMMAND AND CONTROL PROGRAM (JC2) | 49,047 | 49,047 | 49,047 | | 49,047 |
| 125 | 0807708D8Z | WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE. | 1,609 | 1,609 | 1,609 | | 1,609 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, DEFENSE-WIDE.** | **1,009,389** | **1,133,799** | **1,009,389** | **–51,290** | **958,099** |
| | | **RDT&E MANAGEMENT SUPPORT** | | | | | |
| 126 | 0603757D8Z | TRAINING TRANSFORMATION (T2) | | | | | |
| 127 | 0604774D8Z | DEFENSE READINESS REPORTING SYSTEM (DRRS) | 13,121 | 13,121 | 13,121 | | 13,121 |
| 128 | 0604875D8Z | JOINT SYSTEMS ARCHITECTURE DEVELOPMENT | 15,247 | 15,247 | 15,247 | | 15,247 |
| 129 | 0604940D8Z | CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) | 145,052 | 152,552 | 149,052 | 10,000 | 155,052 |
| | | SAM hardware simulators | | | [4,000] | | |
| | | Joint Gulf Range Test and Training Complex | | [3,000] | | [3,000] | |
| | | Gulf Range Mobile Instrumentation Capability | | [3,000] | | [3,000] | |
| | | Advanced SAM Hardware Simulator Development | | [1,500] | | [4,000] | |
| 130 | 0604943D8Z | THERMAL VICAR | 9,045 | 9,045 | 9,045 | | 9,045 |
| 131 | 0605100D8Z | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) | 9,455 | 9,455 | 9,455 | | 9,455 |
| 132 | 0605104D8Z | TECHNICAL STUDIES, SUPPORT AND ANALYSIS | 44,760 | 45,760 | 44,760 | | 44,760 |
| | | Center for Technology and National Security Policy at the National Defense University. | | [1,000] | | | |
| 133 | 0605110D8Z | USD(A&T)—CRITICAL TECHNOLOGY SUPPORT | 4,914 | 4,914 | 4,914 | | 4,914 |
| 134 | 0605117D8Z | FOREIGN MATERIAL ACQUISITION AND EXPLOITATION | 94,921 | 94,921 | 94,921 | | 94,921 |
| 135 | 0605126J | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO). | 96,909 | 75,909 | 96,909 | | 96,909 |
| | | Information System Security—Program Not Justified | | [–21,000] | | | |
| 136 | 0605128D8Z | CLASSIFIED PROGRAM USD(P) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 137 | 0605130D8Z | FOREIGN COMPARATIVE TESTING | 35,054 | 35,054 | 35,054 | | 35,054 |
| 138 | 0605161D8Z | NUCLEAR MATTERS-PHYSICAL SECURITY | 6,474 | 6,474 | 6,474 | | 6,474 |
| 139 | 0605170D8Z | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION | 14,916 | 14,916 | 14,916 | | 14,916 |
| 140 | 0605200D8Z | GENERAL SUPPORT TO USD (INTELLIGENCE) | 5,888 | 5,888 | 5,888 | | 5,888 |
| 141 | 0605384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 106,477 | 106,477 | 106,477 | | 106,477 |
| 142 | 0605502BR | SMALL BUSINESS INNOVATION RESEARCH | | | | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 143 | 0605502C | SMALL BUSINESS INNOVATIVE RESEARCH—MDA | | | | | |
| 144 | 0605502D8Z | SMALL BUSINESS INNOVATIVE RESEARCH | | | | | |
| 145 | 0605502E | SMALL BUSINESS INNOVATIVE RESEARCH | | | | | |
| 146 | 0605502S | SMALL BUSINESS INNOVATIVE RESEARCH | | | | | |
| 147 | 0605790D8Z | SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION. | 2,163 | 2,163 | 5,163 | 1,900 | 4,063 |
| | | Anti-tamper software systems | | | [3,000] | [1,900] | |
| 148 | 0605798D8Z | DEFENSE TECHNOLOGY ANALYSIS | 11,005 | 11,005 | 11,005 | | 11,005 |
| 149 | 0605798S | DEFENSE TECHNOLOGY ANALYSIS | | | | | |
| 150 | 0605799D8Z | FORCE TRANSFORMATION DIRECTORATE | 19,981 | 19,981 | 19,981 | | 19,981 |
| 151 | 0605801KA | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) | 54,411 | 49,411 | 54,411 | –5,000 | 49,411 |
| | | Program Reduction | | [–5,000] | | [–5,000] | |
| 152 | 0605803SE | R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION | 19,554 | 19,554 | 19,554 | | 19,554 |
| 153 | 0605804D8Z | DEVELOPMENT TEST AND EVALUATION | 23,512 | 26,512 | 23,512 | | 23,512 |
| | | Renewable Energy Systems (RES) for Defense Applications | | [3,000] | | | |
| 154 | 0605897E | DARPA AGENCY RELOCATION | 45,000 | 35,000 | 45,000 | | 45,000 |
| | | Program Reduction | | [–10,000] | | | |
| 155 | 0605898E | MANAGEMENT HQ—R&D | 51,055 | 51,055 | 51,055 | | 51,055 |
| 156 | 0606100D8Z | BUDGET AND PROGRAM ASSESSMENTS | 5,929 | 5,929 | 5,929 | | 5,929 |
| 157 | 0606301D8Z | AVIATION SAFETY TECHNOLOGIES | 8,000 | 8,000 | 8,000 | | 8,000 |
| 158 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | 1,250 | 1,250 | 1,250 | | 1,250 |
| 159 | 0301555G | CLASSIFIED PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 160 | 0301556G | SPECIAL PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 161 | 0303166D8Z | SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES | 30,604 | 30,604 | 30,604 | | 30,604 |
| 162 | 0303169D8Z | INFORMATION TECHNOLOGY RAPID ACQUISITION | 4,667 | 4,667 | 4,667 | | 4,667 |
| 163 | 0305103E | CYBER SECURITY INITIATIVE | 50,000 | 50,000 | 30,400 | | 50,000 |
| | | Program decrease | | | [–19,600] | | |
| 164 | 0305193D8Z | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | 20,648 | 20,648 | 20,648 | | 20,648 |
| 165 | 0305193G | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 166 | 0305400D8Z | WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT | 829 | 829 | 829 | | 829 |
| 167 | 0804767D8Z | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2). | 34,306 | 34,306 | 34,306 | | 34,306 |
| 168 | 0901585C | PENTAGON RESERVATION | 19,709 | 19,709 | 19,709 | | 19,709 |
| 169 | 0901598C | MANAGEMENT HQ—MDA | 57,403 | 57,403 | 57,403 | | 57,403 |
| 170 | 0901598D8W | IT SOFTWARE DEV INITIATIVES | 980 | 980 | 980 | | 980 |
| 170A | 9,999,999 | OTHER PROGRAMS | 124,705 | 124,705 | 124,705 | | 124,705 |
| | | **SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DEFENSE-WIDE** | **1,187,944** | **1,163,444** | **1,175,344** | **6,900** | **1,194,844** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 171 | 0604130V | DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS) | 1,384 | 1,384 | 1,384 | | 1,384 |
| 172 | 0605127T | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA. | 2,001 | 2,001 | 2,001 | | 2,001 |
| 173 | 0605147T | OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS). | 292 | 292 | 292 | | 292 |
| 174 | 0607384BP | CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT). | 6,198 | 6,198 | 6,198 | | 6,198 |
| 175 | 0607828D8Z | JOINT INTEGRATION AND INTEROPERABILITY | 46,214 | 46,214 | 46,214 | | 46,214 |
| 176 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | | | | | |
| 177 | 0208043J | CLASSIFIED PROGRAMS | 2,179 | 2,179 | 2,179 | | 2,179 |
| 178 | 0208045K | C4I INTEROPERABILITY | 74,786 | 74,786 | 74,786 | | 74,786 |
| 180 | 0301144K | JOINT/ALLIED COALITION INFORMATION SHARING | 10,767 | 10,767 | 10,767 | | 10,767 |
| 181 | 0301301L | GENERAL DEFENSE INTELLIGENCE PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | Advanced Scientific Missile Intelligence Preparation of the Battlespace (IPB). | | [4,000] | | [2,500] | |
| | | Portable Device for Latent Fingerprint Identification | | [1,800] | | [1,800] | |
| 182 | 0301318BB | HUMINT (CONTROLLED) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 183 | 0301371G | CYBER SECURITY INITIATIVE—CCP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 184 | 0301372L | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 185 | 0301555BZ | CLASSIFIED PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 186 | 0301556BZ | SPECIAL PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 187 | 0302016K | NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT | 548 | 548 | 548 | | 548 |
| 188 | 0302019K | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION | 17,655 | 17,655 | 17,655 | | 17,655 |
| 189 | 0303126K | LONG-HAUL COMMUNICATIONS—DCS | 9,406 | 9,406 | 9,406 | | 9,406 |
| 190 | 0303131K | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN). | 9,830 | 9,830 | 9,830 | | 9,830 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 191 | 0303135G | PUBLIC KEY INFRASTRUCTURE (PKI) | 8,116 | 8,116 | 8,116 | | 8,116 |
| 192 | 0303136G | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 41,002 | 41,002 | 41,002 | | 41,002 |
| 193 | 0303140D8Z | INFORMATION SYSTEMS SECURITY PROGRAM | 13,477 | 13,477 | 13,477 | | 13,477 |
| 194 | 0303140G | INFORMATION SYSTEMS SECURITY PROGRAM | 408,316 | 408,316 | 410,116 | | 408,316 |
| | | Software assurance courseware | | | [1,800] | | |
| 195 | 0303140K | INFORMATION SYSTEMS SECURITY PROGRAM | | | | | |
| 196 | 0303148K | DISA MISSION SUPPORT OPERATIONS | 1,205 | 1,205 | 1,205 | | 1,205 |
| 197 | 0303149J | C4I FOR THE WARRIOR | 4,098 | 4,098 | 4,098 | | 4,098 |
| 198 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 23,761 | 23,761 | 23,761 | | 23,761 |
| 199 | 0303153K | JOINT SPECTRUM CENTER | 18,944 | 18,944 | 18,944 | | 18,944 |
| 200 | 0303170K | NET-CENTRIC ENTERPRISE SERVICES (NCES) | 1,782 | 1,782 | 1,782 | | 1,782 |
| 201 | 0303260D8Z | JOINT MILITARY DECEPTION INITIATIVE | 942 | 942 | 942 | | 942 |
| 202 | 0303610K | TELEPORT PROGRAM | 5,239 | 5,239 | 5,239 | | 5,239 |
| 203 | 0304210BB | SPECIAL APPLICATIONS FOR CONTINGENCIES | 16,381 | 16,381 | 16,381 | | 16,381 |
| 204 | 0304345BQ | NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 206 | 0305103D8Z | CYBER SECURITY INITIATIVE | 993 | 993 | 993 | | 993 |
| 207 | 0305103G | CYBER SECURITY INITIATIVE | [ ] | [ ] | [ ] | [ ] | [ ] |
| 208 | 0305103K | CYBER SECURITY INITIATIVE | 10,080 | 10,080 | 10,080 | | 10,080 |
| 209 | 0305125D8Z | CRITICAL INFRASTRUCTURE PROTECTION (CIP) | 12,725 | 12,725 | 12,725 | | 12,725 |
| 210 | 0305127BZ | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | | | | | |
| 211 | 0305127L | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 212 | 0305146BZ | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 213 | 0305146L | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 214 | 0305183L | DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 215 | 0305186D8Z | POLICY R&D PROGRAMS | 6,948 | 6,948 | 948 | | 6,948 |
| | | Program reduction | | | [–6,000] | | |
| 216 | 0305193L | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | | | | | |
| 217 | 0305199D8Z | NET CENTRICITY | 1,479 | 1,479 | 1,479 | | 1,479 |
| 218 | 0305202G | DRAGON U–2 | [ ] | [ ] | [ ] | [ ] | [ ] |
| 219 | 0305206G | AIRBORNE RECONNAISSANCE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 220 | 0305207G | MANNED RECONNAISSANCE SYSTEMS | | 3,000 | | | |
| | | Personal Area Network for Land Soldiers (PANLS) | | [3,000] | | | |
| 221 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 1,407 | 1,407 | 1,407 | | 1,407 |
| 222 | 0305208BQ | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 223 | 0305208G | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 224 | 0305208K | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 3,158 | 3,158 | 3,158 | | 3,158 |
| 225 | 0305208L | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 226 | 0305219BB | MQ–1 PREDATOR A UAV | 2,067 | 2,067 | 2,067 | | 2,067 |
| 227 | 0305229G | REAL-TIME ARCHITECTURE DEVELOPMENT (RT10) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 228 | 0305387D8Z | HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM | 2,963 | 2,963 | 2,963 | | 2,963 |
| 229 | 0305600D8Z | INTERNATIONAL INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT AND INTEGRATION. | 1,389 | 1,389 | 1,389 | | 1,389 |
| 230 | 0305866L | DIA SUPPORT TO SOUTHCOM INTELLIGENCE ACTIVITIES | | | | | |
| 231 | 0305880L | COMBATANT COMMAND INTELLIGENCE OPERATIONS | | | | | |
| 232 | 0305883L | HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT | [ ] | [ ] | [ ] | [ ] | [ ] |
| 233 | 0305884L | INTELLIGENCE PLANNING AND REVIEW ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | Technology applications for security enhancement | | | [4,000] | [3,000] | |
| 235 | 0305889G | COUNTERDRUG INTELLIGENCE SUPPORT | | | | | |
| 236 | 0307141G | INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEV | [ ] | [ ] | [ ] | [ ] | [ ] |
| 237 | 0307207G | AERIAL COMMON SENSOR (ACS) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 238 | 0708011S | INDUSTRIAL PREPAREDNESS | 20,514 | 24,714 | 60,514 | 31,200 | 51,714 |
| | | Advanced microcircuit emulation | | | [4,500] | | |
| | | Castings for improved defense readiness | | | [3,000] | | |
| | | Industrial Base Innovation Fund | | | [30,000] | [30,000] | |
| | | Insensitive munitions manufacturing | | | [2,500] | | |
| | | Commercialization of High Rate Polymide Composites for Military & Commercial Aircraft. | | [2,000] | | | |
| | | Optical Fiber Assembly Manufacturing | | [1,000] | | | |
| | | Northwest Manufacturing Initiative | | [1,200] | | [1,200] | |
| 239 | 0708012S | LOGISTICS SUPPORT ACTIVITIES | 2,798 | 2,798 | 2,798 | | 2,798 |
| 240 | 0902298J | MANAGEMENT HEADQUARTERS (JCS) | 8,303 | 8,303 | 8,303 | | 8,303 |
| 241 | 1001018D8Z | NATO AGS | 74,485 | 74,485 | 74,485 | | 74,485 |
| 242 | 1105219BB | MQ–9 UAV | 4,380 | 4,380 | 4,380 | | 4,380 |
| 243 | 1130435BB | STORM | | | | | |
| 244 | 1160279BB | SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG | | | | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 245 | 1160403BB | SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT | 82,621 | 82,621 | 82,621 | –10,000 | 72,621 |
| | | Avionics Modernization Program | | | | [–10,000] | |
| 246 | 1160404BB | SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT | 6,182 | 6,182 | 6,182 | –4,588 | 1,594 |
| | | SOF Resource Business Information System | | | | [–4,588] | |
| 247 | 1160405BB | SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT | 21,273 | 51,373 | 26,273 | 11,900 | 33,173 |
| | | Biometric Optical Surveillance System (BOSS) | | [2,000] | | [2,000] | |
| | | Counterproliferation Analysis and Planning System (CAPS) | | [20,100] | | [5,000] | |
| | | Advanced long endurance unattended ground sensor technologies | | [8,000] | [5,000] | [4,900] | |
| 248 | 1160408BB | SOF OPERATIONAL ENHANCEMENTS | 60,310 | 60,310 | 60,310 | | 60,310 |
| 249 | 1160421BB | SPECIAL OPERATIONS CV–22 DEVELOPMENT | 12,687 | 12,687 | 12,687 | | 12,687 |
| 250 | 1160423BB | JOINT MULTI-MISSION SUBMERSIBLE | 43,412 | 43,412 | 43,412 | | 43,412 |
| 251 | 1160425BB | SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS | | | | | |
| 252 | 1160426BB | OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT. | 1,321 | 1,321 | 1,321 | –1,321 | 0 |
| | | ASDS | | | | [–1,321] | |
| 253 | 1160427BB | MISSION TRAINING AND PREPARATION SYSTEMS (MTPS) | 3,192 | 3,192 | 3,192 | | 3,192 |
| 254 | 1160428BB | UNMANNED VEHICLES (UV) | | | | | |
| 255 | 1160429BB | MC130J SOF TANKER RECAPITALIZATION | 5,957 | 5,957 | 5,957 | | 5,957 |
| 256 | 1160474BB | SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS | 733 | 733 | 733 | | 733 |
| 257 | 1160476BB | SOF TACTICAL RADIO SYSTEMS | 2,368 | 2,368 | 2,368 | | 2,368 |
| 258 | 1160477BB | SOF WEAPONS SYSTEMS | 1,081 | 1,081 | 1,081 | | 1,081 |
| 259 | 1160478BB | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | 597 | 597 | 597 | | 597 |
| 260 | 1160479BB | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS | 3,369 | 5,119 | 3,369 | 1,500 | 4,869 |
| | | Miniature Day Night Sight for Crew Served Weapons | | [1,750] | | [1,500] | |
| 261 | 1160480BB | SOF TACTICAL VEHICLES | 1,973 | 1,973 | 1,973 | | 1,973 |
| 262 | 1160482BB | SOF ROTARY WING AVIATION | 18,863 | 18,863 | 18,863 | | 18,863 |
| 263 | 1160483BB | SOF UNDERWATER SYSTEMS | 3,452 | 7,452 | 3,452 | 4,000 | 7,452 |
| | | Transformer Technology for Combat Submersibles (TTCS) | | [4,000] | | [4,000] | |
| 264 | 1160484BB | SOF SURFACE CRAFT | 12,250 | 12,250 | 12,250 | | 12,250 |
| 265 | 1160488BB | SOF PSYOP | 9,887 | 9,887 | 9,887 | | 9,887 |
| 266 | 1160489BB | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | 4,944 | 4,944 | 4,944 | | 4,944 |
| 267 | 1160490BB | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | 11,547 | 11,547 | 11,547 | | 11,547 |
| 999 | 9999999 | OTHER PROGRAMS | 4,148,984 | 4,157,784 | 4,152,984 | 7,300 | 4,156,284 |
| | | Final E-Curfew (FeC) Enhancements | | [3,000] | | | |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE** | **5,335,215** | **5,387,065** | **5,380,015** | **39,991** | **5,375,206** |
| | | DARPA execution adjustment | | | –150,000 | –150,000 | –150,000 |
| | | **Total, RDT&E Defense-Wide** | **20,741,542** | **20,815,902** | **20,555,270** | **–328,041** | **20,413,501** |
| | | **OPERATIONAL TEST & EVALUATION, DEFENSE** | | | | | |
| 001 | 0605118OTE | OPERATIONAL TEST AND EVALUATION | 58,647 | 58,647 | 58,647 | | 58,647 |
| 002 | 0605131OTE | LIVE FIRE TEST AND EVALUATION | 12,285 | 12,285 | 12,285 | | 12,285 |
| 003 | 0605814OTE | OPERATIONAL TEST ACTIVITIES AND ANALYSES | 119,838 | 119,838 | 119,838 | | 119,838 |
| | | **Total, Operational Test & Evaluation, Defense** | **190,770** | **190,770** | **190,770** | | **190,770** |
| | | **TOTAL RDT&E** | **78,634,289** | **79,641,592** | **79,617,791** | **617,319** | **79,251,608** |

*Research, development, test, and evaluation for overseas contingency operations (sec. 4202)*

The Senate amendment contained an authorization funding table (sec. 4202) for research, development, test, and evaluation for overseas contingency operations.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY** | | | | | |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | | | | |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 075 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 18,598 | 18,598 | 18,598 | | 18,598 |
| | | **SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY** | **18,598** | **18,598** | **18,598** | **0** | **18,598** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 160 | 0301359A | SPECIAL ARMY PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 161 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 7,644 | 7,644 | 7,644 | | 7,644 |
| 162 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 2,220 | 2,220 | 2,220 | | 2,220 |
| 167 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 29,500 | 29,500 | 29,500 | | 29,500 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY** | **39,364** | **39,364** | **39,364** | **0** | **39,364** |
| | | **TOTAL, RDT&E ARMY** | **57,962** | **57,962** | **57,962** | **0** | **57,962** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | | | | |
| 026 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | | | | | |
| 027 | 0603216N | AVIATION SURVIVABILITY | 8,000 | 8,000 | 8,000 | –8,000 | 0 |
| | | Non-emergency development funding | | | | [–8,000] | |
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 9,000 | 9,000 | 9,000 | –9,000 | 0 |
| | | Non-emergency development funding | | | | [–9,000] | |
| | | **SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY** | **17,000** | **17,000** | **17,000** | **–17,000** | **0** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | | | | |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 188 | 0301303N | MARITIME INTELLIGENCE | [ ] | [ ] | [ ] | [ ] | [ ] |
| 189 | 0301323N | COLLECTION MANAGEMENT | [ ] | [ ] | [ ] | [ ] | [ ] |
| 190 | 0301327N | TECHNICAL RECONNAISSANCE AND SURVEILLANCE | [ ] | [ ] | [ ] | [ ] | [ ] |
| 191 | 0301372N | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 203 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 51,900 | 51,900 | 51,900 | | 51,900 |
| 210 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 6,000 | 6,000 | 6,000 | | 6,000 |
| 999 | 9999999 | OTHER PROGRAMS | 32,280 | 32,280 | 32,280 | | 32,280 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E** | **90,180** | **90,180** | **90,180** | **0** | **90,180** |
| | | **TOTAL, RDT&E NAVY** | **107,180** | **107,180** | **107,180** | **–17,000** | **90,180** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE** | | | | | |
| | | **BASIC RESEARCH** | | | | | |
| 004 | 0301555F | CLASSIFIED PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 005 | 0301556F | SPECIAL PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| | | **SUBTOTAL, BASIC RESEARCH, AIR FORCE** | **0** | **0** | **0** | **0** | **0** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | | | | |
| 116 | 0605798F | ANALYSIS SUPPORT GROUP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 123 | 0101815F | ADVANCED STRATEGIC PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 128 | 0205219F | MQ–9 UAV | 1,400 | 1,400 | 1,400 | | 1,400 |
| 149 | 0207423F | ADVANCED COMMUNICATIONS SYSTEMS | 9,375 | 9,375 | 9,375 | | 9,375 |
| 150 | 0207424F | EVALUATION AND ANALYSIS PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 164 | 0208161F | SPECIAL EVALUATION SYSTEM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 165 | 0301310F | NATIONAL AIR INTELLIGENCE CENTER | [ ] | [ ] | [ ] | [ ] | [ ] |
| 166 | 0301314F | COBRA BALL | [ ] | [ ] | [ ] | [ ] | [ ] |
| 167 | 0301315F | MISSILE AND SPACE TECHNICAL COLLECTION | [ ] | [ ] | [ ] | [ ] | [ ] |
| 168 | 0301324F | FOREST GREEN | [ ] | [ ] | [ ] | [ ] | [ ] |
| 169 | 0301386F | GDIP COLLECTION MANAGEMENT | [ ] | [ ] | [ ] | [ ] | [ ] |
| 180 | 0304311F | SELECTED ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 181 | 0304348F | ADVANCED GEOSPATIAL INTELLIGENCE (AGI) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 188 | 0305124F | SPECIAL APPLICATIONS PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 189 | 0305127F | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 191 | 0305142F | APPLIED TECHNOLOGY AND INTEGRATION | [ ] | [ ] | [ ] | [ ] | [ ] |
| 196 | 0305172F | COMBINED ADVANCED APPLICATIONS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 206 | 0305219F | MQ–1 PREDATOR A UAV | 1,400 | 1,400 | 1,400 | | 1,400 |

**RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|
| 999 | 9999999 | OTHER PROGRAMS | 17,111 | 17,111 | 17,111 | | 17,111 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE** | **29,286** | **29,286** | **29,286** | **0** | **29,286** |
| | | **TOTAL, RDT&E AIR FORCE** | **29,286** | **29,286** | **29,286** | **0** | **29,286** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE** | | | | | |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | | | | |
| 024 | 060312108Z | SO/LIC ADVANCED DEVELOPMENT | | 100,000 | | | |
| | | Transfer from JIEDDO OCO | | [100,000] | | | |
| | | **SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, DEFENSE-WIDE** | **0** | **100,000** | **0** | **0** | **0** |
| | | **RDT&E MANAGEMENT SUPPORT** | | | | | |
| 159 | 0301555G | CLASSIFIED PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 160 | 0301556G | SPECIAL PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 165 | 0305193G | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 181 | 0301301L | GENERAL DEFENSE INTELLIGENCE PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 182 | 0301318BB | HUMINT (CONTROLLED) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 183 | 0301371G | CYBER SECURITY INITIATIVE—CCP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 184 | 0301372L | CYBER SECURITY INITIATIVE—GDIP | [ ] | [ ] | [ ] | [ ] | [ ] |
| 185 | 0301555BZ | CLASSIFIED PROGRAMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 186 | 0301556BZ | SPECIAL PROGRAM | [ ] | [ ] | [ ] | [ ] | [ ] |
| 198 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 2,750 | 2,750 | 2,750 | | 2,750 |
| 204 | 0304345BQ | NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 207 | 0305103G | CYBER SECURITY INITIATIVE | [ ] | [ ] | [ ] | [ ] | [ ] |
| 211 | 0305127L | FOREIGN COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 212 | 0305146BZ | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 213 | 0305146L | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 214 | 0305183L | DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 218 | 0305202G | DRAGON U–2 | [ ] | [ ] | [ ] | [ ] | [ ] |
| 219 | 0305206G | AIRBORNE RECONNAISSANCE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 221 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 222 | 0305208BQ | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 223 | 0305208G | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 225 | 0305208L | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 226 | 0305219BB | MQ–1 PREDATOR A UAV | [ ] | [ ] | [ ] | [ ] | [ ] |
| 227 | 0305229G | REAL-TIME ARCHITECTURE DEVELOPMENT (RT10) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 231 | 0305880L | COMBATANT COMMAND INTELLIGENCE OPERATIONS | [ ] | [ ] | [ ] | [ ] | [ ] |
| 232 | 0305883L | HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT | [ ] | [ ] | [ ] | [ ] | [ ] |
| 233 | 0305884L | INTELLIGENCE PLANNING AND REVIEW ACTIVITIES | [ ] | [ ] | [ ] | [ ] | [ ] |
| 236 | 0307141G | INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEV | [ ] | [ ] | [ ] | [ ] | [ ] |
| 237 | 0307207G | AERIAL COMMON SENSOR (ACS) | [ ] | [ ] | [ ] | [ ] | [ ] |
| 999 | 9999999 | OTHER PROGRAMS | 113,076 | 113,076 | 113,076 | | 113,076 |
| | | **SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE** | **115,826** | **115,826** | **115,826** | **0** | **115,826** |
| | | **Total, RDT&E Defense-Wide** | **115,826** | **215,826** | **115,826** | **0** | **115,826** |
| | | **TOTAL RDT&E** | **310,254** | **410,254** | **310,254** | **–17,000** | **293,254** |

## TITLE XLIII—OPERATION AND MAINTENANCE

*Operation and maintenance (sec. 4301)*

The Senate amendment contained an authorization funding table (sec. 4301) for operation and maintenance.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **Operation and Maintenance, Army** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **LAND FORCES** | | | | | |
| 010 | MANEUVER UNITS | 1,020,490 | 1,020,490 | 1,020,490 | | 1,020,490 |
| 020 | MODULAR SUPPORT BRIGADES | 105,178 | 105,178 | 105,178 | | 105,178 |
| 030 | ECHELONS ABOVE BRIGADE | 708,038 | 708,038 | 708,038 | | 708,038 |
| 040 | THEATER LEVEL ASSETS | 718,233 | 718,233 | 718,233 | | 718,233 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 1,379,529 | 1,381,529 | 1,379,529 | –64,400 | 1,315,129 |
| | M-Gator | | [2,000] | | | |
| | Budget realignment of combat training center transportation funding in support of helicopter training | | | | [–64,400] | |
| 060 | AVIATION ASSETS | 850,750 | 858,750 | 850,750 | –77,400 | 773,350 |
| | MI–17 Aircraft Modifications | | [8,000] | | | |
| | Budget realignment in support of helicopter training | | | | [–77,400] | |
| | **LAND FORCES READINESS** | | | | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 2,088,233 | 2,088,233 | 2,096,233 | | 2,088,233 |
| | Generation III Extended Cold Weather Clothing System | | | [8,000] | | |
| 080 | LAND FORCES SYSTEMS READINESS | 633,704 | 634,704 | 633,704 | | 633,704 |
| | Operational and Technical Training Validation for Joint Maneuver Forces at Fort Bliss | | [1,000] | | | |
| 090 | LAND FORCES DEPOT MAINTENANCE | 692,601 | 697,601 | 692,601 | 3,000 | 695,601 |
| | Texas Defense Manufacturing Supply Chain Initiative | | [5,000] | | [3,000] | |
| | **LAND FORCES READINESS SUPPORT** | | | | | |
| 100 | BASE OPERATIONS SUPPORT | 7,586,455 | 7,588,155 | 7,586,455 | 1,700 | 7,588,155 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | Fort Bliss Data Center | | [1,700] | | [1,700] | |
| 110 | FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION | 2,221,446 | 2,465,446 | 2,221,446 | | 2,221,446 |
| | Increase in sustainment to 100% | | [244,000] | | | |
| 120 | MANAGEMENT AND OPERATIONAL HQ | 333,119 | 333,119 | 333,119 | | 333,119 |
| 130 | COMBATANT COMMANDERS CORE OPERATIONS | 123,163 | 123,163 | 123,163 | | 123,163 |
| 140 | ADDITIONAL ACTIVITIES | 0 | 237,750 | | | 0 |
| | Transfer from Title I | | [237,750] | | | |
| 150 | COMMANDERS EMERGENCY RESPONSE PROGRAM | 0 | | | | 0 |
| 160 | RESET | 0 | | | | 0 |
| 170 | COMBATANT COMMANDERS ANCILLARY MISSIONS | 460,159 | 460,159 | 460,159 | | 460,159 |
| | **TOTAL, BA 01: OPERATING FORCES** | **18,921,098** | **19,420,548** | **18,929,098** | **−137,100** | **18,783,998** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | | | | |
| | **MOBILITY OPERATIONS** | | | | | |
| 180 | STRATEGIC MOBILITY | 228,376 | 228,376 | 228,376 | | 228,376 |
| 190 | ARMY PREPOSITIONING STOCKS | 98,129 | 98,129 | 98,129 | | 98,129 |
| 200 | INDUSTRIAL PREPAREDNESS | 5,705 | 5,705 | 5,705 | | 5,705 |
| | **TOTAL, BA 02: MOBILIZATION** | **332,210** | **332,210** | **332,210** | **0** | **332,210** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |
| | **ACCESSION TRAINING** | | | | | |
| 210 | OFFICER ACQUISITION | 125,615 | 125,615 | 125,615 | | 125,615 |
| 220 | RECRUIT TRAINING | 87,488 | 87,488 | 87,488 | | 87,488 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 230 | ONE STATION UNIT TRAINING | 59,302 | 59,302 | 59,302 | | 59,302 |
| 240 | SENIOR RESERVE OFFICERS TRAINING CORPS | 449,397 | 449,397 | 449,397 | | 449,397 |
| | **BASIC SKILL/ADVANCE TRAINING** | | | | | |
| 250 | SPECIALIZED SKILL TRAINING | 970,777 | 970,777 | 971,277 | 500 | 971,277 |
| | Rule of law increase | | | [500] | [500] | |
| 260 | FLIGHT TRAINING | 843,893 | 843,893 | 843,893 | 141,800 | 985,693 |
| | Budget realignment in support of helicopter training | | | | [141,800] | |
| 270 | PROFESSIONAL DEVELOPMENT EDUCATION | 166,812 | 166,812 | 166,812 | | 166,812 |
| 280 | TRAINING SUPPORT | 702,031 | 702,031 | 702,031 | | 702,031 |
| | **RECRUITING/OTHER TRAINING** | | | | | |
| 290 | RECRUITING AND ADVERTISING | 541,852 | 541,852 | 541,852 | | 541,852 |
| 300 | EXAMINING | 147,915 | 147,915 | 147,915 | | 147,915 |
| 310 | OFF-DUTY AND VOLUNTARY EDUCATION | 238,353 | 238,353 | 238,353 | | 238,353 |
| 320 | CIVILIAN EDUCATION AND TRAINING | 217,386 | 217,386 | 217,386 | | 217,386 |
| 330 | JUNIOR ROTC | 156,904 | 169,904 | 156,904 | | 156,904 |
| | Junior ROTC | | [13,000] | | | |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **4,707,725** | **4,720,725** | **4,708,225** | **142,300** | **4,850,025** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SECURITY PROGRAMS** | | | | | |
| 340 | SECURITY PROGRAMS | 1,017,055 | 1,017,055 | 1,017,055 | | 1,017,055 |
| | **LOGISTICS OPERATIONS** | | | | | |
| 350 | SERVICEWIDE TRANSPORTATION | 540,249 | 540,249 | 540,249 | | 540,249 |
| 360 | CENTRAL SUPPLY ACTIVITIES | 614,093 | 614,093 | 614,093 | | 614,093 |
| 370 | LOGISTIC SUPPORT ACTIVITIES | 481,318 | 484,318 | 481,318 | | 481,318 |
| | Operational and Tactical Logistics Asset Visibility (Fuel/Ammo) | | [3,000] | | | |
| 380 | AMMUNITION MANAGEMENT | 434,661 | 435,661 | 434,661 | 1,000 | 435,661 |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | M24 Sniper Weapons System Upgrade | | [1,000] | | [1,000] | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 390 | ADMINISTRATION | 776,866 | 776,866 | 776,866 | | 776,866 |
| 400 | SERVICEWIDE COMMUNICATIONS | 1,166,491 | 1,141,491 | 1,166,491 | –25,000 | 1,141,491 |
| | Servicewide communications underexecution | | [–25,000] | | [–25,000] | |
| 410 | MANPOWER MANAGEMENT | 289,383 | 289,383 | 289,383 | | 289,383 |
| 420 | OTHER PERSONNEL SUPPORT | 221,779 | 221,779 | 221,779 | 7,250 | 229,029 |
| | Transfer from O&M, DW BTA for DIMHRS | | | | [7,250] | |
| 430 | OTHER SERVICE SUPPORT | 993,852 | 993,852 | 993,852 | | 993,852 |
| 440 | ARMY CLAIMS ACTIVITIES | 215,168 | 205,168 | 215,168 | | 215,168 |
| | Unexpended balance | | [–10,000] | | | |
| 450 | REAL ESTATE MANAGEMENT | 118,785 | 118,785 | 118,785 | | 118,785 |
| | **SUPPORT OF OTHER NATIONS** | | | | | |
| 460 | SUPPORT OF NATO OPERATIONS | 430,449 | 440,449 | 430,449 | | 430,449 |
| | NATO Special Operations Coordination Center | | [10,000] | | | |
| 470 | MISC. SUPPORT OF OTHER NATIONS | 13,700 | 13,700 | 13,700 | | 13,700 |
| | Unobligated balances estimate | | [–351,700] | | | |
| | Fuel reduction | | [–69,200] | | | |
| | Postal Benefit Program | | [50,000] | | | |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **7,313,849** | **6,921,949** | **7,313,849** | **–16,750** | **7,297,099** |
| | **Total Operation and Maintenance, Army** | **31,274,882** | **31,395,432** | **31,283,382** | **–11,550** | **31,263,332** |

**Operation and Maintenance, Navy**

**BUDGET ACTIVITY 01: OPERATING FORCES**

| | | | | | | |
|---|---|---|---|---|---|---|
| | **AIR OPERATIONS** | | | | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 3,814,000 | 3,814,000 | 3,814,000 | | 3,814,000 |
| 020 | FLEET AIR TRAINING | 120,868 | 120,868 | 120,868 | | 120,868 |
| 030 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 52,259 | 52,259 | 52,259 | | 52,259 |
| 040 | AIR OPERATIONS AND SAFETY SUPPORT | 121,649 | 121,649 | 121,649 | | 121,649 |
| 050 | AIR SYSTEMS SUPPORT | 485,321 | 485,321 | 485,321 | | 485,321 |
| 060 | AIRCRAFT DEPOT MAINTENANCE | 1,057,747 | 1,252,747 | 1,252,747 | 70,027 | 1,127,774 |
| | Aviation Depot Maintenance | | [195,000] | [195,000] | [70,027] | |
| 070 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 32,083 | 32,083 | 32,083 | | 32,083 |
| | **SHIP OPERATIONS** | | | | | |
| 080 | MISSION AND OTHER SHIP OPERATIONS | 3,320,222 | 3,320,222 | 3,320,222 | | 3,320,222 |
| 090 | SHIP OPERATIONS SUPPORT & TRAINING | 699,581 | 699,581 | 699,581 | | 699,581 |
| 100 | SHIP DEPOT MAINTENANCE | 4,296,544 | 4,482,544 | 5,065,394 | | 4,296,544 |
| | Ship Depot Maintenance | | [186,000] | [200,000] | | |
| | Transfer from OCO | | | [568,850] | | |
| 110 | SHIP DEPOT OPERATIONS SUPPORT | 1,170,785 | 1,172,285 | 1,170,785 | | 1,170,785 |
| | Ship Life Assessment Pilot Program | | [1,500] | | | |
| | **COMBAT OPERATIONS/SUPPORT** | | | | | |
| 120 | COMBAT COMMUNICATIONS | 601,595 | 601,595 | 601,595 | | 601,595 |
| 130 | ELECTRONIC WARFARE | 86,019 | 86,019 | 86,019 | | 86,019 |
| 140 | SPACE SYSTEMS AND SURVEILLANCE | 167,050 | 167,050 | 167,050 | | 167,050 |
| 150 | WARFARE TACTICS | 407,674 | 407,674 | 407,674 | | 407,674 |
| 160 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY | 315,228 | 315,228 | 315,228 | | 315,228 |
| 170 | COMBAT SUPPORT FORCES | 758,789 | 759,789 | 758,789 | | 758,789 |
| | Navy Tactical Development | | [1,000] | | | |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| 180 | EQUIPMENT MAINTENANCE | 186,794 | 186,794 | 186,794 | | 186,794 |
| 190 | DEPOT OPERATIONS SUPPORT | 3,305 | 3,305 | 3,305 | | 3,305 |
| 200 | COMBATANT COMMANDERS CORE OPERATIONS | 167,789 | 167,789 | 167,789 | | 167,789 |
| 210 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 259,188 | 259,188 | 252,188 | –7,000 | 252,188 |
| | Reduction for National Program for Small Unit Excellence | | | [–7,000] | [–7,000] | |
| | **WEAPONS SUPPORT** | | | | | |
| 220 | CRUISE MISSILE | 131,895 | 131,895 | 131,895 | | 131,895 |
| 230 | FLEET BALLISTIC MISSILE | 1,145,020 | 1,145,020 | 1,145,020 | | 1,145,020 |
| 240 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 64,731 | 64,731 | 64,731 | | 64,731 |
| 250 | WEAPONS MAINTENANCE | 448,777 | 448,777 | 460,777 | 12,000 | 460,777 |
| | Gun depot overhauls | | | [12,000] | [12,000] | |
| 260 | OTHER WEAPON SYSTEMS SUPPORT | 326,535 | 326,535 | 326,535 | | 326,535 |
| | **BASE SUPPORT** | | | | | |
| 270 | ENTERPRISE INFORMATION | 1,095,587 | 1,095,587 | 1,095,587 | | 1,095,587 |
| 280 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 1,746,418 | 1,894,418 | 1,746,418 | | 1,746,418 |
| | Increase in sustainment to 100% | | [148,000] | | | |
| 290 | BASE OPERATING SUPPORT | 4,058,046 | 4,058,046 | 4,058,046 | | 4,058,046 |
| | **TOTAL, BA 01: OPERATING FORCES** | **27,141,499** | **27,672,999** | **28,110,349** | **75,027** | **27,216,526** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | | | | |
| | **READY RESERVE AND PREPOSITIONING FORCES** | | | | | |
| 300 | SHIP PREPOSITIONING AND SURGE | 407,977 | 407,977 | 407,977 | | 407,977 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | **ACTIVATIONS/INACTIVATIONS** | | | | | |
| 310 | AIRCRAFT ACTIVATIONS/INACTIVATIONS | 7,491 | 7,491 | 7,491 | | 7,491 |
| 320 | SHIP ACTIVATIONS/INACTIVATIONS | 192,401 | 198,401 | 192,401 | 3,000 | 195,401 |
| | Navy Ship Disposal-Carrier Demonstration Program | | [6,000] | | [3,000] | |
| | **MOBILIZATION PREPAREDNESS** | | | | | |
| 330 | FLEET HOSPITAL PROGRAM | 24,546 | 24,546 | 24,546 | | 24,546 |
| 340 | INDUSTRIAL READINESS | 2,409 | 2,409 | 2,409 | | 2,409 |
| 350 | COAST GUARD SUPPORT | 25,727 | 25,727 | 25,727 | | 25,727 |
| | **TOTAL, BA 02: MOBILIZATION** | **660,551** | **666,551** | **660,551** | **3,000** | **663,551** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |
| | **ACCESSION TRAINING** | | | | | |
| 360 | OFFICER ACQUISITION | 145,027 | 145,027 | 145,027 | | 145,027 |
| 370 | RECRUIT TRAINING | 11,011 | 11,011 | 11,011 | | 11,011 |
| 380 | RESERVE OFFICERS TRAINING CORPS | 127,490 | 127,490 | 127,490 | | 127,490 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | | | | |
| 390 | SPECIALIZED SKILL TRAINING | 477,383 | 478,883 | 478,233 | | 477,383 |
| | Naval Strike Air Warfare Center training | | | [850] | | |
| | Mobile Learning Cultural Training for Military Personnel | | [1,500] | | | |
| 400 | FLIGHT TRAINING | 1,268,846 | 1,268,846 | 1,268,846 | | 1,268,846 |
| 410 | PROFESSIONAL DEVELOPMENT EDUCATION | 161,922 | 161,922 | 161,922 | | 161,922 |
| 420 | TRAINING SUPPORT | 158,685 | 158,685 | 158,685 | | 158,685 |
| | **RECRUITING, AND OTHER TRAINING AND EDUCATION** | | | | | |
| 430 | RECRUITING AND ADVERTISING | 276,564 | 277,215 | 276,564 | 651 | 277,215 |
| | Navy Sea Cadet Corps | | [651] | | [651] | |
| 440 | OFF-DUTY AND VOLUNTARY EDUCATION | 154,979 | 154,979 | 154,979 | | 154,979 |
| 450 | CIVILIAN EDUCATION AND TRAINING | 101,556 | 101,556 | 101,556 | | 101,556 |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| 460 | JUNIOR ROTC | 49,161 | 54,061 | 49,161 | | 49,161 |
| | Junior ROTC | | [4,900] | | | |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **2,932,624** | **2,939,675** | **2,933,474** | **651** | **2,933,275** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 470 | ADMINISTRATION | 768,048 | 768,048 | 768,048 | | 768,048 |
| 480 | EXTERNAL RELATIONS | 6,171 | 6,171 | 6,171 | | 6,171 |
| 490 | CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT | 114,675 | 114,675 | 114,675 | | 114,675 |
| 500 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 182,115 | 182,115 | 182,115 | 7,250 | 189,365 |
| | Transfer from O&M, DW BTA for DIMHRS | | | | [7,250] | |
| 510 | OTHER PERSONNEL SUPPORT | 298,729 | 298,729 | 298,729 | | 298,729 |
| 520 | SERVICEWIDE COMMUNICATIONS | 408,744 | 383,744 | 408,744 | –15,000 | 393,744 |
| | Servicewide communications underexecution | | | | [–15,000] | |
| 530 | MEDICAL ACTIVITIES | 0 | | | | 0 |
| | **LOGISTICS OPERATIONS AND TECHNICAL SUPPORT** | | | | | |
| 540 | SERVICEWIDE TRANSPORTATION | 246,989 | 246,989 | 246,989 | | 246,989 |
| 550 | ENVIRONMENTAL PROGRAMS | 0 | | | | 0 |
| 560 | PLANNING, ENGINEERING AND DESIGN | 244,337 | 247,337 | 244,337 | | 244,337 |
| | Mobile Condition Assessment System Pilot for Commander, Navy Region Hawaii | | [3,000] | | | |
| 570 | ACQUISITION AND PROGRAM MANAGEMENT | 778,501 | 778,501 | 778,501 | | 778,501 |
| 580 | HULL, MECHANICAL AND ELECTRICAL SUPPORT | 60,223 | 60,223 | 60,223 | | 60,223 |
| 590 | COMBAT/WEAPONS SYSTEMS | 17,328 | 17,328 | 17,328 | | 17,328 |
| 600 | SPACE AND ELECTRONIC WARFARE SYSTEMS | 79,065 | 79,065 | 79,065 | | 79,065 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | **INVESTIGATIONS AND SECURITY PROGRAMS** | | | | | |
| 610 | NAVAL INVESTIGATIVE SERVICE | 515,989 | 515,989 | 515,989 | | 515,989 |
| | **SUPPORT OF OTHER NATIONS** | | | | | |
| 670 | INTERNATIONAL HEADQUARTERS AND AGENCIES | 5,918 | 3,418 | 5,918 | | 5,918 |
| | International Headquarters and Agencies | | [–2,500] | | | |
| | **CANCELLED ACCOUNTS** | | | | | |
| 680 | CANCELLED ACCOUNT ADJUSTMENTS | 0 | | | | 0 |
| 690 | JUDGMENT FUND | 0 | | | | 0 |
| | **OTHER PROGRAMS** | | | | | |
| 999 | OTHER PROGRAMS | 608,840 | 608,840 | 608,840 | | 608,840 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **4,335,672** | **4,311,172** | **4,335,672** | **–7,750** | **4,327,922** |
| | Unobligated balances estimate | | [–177,700] | [–50,000] | [–50,000] | –100,000 |
| | Fuel reduction | | [–123,600] | | | |
| | **Total Operation and Maintenance, Navy** | **35,070,346** | **35,289,097** | **35,990,046** | **20,928** | **35,041,274** |
| | **Operation and Maintenance, Marine Corps** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **EXPEDITIONARY FORCES** | | | | | |
| 010 | OPERATIONAL FORCES | 730,931 | 742,531 | 741,931 | 7,000 | 737,931 |
| | Advanced load bearing equipment | | | [3,000] | | |
| | Family of shelter and tents | | | [3,000] | [2,000] | |

**OPERATION AND MAINTENANCE**
**(In Thousands of Dollars)**

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | Cold Weather Layering System | | [2,600] | [5,000] | | |
| | Flame Resistant Organizational Gear | | [5,000] | | [1,500] | |
| | Ultra Lightweight Camouflage Net System | | [4,000] | | [3,500] | |
| 020 | FIELD LOGISTICS | 591,020 | 591,020 | 591,020 | | 591,020 |
| 030 | DEPOT MAINTENANCE | 80,971 | 80,971 | 80,971 | | 80,971 |
| | **USMC PREPOSITIONING** | | | | | |
| 050 | MARITIME PREPOSITIONING | 72,182 | 72,182 | 72,182 | | 72,182 |
| 060 | NORWAY PREPOSITIONING | 5,090 | 5,090 | 5,090 | | 5,090 |
| | **COMBAT OPERATIONS/SUPPORT** | | | | | |
| 070 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 0 | | | | 0 |
| | **BASE SUPPORT** | | | | | |
| 080 | SUSTAINMENT, RESTORATION, & MODERNIZATION | 666,330 | 666,330 | 666,330 | | 666,330 |
| 090 | BASE OPERATING SUPPORT | 2,250,191 | 2,250,191 | 2,250,191 | | 2,250,191 |
| | **TOTAL, BA 01: OPERATING FORCES** | **4,396,715** | **4,408,315** | **4,407,715** | **7,000** | **4,403,715** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |
| | **ACCESSION TRAINING** | | | | | |
| 100 | RECRUIT TRAINING | 16,129 | 16,129 | 16,129 | | 16,129 |
| 110 | OFFICER ACQUISITION | 418 | 418 | 418 | | 418 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | | | | |
| 120 | SPECIALIZED SKILL TRAINING | 67,336 | 67,336 | 67,336 | | 67,336 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 130 | FLIGHT TRAINING | 369 | 369 | 369 | | 369 |
| 140 | PROFESSIONAL DEVELOPMENT EDUCATION | 28,112 | 28,112 | 28,112 | | 28,112 |
| 150 | TRAINING SUPPORT | 330,885 | 330,885 | 330,885 | | 330,885 |
| | **RECRUITING AND OTHER TRAINING EDUCATION** | | | | | |
| 160 | RECRUITING AND ADVERTISING | 240,832 | 240,832 | 240,832 | | 240,832 |
| 170 | OFF-DUTY AND VOLUNTARY EDUCATION | 64,254 | 64,254 | 64,254 | | 64,254 |
| 180 | JUNIOR ROTC | 19,305 | 20,305 | 19,305 | | 19,305 |
| | Junior ROTC | | [1,000] | | | |
| | **BASE SUPPORT** | | | | | |
| 190 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 0 | 66,000 | | | 0 |
| | Increase in sustainment to 100% | | [66,000] | | | |
| 200 | BASE OPERATING SUPPORT | 0 | | | | 0 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **767,640** | **834,640** | **767,640** | **0** | **767,640** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 210 | SPECIAL SUPPORT | 299,065 | 299,065 | 299,065 | | 299,065 |
| 220 | SERVICEWIDE TRANSPORTATION | 28,924 | 28,924 | 28,924 | | 28,924 |
| 230 | ADMINISTRATION | 43,879 | 43,879 | 43,879 | | 43,879 |
| | **BASE SUPPORT** | | | | | |
| 240 | SUSTAINMENT, RESTORATION, AND MODERNIZATION | 0 | | | | 0 |
| 250 | BASE OPERATING SUPPORT | 0 | | | | 0 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **371,868** | **371,868** | **371,868** | **0** | **371,868** |
| | Unobligated balances estimate | | [–36,100] | | | |
| | Fuel reduction | | [–9,900] | | | |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **Total Operation and Maintenance, Marine Corps** | **5,536,223** | **5,568,823** | **5,547,223** | **7,000** | **5,543,223** |
| | **Operation and Maintenance, Air Force** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | PRIMARY COMBAT FORCES | 4,017,156 | 4,162,856 | 4,017,156 | | 4,017,156 |
| | Advanced Autonomous Robotic Inspections for Aging Aircraft | | [2,000] | | | |
| | Restoration of legacy aircraft retirements | | [143,700] | | | |
| 020 | COMBAT ENHANCEMENT FORCES | 2,754,563 | 2,754,563 | 2,754,563 | | 2,754,563 |
| 030 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 1,414,913 | 1,549,968 | 1,414,913 | 1,500 | 1,416,413 |
| | Air Education and Training Command Range Improvements | | [4,555] | | [1,500] | |
| | Restoration of legacy aircraft retirements | | [130,500] | | | |
| 050 | DEPOT MAINTENANCE | 2,389,738 | 2,386,138 | 2,389,738 | | 2,389,738 |
| | Restoration of legacy aircraft retirements | | [–3,600] | | | |
| 060 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 1,420,083 | 1,709,083 | 1,420,083 | | 1,420,083 |
| | Increase in sustainment to 100% | | [289,000] | | | |
| 070 | BASE SUPPORT | 2,859,943 | 2,860,183 | 2,863,443 | 240 | 2,860,183 |
| | Mission essential airfield operations equipment | | | [3,500] | | |
| | Wage Modification for US Azores Portugese National Employees | | [240] | | [240] | |
| | **COMBAT RELATED OPERATIONS** | | | | | |
| 080 | GLOBAL C3I AND EARLY WARNING | 1,411,813 | 1,411,813 | 1,411,813 | | 1,411,813 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 090 | OTHER COMBAT OPS SPT PROGRAMS | 880,353 | 884,353 | 883,353 | | 880,353 |
| | National Security Space Institute | | | [3,000] | | |
| | Restoration of legacy aircraft retirements | | [4,000] | | | |
| 110 | TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES | 552,148 | 552,148 | 539,148 | | 552,148 |
| | Program decrease for Gorgon Stare | | | [–13,000] | | |
| | **SPACE OPERATIONS** | | | | | |
| 120 | LAUNCH FACILITIES | 356,367 | 356,367 | 356,367 | | 356,367 |
| 130 | SPACE CONTROL SYSTEMS | 725,646 | 725,646 | 725,646 | | 725,646 |
| | **COCOM** | | | | | |
| 140 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 608,796 | 608,796 | 608,796 | | 608,796 |
| 150 | COMBATANT COMMANDERS CORE OPERATIONS | 216,073 | 216,073 | 216,073 | | 216,073 |
| | **TOTAL, BA 01: OPERATING FORCES** | **19,607,592** | **20,177,987** | **19,601,092** | **1,740** | **19,609,332** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | | | | |
| | **MOBILITY OPERATIONS** | | | | | |
| 160 | AIRLIFT OPERATIONS | 2,932,080 | 2,924,080 | 2,932,080 | 2,000 | 2,934,080 |
| | Warner Robins Air Logistics Center Strategic Airlift Aircraft Availability Improvements | | [2,000] | | [2,000] | |
| | Fee for Service Refueling | | [–10,000] | | | |
| 170 | MOBILIZATION PREPAREDNESS | 211,858 | 211,858 | 211,858 | | 211,858 |
| 180 | DEPOT MAINTENANCE | 332,226 | 332,226 | 332,226 | | 332,226 |
| 190 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 362,954 | 362,954 | 362,954 | | 362,954 |
| 200 | BASE SUPPORT | 657,830 | 657,830 | 657,830 | | 657,830 |
| | **TOTAL, BA 02: MOBILIZATION** | **4,496,948** | **4,488,948** | **4,496,948** | **2,000** | **4,498,948** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |
| | **ACCESSION TRAINING** | | | | | |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| 210 | OFFICER ACQUISITION | 120,870 | 120,870 | 120,870 | | 120,870 |
| 220 | RECRUIT TRAINING | 18,135 | 18,135 | 18,135 | | 18,135 |
| 230 | RESERVE OFFICERS TRAINING CORPS (ROTC) | 88,414 | 88,414 | 88,414 | | 88,414 |
| 240 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 372,788 | 372,788 | 372,788 | | 372,788 |
| 250 | BASE SUPPORT | 685,029 | 685,029 | 685,029 | | 685,029 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | | | | |
| 260 | SPECIALIZED SKILL TRAINING | 514,048 | 514,048 | 514,048 | | 514,048 |
| 270 | FLIGHT TRAINING | 833,005 | 833,005 | 833,005 | | 833,005 |
| 280 | PROFESSIONAL DEVELOPMENT EDUCATION | 215,676 | 215,676 | 215,676 | | 215,676 |
| 290 | TRAINING SUPPORT | 118,877 | 118,877 | 118,877 | | 118,877 |
| 300 | DEPOT MAINTENANCE | 576 | 576 | 576 | | 576 |
| | **RECRUITING, AND OTHER TRAINING AND EDUCATION** | | | | | |
| 320 | RECRUITING AND ADVERTISING | 152,983 | 152,983 | 152,983 | | 152,983 |
| 330 | EXAMINING | 5,584 | 5,584 | 5,584 | | 5,584 |
| 340 | OFF-DUTY AND VOLUNTARY EDUCATION | 188,198 | 188,198 | 188,198 | | 188,198 |
| 350 | CIVILIAN EDUCATION AND TRAINING | 174,151 | 174,151 | 174,151 | | 174,151 |
| 360 | JUNIOR ROTC | 67,549 | 72,049 | 67,549 | | 67,549 |
| | Junior ROTC | | [4,500] | | | |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **3,555,883** | **3,560,383** | **3,555,883** | **0** | **3,555,883** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **LOGISTICS OPERATIONS** | | | | | |
| 370 | LOGISTICS OPERATIONS | 1,055,672 | 1,055,672 | 1,055,672 | | 1,055,672 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 380 | TECHNICAL SUPPORT ACTIVITIES | 735,036 | 699,036 | 735,036 | | 735,036 |
| | Servicewide technical support | | [–36,000] | | | |
| 400 | DEPOT MAINTENANCE | 15,411 | 15,411 | 15,411 | | 15,411 |
| 410 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 359,562 | 359,562 | 359,562 | | 359,562 |
| 420 | BASE SUPPORT | 1,410,097 | 1,410,097 | 1,410,097 | | 1,410,097 |
| | **SERVICEWIDE ACTIVITIES** | | | | | |
| 430 | ADMINISTRATION | 646,080 | 591,380 | 646,080 | –2,750 | 643,330 |
| | Servicewide administration | | [–54,700] | | [–10,000] | |
| | Transfer from O&M, DW BTA for DIMHRS | | | | [7,250] | |
| 440 | SERVICEWIDE COMMUNICATIONS | 581,951 | 551,951 | 581,951 | | 581,951 |
| | Unexecutable growth | | [–30,000] | | | |
| 450 | OTHER SERVICEWIDE ACTIVITIES | 1,062,803 | 1,009,803 | 1,062,803 | | 1,062,803 |
| | Servicewide other activities | | [–53,000] | | | |
| 460 | CIVIL AIR PATROL | 22,433 | 22,433 | 22,433 | | 22,433 |
| | **SECURITY PROGRAMS** | | | | | |
| 470 | SECURITY PROGRAMS | 1,148,704 | 1,148,704 | 1,148,704 | | 1,148,704 |
| | **SUPPORT TO OTHER NATIONS** | | | | | |
| 480 | INTERNATIONAL SUPPORT | 49,987 | 49,987 | 49,987 | | 49,987 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **7,087,736** | **6,914,036** | **7,087,736** | **–2,750** | **7,084,986** |
| | Overstatement of civilian pay | | | [–288,100] | | –50,000 |
| | Unobligated balances estimate | | [–132,300] | [–150,000] | | –172,000 |
| | USAF civilian underexecution | | [–400,000] | | | |
| | Fuel reduction | | [–212,400] | | | |
| | **Total Operation and Maintenance, Air Force** | **34,748,159** | **34,396,654** | **34,303,559** | **990** | **34,527,149** |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **Operation and Maintenance, Defense-wide** | | | | | |
| | **BUDGET ACTIVITY 1: OPERATING FORCES** | | | | | |
| | **DEFENSE-WIDE ACTIVITIES** | | | | | |
| 010 | JOINT CHIEFS OF STAFF | 457,169 | 457,169 | 457,169 | | 457,169 |
| 020 | SPECIAL OPERATIONS COMMAND | 3,611,492 | 3,613,992 | 3,611,492 | 1,500 | 3,612,992 |
| | Special Operations Forces Modular Glove System | | [2,500] | | [1,500] | |
| | **TOTAL, BUDGET ACTIVITY 1:** | **4,068,661** | **4,071,161** | **4,068,661** | **1,500** | **4,070,161** |
| | **BUDGET ACTIVITY 3: TRAINING AND RECRUITING** | | | | | |
| | **DEFENSE-WIDE ACTIVITIES** | | | | | |
| 030 | DEFENSE ACQUISITION UNIVERSITY | 115,497 | 115,497 | 115,497 | | 115,497 |
| | **RECRUITING AND OTHER TRAINING EDUCATION** | | | | | |
| 040 | NATIONAL DEFENSE UNIVERSITY | 103,408 | 103,408 | 103,408 | | 103,408 |
| | **TOTAL, BUDGET ACTIVITY 3:** | **218,905** | **218,905** | **218,905** | **0** | **218,905** |
| | **BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES** | | | | | |
| | **DEFENSE-WIDE ACTIVITIES** | | | | | |
| 050 | AMERICAN FORCES INFORMATION SERVICE | 0 | | | | 0 |
| 060 | CIVIL MILITARY PROGRAMS | 132,231 | 159,231 | 132,231 | 20,000 | 152,231 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | National Guard Youth Challenge Program | | [20,000] | | [5,000] | |
| | Starbase | | [7,000] | | | |
| | Junior ROTC | | | | [15,000] | |
| 080 | CLASSIFIED AND INTELLIGENCE | 0 | | | | 0 |
| 090 | DEFENSE BUSINESS TRANSFORMATION AGENCY | 139,579 | 139,579 | 139,579 | –21,750 | 117,829 |
| | DIMHRS Transfer to Services (Army, Navy and Air Force) | | | | [–21,750] | |
| 100 | DEFENSE CONTRACT AUDIT AGENCY | 458,316 | 458,316 | 458,316 | | 458,316 |
| 110 | DEFENSE FINANCE AND ACCOUNTING SERVICE | 0 | | | | 0 |
| 120 | DEFENSE HUMAN RESOURCES ACTIVITY | 665,743 | 665,743 | 665,743 | | 665,743 |
| 130 | DEFENSE INFORMATION SYSTEMS AGENCY | 1,322,163 | 1,322,163 | 1,322,163 | | 1,322,163 |
| 150 | DEFENSE LEGAL SERVICES | 42,532 | 42,532 | 42,532 | | 42,532 |
| 160 | DEFENSE LOGISTICS AGENCY | 405,873 | 414,873 | 405,873 | 9,000 | 414,873 |
| | Procurement and Technical Assistance Program | | [9,000] | | [9,000] | |
| 170 | DEFENSE MEDIA ACTIVITY | 253,667 | 253,667 | 253,667 | | 253,667 |
| 180 | DEFENSE POW/MIA OFFICE | 20,679 | 20,679 | 20,679 | | 20,679 |
| 190 | DEFENSE TECHNOLOGY SECURITY AGENCY | 34,325 | 34,325 | 34,325 | | 34,325 |
| 200 | DEFENSE THREAT REDUCTION AGENCY | 385,453 | 385,453 | 385,453 | | 385,453 |
| 210 | DEPARTMENT OF DEFENSE EDUCATION AGENCY | 2,302,116 | 2,316,516 | 2,307,116 | 3,400 | 2,305,516 |
| | Family support for military children with autism | | | [5,000] | | |
| | SoAR Recruiting Initiative | | [3,400] | | [3,400] | |
| | Increase DoDEA schools sustainment to 100% | | [11,000] | | | |
| 220 | DEFENSE CONTRACT MANAGEMENT AGENCY | 1,058,721 | 1,058,721 | 1,058,721 | | 1,058,721 |
| 230 | DEFENSE SECURITY COOPERATION AGENCY | 721,756 | 721,756 | 721,756 | –100,000 | 621,756 |
| | Security and Stabilization (1207) | | | | [–100,000] | |
| 240 | DEFENSE SECURITY SERVICE | 497,857 | 497,857 | 497,857 | | 497,857 |
| | NATIONAL GUARD BORDER SECURITY | 0 | | | | 0 |
| 260 | OFFICE OF ECONOMIC ADJUSTMENT | 37,166 | 105,166 | 37,166 | 1,000 | 38,166 |
| | Impact Aid | | [65,000] | | | |
| | Redevelopment of Naval Station Ingleside | | [3,000] | | [1,000] | |
| 270 | OFFICE OF THE SECRETARY OF DEFENSE | 1,955,985 | 2,627,371 | 1,990,985 | 22,000 | 1,977,985 |
| | Readiness and Environmental Protection Initiative | | [20,000] | [25,000] | [20,000] | |
| | Director of operational energy plans and programs | | | [5,000] | | |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | Acceleration of Defense Readiness Reporting System | | | [5,000] | | |
| | Transfer from Title XIV | | | | | |
| | Corrosion Prevention and Control | | [6,000] | | | |
| | Critical Language Training | | [2,000] | | [2,000] | |
| | Reduction to Security and Stabilization Assistance | | [–175,000] | | | |
| | Tools for Implementation of Weapons Systems Acquisition Reform Act of 2009 | | [10,000] | | | |
| 280 | WASHINGTON HEADQUARTERS SERVICE | 589,309 | 589,309 | 589,309 | | 589,309 |
| | **OTHER PROGRAMS** | | | | | |
| 999 | OTHER PROGRAMS | 13,046,209 | 13,046,209 | 13,046,209 | | 13,046,209 |
| | **TOTAL, BUDGET ACTIVITY 4:** | **24,069,680** | **24,859,466** | **24,109,680** | **–66,350** | **24,003,330** |
| | Impact Aid | | | [30,000] | [30,000] | 30,000 |
| | Impact aid for children with severe disabilities | | | [5,000] | [5,000] | 5,000 |
| | Special assistance to local education agencies | | | [10,000] | | |
| | Undisributed bulk fuel adjustment | | | [–596,249] | | |
| | Decrease for software licenses | | | [–50,000] | | |
| | Unobligated balances estimate | | [–128,300] | [–14,000] | | |
| | Fuel reduction | | [–9,900] | | | |
| | **Total Operation and Maintenance, Defense-Wide** | **28,357,246** | **29,011,332** | **27,781,997** | **–29,850** | **28,327,396** |

**Operation and Maintenance, Army Reserve**

| | | | | | | |
|---|---|---|---|---|---|---|
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **LAND FORCES** | | | | | |
| 010 | MANEUVER UNITS | 1,403 | 1,403 | 1,403 | | 1,403 |
| 020 | MODULAR SUPPORT BRIGADES | 12,707 | 12,707 | 12,707 | | 12,707 |
| 030 | ECHELONS ABOVE BRIGADE | 468,288 | 468,288 | 468,288 | | 468,288 |
| 040 | THEATER LEVEL ASSETS | 152,439 | 152,439 | 152,439 | | 152,439 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 520,420 | 520,420 | 520,420 | | 520,420 |
| 060 | AVIATION ASSETS | 61,063 | 61,063 | 61,063 | | 61,063 |
| | **LAND FORCES READINESS** | | | | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 290,443 | 290,443 | 290,443 | | 290,443 |
| 080 | LAND FORCES SYSTEMS READINESS | 106,569 | 106,569 | 110,169 | | 106,569 |
| | Mobile corrosion protection | | | [3,600] | | |
| 090 | LAND FORCES DEPOT MAINTENANCE | 94,499 | 94,499 | 94,499 | | 94,499 |
| | **LAND FORCES READINESS SUPPORT** | | | | | |
| 100 | BASE OPERATIONS SUPPORT | 522,310 | 522,310 | 522,310 | | 522,310 |
| 110 | FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION | 234,748 | 234,748 | 234,748 | | 234,748 |
| 120 | ADDITIONAL ACTIVITIES | 0 | | | | 0 |
| | **TOTAL, BA 01: OPERATING FORCES** | **2,464,889** | **2,464,889** | **2,468,489** | **0** | **2,464,889** |
| | **LOGISTICS OPERATIONS** | | | | | |
| 130 | SERVICEWIDE TRANSPORTATION | 9,291 | 9,291 | 9,291 | | 9,291 |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 140 | ADMINISTRATION | 72,075 | 72,075 | 72,075 | | 72,075 |
| 150 | SERVICEWIDE COMMUNICATIONS | 3,635 | 3,635 | 3,635 | | 3,635 |
| 160 | MANPOWER MANAGEMENT | 9,104 | 9,104 | 9,104 | | 9,104 |
| 170 | RECRUITING AND ADVERTISING | 61,202 | 61,202 | 61,202 | | 61,202 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **155,307** | **155,307** | **155,307** | **0** | **155,307** |
| | Unobligated balances estimate | | [–48,000] | | | |
| | **Total Operation and Maintenance, Army Reserve** | **2,620,196** | **2,572,196** | **2,623,796** | **0** | **2,620,196** |
| | **Operation and Maintenance, Navy Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 570,319 | 570,319 | 570,319 | | 570,319 |
| 020 | INTERMEDIATE MAINTENANCE | 16,596 | 16,596 | 16,596 | | 16,596 |
| 030 | AIR OPERATIONS AND SAFETY SUPPORT | 3,171 | 3,171 | 3,171 | | 3,171 |
| 040 | AIRCRAFT DEPOT MAINTENANCE | 125,004 | 125,004 | 125,004 | | 125,004 |
| 050 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 397 | 397 | 397 | | 397 |
| | **SHIP OPERATIONS** | | | | | |
| 060 | MISSION AND OTHER SHIP OPERATIONS | 55,873 | 55,873 | 55,873 | | 55,873 |
| 070 | SHIP OPERATIONS SUPPORT & TRAINING | 592 | 592 | 592 | | 592 |
| 080 | SHIP DEPOT MAINTENANCE | 41,899 | 55,899 | 41,899 | | 41,899 |
| | Ship Depot Maintenance | | [14,000] | | | |
| | **COMBAT OPERATIONS SUPPORT** | | | | | |
| 090 | COMBAT COMMUNICATIONS | 15,241 | 15,241 | 15,241 | | 15,241 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 100 | COMBAT SUPPORT FORCES | 142,924 | 142,924 | 142,924 | | 142,924 |
| | **WEAPONS SUPPORT** | | | | | |
| 110 | WEAPONS MAINTENANCE | 5,494 | 5,494 | 5,494 | | 5,494 |
| | **BASE SUPPORT** | | | | | |
| 120 | ENTERPRISE INFORMATION | 83,611 | 83,611 | 83,611 | | 83,611 |
| 130 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 69,853 | 69,853 | 69,853 | | 69,853 |
| 140 | BASE OPERATING SUPPORT | 124,757 | 124,757 | 124,757 | | 124,757 |
| | **TOTAL, BA 01: OPERATING FORCES** | **1,255,731** | **1,269,731** | **1,255,731** | **0** | **1,255,731** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 150 | ADMINISTRATION | 3,323 | 3,323 | 3,323 | | 3,323 |
| 160 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 13,897 | 13,897 | 13,897 | | 13,897 |
| 170 | SERVICEWIDE COMMUNICATIONS | 1,957 | 1,957 | 1,957 | | 1,957 |
| 180 | OTHER SERVICEWIDE POWER | 0 | | | | 0 |
| | **LOGISTICS OPERATIONS AND TECHNICAL SUPPORT** | | | | | |
| 190 | ACQUISITION AND PROGRAM MANAGEMENT | 3,593 | 3,593 | 3,593 | | 3,593 |
| | **CANCELLED ACCOUNTS** | | | | | |
| 200 | CANCELLED ACCOUNT ADJUSTMENTS | 0 | | | | 0 |
| 210 | JUDGMENT FUND | 0 | | | | 0 |
| | **OTHER PROGRAMS** | | | | | |
| 999 | OTHER PROGRAMS | 0 | | | | 0 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **22,770** | **22,770** | **22,770** | **0** | **22,770** |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **Total Operation and Maintenance, Navy Reserve** | **1,278,501** | **1,292,501** | **1,278,501** | **0** | **1,278,501** |
| | **Operation and Maintenance, Marine Corps Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **EXPEDITIONARY FORCES** | | | | | |
| 010 | OPERATING FORCES | 61,117 | 61,117 | 61,117 | | 61,117 |
| 020 | DEPOT MAINTENANCE | 13,217 | 13,217 | 13,217 | | 13,217 |
| 030 | TRAINING SUPPORT | 29,373 | 29,373 | 29,373 | | 29,373 |
| | **BASE SUPPORT** | | | | | |
| 040 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 25,466 | 25,466 | 25,466 | | 25,466 |
| 050 | BASE OPERATING SUPPORT | 73,899 | 73,899 | 73,899 | | 73,899 |
| | **TOTAL, BA 01: OPERATING FORCES** | **203,072** | **203,072** | **203,072** | **0** | **203,072** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE ACTIVITIES** | | | | | |
| 060 | SPECIAL SUPPORT | 5,639 | 5,639 | 5,639 | | 5,639 |
| 070 | SERVICEWIDE TRANSPORTATION | 818 | 818 | 818 | | 818 |
| 080 | ADMINISTRATION | 10,642 | 10,642 | 10,642 | | 10,642 |
| 090 | RECRUITING AND ADVERTISING | 8,754 | 8,754 | 8,754 | | 8,754 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | **BASE SUPPORT** | | | | | |
| 100 | BASE OPERATING SUPPORT | 0 | | | | 0 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **25,853** | **25,853** | **25,853** | **0** | **25,853** |
| | **Total Operation and Maintenance, Marine Corps Reserve** | **228,925** | **228,925** | **228,925** | **0** | **228,925** |
| | **Operation and Maintenance, Air Force Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | PRIMARY COMBAT FORCES | 2,049,303 | 2,060,103 | 2,049,303 | | 2,049,303 |
| | Restoration of legacy aircraft retirements | | [10,800] | | | |
| 020 | MISSION SUPPORT OPERATIONS | 121,417 | 119,917 | 121,417 | | 121,417 |
| | Restoration of legacy aircraft retirements | | [–1,500] | | | |
| 030 | DEPOT MAINTENANCE | 441,958 | 441,958 | 441,958 | | 441,958 |
| 040 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 78,763 | 78,763 | 78,763 | | 78,763 |
| 050 | BASE SUPPORT | 258,091 | 258,091 | 258,091 | | 258,091 |
| | **TOTAL, BA 01: OPERATING FORCES** | **2,949,532** | **2,958,832** | **2,949,532** | **0** | **2,949,532** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE ACTIVITIES** | | | | | |
| 060 | ADMINISTRATION | 77,476 | 77,476 | 77,476 | | 77,476 |
| 070 | RECRUITING AND ADVERTISING | 24,553 | 24,553 | 24,553 | | 24,553 |
| 080 | MILITARY MANPOWER AND PERS MGMT (ARPC) | 20,838 | 20,838 | 20,838 | | 20,838 |
| 090 | OTHER PERS SUPPORT (DISABILITY COMP) | 6,121 | 6,121 | 6,121 | | 6,121 |

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| 100 | AUDIOVISUAL | 708 | 708 | 708 | | 708 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **129,696** | **129,696** | **129,696** | **0** | **129,696** |
| | **Total Operation and Maintenance, Air Force Reserve** | **3,079,228** | **3,088,528** | **3,079,228** | **0** | **3,079,228** |
| | **Operation and Maintenance, Army National Guard** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **LAND FORCES** | | | | | |
| 010 | MANEUVER UNITS | 876,269 | 876,269 | 876,269 | | 876,269 |
| 020 | MODULAR SUPPORT BRIGADES | 173,843 | 173,843 | 173,843 | | 173,843 |
| 030 | ECHELONS ABOVE BRIGADE | 615,160 | 615,160 | 615,160 | | 615,160 |
| 040 | THEATER LEVEL ASSETS | 253,997 | 253,997 | 253,997 | | 253,997 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 34,441 | 36,641 | 34,441 | | 34,441 |
| | Modular Shoot House | | [2,200] | | | |
| 060 | AVIATION ASSETS | 819,031 | 821,281 | 819,031 | 2,250 | 821,281 |
| | Joint Command Vehicle and Supporting C3 Systems | | [2,250] | | [2,250] | |
| | **LAND FORCES READINESS** | | | | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 436,799 | 436,799 | 436,799 | | 436,799 |
| 080 | LAND FORCES SYSTEMS READINESS | 99,757 | 99,757 | 103,357 | | 99,757 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | Mobile corrosion protection | | | [3,600] | | |
| 090 | LAND FORCES DEPOT MAINTENANCE | 379,646 | 379,646 | 379,646 | | 379,646 |
| | **LAND FORCES READINESS SUPPORT** | | | | | |
| 100 | BASE OPERATIONS SUPPORT | 798,343 | 803,443 | 798,343 | 2,600 | 800,943 |
| | North Carolina National Guard Family Assistance Centers | | [1,600] | | [1,600] | |
| | Our Military Kids | | [3,500] | | [1,000] | |
| 110 | FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION | 580,171 | 580,471 | 580,171 | 300 | 580,471 |
| | Camp Ethan Allen Training Site Road Equipment | | [300] | | [300] | |
| 120 | MANAGEMENT AND OPERATIONAL HQ | 573,452 | 573,452 | 573,452 | | 573,452 |
| 130 | ADDITIONAL ACTIVITIES | 0 | | | | 0 |
| | **TOTAL, BA 01: OPERATING FORCES** | **5,640,909** | **5,650,759** | **5,644,509** | **5,150** | **5,646,059** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 140 | ADMINISTRATION | 119,186 | 119,186 | 119,186 | | 119,186 |
| 150 | SERVICEWIDE COMMUNICATIONS | 48,020 | 50,020 | 48,020 | | 48,020 |
| | Emergency Management Staff Trainer Distributed Learning Courseware | | [2,000] | | | |
| 160 | MANPOWER MANAGEMENT | 7,920 | 7,920 | 7,920 | | 7,920 |
| 170 | RECRUITING AND ADVERTISING | 440,999 | 440,999 | 440,999 | | 440,999 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **616,125** | **618,125** | **616,125** | **0** | **616,125** |
| | **Total Operation and Maintenance, Army National Guard** | **6,257,034** | **6,268,884** | **6,260,634** | **5,150** | **6,262,184** |

**Operation and Maintenance, Air National Guard**

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | AIRCRAFT OPERATIONS | 3,347,685 | 3,381,385 | 3,350,385 | | 3,347,685 |
| | Controlled humidity protection | | | [2,700] | | |
| | MBU–20A/P Oxygen Mask and Mask Light | | [6,000] | | | |
| | Restoration of legacy aircraft retirements | | [27,700] | | | |
| 020 | MISSION SUPPORT OPERATIONS | 779,917 | 779,917 | 779,917 | | 779,917 |
| 030 | DEPOT MAINTENANCE | 780,347 | 780,347 | 780,347 | | 780,347 |
| 040 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 302,949 | 302,949 | 302,949 | | 302,949 |
| 050 | BASE SUPPORT | 606,916 | 606,916 | 606,916 | | 606,916 |
| | **TOTAL, BA 01: OPERATING FORCES** | **5,817,814** | **5,851,514** | **5,820,514** | **0** | **5,817,814** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE ACTIVITIES** | | | | | |
| 060 | ADMINISTRATION | 35,174 | 35,174 | 35,174 | | 35,174 |
| 070 | RECRUITING AND ADVERTISING | 32,773 | 32,773 | 32,773 | | 32,773 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **67,947** | **67,947** | **67,947** | **0** | **67,947** |
| | **Total Operation and Maintenance, Air National Guard** | **5,885,761** | **5,919,461** | **5,888,461** | **0** | **5,885,761** |
| | **MISCELLANEOUS APPROPRIATIONS** | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| 010 | US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE | 13,932 | 13,932 | 13,932 | | 13,932 |
| 010 | ACQUISITION WORKFORCE DEVELOPMENT FUND | 100,000 | 100,000 | 100,000 | | 100,000 |
| 010 | OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID | 109,869 | 109,869 | 109,869 | | 109,869 |
| 010 | COOPERATIVE THREAT REDUCTION | 404,093 | 434,093 | 424,093 | 20,000 | 424,093 |
| | Program increase | | [30,000] | [20,000] | [20,000] | |
| 020 | ENVIRONMENTAL RESTORATION, ARMY | 415,864 | 415,864 | 415,864 | | 415,864 |
| 030 | ENVIRONMENTAL RESTORATION, NAVY | 285,869 | 285,869 | 285,869 | | 285,869 |
| 040 | ENVIRONMENTAL RESTORATION, AIR FORCE | 494,276 | 494,276 | 494,276 | | 494,276 |
| 050 | ENVIRONMENTAL RESTORATION, DEFENSE | 11,100 | 11,100 | 11,100 | | 11,100 |
| 060 | ENVIRONMENTAL RESTORATION FORMERLY USED SITES | 267,700 | 267,700 | 267,700 | | 267,700 |
| 070 | OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND | 5,000 | 5,000 | 5,000 | –5,000 | 0 |
| | Program decrease | | | | [–5,000] | |
| 080 | IRAQ FREEDOM FUND | 0 | | | | 0 |
| | **TOTAL, MISCELLANEOUS APPROPRIATIONS** | **2,107,703** | **2,137,703** | **2,127,703** | **15,000** | **2,122,703** |
| | **TOTAL TITLE III—OPERATION AND MAINTENANCE** | **156,444,204** | **157,169,536** | **156,393,455** | **–264,332** | **156,179,872** |

*Operation and maintenance for overseas contingency operations (sec. 4302)*

The Senate amendment contained an authorization funding table (sec. 4302) for operation and maintenance for overseas contingency operations.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **Operation and Maintenance, Army** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **LAND FORCES READINESS SUPPORT** | | | | | |
| 140 | ADDITIONAL ACTIVITIES | 36,330,899 | 36,330,899 | 36,330,899 | | 36,330,899 |
| 150 | COMMANDERS EMERGENCY RESPONSE PROGRAM | 1,500,000 | 1,300,000 | 1,400,000 | –200,000 | 1,300,000 |
| | Program reduction | | [–200,000] | [–100,000] | [–200,000] | |
| 160 | RESET | 7,867,551 | 7,867,551 | 7,867,551 | | 7,867,551 |
| | **TOTAL, BA 01: OPERATING FORCES** | **45,698,450** | **45,498,450** | **45,598,450** | **–200,000** | **45,498,450** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SECURITY PROGRAMS** | | | | | |
| 340 | SECURITY PROGRAMS | 1,426,309 | 1,426,309 | 1,426,309 | | 1,426,309 |
| | **LOGISTICS OPERATIONS** | | | | | |
| 350 | SERVICEWIDE TRANSPORTATION | 5,045,902 | 5,045,902 | 5,045,902 | | 5,045,902 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **6,472,211** | **6,472,211** | **6,472,211** | **0** | **6,472,211** |
| | Army end strength budget amendment | | | | [196,100] | [196,100] |
| | **Total Operation and Maintenance, Army** | **52,170,661** | **51,970,661** | **52,070,661** | **–3,900** | **52,166,761** |
| | **Operation and Maintenance, Navy** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 1,138,398 | 1,138,398 | 1,138,398 | | 1,138,398 |
| 020 | FLEET AIR TRAINING | 2,640 | 2,640 | 2,640 | | 2,640 |
| 030 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 1,212 | 1,212 | 1,212 | | 1,212 |
| 040 | AIR OPERATIONS AND SAFETY SUPPORT | 26,815 | 26,815 | 26,815 | | 26,815 |
| 050 | AIR SYSTEMS SUPPORT | 44,532 | 44,532 | 44,532 | | 44,532 |
| 060 | AIRCRAFT DEPOT MAINTENANCE | 158,559 | 158,559 | 158,559 | | 158,559 |
| | **SHIP OPERATIONS** | | | | | |
| 080 | MISSION AND OTHER SHIP OPERATIONS | 651,209 | 651,209 | 651,209 | | 651,209 |
| 090 | SHIP OPERATIONS SUPPORT & TRAINING | 22,489 | 22,489 | 22,489 | | 22,489 |
| 100 | SHIP DEPOT MAINTENANCE | 1,001,037 | 1,001,037 | 432,187 | | 1,001,037 |
| | Transfer to base | | | [–568,850] | | |
| | **COMBAT OPERATIONS/SUPPORT** | | | | | |
| 120 | COMBAT COMMUNICATIONS | 20,704 | 20,704 | 20,704 | | 20,704 |
| 150 | WARFARE TACTICS | 15,918 | 15,918 | 15,918 | | 15,918 |
| 160 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY | 16,889 | 16,889 | 16,889 | | 16,889 |
| 170 | COMBAT SUPPORT FORCES | 1,891,799 | 1,891,799 | 1,891,799 | | 1,891,799 |
| 180 | EQUIPMENT MAINTENANCE | 306 | 306 | 306 | | 306 |
| 200 | COMBATANT COMMANDERS CORE OPERATIONS | 6,929 | 6,929 | 6,929 | | 6,929 |
| 210 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 7,344 | 7,344 | 7,344 | | 7,344 |
| | **WEAPONS SUPPORT** | | | | | |
| 240 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 68,759 | 68,759 | 68,759 | | 68,759 |
| 250 | WEAPONS MAINTENANCE | 82,496 | 82,496 | 82,496 | | 82,496 |
| 260 | OTHER WEAPON SYSTEMS SUPPORT | 16,902 | 16,902 | 16,902 | | 16,902 |
| | **BASE SUPPORT** | | | | | |
| 280 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 7,629 | 7,629 | 7,629 | | 7,629 |
| 290 | BASE OPERATING SUPPORT | 338,604 | 338,604 | 338,604 | | 338,604 |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **TOTAL, BA 01: OPERATING FORCES** | **5,521,170** | **5,521,170** | **4,952,320** | **0** | **5,521,170** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | | | | |
| | **READY RESERVE AND PREPOSITIONING FORCES** | | | | | |
| 300 | SHIP PREPOSITIONING AND SURGE | 27,290 | 27,290 | 27,290 | | 27,290 |
| | **MOBILIZATION PREPAREDNESS** | | | | | |
| 330 | FLEET HOSPITAL PROGRAM | 4,336 | 4,336 | 4,336 | | 4,336 |
| 350 | COAST GUARD SUPPORT | 245,039 | 245,039 | 245,039 | | 245,039 |
| | **TOTAL, BA 02: MOBILIZATION** | **276,665** | **276,665** | **276,665** | **0** | **276,665** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | | | | |
| 390 | SPECIALIZED SKILL TRAINING | 97,995 | 97,995 | 97,995 | | 97,995 |
| 420 | TRAINING SUPPORT | 5,463 | 5,463 | 5,463 | | 5,463 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **103,458** | **103,458** | **103,458** | **0** | **103,458** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 470 | ADMINISTRATION | 3,899 | 3,899 | 3,899 | | 3,899 |
| 480 | EXTERNAL RELATIONS | 463 | 463 | 463 | | 463 |
| 500 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 563 | 563 | 563 | | 563 |
| 510 | OTHER PERSONNEL SUPPORT | 2,525 | 2,525 | 2,525 | | 2,525 |
| 520 | SERVICEWIDE COMMUNICATIONS | 23,557 | 23,557 | 23,557 | | 23,557 |
| | **LOGISTICS OPERATIONS AND TECHNICAL SUPPORT** | | | | | |
| 540 | SERVICEWIDE TRANSPORTATION | 223,890 | 223,890 | 223,890 | | 223,890 |
| 570 | ACQUISITION AND PROGRAM MANAGEMENT | 642 | 642 | 642 | | 642 |
| | **INVESTIGATIONS AND SECURITY PROGRAMS** | | | | | |
| 610 | NAVAL INVESTIGATIVE SERVICE | 37,452 | 37,452 | 37,452 | | 37,452 |
| | **OTHER PROGRAMS** | | | | | |
| 999 | OTHER PROGRAMS | 25,299 | 25,299 | 25,299 | | 25,299 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **318,290** | **318,290** | **318,290** | **0** | **318,290** |
| | **Total Operation and Maintenance, Navy** | **6,219,583** | **6,219,583** | **5,650,733** | **0** | **6,219,583** |
| | **Operation and Maintenance, Marine Corps** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **EXPEDITIONARY FORCES** | | | | | |
| 010 | OPERATIONAL FORCES | 2,048,844 | 2,048,844 | 2,048,844 | | 2,048,844 |
| 020 | FIELD LOGISTICS | 486,014 | 486,014 | 486,014 | | 486,014 |
| 030 | DEPOT MAINTENANCE | 554,000 | 554,000 | 554,000 | | 554,000 |
| | **USMC PREPOSITIONING** | | | | | |
| 060 | NORWAY PREPOSITIONING | 950 | 950 | 950 | | 950 |
| | **BASE SUPPORT** | | | | | |
| 090 | BASE OPERATING SUPPORT | 121,700 | 121,700 | 121,700 | | 121,700 |
| | **TOTAL, BA 01: OPERATING FORCES** | **3,211,508** | **3,211,508** | **3,211,508** | **0** | **3,211,508** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **BASIC SKILLS AND ADVANCED TRAINING** | | | | | |
| 120 | SPECIALIZED SKILL TRAINING | 6,303 | 6,303 | 6,303 | | 6,303 |
| 140 | PROFESSIONAL DEVELOPMENT EDUCATION | 923 | 923 | 923 | | 923 |
| 150 | TRAINING SUPPORT | 205,625 | 205,625 | 205,625 | | 205,625 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **212,851** | **212,851** | **212,851** | **0** | **212,851** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **SERVICEWIDE SUPPORT** | | | | | |
| 210 | SPECIAL SUPPORT | 2,576 | 2,576 | 2,576 | | 2,576 |
| 220 | SERVICEWIDE TRANSPORTATION | 269,415 | 269,415 | 269,415 | | 269,415 |
| 230 | ADMINISTRATION | 5,250 | 5,250 | 5,250 | | 5,250 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **277,241** | **277,241** | **277,241** | **0** | **277,241** |
| | **Total Operation and Maintenance, Marine Corps** | **3,701,600** | **3,701,600** | **3,701,600** | **0** | **3,701,600** |
| | **Operation and Maintenance, Air Force** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | PRIMARY COMBAT FORCES | 1,582,431 | 1,582,431 | 1,582,431 | | 1,582,431 |
| 020 | COMBAT ENHANCEMENT FORCES | 1,460,018 | 1,460,018 | 1,460,018 | | 1,460,018 |
| 030 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 109,255 | 109,255 | 109,255 | | 109,255 |
| 050 | DEPOT MAINTENANCE | 304,540 | 304,540 | 304,540 | | 304,540 |
| 060 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 121,881 | 121,881 | 121,881 | | 121,881 |
| 070 | BASE SUPPORT | 1,394,809 | 1,394,809 | 1,394,809 | | 1,394,809 |
| | **COMBAT RELATED OPERATIONS** | | | | | |
| 080 | GLOBAL C3I AND EARLY WARNING | 130,885 | 256,085 | 130,885 | | 130,885 |
| | Battlefield Airborne Communications Node | | [125,200] | | | |
| 090 | OTHER COMBAT OPS SPT PROGRAMS | 407,554 | 407,554 | 407,554 | | 407,554 |
| | **SPACE OPERATIONS** | | | | | |
| 130 | SPACE CONTROL SYSTEMS | 38,677 | 38,677 | 38,677 | | 38,677 |
| | **COCOM** | | | | | |
| 140 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 157,000 | 157,000 | 157,000 | | 157,000 |
| | **TOTAL, BA 01: OPERATING FORCES** | **5,707,050** | **5,832,250** | **5,707,050** | **0** | **5,707,050** |
| | **BUDGET ACTIVITY 02: MOBILIZATION** | | | | | |
| | **MOBILITY OPERATIONS** | | | | | |
| 160 | AIRLIFT OPERATIONS | 3,171,148 | 3,171,148 | 3,171,148 | | 3,171,148 |
| 170 | MOBILIZATION PREPAREDNESS | 169,659 | 169,659 | 169,659 | | 169,659 |
| 180 | DEPOT MAINTENANCE | 167,070 | 167,070 | 167,070 | | 167,070 |
| 190 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 942 | 942 | 942 | | 942 |
| 200 | BASE SUPPORT | 45,998 | 45,998 | 45,998 | | 45,998 |
| | **TOTAL, BA 02: MOBILIZATION** | **3,554,817** | **3,554,817** | **3,554,817** | **0** | **3,554,817** |
| | **BUDGET ACTIVITY 03: TRAINING AND RECRUITING** | | | | | |
| | **ACCESSION TRAINING** | | | | | |
| 240 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 1,019 | 1,019 | 1,019 | | 1,019 |
| 250 | BASE SUPPORT | 19,361 | 19,361 | 19,361 | | 19,361 |
| | **BASIC SKILLS AND ADVANCED TRAINING** | | | | | |
| 260 | SPECIALIZED SKILL TRAINING | 48,442 | 48,442 | 48,442 | | 48,442 |

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| 270 | FLIGHT TRAINING | 291 | 291 | 291 | | 291 |
| 280 | PROFESSIONAL DEVELOPMENT EDUCATION | 1,500 | 1,500 | 1,500 | | 1,500 |
| 290 | TRAINING SUPPORT | 1,427 | 1,427 | 1,427 | | 1,427 |
| | **TOTAL, BA 03: TRAINING AND RECRUITING** | **72,040** | **72,040** | **72,040** | **0** | **72,040** |
| | **BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | | | | | |
| | **LOGISTICS OPERATIONS** | | | | | |
| 370 | LOGISTICS OPERATIONS | 328,009 | 328,009 | 328,009 | | 328,009 |
| 420 | BASE SUPPORT | 35,322 | 35,322 | 35,322 | | 35,322 |
| | **SERVICEWIDE ACTIVITIES** | | | | | |
| 430 | ADMINISTRATION | 9,000 | 9,000 | 9,000 | | 9,000 |
| 440 | SERVICEWIDE COMMUNICATIONS | 178,470 | 178,470 | 178,470 | | 178,470 |
| | **SECURITY PROGRAMS** | | | | | |
| 470 | SECURITY PROGRAMS | 142,160 | 142,160 | 142,160 | | 142,160 |
| | **TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES** | **692,961** | **692,961** | **692,961** | **0** | **692,961** |
| | **Total Operation and Maintenance, Air Force** | **10,026,868** | **10,152,068** | **10,026,868** | **0** | **10,026,868** |
| | **Operation and Maintenance, Defense-wide** | | | | | |
| | **BUDGET ACTIVITY 1: OPERATING FORCES** | | | | | |
| | **DEFENSE-WIDE ACTIVITIES** | | | | | |
| 010 | JOINT CHIEFS OF STAFF | 25,000 | 25,000 | 25,000 | | 25,000 |
| 020 | SPECIAL OPERATIONS COMMAND | 2,519,935 | 2,519,935 | 2,519,935 | | 2,519,935 |
| | **TOTAL, BUDGET ACTIVITY 1:** | **2,544,935** | **2,544,935** | **2,544,935** | **0** | **2,544,935** |
| | **BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES** | | | | | |
| | **DEFENSE-WIDE ACTIVITIES** | | | | | |
| 100 | DEFENSE CONTRACT AUDIT AGENCY | 13,908 | 13,908 | 13,908 | | 13,908 |
| 130 | DEFENSE INFORMATION SYSTEMS AGENCY | 245,117 | 245,117 | 245,117 | | 245,117 |
| 150 | DEFENSE LEGAL SERVICES | 115,000 | 115,000 | 115,000 | | 115,000 |
| 170 | DEFENSE MEDIA ACTIVITY | 13,364 | 13,364 | 13,364 | | 13,364 |
| 200 | DEFENSE THREAT REDUCTION AGENCY | 2,018 | 2,018 | 2,018 | | 2,018 |
| 210 | DEPARTMENT OF DEFENSE EDUCATION AGENCY | 553,600 | 553,600 | 553,600 | | 553,600 |
| 220 | DEFENSE CONTRACT MANAGEMENT AGENCY | 63,130 | 63,130 | 63,130 | | 63,130 |
| 230 | DEFENSE SECURITY COOPERATION AGENCY | 1,950,000 | 1,950,000 | 1,950,000 | | 1,950,000 |
| 270 | OFFICE OF THE SECRETARY OF DEFENSE | 79,047 | 79,047 | 79,047 | | 79,047 |
| | **OTHER PROGRAMS** | | | | | |
| 999 | OTHER PROGRAMS | 1,998,181 | 1,998,181 | 1,998,181 | | 1,998,181 |
| | **TOTAL, BUDGET ACTIVITY 4:** | **5,033,365** | **5,033,365** | **5,033,365** | **0** | **5,033,365** |
| | Army end strength budget amendment | | | | [5,100] | 5,100 |
| | **Total Operation and Maintenance, Defense-Wide** | **7,578,300** | **7,578,300** | **7,578,300** | **5,100** | **7,583,400** |
| | **Operation and Maintenance, Army Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **LAND FORCES** | | | | | |
| 030 | ECHELONS ABOVE BRIGADE | 86,881 | 86,881 | 86,881 | | 86,881 |
| 050 | LAND FORCES OPERATIONS SUPPORT | 40,675 | 40,675 | 40,675 | | 40,675 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **LAND FORCES READINESS** | | | | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 21,270 | 21,270 | 21,270 | | 21,270 |
| 080 | LAND FORCES SYSTEMS READINESS | 17,500 | 17,500 | 17,500 | | 17,500 |
| | **LAND FORCES READINESS SUPPORT** | | | | | |
| 100 | BASE OPERATIONS SUPPORT | 38,000 | 38,000 | 38,000 | | 38,000 |
| | **TOTAL, BA 01: OPERATING FORCES** | **204,326** | **204,326** | **204,326** | **0** | **204,326** |
| | **Total Operation and Maintenance, Army Reserve** | **204,326** | **204,326** | **204,326** | **0** | **204,326** |
| | **Operation and Maintenance, Navy Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | MISSION AND OTHER FLIGHT OPERATIONS | 26,673 | 26,673 | 26,673 | | 26,673 |
| 020 | INTERMEDIATE MAINTENANCE | 400 | 400 | 400 | | 400 |
| 040 | AIRCRAFT DEPOT MAINTENANCE | 3,600 | 3,600 | 3,600 | | 3,600 |
| | **SHIP OPERATIONS** | | | | | |
| 060 | MISSION AND OTHER SHIP OPERATIONS | 7,416 | 7,416 | 7,416 | | 7,416 |
| 080 | SHIP DEPOT MAINTENANCE | 8,917 | 8,917 | 8,917 | | 8,917 |
| | **COMBAT OPERATIONS SUPPORT** | | | | | |
| 090 | COMBAT COMMUNICATIONS | 3,147 | 3,147 | 3,147 | | 3,147 |
| 100 | COMBAT SUPPORT FORCES | 13,428 | 13,428 | 13,428 | | 13,428 |
| | **BASE SUPPORT** | | | | | |
| 140 | BASE OPERATING SUPPORT | 4,478 | 4,478 | 4,478 | | 4,478 |
| | **TOTAL, BA 01: OPERATING FORCES** | **68,059** | **68,059** | **68,059** | **0** | **68,059** |
| | **Total Operation and Maintenance, Navy Reserve** | **68,059** | **68,059** | **68,059** | **0** | **68,059** |
| | **Operation and Maintenance, Marine Corps Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **EXPEDITIONARY FORCES** | | | | | |
| 010 | OPERATING FORCES | 77,849 | 77,849 | 77,849 | | 77,849 |
| | **BASE SUPPORT** | | | | | |
| 050 | BASE OPERATING SUPPORT | 8,818 | 8,818 | 8,818 | | 8,818 |
| | **TOTAL, BA 01: OPERATING FORCES** | **86,667** | **86,667** | **86,667** | **0** | **86,667** |
| | **Total Operation and Maintenance, Marine Corps Reserve** | **86,667** | **86,667** | **86,667** | **0** | **86,667** |
| | **Operation and Maintenance, Air Force Reserve** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | PRIMARY COMBAT FORCES | 3,618 | 3,618 | 3,618 | | 3,618 |
| 020 | MISSION SUPPORT OPERATIONS | 7,276 | 7,276 | 7,276 | | 7,276 |
| 030 | DEPOT MAINTENANCE | 114,531 | 114,531 | 114,531 | | 114,531 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| 050 | BASE SUPPORT | 500 | 500 | 500 | | 500 |
| | **TOTAL, BA 01: OPERATING FORCES** | **125,925** | **125,925** | **125,925** | **0** | **125,925** |
| | **Total Operation and Maintenance, Air Force Reserve** | **125,925** | **125,925** | **125,925** | **0** | **125,925** |
| | **Operation and Maintenance, Army National Guard** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **LAND FORCES** | | | | | |
| 010 | MANEUVER UNITS | 89,666 | 89,666 | 89,666 | | 89,666 |
| 020 | MODULAR SUPPORT BRIGADES | 1,196 | 1,196 | 1,196 | | 1,196 |
| 030 | ECHELONS ABOVE BRIGADE | 18,360 | 18,360 | 18,360 | | 18,360 |
| 040 | THEATER LEVEL ASSETS | 380 | 380 | 380 | | 380 |
| 060 | AVIATION ASSETS | 59,357 | 59,357 | 59,357 | | 59,357 |
| | **LAND FORCES READINESS** | | | | | |
| 070 | FORCE READINESS OPERATIONS SUPPORT | 94,458 | 94,458 | 94,458 | | 94,458 |
| | **LAND FORCES READINESS SUPPORT** | | | | | |
| 100 | BASE OPERATIONS SUPPORT | 22,536 | 22,536 | 22,536 | | 22,536 |
| 120 | MANAGEMENT AND OPERATIONAL HQ | 35,693 | 35,693 | 35,693 | | 35,693 |
| 130 | ADDITIONAL ACTIVITIES | 0 | | | | |
| | **TOTAL, BA 01: OPERATING FORCES** | **321,646** | **321,646** | **321,646** | **0** | **321,646** |
| | **Total Operation and Maintenance, Army National Guard** | **321,646** | **321,646** | **321,646** | **0** | **321,646** |
| | **Operation and Maintenance, Air National Guard** | | | | | |
| | **BUDGET ACTIVITY 01: OPERATING FORCES** | | | | | |
| | **AIR OPERATIONS** | | | | | |
| 010 | AIRCRAFT OPERATIONS | 103,259 | 103,259 | 103,259 | | 103,259 |
| 020 | MISSION SUPPORT OPERATIONS | 51,300 | 51,300 | 51,300 | | 51,300 |
| 030 | DEPOT MAINTENANCE | 135,303 | 135,303 | 135,303 | | 135,303 |
| | **TOTAL, BA 01: OPERATING FORCES** | **289,862** | **289,862** | **289,862** | **0** | **289,862** |
| | **Total Operation and Maintenance, Air National Guard** | **289,862** | **289,862** | **289,862** | **0** | **289,862** |
| | **Afghanistan Security Forces Fund** | | | | | |
| 010 | INFRASTRUCTURE | 868,320 | 868,320 | 868,320 | | 868,320 |
| 020 | EQUIPMENT AND TRANSPORTATION | 1,615,192 | 1,615,192 | 1,615,192 | | 1,615,192 |
| 030 | TRAINING AND OPERATIONS | 272,998 | 272,998 | 272,998 | | 272,998 |
| 040 | SUSTAINMENT | 1,945,887 | 1,945,887 | 1,945,887 | | 1,945,887 |
| 060 | INFRASTRUCTURE | 605,584 | 605,584 | 605,584 | | 605,584 |
| 070 | EQUIPMENT AND TRANSPORTATION | 279,186 | 279,186 | 279,186 | | 279,186 |
| 080 | TRAINING AND OPERATIONS | 648,217 | 648,217 | 648,217 | | 648,217 |
| 090 | SUSTAINMENT | 1,219,966 | 1,219,966 | 1,219,966 | | 1,219,966 |
| 120 | SUSTAINMENT | 5,919 | 5,919 | 5,919 | | 5,919 |
| 130 | TRAINING AND OPERATIONS | 1,500 | 1,500 | 1,500 | | 1,500 |

**OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Line | Item | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|
| | **TOTAL, Afghanistan Security Forces Fund** | **7,462,769** | **7,462,769** | **7,462,769** | **0** | **7,462,769** |
| | **Pakistan Counterinsurgency Capability Fund** | | | | | |
| | INFRASTRUCTURE | 41,970 | 0 | 0 | –41,970 | 0 |
| | Realigned from Defense to International Affairs | | [–41,970] | [–41,970] | [–41,970] | |
| | EQUIPMENT/TRANSPORTATION | 397,907 | 0 | 0 | –397,907 | 0 |
| | Realigned from Defense to International Affairs | | [–397,907] | [–397,907] | [–397,907] | |
| | TRAINING AND OPERATIONS | 67,953 | 0 | 0 | –67,953 | 0 |
| | Realigned from Defense to International Affairs | | [–67,953] | [–67,953] | [–67,953] | |
| | INFRASTRUCTURE | 73,000 | 0 | 0 | –73,000 | 0 |
| | Realigned from Defense to International Affairs | | [–73,000] | [–73,000] | [–73,000] | |
| | EQUIPMENT/TRANSPORTATION | 107,000 | 0 | 0 | –107,000 | 0 |
| | Realigned from Defense to International Affairs | | [–107,000] | [–107,000] | [–107,000] | |
| | TRAINING AND OPERATIONS | 8,170 | 0 | 0 | –8,170 | 0 |
| | Realigned from Defense to International Affairs | | [–8,170] | [–8,170] | [–8,170] | |
| | HUMANITARIAN ASSISTANCE | 4,000 | 0 | 0 | –4,000 | 0 |
| | Realigned from Defense to International Affairs | | [–4,000] | [–4,000] | [–4,000] | |
| | **TOTAL, Pakistan Counterinsurgency Capability Fund** | **700,000** | | **0** | **–700,000** | **0** |
| | **MISCELLANEOUS APPROPRIATIONS** | | | | | |
| 080 | IRAQ FREEDOM FUND | 115,300 | 115,300 | 115,300 | –115,300 | 0 |
| | Program reduction | | | | [–115,300] | |
| | **TOTAL, MISCELLANEOUS APPROPRIATIONS** | **115,300** | **115,300** | **115,300** | **0** | **0** |
| | **TOTAL TITLE III—OPERATION AND MAINTENANCE** | **89,071,566** | **88,296,766** | **87,702,716** | **–814,100** | **88,257,466** |

TITLE XLIV—OTHER AUTHORIZATIONS

*Other authorizations (sec. 4401)*

The Senate amendment contained an authorization funding table (sec. 4401) for other authorizations.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**OTHER AUTHORIZATIONS**
(In Thousands of Dollars)

| Program Title | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **REVOLVING AND MANAGEMENT FUNDS** | | | | | |
| **DEFENSE WORKING CAPITAL FUNDS** | | | | | |
| DEFENSE WORKING CAPITAL FUNDS | 141,388 | 141,388 | 141,388 | | 141,388 |
| DEFENSE COMMISSARY AGENCY | 1,313,616 | 1,313,616 | 1,313,616 | | 1,313,616 |
| **Total, Defense Working Capital Funds** | **1,455,004** | **1,455,004** | **1,455,004** | **0** | **1,455,004** |
| **NATIONAL DEFENSE SEALIFT FUND** | | | | | |
| **Strategic Ship Acquisition** | | | | | |
| T–AKE | 940,115 | 940,115 | 540,115 | | 940,115 |
| T–AKE Program Reduction | | | [–400,000] | | |
| MLP | 120,047 | 180,047 | 120,047 | | 120,047 |
| Program Increase | | [60,000] | | | |
| OUTFITTING AND POST DELIVERY | 29,740 | 29,740 | 29,740 | | 29,740 |
| **DoD Mobilization Assets** | | | | | |
| NATIONAL DEFENSE SEALIFT VESSEL | 1,438 | 1,438 | 1,438 | | 1,438 |
| LMSR MAINTENANCE | 96,363 | 96,363 | 96,363 | | 96,363 |
| DOD MOBILIZATION ALTERATIONS | 64,167 | 64,167 | 64,167 | | 64,167 |
| T–AH MAINTENANCE | 37,627 | 37,627 | 37,627 | | 37,627 |
| **Strategic Sealift Support** | | | | | |
| STRATEGIC SEALIFT SUPPORT | 4,794 | 4,794 | 4,794 | | 4,794 |
| **Sealift Research and Development** | | | | | |
| RESEARCH AND DEVELOPMENT | 72,983 | 72,983 | 72,983 | | 72,983 |

**OTHER AUTHORIZATIONS**
(In Thousands of Dollars)

| Program Title | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **Ready Reserve Force** | | | | | |
| READY RESERVE FORCE | 275,484 | 275,484 | 275,484 | | 275,484 |
| **Total, National Defense Sealift Fund** | **1,642,758** | **1,702,758** | **1,242,758** | **0** | **1,642,758** |
| **DEFENSE COALITION SUPPORT FUND** | | | | | |
| DEFENSE COALITION SUPPORT FUND | 22,000 | 0 | 0 | –22,000 | 0 |
| **Total Revolving and Management Funds** | **3,119,762** | **3,157,762** | **2,697,762** | **–22,000** | **3,097,762** |
| **MILITARY PROGRAMS** | | | | | |
| **DEFENSE HEALTH PROGRAM** | | | | | |
| DEFENSE HEALTH PROGRAM—O&M | 26,967,919 | 26,342,463 | 27,007,919 | 126,930 | 27,094,849 |
| TRICARE Continuation Pending MEDICARE Eligibility | | | [4,000] | [4,000] | |
| Reimbursement for exceptional travel under TRICARE | | | [10,000] | | |
| TRICARE eligibility for Retired Reservists under the age of 60 | | | [10,000] | | |
| Expansion of survivor eligibility for the TRICARE dental program | | | [2,000] | | |
| Reimbursement for travel over 50 miles under TRICARE | | | [14,000] | | |
| Transitional Dental Care (S712) | | | | [11,000] | |
| Transfer to Title III | | [–808,386] | | | |
| Pre-mobilization health care coverage for Reservists and their families | | [92,000] | | [92,000] | |
| Establish the Military School of Nursing | | [10,000] | | | |
| Madigan Medical Center Trauma Assistance Program | | [2,500] | | [2,500] | |
| Fort Drum Regional Health Planning Organization | | [430] | | [430] | |
| Extend Dental Coverage to Dependent Survivors | | [2,000] | | [2,000] | |
| National Casualty Care Research Center | | [1,000] | | | |
| Chiropractic Clinical Trials | | [5,000] | | [5,000] | |
| TRICARE Coverage for Gray-Area Retirees | | [10,000] | | [10,000] | |
| TRICARE Coverage for Autism Treatment | | [50,000] | | | |
| Center of Care for Military Family Members | | [10,000] | | | |
| DEFENSE HEALTH PROGRAM—R&D | 613,102 | 493,192 | 597,802 | 3,000 | 616,102 |
| Program Reduction (PE 67100HP) | | | [–10,000] | | |
| Cancer Center of Excellence (PE 63115HP) | | | [–5,300] | | |
| Combined Injury Consortium | | [1,500] | | | |
| Transfer to Title III | | [–124,410] | | | |
| USUHS Immersive, Wide Area Virtual Environment | | [3,000] | | [3,000] | |
| DEFENSE HEALTH PROGRAM—PROCUREMENT | 322,142 | 177,532 | 322,142 | | 322,142 |
| Transfer to Title I | | [–144,610] | | | |
| **Total Defense Health Program** | **27,903,163** | **27,013,187** | **27,927,863** | **129,930** | **28,033,093** |
| **CHEMICAL AGENTS AND MUNITIONS DESTRUCTION** | | | | | |
| CHEM DEMILITARIZATION—O&M | 1,146,802 | 1,146,802 | 1,146,802 | | 1,146,802 |
| CHEM DEMILITARIZATION—RDT&E | 401,269 | 401,269 | 401,269 | | 401,269 |
| CHEM DEMILITARIZATION—PROC | 12,689 | 12,689 | 12,689 | | 12,689 |
| **Total Chemical Agents and Munitions Destruction** | **1,560,760** | **1,560,760** | **1,560,760** | | **1,560,760** |
| **DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES** | | | | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | 1,058,984 | 1,050,984 | 1,077,784 | –4,750 | 1,054,234 |
| High Priority National Guard Counterdrug Programs | | | [30,000] | | |
| Mobile Sensor Barrier | | | [5,000] | | |
| United States European Command (EUCOM) Counternarcotics Support (Project Code (PC) 9205) | | | [–8,000] | | |
| EUCOM Headquarters Support (PC2346) | | | [–800] | | |
| EUCOM Interagency Fusion Centers (PC2365) | | | [–1,000] | [–750] | |
| Relocatable Over-the Horizon-Radar (PC3217) | | | [–5,000] | | |
| U.S. Special Operations Command Support to Combatant Commanders (PC6505) | | | [–200] | | |
| EUCOM Counternarcotics Reserve Support (PC9215) | | | [–1,200] | | |
| International Support | | [–32,000] | | | |
| International Support—USEUCOM | | [–5,000] | | | |
| International Support—USNORTHCOM/USSOUTHCOM | | [5,600] | | | |
| International Support—US CENTCOM CN Training | | [24,000] | | | |
| PC9205 EUCOM CN Operation Support—excessive growth | | | | [–2,000] | |
| PC9206 AFRICOM CN Operational Support—excessive growth | | | | [–2,000] | |
| **Total Drug Interdiction and Counter-Drug Activities** | **1,058,984** | **1,050,984** | **1,077,784** | **–4,750** | **1,054,234** |

**OTHER AUTHORIZATIONS**
(In Thousands of Dollars)

| Program Title | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **OFFICE OF THE INSPECTOR GENERAL** | | | | | |
| OFFICE OF THE INSPECTOR GENERAL—O&M | 271,444 | 278,224 | 286,444 | 15,656 | 287,100 |
| Second year growth plan | | [6,780] | [15,000] | [15,656] | |
| OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT | 1,000 | 1,000 | 2,000 | | 1,000 |
| Second year growth plan | | | [1,000] | | |
| **Total Office of the Inspector General** | **272,444** | **279,224** | **288,444** | **15,656** | **288,100** |
| **TOTAL OTHER AUTHORIZATIONS** | **33,915,113** | **33,061,917** | **33,552,613** | **118,836** | **34,033,949** |
| **Memorandum: Civil Program (non-defense)** | | | | | |
| Armed Forces Retirement Home (Budget Function 600) | 134,000 | 134,000 | 134,000 | | 134,000 |

*Other authorizations for overseas contingency operations (sec. 4402)*

The Senate amendment contained an authorization funding table (sec. 4402) for other authorizations for overseas contingency operations.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Program Title | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **REVOLVING AND MANAGEMENT FUNDS** | | | | | |
| **DEFENSE WORKING CAPITAL FUNDS** | | | | | |
| DEFENSE WORKING CAPITAL FUNDS | 396,915 | 396,915 | 396,915 | | 396,915 |
| **Total, Defense Working Capital Funds** | **396,915** | **396,915** | **396,915** | **0** | **396,915** |
| **Total Revolving and Management Funds** | **396,915** | **396,915** | **396,915** | **0** | **396,915** |
| **MILITARY PROGRAMS** | | | | | |
| **DEFENSE HEALTH PROGRAM** | | | | | |
| DEFENSE HEALTH PROGRAM—O&M | 1,155,235 | 1,155,235 | 1,155,235 | 101,440 | 1,256,675 |
| Army end strength budget amendment | | | | [101,440] | |
| **Total Defense Health Program** | **1,155,235** | **1,155,235** | **1,155,235** | **101,440** | **1,256,675** |
| **DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES** | | | | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | 324,603 | | | 32,000 | 356,603 |
| International Support—US CENTCOM CN Training—Mi–17 Procurement | | | | [32,000] | |
| **Total Drug Interdiction and Counter-Drug Activities** | **324,603** | **0** | **0** | **32,000** | **356,603** |
| **OFFICE OF THE INSPECTOR GENERAL** | | | | | |
| OFFICE OF THE INSPECTOR GENERAL—O&M | 8,876 | | | | 8,876 |
| **Total Office of the Inspector General** | **8,876** | **0** | **0** | | **8,876** |
| **TOTAL OTHER AUTHORIZATIONS** | **1,885,629** | **1,552,150** | **1,949,065** | **133,440** | **2,019,069** |

TITLE XLV—MILITARY CONSTRUCTION AUTHORIZATIONS

*Military construction (sec. 4501)*

The Senate amendment contained an authorization funding table (sec. 4501) for military construction.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Army | ALABAMA | ANNISTON ARMY DEPOT | INDUSTRIAL AREA ELEC SYSTEM UPGRADE | | 3,300 | | 3,300 | 3,300 |
| ARNG | ALABAMA | FORT MC CLELLAN | URBAN ASSAULT COURSE | 3,000 | 3,000 | 3,000 | | 3,000 |
| Army | ALABAMA | REDSTONE ARSENAL | GATE 7 ACCESS CONTROL POINT | | 3,550 | 3,550 | 3,550 | 3,550 |
| Def-Wide | ALABAMA | REDSTONE ARSENAL | MISSILE AND SPACE INTEL CENTER EOE COMPLEX | | | 12,000 | 12,000 | 12,000 |
| Air Force | ALASKA | CLEAR AFS | POWER PLANT FACILITY | 24,300 | 24,300 | 24,300 | | 24,300 |

**MILITARY CONSTRUCTION**
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Air Force | ALASKA | EIELSON AFB | ARCTIC UTILIDORS, PHASE 1 | | | 9,900 | 9,900 | 9,900 |
| Air Force | ALASKA | EIELSON AFB | TAXIWAY LIGHTING | | | 3,450 | 3,450 | 3,450 |
| Air Force | ALASKA | ELMENDORF AFB | RED FLAG ALASKA ADD/ALTER OPERATIONS CENTER | 3,100 | 3,100 | 3,100 | | 3,100 |
| Air Force | ALASKA | ELMENDORF AFB | F–22 WEAPONS LOAD TRAINING FACILITY | 12,600 | 12,600 | 12,600 | | 12,600 |
| Def-Wide | ALASKA | ELMENDORF AFB | AEROMEDICAL SERVICES/MENTAL HEALTH CLINIC | 25,017 | 25,017 | 25,017 | | 25,017 |
| Army | ALASKA | FORT RICHARDSON | AIRBORNE SUSTAINMENT TRAINING COMPLEX | 6,100 | 6,100 | 6,100 | | 6,100 |
| Army | ALASKA | FORT RICHARDSON | TRAINING AIDS CENTER | 2,050 | 2,050 | 2,050 | | 2,050 |
| Army | ALASKA | FORT RICHARDSON | WARRIOR IN TRANSITION COMPLEX | 43,000 | 43,000 | 43,000 | | 43,000 |
| Army | ALASKA | FORT RICHARDSON | COMBAT PISTOL RANGE | | | 4,900 | 4,900 | 4,900 |
| Def-Wide | ALASKA | FORT RICHARDSON | HEALTH CLINIC | 3,518 | 3,518 | 3,518 | | 3,518 |
| Army | ALASKA | FORT WAINWRIGHT | RAILHEAD COMPLEX | 26,000 | 26,000 | 26,000 | | 26,000 |
| Army | ALASKA | FORT WAINWRIGHT | AVIATION UNIT OPERATIONS COMPLEX | 19,000 | 19,000 | 19,000 | | 19,000 |
| Army | ALASKA | FORT WAINWRIGHT | AVIATION TASK FORCE COMPLEX, PH 1, Inc 1 | 125,000 | 95,000 | 125,000 | –30,000 | 95,000 |
| Army | ALASKA | FORT WAINWRIGHT | WARRIOR IN TRANSITION COMPLEX | 28,000 | 28,000 | 28,000 | | 28,000 |
| ARNG | ARIZONA | CAMP NAVAJO | COMBAT PISTOL QUALIFICATION COURSE | 3,000 | 3,000 | 3,000 | | 3,000 |
| Air__Guard | ARIZONA | DAVIS MONTHAN AFB | TFI-PREDATOR BEDDOWN-FOC | 5,600 | 5,600 | 5,600 | | 5,600 |
| Air Force | ARIZONA | DAVIS-MONTHAN AFB | DORMITORY (144 RM) | 20,000 | 20,000 | 20,000 | | 20,000 |
| Air Force | ARIZONA | DAVIS-MONTHAN AFB | CSAR HC–130J SIMULATOR FACILITY | 8,400 | 8,400 | 8,400 | | 8,400 |
| Air Force | ARIZONA | DAVIS-MONTHAN AFB | CSAR HC–130J RQS OPERATIONS FACILITY | 8,700 | 8,700 | 8,700 | | 8,700 |
| Air Force | ARIZONA | DAVIS-MONTHAN AFB | CSAR HC–130J INFRASTRUCTURE | 4,800 | 4,800 | 4,800 | | 4,800 |
| Army | ARIZONA | FORT HUACHUCA | UAV ER/MPER/MP | 15,000 | 15,000 | 15,000 | | 15,000 |
| Army | ARIZONA | FORT HUACHUCA | BATTALION HEADQUARTERS UAV | 6,000 | 6,000 | 6,000 | | 6,000 |
| Army | ARIZONA | FORT HUACHUCA | FIRE STATION, TWO COMPANY | | 6,700 | | 6,700 | 6,700 |
| Milcon, Naval Res | ARIZONA | PHOENIX | RESERVE CENTER MOVE TO LUKE AFB, NOSC PHOENIX | 10,986 | 10,986 | 10,986 | | 10,986 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Navy | ARIZONA | YUMA | AIRCRAFT MAINTENANCE HANGAR (PHASE 1) | 27,050 | 27,050 | 27,050 | | 27,050 |
| Navy | ARIZONA | YUMA | AIRFIELD ELEC. DIST. AND CONTOL | 1,720 | 1,720 | 1,720 | | 1,720 |
| Air Force | ARKANSAS | LITTLE ROCK AFB | C–130 FLIGHT SIMULATOR ADDITION | 5,800 | 5,800 | 5,800 | | 5,800 |
| Air Force | ARKANSAS | LITTLE ROCK AFB | SECURITY FORCES OPERATIONS FACILITY | | 10,400 | 10,400 | 10,400 | 10,400 |
| Army | ARKANSAS | PINE BLUFF ARSENAL | FUSE & DETONATOR MAGAZINE, DEPOT LEVEL | 25,000 | 25,000 | 25,000 | | 25,000 |
| Milcon, Naval Res | CALIFORNIA | ALAMEDA | RESERVE TRAINING CENTER—ALAMEDA, CA | 5,960 | 5,960 | 5,960 | | 5,960 |
| Navy | CALIFORNIA | BRIDGEPORT | FIRE STATION— RENOVATION—MWTC | 4,460 | 4,460 | 4,460 | | 4,460 |
| Navy | CALIFORNIA | BRIDGEPORT | MOUNTAIN WARFARE TRAINING, COMMISSARY | | 6,830 | | 6,830 | 6,830 |
| Navy | CALIFORNIA | CAMP PENDLETON | ANGLICO OPERATIONS COMPLEX | 25,190 | 25,190 | 25,190 | | 25,190 |
| Navy | CALIFORNIA | CAMP PENDLETON | RECON BN OPERATIONS COMPLEX | 77,660 | 77,660 | 77,660 | | 77,660 |
| Navy | CALIFORNIA | CAMP PENDLETON | COMM/ELEC MAINTENANCE FACILITY | 13,170 | 13,170 | 13,170 | | 13,170 |
| Navy | CALIFORNIA | CAMP PENDLETON | EXPANSION OF SRTTP TO 7.5 MGD | 55,180 | 55,180 | 55,180 | | 55,180 |
| Navy | CALIFORNIA | CAMP PENDLETON | NORTH REGION TERTIARY TREATMENT PLANT, Inc 1 | 142,330 | 112,330 | 142,330 | –30,000 | 112,330 |
| Navy | CALIFORNIA | CAMP PENDLETON | GAS/ELECTRICAL UPGRADES | 51,040 | 51,040 | 51,040 | | 51,040 |
| Navy | CALIFORNIA | CAMP PENDLETON | RECRUIT BARRACKS—SCHOOL OF INFANTRY | 53,320 | 53,320 | 53,320 | | 53,320 |
| Navy | CALIFORNIA | CAMP PENDLETON | ENLISTED DINING FACILITY | 32,300 | 32,300 | 32,300 | | 32,300 |
| Navy | CALIFORNIA | CAMP PENDLETON | RECRUIT BARRACKS—FIELD/K–SPAN | 23,200 | 23,200 | 23,200 | | 23,200 |
| Navy | CALIFORNIA | CAMP PENDLETON | COMMUNICATIONS UPGRADES | 79,492 | 79,492 | 79,492 | | 79,492 |
| Navy | CALIFORNIA | CAMP PENDLETON | ELECTRICAL DISTRIBUTION SYSTEM | 76,950 | 76,950 | 76,950 | | 76,950 |
| Navy | CALIFORNIA | CAMP PENDLETON | OPERATIONS ACCESS POINTS | 12,740 | 12,740 | 12,740 | | 12,740 |
| Navy | CALIFORNIA | CAMP PENDLETON | ENLISTED DINING FACILITY—EDSON RANGE | 37,670 | 37,670 | 37,670 | | 37,670 |
| Navy | CALIFORNIA | CAMP PENDLETON | BEQ | 39,610 | 39,610 | 39,610 | | 39,610 |
| Navy | CALIFORNIA | CAMP PENDLETON | RECRUIT MARKSMANSHIP TRAINING FACILITY | 13,730 | 13,730 | 13,730 | | 13,730 |
| Navy | CALIFORNIA | CAMP PENDLETON | EXPAND COMBAT AIRCRAFT LOADING APRON | 12,240 | 12,240 | 12,240 | | 12,240 |
| Navy | CALIFORNIA | CAMP PENDLETON | AVIATION TRANSMITTER/RECEIVER SITE | 13,560 | 13,560 | 13,560 | | 13,560 |
| Navy | CALIFORNIA | CAMP PENDLETON | WFTBN SUPPORT FACILITIES | 15,780 | 15,780 | 15,780 | | 15,780 |
| USAR | CALIFORNIA | CAMP PENDLETON | ARMY RESERVE CENTER | 19,500 | 19,500 | 19,500 | | 19,500 |
| Def-Wide | CALIFORNIA | CORONADO | SOF CLOSE QUARTERS COMBAT TRAINING FACILITY | 15,722 | 15,722 | 15,722 | | 15,722 |
| Navy | CALIFORNIA | EDWARDS AFB | EDWARDS RAMP EXTENSION | 3,007 | 3,007 | 3,007 | | 3,007 |
| Def-Wide | CALIFORNIA | EL CENTRO | AIRCRAFT DIRECT FUELING STATION | 11,000 | 11,000 | 11,000 | | 11,000 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Army | CALIFORNIA | FORT IRWIN | MOUT ASSAULT COURSE, PH 4 | 9,500 | 9,500 | 9,500 | | 9,500 |
| Air__Guard | CALIFORNIA | FRESNO YOSEMITE IAP ANG | 144th SQUADRON OPERATIONS FACILITY | | | 9,900 | 9,800 | 9,800 |
| ARNG | CALIFORNIA | LOS ALAMITOS | READINESS CENTER PH1 | 31,000 | 31,000 | 31,000 | | 31,000 |
| USAR | CALIFORNIA | LOS ANGELES | ARMY RESERVE CENTER | 29,000 | 29,000 | 29,000 | | 29,000 |
| Air Force | CALIFORNIA | LOS ANGELES AFB | CONSOLIDATED PARKING AREA, PH1 | | 8,000 | | 8,000 | 8,000 |
| AF Reserve | CALIFORNIA | MARCH ARB | SMALL ARMS FIRING RANGE | | 9,800 | | 9,800 | 9,800 |
| Navy | CALIFORNIA | MIRAMAR | AIRCRAFT PARKING APRON MODIFICATION | 9,280 | 9,280 | 9,280 | | 9,280 |
| Navy | CALIFORNIA | MONTEREY NSA | MARINE METEOROLOGY CENTER | | 10,240 | | 10,240 | 10,240 |
| Def-Wide | CALIFORNIA | POINT LOMA ANNEX | REPLACE FUEL STORAGE FAC INCR 2 | 92,300 | 92,300 | 92,300 | | 92,300 |
| Navy | CALIFORNIA | POINT LOMA ANNEX | ALTER/ADD MARINE MAMMAL SURGICAL CENTER | | 2,330 | | 2,330 | 2,330 |
| Navy | CALIFORNIA | POINT LOMA ANNEX | PUBLIC WORKS SHOPS CONSOLIDATION | 8,730 | 8,730 | 8,730 | | 8,730 |
| Navy | CALIFORNIA | SAN DIEGO | MESSHALL EXPANSION | 23,590 | 23,590 | 23,590 | | 23,590 |
| Air__Guard | CALIFORNIA | SOCAL LOGISTICS AIR-PORT | TFI-PREDATOR BEDDOWN—FTU/LRE SITE | 8,400 | 8,400 | 8,400 | | 8,400 |
| Air Force | CALIFORNIA | TRAVIS AFB | CONSTRUCT KC–10 CARGO LOAD TRAINING FACILITY | 6,900 | 6,900 | 6,900 | | 6,900 |
| Air Force | CALIFORNIA | TRAVIS AFB | TAXIWAY M BYPASS ROAD | | 6,000 | | 6,000 | 6,000 |
| Def-Wide | CALIFORNIA | TRAVIS AFB | REPLACE FUEL DISTRIBUTION SYSTEM | 15,357 | 15,357 | 15,357 | | 15,357 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | STATION COMM FACILITY AND INFRASTRUCTURE | 49,040 | 49,040 | 49,040 | | 49,040 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | SUB-STATION AND ELECTRICAL UPGRADES | 31,310 | 31,310 | 31,310 | | 31,310 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | ELEC. INFRA. UPGRADE—34.5KV TO 115KV | 46,220 | 46,220 | 46,220 | | 46,220 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | ELEC. POWER PLANT/CO—GEN/GAS TURBINE—N | 53,260 | 53,260 | 53,260 | | 53,260 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | WATER IMPROVEMENTS AND STORAGE TANK | 30,610 | 30,610 | 30,610 | | 30,610 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | SEWAGE SYSTEM IMP. AND LIFT STATION | 5,800 | 5,800 | 5,800 | | 5,800 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | HTHW/CHILLED WATER SYSTEM | 25,790 | 25,790 | 25,790 | | 25,790 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | NATURAL GAS SYSTEM EXTENSION | 19,990 | 19,990 | 19,990 | | 19,990 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | INDUSTRIAL WASTE WATER PRETREATMENT SYS. | 3,330 | 3,330 | 3,330 | | 3,330 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | LAYDOWN SITE WORK—NORTH MAINSIDE | 21,740 | 21,740 | 21,740 | | 21,740 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | SECONDARY ELEC.DIST.—NORTH MAINSIDE | 31,720 | 31,720 | 31,720 | | 31,720 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | CONSTRUCT ROADS—NORTH MAINSIDE | 29,360 | 29,360 | 29,360 | | 29,360 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | MAINT. SHOP—WHEELED | 16,040 | 16,040 | 16,040 | | 16,040 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | MAINT. SUNSHADES— WHEELED | 12,580 | 12,580 | 12,580 | | 12,580 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | COMM/ELECT MAINT/STORAGE | 12,660 | 12,660 | 12,660 | | 12,660 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | DINING FACILITY—NORTH MAINSIDE | 17,200 | 17,200 | 17,200 | | 17,200 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | BEQ | 37,290 | 37,290 | 37,290 | | 37,290 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | MAINT. SHOP—TRACKED | 19,780 | 19,780 | 19,780 | | 19,780 |

**MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Navy | CALIFORNIA | TWENTYNINE PALMS | BEQ | 37,290 | 37,290 | 37,290 | | 37,290 |
| Navy | CALIFORNIA | TWENTYNINE PALMS | CONSOLIDATED ARMORY— TANKS | 12,670 | 12,670 | 12,670 | | 12,670 |
| Air Force | CALIFORNIA | VANDENBERG AFB | CHILD DEVELOPMENT CENTER | 13,000 | 13,000 | 13,000 | | 13,000 |
| Air__Guard | COLORADO | BUCKLEY ANG BASE | ADD/ALTER WEAPONS RELEASE | | | 4,500 | 4,500 | 4,500 |
| USAR | COLORADO | COLORADO SPRINGS | ARMY RESERVE CENTER/LAND | 13,000 | 13,000 | 13,000 | | 13,000 |
| Army | COLORADO | FORT CARSON | TRAINING AIDS CENTER | 18,500 | 18,500 | 18,500 | | 18,500 |
| Army | COLORADO | FORT CARSON | BRIGADE COMPLEX | 69,000 | 69,000 | 69,000 | | 69,000 |
| Army | COLORADO | FORT CARSON | BRIGADE COMPLEX, PH 1 | 102,000 | 102,000 | | –102,000 | |
| Army | COLORADO | FORT CARSON | RAILROAD TRACKS | 14,000 | 14,000 | 14,000 | | 14,000 |
| Army | COLORADO | FORT CARSON | WARRIOR IN TRANSITION (WT) COMPLEX | 56,000 | 56,000 | 56,000 | | 56,000 |
| Army | COLORADO | FORT CARSON | AUTOMATED QUALIFICATION TRAINING RANGE | 11,000 | 11,000 | 11,000 | | 11,000 |
| Army | COLORADO | FORT CARSON | MODIFIED RECORD FIRE RANGE | 4,450 | 4,450 | | | 4,450 |
| Army | COLORADO | FORT CARSON | AUTOMATED MULTIPURPOSE MACHINE GUN RANGE | 7,400 | 7,400 | 7,400 | | 7,400 |
| Army | COLORADO | FORT CARSON | SCOUT/RECCE GUNNERY COMPLEX | 16,000 | 16,000 | 16,000 | | 16,000 |
| Army | COLORADO | FORT CARSON | URBAN ASSAULT COURSE | 3,100 | 3,100 | | | 3,100 |
| Army | COLORADO | FORT CARSON | CONVOY LIVE FIRE RANGE | 6,500 | 6,500 | 6,500 | | 6,500 |
| Army | COLORADO | FORT CARSON | COMMISSARY | 35,000 | 35,000 | 35,000 | | 35,000 |
| Army | COLORADO | FORT CARSON | BARRACKS & DINING, INCREMENT 2 | 60,000 | 60,000 | 60,000 | | 60,000 |
| Def-Wide | COLORADO | FORT CARSON | SOF BATTALION OPS COMPLEX | 45,200 | 45,200 | 45,200 | | 45,200 |
| Def-Wide | COLORADO | FORT CARSON | SOF MILITARY WORKING DOG FACILITY | 3,046 | 3,046 | 3,046 | | 3,046 |
| Def-Wide | COLORADO | FORT CARSON | HEALTH AND DENTAL CLINIC | 52,773 | 52,773 | 31,900 | –20,873 | 31,900 |
| Air Force | COLORADO | PETERSON AFB | EAST GATE REALIGNMENT | | 7,200 | | 7,200 | 7,200 |
| Air Force | COLORADO | PETERSON AFB | C–130 SQUAD OPS/AMU (TFI) | 5,200 | 5,200 | 5,200 | | 5,200 |
| Air Force | COLORADO | PETERSON AFB | NATIONAL SECURITY SPACE INSTITUTE | 19,900 | 19,900 | 19,900 | | 19,900 |
| Chem Demil | COLORADO | PUEBLO DEPOT | AMMUNITION DEMILITARIZATION FACILITY, PH XI | 92,500 | 92,500 | 92,500 | | 92,500 |
| AF Reserve | COLORADO | SCHRIEVER AFB | WING HEADQUARTERS | 10,200 | 10,200 | 10,200 | | 10,200 |
| Air Force | COLORADO | U.S. AIR FORCE ACADEMY | ADD TO CADET FITNESS CENTER | 17,500 | 17,500 | 17,500 | | 17,500 |
| Air__Guard | CONNECTICUT | BRADLEY NATIONAL AIR-PORT | CNAF BEDDOWN UPGRADE FACILITIES | | 9,000 | 9,100 | 9,000 | 9,000 |
| USAR | CONNECTICUT | BRIDGEPORT | ARMY RESERVE CENTER/LAND | 18,500 | 18,500 | 18,500 | | 18,500 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Navy | CONNECTICUT | NEW LONDON NSB | MK–48 TORPEDO MAGAZINE | | 6,570 | | 6,570 | 6,570 |
| Air Force | DELAWARE | DOVER AFB | C–5 CARGO AIRCRAFT MAINT TRAINING FACILITY P1 | 5,300 | 5,300 | 5,300 | | 5,300 |
| Air Force | DELAWARE | DOVER AFB | CONSOL COMM FAC | 12,100 | 12,100 | 12,100 | | 12,100 |
| Air Force | DELAWARE | DOVER AFB | CHAPEL CENTER | | | 7,500 | 7,500 | 7,500 |
| Navy | FLORIDA | BLOUNT ISLAND | PORT OPERATIONS FACILITY | 3,760 | 3,760 | 3,760 | | 3,760 |
| Air Force | FLORIDA | EGLIN AFB | F–35 DUKE CONTROL TOWER | 3,420 | 3,420 | 3,420 | | 3,420 |
| Air Force | FLORIDA | EGLIN AFB | CONSTRUCT DORMITORY (96 RM) | 11,000 | 11,000 | 11,000 | | 11,000 |
| Air Force | FLORIDA | EGLIN AFB | F–35 POL OPS FACILITY | 3,180 | 5,236 | 3,180 | 2,056 | 5,236 |
| Air Force | FLORIDA | EGLIN AFB | F–35 HYDRANT REFUELING SYSTEM PHASE 1 | 8,100 | 14,308 | 8,100 | 6,208 | 14,308 |
| Air Force | FLORIDA | EGLIN AFB | F–35 PARALLEL TAXIWAY LADDER | 1,440 | 2,371 | 1,440 | 931 | 2,371 |
| Air Force | FLORIDA | EGLIN AFB | F–35 JPS FLIGHTLINE FILLSTANDS | 5,400 | 8,892 | 5,400 | 3,492 | 8,892 |
| Air Force | FLORIDA | EGLIN AFB | F–35 JP–8 WEST SIDE BULK FUEL TANK UPGRADES | 960 | 1,581 | 960 | 621 | 1,581 |
| Air Force | FLORIDA | EGLIN AFB | F–35 LIVE ORDINANCE LOAD FACILITY | 9,900 | 9,900 | 9,900 | | 9,900 |
| Air Force | FLORIDA | EGLIN AFB | F–35 A/C PARKING APRON | 16,400 | 27,652 | 16,400 | 11,252 | 27,652 |
| Army | FLORIDA | EGLIN AFB | OPERATIONS COMPLEX, PH 3 | 80,000 | 80,000 | 80,000 | | 80,000 |
| Army | FLORIDA | EGLIN AFB | INDOOR FIRING RANGE | 8,900 | 8,900 | 8,900 | | 8,900 |
| Army | FLORIDA | EGLIN AFB | LIVE FIRE EXERCISE SHOOTHOUSE | 8,000 | 8,000 | 8,000 | | 8,000 |
| Army | FLORIDA | EGLIN AFB | LIVE FIRE EXERCISE BREACH FACILITY | 4,950 | 4,950 | 4,950 | | 4,950 |
| Army | FLORIDA | EGLIN AFB | NON-STANDARD SMALL ARMS RANGE | 3,400 | 3,400 | 3,400 | | 3,400 |
| Army | FLORIDA | EGLIN AFB | GRENADE LAUNCHER RANGE | 1,600 | 1,600 | 1,600 | | 1,600 |
| Army | FLORIDA | EGLIN AFB | HAND GRENADE QUALIFICATION COURSE | 1,400 | 1,400 | 1,400 | | 1,400 |
| Army | FLORIDA | EGLIN AFB | URBAN ASSAULT COURSE | 2,700 | 2,700 | 2,700 | | 2,700 |
| Army | FLORIDA | EGLIN AFB | ANTI-ARMOR, TRACKING & LIVE FIRE RANGE | 3,400 | 3,400 | 3,400 | | 3,400 |
| Army | FLORIDA | EGLIN AFB | AUTOMATED QUALIFICATION/TRAINING RANGE | 12,000 | 12,000 | 12,000 | | 12,000 |
| Army | FLORIDA | EGLIN AFB | LIGHT DEMOLITION RANGE | 2,200 | 2,200 | 2,200 | | 2,200 |
| Army | FLORIDA | EGLIN AFB | BASIC 10M–25M FIRING RANGE (ZERO) | 3,050 | 3,050 | 3,050 | | 3,050 |
| Def-Wide | FLORIDA | EGLIN AFB | SOF MILITARY WORKING DOG FACILITY | 3,046 | 3,046 | 3,046 | | 3,046 |
| Navy | FLORIDA | EGLIN AFB | F–35 HYDRANT REFUELING SYS, PH 1 | 6,208 | | 6,208 | –6,208 | |
| Navy | FLORIDA | EGLIN AFB | F–35 PARALLEL TAXIWAY LADDER | 931 | | 931 | –931 | |
| Navy | FLORIDA | EGLIN AFB | F–35 A/C PARKING APRON | 11,252 | | 11,252 | –11,252 | |
| Navy | FLORIDA | EGLIN AFB | BACHELOR ENLISTED QUARTERS, EOD SCHOOL, PHASE | 26,287 | 26,287 | 26,287 | | 26,287 |
| Navy | FLORIDA | EGLIN AFB | F–35 JP8 WEST SIDE BULK TANK UPDGRADES | 621 | | 621 | –621 | |
| Navy | FLORIDA | EGLIN AFB | F–35 POL OPERATIONS FACILITY (EGLIN) | 2,056 | | 2,056 | –2,056 | |
| Navy | FLORIDA | EGLIN AFB | F–35 JP8 FLIGHTLINE FILLSTANDS (EGLIN) | 3,492 | | 3,492 | –3,492 | |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Army | FLORIDA | EGLIN AFB (CAMP RUDDER) | ELEVATED WATER STORAGE TANK | | | 1,200 | 1,200 | 1,200 |
| Air Force | FLORIDA | HURLBURT FIELD | REFUELING VEHICLE MAINTENANCE FACILITY | 2,200 | 2,200 | 2,200 | | 2,200 |
| Air Force | FLORIDA | HURLBURT FIELD | ELECTRICAL DISTRIBUTION SUBSTATION | 8,300 | 8,300 | 8,300 | | 8,300 |
| Air Force | FLORIDA | HURLBURT FIELD | FLIGHT TEST OPNS FAC (413 FLTS) | | 9,400 | | 9,400 | 9,400 |
| Def-Wide | FLORIDA | HURLBURT FIELD | SOF SIMULATOR FACILITY FOR MC–130 (RECAP) | 8,156 | 8,156 | 8,156 | | 8,156 |
| Navy | FLORIDA | JACKSONVILLE | P–8/MMA FACILITIES MODIFICATION | 5,917 | 5,917 | 5,917 | | 5,917 |
| Def-Wide | FLORIDA | JACKSONVILLE IAP | REPLACE JET FUEL STORAGE COMPLEX | 11,500 | 11,500 | 11,500 | | 11,500 |
| Air Force | FLORIDA | MACDILL AFB | DORMITORY (120 ROOM) | 16,000 | 16,000 | 16,000 | | 16,000 |
| Air Force | FLORIDA | MACDILL AFB | CHILD DEVELOPMENT CENTER | 7,000 | 7,000 | 7,000 | | 7,000 |
| Air Force | FLORIDA | MACDILL AFB | CENTCOM COMMANDANT FACILITY | 15,300 | 15,300 | 15,300 | | 15,300 |
| Air Force | FLORIDA | MACDILL AFB | CONSOLIDATED COMMO FACILITY | | 21,000 | | 21,000 | 21,000 |
| Navy | FLORIDA | MAYPORT | FITNESS CTR | | 26,360 | | 26,360 | 26,360 |
| Navy | FLORIDA | MAYPORT | WHARF CHARLIE REPAIR | 29,682 | 29,682 | 29,682 | | 29,682 |
| Navy | FLORIDA | MAYPORT | CHANNEL DREDGING | 46,303 | | 46,303 | | 46,303 |
| Army | FLORIDA | MIAMI DORAL | SOUTHCOM HEADQUARTERS, INCR 3 | 55,400 | 55,400 | 55,400 | | 55,400 |
| USAR | FLORIDA | PANAMA CITY | ARMY RESERVE CENTER/LAND | 7,300 | 7,300 | 7,300 | | 7,300 |
| Air Force | FLORIDA | PATRICK AFB | COMBAT WEAPONS TRAINING FACILITY | | | 8,400 | 8,400 | 8,400 |
| Navy | FLORIDA | PENSACOLA | CORRY "A" SCHOOL BACHELOR ENLISTED QUARTERS R | 22,950 | 22,950 | 22,950 | | 22,950 |
| Navy | FLORIDA | PENSACOLA | SIMULATOR ADDITION FOR UMFO PROGRAM | 3,211 | 3,211 | 3,211 | | 3,211 |
| USAR | FLORIDA | WEST PALM BEACH | ARMY RESERVE CENTER/LAND | 26,000 | 26,000 | 26,000 | | 26,000 |
| Navy | FLORIDA | WHITING FIELD | T–6B JPATS TRNG. OPS PARALOFT FACILITY | 4,120 | 4,120 | 4,120 | | 4,120 |
| Navy | GEORGIA | ALBANY MCLB | WPNS MAINT HARDSTAND FAC | | 4,870 | | 4,870 | 4,870 |
| USAR | GEORGIA | ATLANTA | ARMY RESERVE CENTER/LAND | 14,000 | 14,000 | 14,000 | | 14,000 |
| Army | GEORGIA | FORT BENNING | COMBINED ARMS COLLECTIVE TRAINING FACILITY | 10,800 | 10,800 | 10,800 | | 10,800 |
| Army | GEORGIA | FORT BENNING | FIRE AND MOVEMENT RANGE | 2,800 | 2,800 | 2,800 | | 2,800 |
| Army | GEORGIA | FORT BENNING | BATTLE LAB | 30,000 | 30,000 | 30,000 | | 30,000 |
| Army | GEORGIA | FORT BENNING | TRAINING AREA TANK TRAILS | 9,700 | 9,700 | 9,700 | | 9,700 |
| Army | GEORGIA | FORT BENNING | TRAINING BATTALION COMPLEX | 38,000 | 38,000 | 38,000 | | 38,000 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Army | GEORGIA | FORT BENNING | DINING FACILITY | 15,000 | 15,000 | 15,000 | | 15,000 |
| Army | GEORGIA | FORT BENNING | WARRIOR IN TRANSITION (WT) COMPLEX | 53,000 | 53,000 | 53,000 | | 53,000 |
| Army | GEORGIA | FORT BENNING | TRAINING BATTALION COMPLEX, PH 1 | 31,000 | 31,000 | 31,000 | | 31,000 |
| Army | GEORGIA | FORT BENNING | TRAINING BATTALION COMPLEX, PH 1 | 31,000 | 31,000 | 31,000 | | 31,000 |
| Army | GEORGIA | FORT BENNING | TRAINEE BARRACKS COMPLEX, PH 1 | 74,000 | 74,000 | 74,000 | | 74,000 |
| ARNG | GEORGIA | FORT BENNING | READINESS CENTER | 15,500 | 15,500 | 15,500 | | 15,500 |
| Def-Wide | GEORGIA | FORT BENNING | WILSON ES CONSTRUCT GYMNASIUM | 2,330 | 2,330 | 2,330 | | 2,330 |
| Def-Wide | GEORGIA | FORT BENNING | SOF EXPAND BATTALION HEADQUARTERS | 3,046 | 3,046 | 3,046 | | 3,046 |
| Def-Wide | GEORGIA | FORT BENNING | BLOOD DONOR CENTER REPLACEMENT | 12,313 | 12,313 | 12,313 | | 12,313 |
| Def-Wide | GEORGIA | FORT BENNING | DENTAL CLINIC | 4,887 | 4,887 | 4,887 | | 4,887 |
| Army | GEORGIA | FORT GILLEM | FORENSIC LAB | 10,800 | 10,800 | 10,800 | | 10,800 |
| Army | GEORGIA | FORT STEWART | BRIGADE COMPLEX | 93,000 | 93,000 | 48,000 | –45,000 | 48,000 |
| Army | GEORGIA | FORT STEWART | AUTOMATED SNIPER FIELD FIRE RANGE | 3,400 | 3,400 | | | 3,400 |
| Army | GEORGIA | FORT STEWART | WARRIOR IN TRANSITION (WT) COMPLEX | 49,000 | 49,000 | 49,000 | | 49,000 |
| Army | GEORGIA | FORT STEWART | BARRACKS & DINING, INCREMENT 2 | 80,000 | 80,000 | 80,000 | | 80,000 |
| Def-Wide | GEORGIA | FORT STEWART | NEW ELEMENTARY SCHOOL | 22,502 | 22,502 | | –22,502 | |
| Def-Wide | GEORGIA | FORT STEWART | NEW ELEMENTARY SCHOOL | 22,501 | 22,501 | 22,501 | | 22,501 |
| Def-Wide | GEORGIA | FORT STEWART | HEALTH AND DENTAL CLINIC | 26,386 | 26,386 | 22,200 | –4,186 | 22,200 |
| ARNG | GEORGIA | HUNTER ARMY AIRFIELD | AVIATION READINESS CENTER | | 8,967 | 8,967 | 8,967 | 8,967 |
| Air Force | GEORGIA | MOODY AFB | RESCUE OPNS/MAINT HQ FAC | | | 8,900 | 10,000 | 10,000 |
| Air Force | GEORGIA | WARNER ROBINS AFB | HOT CARGO PAD/TAXIWAY | | 6,200 | | 6,200 | 6,200 |
| Def-Wide | HAWAII | FORD ISLAND | PACIFIC OPERATIONS FACILITY UPGRADE | 9,633 | 9,633 | 9,633 | | 9,633 |
| Air Force | HAWAII | HICKAM AFB | GROUND CONTROL TOWER | | 4,000 | | 4,000 | 4,000 |
| Air__Guard | HAWAII | HICKAM AFB | TFI—F–22 LO/COMPOSITE REPAIR FACILITY | 26,000 | 26,000 | 26,000 | | 26,000 |
| Air__Guard | HAWAII | HICKAM AFB | TFI—F–22 PARKING APRON AND TAXIWAYS | 7,000 | 7,000 | 7,000 | | 7,000 |
| Navy | HAWAII | NAVSTA PEARL HARBOR | PRODUCTION SERVICES SUPPORT FACILITY | | | 30,360 | 25,070 | 25,070 |
| Navy | HAWAII | OAHU | RANGE, 1000 - PUULOA | 5,380 | 5,380 | 5,380 | | 5,380 |
| Navy | HAWAII | PEARL HARBOR | PACFLT SUB DRIVE-IN MAG SILENCING FAC (INC) | 8,645 | 8,645 | 8,645 | | 8,645 |
| Navy | HAWAII | PEARL HARBOR | APCSS CONFERENCE & TECHNOLOGY LEARNING CENTER | 12,775 | 12,775 | 12,775 | | 12,775 |
| Navy | HAWAII | PEARL HARBOR | MISSILE MAGAZINES (5), WEST LOCH | 22,407 | 22,407 | 22,407 | | 22,407 |
| Army | HAWAII | SCHOFIELD BARRACKS | VEHICLE MAINTENANCE SHOP | 63,000 | 63,000 | 63,000 | | 63,000 |
| Army | HAWAII | SCHOFIELD BARRACKS | VEHICLE MAINTENANCE SHOP | 36,000 | 36,000 | 36,000 | | 36,000 |
| Army | HAWAII | SCHOFIELD BARRACKS | WARRIOR IN TRANSITION (WT) BARRACKS | 55,000 | 55,000 | 55,000 | | 55,000 |
| Army | HAWAII | SCHOFIELD BARRACKS | WARRIOR IN TRANSITION COMPLEX | 30,000 | 30,000 | 30,000 | | 30,000 |
| Air Force | HAWAII | WHEELER AAF | CONSTRUCT ASOC COMPLEX | 15,000 | 15,000 | 15,000 | | 15,000 |

**MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Army | HAWAII | WHEELER AAF | REGIONAL SATCOM INFORMATION CENTER | 7,500 | 7,500 | 7,500 | | 7,500 |
| ARNG | IDAHO | GOWEN FIELD | COMBINED ARMS COLLECTIVE TRAINING FACILITY | 16,100 | 16,100 | 16,100 | | 16,100 |
| Air Force | IDAHO | MOUNTAIN HOME AFB | LOGISTICS READINESS CENTER | 20,000 | 20,000 | 20,000 | | 20,000 |
| USAR | ILLINOIS | CHICAGO | ARMY RESERVE CENTER | 23,000 | 23,000 | 23,000 | | 23,000 |
| Milcon, Naval Res | ILLINOIS | JOLIET ARMY AMMO PLANT | RESERVE TRAINING CENTER—JOLIET, IL | 7,957 | 7,957 | 7,957 | | 7,957 |
| Air__Guard | ILLINOIS | LINCOLN CAPITAL AIRPORT | SECURITY IMPROV—RELOCATE ENTRANCE | | 3,000 | | 3,000 | 3,000 |
| ARNG | ILLINOIS | MILAN | READINESS CENTER | | | 5,600 | 5,600 | 5,600 |
| Air Force | ILLINOIS | SCOTT AFB | AEROMEDICAL EVAC FACILITY | | 7,400 | 7,400 | 7,400 | 7,400 |
| ARNG | INDIANA | MUSCATATUCK | COMBINED ARMS COLLECTIVE TRAINING FACILITY PH | 10,100 | 10,100 | 10,100 | | 10,100 |
| Navy | INDIANA | NAVAL SUPPORT ACTIVITY CRANE | STRATEGIC WEAPONS SYSTEMS ENGINEERING FACILITY | | | 13,710 | 13,710 | 13,710 |
| ARNG | IOWA | CAMP DODGE | US PROPERTY AND FISCAL OFFICE | | | 4,000 | 4,000 | 4,000 |
| Air__Guard | IOWA | DES MOINES | DES MOINES ALT SECURITY FORCES FAC | | | 4,600 | 4,600 | 4,600 |
| Army | KANSAS | FORT RILEY | TRAINING AIDS CENTER | 15,500 | 15,500 | 15,500 | | 15,500 |
| Army | KANSAS | FORT RILEY | ADVANCED WASTE WATER TREATMENT PLANT | 28,000 | 28,000 | 28,000 | | 28,000 |
| Army | KANSAS | FORT RILEY | IGLOO STORAGE, INSTALLATION | 7,200 | 7,200 | 7,200 | | 7,200 |
| Army | KANSAS | FORT RILEY | BRIGADE COMPLEX | 49,000 | 49,000 | 49,000 | | 49,000 |
| Army | KANSAS | FORT RILEY | BATTALION COMPLEX | 59,000 | 59,000 | 59,000 | | 59,000 |
| Army | KANSAS | FORT RILEY | LAND VEHICLE FUELING FACILITY | 3,700 | 3,700 | 3,700 | | 3,700 |
| Army | KANSAS | FORT RILEY | ESTES ROAD ACCESS CONTROL POINT | | | 6,100 | 6,100 | 6,100 |
| Air__Guard | KANSAS | MCCONNELL AFB | TFI-UPGRADE DCGS | | 8,700 | | 8,700 | 8,700 |
| ARNG | KANSAS | SALINA ARMY NG AVIATION FACILITY | TAXIWAY ALTERATIONS | | | 2,227 | 2,227 | 2,227 |
| Chem Demil | KENTUCKY | BLUE GRASS ARMY DEPOT | AMMUNITION DEMILITARIZATION PH X | 54,041 | 54,041 | 54,041 | | 54,041 |
| Chem Demil | KENTUCKY | BLUE GRASS ARMY DEPOT | BLUE GRASS ARMY DEPOT CHEM DEMIL PROJECT | | | 5,000 | 5,000 | 5,000 |
| Army | KENTUCKY | FORT CAMPBELL | INSTALLATION CHAPEL CENTER | | 14,400 | 14,400 | 14,400 | 14,400 |
| Def-Wide | KENTUCKY | FORT CAMPBELL | 5TH SFG LANGUAGE SUSTAINMENT TRNG FAC | | | 5,800 | 6,800 | 6,800 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Def-Wide | KENTUCKY | FORT CAMPBELL | SOF BATTALION OPERATIONS COMPLEX | 29,289 | 29,289 | 29,289 | | 29,289 |
| Def-Wide | KENTUCKY | FORT CAMPBELL | SOF MILITARY WORKING DOG FACILITY | 3,046 | 3,046 | 3,046 | | 3,046 |
| Def-Wide | KENTUCKY | FORT CAMPBELL | HEALTH CLINIC | 8,600 | 8,600 | 8,600 | | 8,600 |
| Army | KENTUCKY | FORT KNOX | WARRIOR IN TRANSITION (WT) COMPLEX | 70,000 | 70,000 | 70,000 | | 70,000 |
| Air Force | LOUISIANA | BARKSDALE AIR FORCE BASE | PHASE FIVE RAMP REPLACEMENT—AIRCRAFT APRON | | | 12,800 | 12,800 | 12,800 |
| Army | LOUISIANA | FORT POLK | MULTIPURPOSE MACHINEGUN RANGE | | 6,400 | | 6,400 | 6,400 |
| Army | LOUISIANA | FORT POLK | WARRIOR IN TRANSITION (WT) COMPLEX | 32,000 | 32,000 | 32,000 | | 32,000 |
| Army | LOUISIANA | FORT POLK | LAND PURCHASES | 17,000 | 17,000 | 17,000 | | 17,000 |
| Air Guard | MAINE | BANGOR IAP | REPLACE AIRCRAFT MAINT HANGAR/SHOPS | 28,000 | 28,000 | 28,000 | | 28,000 |
| Navy | MAINE | PORTSMOUTH NAVAL SHIPYARD | GATE 2 SECURITY IMPROVEMENTS | | 7,090 | 7,100 | 7,090 | 7,090 |
| Army | MARYLAND | ABERDEEN PG | ANALYTICAL CHEM WING—ADVANCED CHEM LAB | | | 15,500 | 15,500 | 15,500 |
| Def-Wide | MARYLAND | ABERDEEN PG | USAMRICD REPLACEMENT, INC II | 111,400 | 111,400 | 111,400 | | 111,400 |
| Air Force | MARYLAND | ANDREWS AFB | REPLACE MUNITIONS STORAGE AREA | 9,300 | 9,300 | 9,300 | | 9,300 |
| Air Guard | MARYLAND | ANDREWS AFB | RPL MUNITIONS MAINTENANCE AND STORAGE COMPLEX | 14,000 | 14,000 | 14,000 | | 14,000 |
| Navy | MARYLAND | CARDEROCK NSWC DET | RDTE SUPPORT FACILITY, PH2 | | 6,520 | | 6,520 | 6,520 |
| Army | MARYLAND | FORT DETRICK | ATL AUDITORIUM & TNG CNTR EXPAND | | 7,400 | | 7,400 | 7,400 |
| Army | MARYLAND | FORT DETRICK | SATELLITE COMMUNICATIONS CENTER | 18,000 | 18,000 | 18,000 | | 18,000 |
| Army | MARYLAND | FORT DETRICK | SATELLITE COMMUNICATIONS FACILITY | 21,000 | 21,000 | 21,000 | | 21,000 |
| Def-Wide | MARYLAND | FORT DETRICK | BOUNDARY GATE AT NALIN POND | 10,750 | 10,750 | 10,750 | | 10,750 |
| Def-Wide | MARYLAND | FORT DETRICK | EMERGENCY SERVICE CENTER | 16,125 | 16,125 | 16,125 | | 16,125 |
| Def-Wide | MARYLAND | FORT DETRICK | USAMRIID STAGE I, INC. IV | 108,000 | 28,000 | 108,000 | | 108,000 |
| Def-Wide | MARYLAND | FORT DETRICK | NIBC TRUCK INSPECTION STATION & ROAD | 2,932 | 2,932 | 2,932 | | 2,932 |
| Army | MARYLAND | FORT MEADE | INTERSECTION, ROCKENBACH RD & COOPER AVE | | 2,350 | | 2,350 | 2,350 |
| Def-Wide | MARYLAND | FORT MEADE | SOUTH CAMPUS UTILITY PLANT PH 2 | 175,900 | 175,900 | 175,900 | | 175,900 |
| Def-Wide | MARYLAND | FORT MEADE | NSAW CAMPUS CHILLED WATER BACKUP | 19,100 | 19,100 | 19,100 | | 19,100 |
| Def-Wide | MARYLAND | FORT MEADE | MISSION SUPPORT—PSAT | 8,800 | 8,800 | 8,800 | | 8,800 |
| Navy | MARYLAND | PATUXENT RIVER NAS | SPECIAL COMMO RQTS ENG FACILITY | | 11,043 | | 11,043 | 11,043 |
| Air Guard | MASSACHUSETTS | BARNES ANGB | F–15 AIRCRAFT READY SHELTERS | | 8,100 | | 8,100 | 8,100 |
| ARNG | MASSACHUSETTS | HANSCOM AFB | ARMED FORCES RESERVE CENTER (JFHQ) | 29,000 | 29,000 | 29,000 | | 29,000 |
| Air Guard | MASSACHUSETTS | OTIS AIR NATIONAL GUARD BASE | COMPOSITE OPERATIONS AND TRAINING FACILITY | | | 12,800 | 12,800 | 12,800 |
| Air Guard | MICHIGAN | ALPENA CRTC | REPLACE TROOP QUARTERS | | | 8,900 | 8,900 | 8,900 |
| Air Guard | MICHIGAN | BATTLE CREEK ANG BASE | CNAF BED DOWN FACILITIES | | | 14,000 | 14,000 | 14,000 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| ARNG | MICHIGAN | FORT CUSTER | ORG MAINT SHOP (ADRS) | | 7,732 | | 7,732 | 7,732 |
| Air__Guard | MICHIGAN | SELFRIDGE ANG BASE | A–10 SQUAD OPERATIONS FACILITY | | | 7,100 | 7,100 | 7,100 |
| ARNG | MINNESOTA | ARDEN HILLS | READINESS CENTER PH2 | 6,700 | 6,700 | 6,700 | | 6,700 |
| ARNG | MINNESOTA | CAMP RIPLEY | URBAN ASSAULT COURSE | 1,710 | 1,710 | 1,710 | | 1,710 |
| Def-Wide | MINNESOTA | DULUTH IAP | JET FUEL STOARGE COMPLEX | 15,000 | 15,000 | 15,000 | | 15,000 |
| USAR | MINNESOTA | FORT SNELLING (MIN-NEAPOLIS) | ARMY RESERVE CENTER | 12,000 | 12,000 | 12,000 | | 12,000 |
| Air__Guard | MINNESOTA | MINN/ST. PAUL IAP 133RD AW BASE | MINNESOTA STARBASE FACILITY ALTERATION | | | 1,900 | 1,900 | 1,900 |
| ARNG | MISSISSIPPI | CAMP SHELBY | COMBINED ARMS COLLECTIVE TNG FAC ADD/ALT | 16,100 | 16,100 | 16,100 | | 16,100 |
| Air Force | MISSISSIPPI | COLUMBUS AFB | AIRCRAFT FUEL SYSTEMS MAINT DOCK | | | 9,800 | 9,800 | 9,800 |
| Air__Guard | MISSISSIPPI | GULFPORT-BILOXI RA | RELOCATE BASE ENTRANCE | | 6,500 | | 6,500 | 6,500 |
| AF Reserve | MISSISSIPPI | KEESLER AFB | AERIAL PORT SQUADRON FACILITY | 9,800 | 9,800 | 9,800 | | 9,800 |
| ARNG | MISSISSIPPI | MONTICELLO | MONTICELLO NATIONAL GUARD READINESS CENTER | | | 14,350 | 14,350 | 14,350 |
| ARNG | MISSOURI | BOONVILLE | READINESS CENTER ADD/ALT | 1,800 | 1,800 | 1,800 | | 1,800 |
| Army | MISSOURI | FORT LEONARD WOOD | AUTOMATED-AIDED INSTRUCTION FACILITY | 27,000 | 27,000 | 27,000 | | 27,000 |
| Army | MISSOURI | FORT LEONARD WOOD | WHEELED VEHICLE DRIVERS COURSE | 17,500 | 17,500 | 17,500 | | 17,500 |
| Army | MISSOURI | FORT LEONARD WOOD | WARRIOR IN TRANSITION COMPLEX | 19,500 | 19,500 | 19,500 | | 19,500 |
| Army | MISSOURI | FORT LEONARD WOOD | TRANSIENT ADVANCED TRAINEE BARRACKS, PH 1 | 99,000 | 99,000 | 99,000 | | 99,000 |
| Army | MISSOURI | FORT LEONARD WOOD | HEALTH CLINIC | | 7,800 | | 7,800 | 7,800 |
| Def-Wide | MISSOURI | FORT LEONARD WOOD | DENTAL CLINIC ADDITION | 5,570 | 5,570 | 5,570 | | 5,570 |
| Air__Guard | MISSOURI | ROSECRANS MEMORIAL AIRPORT | REPLACE FIRE/CRASH RESCUE STATION PHASE II | | | 9,300 | 9,300 | 9,300 |
| Air Force | MISSOURI | WHITEMAN AFB | EOD OPNS COMPLEX | | 7,400 | | 7,400 | 7,400 |
| Air Force | MISSOURI | WHITEMAN AFB | LAND ACQUISITION NORTH & SOUTH BDRY | | 5,500 | | 5,500 | 5,500 |
| Air Force | MONTANA | MALMSTROM AFB | UPGRADE WEAPONS STORAGE AREA | | | 9,600 | 10,600 | 10,600 |
| ARNG | NEBRASKA | LINCOLN | ARMED FORCES RESERVE CENTER (JFHQ) | 23,000 | 23,000 | 23,000 | | 23,000 |
| Air__Guard | NEBRASKA | LINCOLN MAP | JOINT FORCES OPERATIONS CENTER—ANG SHARE | 1,500 | 1,500 | 1,500 | | 1,500 |
| Air Force | NEBRASKA | OFFUTT AFB | STRATCOM GATE | | | 10,400 | 10,400 | 10,400 |
| ARNG | NEVADA | CARSON CITY | NATIONAL GUARD ENERGY SUSTAINABLE PROJECTS | | | 2,000 | 2,000 | 2,000 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Air Force | NEVADA | CREECH AFB | UAS AT/FP SECURITY UPDATES | 2,700 | 2,700 | 2,700 | | 2,700 |
| Navy | NEVADA | NAVAL AIR STATION FALLON | WARRIOR PHYSICAL TRAINING FACILITY | | | 11,450 | 10,670 | 10,670 |
| ARNG | NEVADA | NORTH LAS VEGAS | READINESS CENTER | 26,000 | 26,000 | 26,000 | | 26,000 |
| Air__Guard | NEVADA | RENO, NV | NV AIR NATIONAL GUARD FIRE STATION REPLACEMENT | | | 10,800 | 10,800 | 10,800 |
| Air__Guard | NEW HAMPSHIRE | PEASE ANGB | REPLACE SQUADRON OPERATIONS FACILITIES | | | 10,000 | 10,000 | 10,000 |
| Air Force | NEW JERSEY | MCGUIRE AFB | WARFIGHTER & FAMILY SUP CNTR | | 7,900 | | 7,900 | 7,900 |
| Air__Guard | NEW JERSEY | MCGUIRE AFB | 108TH AIR REFUEL WNG, BASE CIVIL ENG COMPLEX | | | 9,700 | 9,700 | 9,700 |
| Army | NEW JERSEY | PICATINNY ARSENAL | BALLISTIC EVAL FACILITY, PH 2 | | 10,200 | | 10,200 | 10,200 |
| Air Force | NEW MEXICO | CANNON AFB | WB—CONSOLIDATED COMMUNICATION FAC | 15,000 | 15,000 | 15,000 | | 15,000 |
| Def-Wide | NEW MEXICO | CANNON AFB | SOF FUEL CELL HANGAR (MC–130) | 41,269 | 41,269 | 41,269 | | 41,269 |
| Def-Wide | NEW MEXICO | CANNON AFB | SOF AMU ADDITION (CV–22) | 11,595 | 11,595 | 11,595 | | 11,595 |
| Def-Wide | NEW MEXICO | CANNON AFB | SOF AC–130 LOAD OUT APRON PH1 | | | 6,000 | 6,000 | 6,000 |
| Air Force | NEW MEXICO | HOLLOMAN AFB | F–22A CONSOLIDATED MUNITIONS MAINT (TFI) | 5,500 | 5,500 | 5,500 | | 5,500 |
| Air Force | NEW MEXICO | HOLLOMAN AFB | FIRE-CRASH RESCUE STATION | | 10,400 | | 10,400 | 10,400 |
| Air Force | NEW MEXICO | HOLLOMAN AFB | UAS FIELD TRAINING COMPLEX | | | | 37,500 | 37,500 |
| Air Force | NEW MEXICO | KIRTLAND AFB | ADD TO SPACE RDT&E OPNS CNTR | | 5,800 | | 5,800 | 5,800 |
| Air Force | NEW MEXICO | KIRTLAND AFB | MC–130J SIMULATOR FACILITY | 8,000 | 8,000 | 8,000 | | 8,000 |
| Air Force | NEW MEXICO | KIRTLAND AFB | HC–130J SIMULATOR FACILITY | 8,700 | 8,700 | 8,700 | | 8,700 |
| ARNG | NEW MEXICO | SANTA FE | ARMY AVIATION SUPPORT FACILITY | 39,000 | 39,000 | 39,000 | | 39,000 |
| Army | NEW YORK | FORT DRUM | ALL WX MARKSMANSHIP FACILITY | | 8,200 | | 8,200 | 8,200 |
| Army | NEW YORK | FORT DRUM | WATER SYSTEM EXPANSION | 6,500 | 6,500 | 6,500 | | 6,500 |
| Army | NEW YORK | FORT DRUM | BARRACKS | 57,000 | 57,000 | 57,000 | | 57,000 |
| Army | NEW YORK | FORT DRUM | WARRIOR IN TRANSITION COMPLEX | 21,000 | 21,000 | 21,000 | | 21,000 |
| AF Reserve | NEW YORK | NIAGRA FALLS ARB | INDOOR SMALL ARMS RANGE | | 5,700 | 5,700 | 5,700 | 5,700 |
| USAR | NEW YORK | ROCHESTER | ARMY RESERVE CENTER/LAND | 13,600 | 13,600 | 13,600 | | 13,600 |
| Air__Guard | NEW YORK | WHEELER SACK AAF | TFI-REAPER LRE BEDDOWN | | 2,700 | | 2,700 | 2,700 |
| Def-Wide | NORTH CAROLINA | CAMP LEJEUNE | SOF ACADEMIC INSTRUCTION FACILITY EXPANSION | 11,791 | 11,791 | 11,791 | | 11,791 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | MAINTENANCE/OPS COMPLEX | 52,390 | 52,390 | 52,390 | | 52,390 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | BEQ—WALLACE CREEK | 34,160 | 34,160 | 34,160 | | 34,160 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | UTILITY EXPANSION—COURTHOUSE BAY | 56,280 | 56,280 | 56,280 | | 56,280 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | SOI-EAST FACILITIES—CAMP GEIGER | 56,940 | 56,940 | 56,940 | | 56,940 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | FIELD TRAINING FAC.—DEVIL DOG - SOI | 37,170 | 37,170 | 37,170 | | 37,170 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | ROAD NETWORK—WALLACE CREEK | 15,130 | 15,130 | 15,130 | | 15,130 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | MP WORKING DOG KENNEL - RELOCATION | 8,370 | 8,370 | 8,370 | | 8,370 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Navy | NORTH CAROLINA | CAMP LEJEUNE | CONSOLIDATED INFO TECH/TELECOM COMPLEX | 46,120 | 46,120 | 46,120 | | 46,120 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | NEW BASE ENTRY POINT AND ROAD (PHASE 1) | 79,150 | 79,150 | 79,150 | | 79,150 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | BEQ—WALLACE CREEK | 43,480 | 43,480 | 43,480 | | 43,480 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | BEQ—WALLACE CREEK | 44,390 | 44,390 | 44,390 | | 44,390 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | BEQ—WALLACE CREEK | 44,390 | 44,390 | 44,390 | | 44,390 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | BEQ—WALLACE CREEK | 42,110 | 42,110 | 42,110 | | 42,110 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | PRE-TRIAL DETAINEE FACILITY | 18,580 | 18,580 | 18,580 | | 18,580 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | PHYSICAL FITNESS CENTER | 39,760 | 39,760 | 39,760 | | 39,760 |
| Navy | NORTH CAROLINA | CAMP LEJEUNE | 4TH INFANTRY BATTALION OPS COMPLEX | 55,150 | 55,150 | 55,150 | | 55,150 |
| Navy | NORTH CAROLINA | CHERRY POINT MCAS | ORDNANCE MAGAZINES | 12,360 | 12,360 | 12,360 | | 12,360 |
| Navy | NORTH CAROLINA | CHERRY POINT MCAS | EMS/FIRE VEHICLE FACILITY | 10,600 | 10,600 | 10,600 | | 10,600 |
| ARNG | NORTH CAROLINA | EAST FLAT ROCK | READINESS CENTER ADD/ALT | | 2,516 | | 2,516 | 2,516 |
| Army | NORTH CAROLINA | FORT BRAGG | VEHICLE MAINTENANCE SHOP | 19,500 | 19,500 | 19,500 | | 19,500 |
| Army | NORTH CAROLINA | FORT BRAGG | SIMULATIONS CENTER | 50,000 | 50,000 | 50,000 | | 50,000 |
| Army | NORTH CAROLINA | FORT BRAGG | VEHICLE MAINTENANCE SHOP | 17,500 | 17,500 | 17,500 | | 17,500 |
| Army | NORTH CAROLINA | FORT BRAGG | COMPANY OPERATIONS FACILITY | 3,300 | 3,300 | 3,300 | | 3,300 |
| Army | NORTH CAROLINA | FORT BRAGG | TRANSIENT TRAINING BARRACKS COMPLEX | 16,500 | 16,500 | 16,500 | | 16,500 |
| Army | NORTH CAROLINA | FORT BRAGG | AUTOMATED SNIPER FIELD FIRE RANGE | | | 2,500 | 3,450 | 3,450 |
| Army | NORTH CAROLINA | FORT BRAGG | AUTOMATED MULTIPURPOSE MACHINE GUN | 4,350 | 4,350 | 4,350 | | 4,350 |
| ARNG | NORTH CAROLINA | FORT BRAGG | TUAS SUPPORT FACILITY | | 6,038 | | 6,038 | 6,038 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | ALBRITTON JHS ADDITION | 3,439 | 3,439 | 3,439 | | 3,439 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SPECIAL OPS PREP & CONDITIONING COURSE | 24,600 | 24,600 | 24,600 | | 24,600 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF BATTALION & COMPANY HQ | 15,500 | 15,500 | 15,500 | | 15,500 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF OPERATIONS SUPPORT ADDITION | 13,756 | 13,756 | 13,756 | | 13,756 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF MILITARY WORKING DOG FACILITY | 1,125 | 1,125 | 1,125 | | 1,125 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF BATTALION HEADQUARTERS FACILITY | 13,000 | 13,000 | 13,000 | | 13,000 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF OPERATIONS ADDITION NORTH | 27,513 | 27,513 | 27,513 | | 27,513 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF TUAV HANGAR | 2,948 | 2,948 | 2,948 | | 2,948 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | SOF MILITARY WORKING DOG FACILITY | 3,046 | 3,046 | 3,046 | | 3,046 |
| Def-Wide | NORTH CAROLINA | FORT BRAGG | CONSOLIDATED HEALTH CLINIC | 26,386 | 26,386 | 26,386 | | 26,386 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Def-Wide | NORTH CAROLINA | FORT BRAGG | HEALTH CLINIC | 31,272 | 31,272 | 31,272 | | 31,272 |
| Navy | NORTH CAROLINA | NEW RIVER | APRON EXPANSION (PHASE 2) | 35,600 | 35,600 | 35,600 | | 35,600 |
| Navy | NORTH CAROLINA | NEW RIVER | VMMT–204 MAINTENANCE HANGAR—PHASE 3 | 28,210 | 28,210 | 28,210 | | 28,210 |
| Navy | NORTH CAROLINA | NEW RIVER | PARALLEL TAXIWAY | 17,870 | 17,870 | 17,870 | | 17,870 |
| Navy | NORTH CAROLINA | NEW RIVER | TACTICAL SUPPORT VAN PAD ADDITION | 5,490 | 5,490 | 5,490 | | 5,490 |
| Navy | NORTH CAROLINA | NEW RIVER | GYMNASIUM/OUTDOOR POOL | 19,920 | 19,920 | 19,920 | | 19,920 |
| Air Force | NORTH CAROLINA | POPE AFB | POPE AFB AIR TRAFFIC CONTROL TOWER | | | 7,700 | 9,000 | 9,000 |
| Air Force | NORTH CAROLINA | SEYMOUR JOHNSON AFB | RADAR APPROACH CONTROL COMPLEX, PH1 | | 6,900 | | 6,900 | 6,900 |
| Army | NORTH CAROLINA | SUNNY POINT MOT | TOWERS | 3,900 | 3,900 | 3,900 | | 3,900 |
| Army | NORTH CAROLINA | SUNNY POINT MOT | LIGHTNING PROTECTION SYSTEM | 25,000 | 25,000 | 25,000 | | 25,000 |
| Air Force | NORTH DAKOTA | GRAND FORKS AFB | CONSOLIDATED SECURITY FORCES FACILITY | | | 12,000 | 12,000 | 12,000 |
| Air Force | NORTH DAKOTA | MINOT AFB | MUNITIONS TRAILER STORAGE FACILITY | 1,500 | 1,500 | 1,500 | | 1,500 |
| Air Force | NORTH DAKOTA | MINOT AFB | MISSILE PROCEDURES TRNG OPERATIONS | 10,000 | 10,000 | 10,000 | | 10,000 |
| USAR | OHIO | CINCINNATI | ARMY RESERVE CENTER/LAND | 13,000 | 13,000 | 13,000 | | 13,000 |
| Air Guard | OHIO | MANSFIELD LAHM AIRPORT | TFI—RED HORSE SQUADRON BEDDOWN | 11,400 | 11,400 | 11,400 | | 11,400 |
| Air Force | OHIO | WRIGHT-PATTERSON AFB | INFO TECH COMPLEX PH 1 | 27,000 | 27,000 | 27,000 | | 27,000 |
| Air Force | OHIO | WRIGHT-PATTERSON AFB | CONVERSION FOR ADVANCED POWER RESEARCH LAB | 21,000 | 21,000 | 21,000 | | 21,000 |
| Air Force | OHIO | WRIGHT-PATTERSON AFB | REPLACE WEST RAMP, PHASE II | | 10,600 | 10,600 | 10,600 | 10,600 |
| Air Force | OKLAHOMA | ALTUS AFB | REPAIR TAXIWAYS | 20,300 | 20,300 | 20,300 | | 20,300 |
| Def-Wide | OKLAHOMA | ALTUS AFB | REPLACE UPLOAD FACILITY | 2,700 | 2,700 | 2,700 | | 2,700 |
| Army | OKLAHOMA | FORT SILL | AUTOMATED INFANTRY SQUAD BATTLE COURSE | 3,500 | 3,500 | 3,500 | | 3,500 |
| Army | OKLAHOMA | FORT SILL | BARRACKS | 65,000 | 65,000 | 65,000 | | 65,000 |
| Army | OKLAHOMA | FORT SILL | WARRIOR IN TRANSITION COMPLEX | 22,000 | 22,000 | 22,000 | | 22,000 |
| Def-Wide | OKLAHOMA | FORT SILL | DENTAL CLINIC | 10,554 | 10,554 | 10,554 | | 10,554 |
| Army | OKLAHOMA | MCALESTER | HIGH EXPLOSIVE MAGAZINE, DEPOT LEVEL | 1,300 | 1,300 | 1,300 | | 1,300 |
| Army | OKLAHOMA | MCALESTER | GENERAL PURPOSE STORAGE BUILDING | 11,200 | 11,200 | 11,200 | | 11,200 |
| Air Force | OKLAHOMA | TINKER AFB | T–9 NOISE SUPPRESSOR | | 5,100 | | 5,200 | 5,200 |
| Air Force | OKLAHOMA | TINKER AFB | BUILDING 3001 HANGER DOOR | 13,037 | 13,037 | 13,037 | | 13,037 |
| Air Force | OKLAHOMA | VANCE, AFB | CONTROL TOWER | | | 10,700 | 10,700 | 10,700 |
| Air Guard | OKLAHOMA | WILL ROGERS WORLD AIRPORT | TFI—AIR SUPT OPERS SQDN (ASOS) BEDDN | 7,300 | 7,300 | 7,300 | | 7,300 |
| ARNG | OREGON | CLATSOP COUNTY, WARRENTON | CAMP RILEA INFRASTRUCTURE (WATER SUPPLY SYSTEM) | | | 3,369 | 3,369 | 3,369 |
| ARNG | OREGON | POLK COUNTY | READINESS CENTER | | 12,100 | | 12,100 | 12,100 |

**MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| USAR | PENNSYLVANIA | ASHLEY | ARMY RESERVE CENTER | 9,800 | 9,800 | 9,800 | | 9,800 |
| FH Con DW | PENNSYLVANIA | DEF DISTRO DEPOT | DEF DISTRIBUTION DEPOT NEW CUMBERLAND | 2,859 | 2,859 | 2,859 | | 2,859 |
| USAR | PENNSYLVANIA | HARRISBURG | ARMY RESERVE CENTER | 7,600 | 7,600 | 7,600 | | 7,600 |
| USAR | PENNSYLVANIA | NEWTON SQUARE | ARMY RESERVE CENTER/LAND | 20,000 | 20,000 | 20,000 | | 20,000 |
| AF Reserve | PENNSYLVANIA | PITTSBURGH AFR BASE | VISITING QUARTERS PHASE 1 | | | 12,400 | 12,400 | 12,400 |
| USAR | PENNSYLVANIA | UNIONTOWN | ARMY RESERVE CENTER/LAND | 11,800 | 11,800 | 11,800 | | 11,800 |
| Navy | RHODE ISLAND | NEWPORT | OFFICER TRAINING COMMAND QUARTERS | 45,803 | 45,803 | 45,803 | | 45,803 |
| Navy | RHODE ISLAND | NEWPORT | RENOVATE OF SENIOR ENLISTED ACADEMY | | | 10,550 | 10,550 | 10,550 |
| Navy | RHODE ISLAND | NEWPORT | RENOVATE PERRY HALL | | 8,530 | | 8,530 | 8,530 |
| Navy | SOUTH CAROLINA | BEAUFORT | WIDEBODY AIRCRAFT FUEL LANE | 1,280 | 1,280 | 1,280 | | 1,280 |
| Milcon, Naval Res | SOUTH CAROLINA | CHARLESTON | RESERVE VEHICLE MAINTENANCE FACILITY | 4,240 | 4,240 | 4,240 | | 4,240 |
| Army | SOUTH CAROLINA | CHARLESTON NWS | STAGING AREA | 4,100 | 4,100 | 4,100 | | 4,100 |
| Army | SOUTH CAROLINA | CHARLESTON NWS | RAILROAD TRACKS | 12,000 | 12,000 | 12,000 | | 12,000 |
| Army | SOUTH CAROLINA | CHARLESTON NWS | PIER AND LOADING/UNLOADING RAMPS | 5,700 | 5,700 | 5,700 | | 5,700 |
| ARNG | SOUTH CAROLINA | EASTOVER | ARMY AVIATION SUPPORT FACILITY ADD/ALT | 26,000 | 26,000 | 26,000 | | 26,000 |
| Army | SOUTH CAROLINA | FORT JACKSON | ADVANCED SKILLS TRAINEE BARRACKS | 32,000 | 32,000 | 32,000 | | 32,000 |
| Army | SOUTH CAROLINA | FORT JACKSON | MODIFIED RECORD FIRE RANGE | 3,600 | 3,600 | 3,600 | | 3,600 |
| Army | SOUTH CAROLINA | FORT JACKSON | TRAINING BATTALION COMPLEX | 66,000 | 66,000 | 66,000 | | 66,000 |
| Army | SOUTH CAROLINA | FORT JACKSON | INFILTRATION COURSE | 1,900 | 1,900 | 1,900 | | 1,900 |
| ARNG | SOUTH CAROLINA | GREENVILLE | ARMY AVIATION SUPPORT FACILITY | 40,000 | 40,000 | 40,000 | | 40,000 |
| Air__Guard | SOUTH CAROLINA | MCENTIRE JNGB | JOINT FORCE HEADQUARTERS BUILDING | | | 1,300 | 1,300 | 1,300 |
| Navy | SOUTH CAROLINA | PARRIS ISLAND | ELECTRICAL SUBSTATION AND IMPROVEMENTS | 6,972 | 6,972 | 6,972 | | 6,972 |
| Air Force | SOUTH CAROLINA | SHAW AFB | ADD/ALTER USAFCENT HQ | | 21,183 | | 21,183 | 21,183 |
| ARNG | SOUTH DAKOTA | CAMP RAPID | JOINT FORCE HQ READINESS CENTER SUPPLEMENT | | | 7,890 | 7,890 | 7,890 |
| ARNG | SOUTH DAKOTA | CAMP RAPID | TROOP MEDICAL CLINIC ADDITION AND ALTERATION | | | 1,950 | 1,950 | 1,950 |
| Air Force | SOUTH DAKOTA | ELLSWORTH AFB | ADD/ALTER DEPLOYMENT CENTER | | | 14,500 | 14,500 | 14,500 |
| Air__Guard | SOUTH DAKOTA | JOE FOSS FIELD | ADD AND ALTER MUNITIONS MAINTENANCE COMPLEX | | | 1,300 | 1,300 | 1,300 |
| Air__Guard | SOUTH DAKOTA | JOE FOSS FIELD | ABOVE GROUND MULTI-CUBICLE MAGAZINE STORAGE | | | 1,300 | 1,300 | 1,300 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Air__Guard | TENNESSEE | 164 AIRLIFT WING, MEM | 164TH AIRLIFT WING ANG ENG MAINT TRNG FAC | | | 9,800 | 9,800 | 9,800 |
| ARNG | TEXAS | AUSTIN | ARMED FORCES RESERVE CENTER | 16,500 | 16,500 | 16,500 | | 16,500 |
| ARNG | TEXAS | AUSTIN | FIELD MAINTENANCE SHOP, JOINT | 5,700 | 5,700 | 5,700 | | 5,700 |
| USAR | TEXAS | AUSTIN | ARMED FORCES RESERVE CENTER/AMSA | 20,000 | 20,000 | 20,000 | | 20,000 |
| USAR | TEXAS | BRYAN | ARMY RESERVE CENTER | | 12,200 | | 12,200 | 12,200 |
| Navy | TEXAS | CORPUS CHRISTI | OPERATIONAL FACILITIES FOR T–6 | 19,764 | 19,764 | 19,764 | | 19,764 |
| Air Force | TEXAS | DYESS AFB | C–130J ALTER HANGAR | 4,500 | 4,500 | 4,500 | | 4,500 |
| Army | TEXAS | FORT BLISS | VEHICLE MAINTENANCE SHOP | 16,000 | 16,000 | 16,000 | | 16,000 |
| Army | TEXAS | FORT BLISS | BRIGADE STAGING AREA COMPLEX | 14,800 | 14,800 | 14,800 | | 14,800 |
| Army | TEXAS | FORT BLISS | DIGITAL MULTIPURPOSE RANGE COMPLEX | 45,000 | 45,000 | 45,000 | | 45,000 |
| Army | TEXAS | FORT BLISS | FIRE AND MILITARY POLICE STATIONS | 16,500 | 16,500 | 16,500 | | 16,500 |
| Army | TEXAS | FORT BLISS | AIRCRAFT FUEL STORAGE | 10,800 | 10,800 | 10,800 | | 10,800 |
| Army | TEXAS | FORT BLISS | VEHICLE MAINTENANCE SHOP | 20,000 | 20,000 | 20,000 | | 20,000 |
| Army | TEXAS | FORT BLISS | AUTOMATED SNIPER FIELD FIRE RANGE | 4,250 | 4,250 | 4,250 | | 4,250 |
| Army | TEXAS | FORT BLISS | KNOWN DISTANCE RANGE | 4,750 | 4,750 | 4,750 | | 4,750 |
| Army | TEXAS | FORT BLISS | AUTOMATED MULTIPURPOSE MACHINE GUN RANGE | 6,900 | 6,900 | 6,900 | | 6,900 |
| Army | TEXAS | FORT BLISS | SCOUT/RECCE GUNNERY COMPLEX | 17,000 | 17,000 | 17,000 | | 17,000 |
| Army | TEXAS | FORT BLISS | LIGHT DEMOLITION RANGE | 2,400 | 2,400 | 2,400 | | 2,400 |
| Army | TEXAS | FORT BLISS | AUTOMATED INFANTRY PLATOON BATTLE COURSE | 7,000 | 7,000 | 7,000 | | 7,000 |
| Army | TEXAS | FORT BLISS | SIMULATION CENTER | 23,000 | 23,000 | 23,000 | | 23,000 |
| Army | TEXAS | FORT BLISS | VEHICLE MAINTENANCE & COMPANY OPS FAC | 31,000 | 31,000 | 31,000 | | 31,000 |
| Def-Wide | TEXAS | FORT BLISS | HEALTH AND DENTAL CLINIC | 30,295 | 30,295 | 24,600 | –5,695 | 24,600 |
| Def-Wide | TEXAS | FORT BLISS | HOSPITAL REPLACEMENT INC1 | 86,975 | 86,975 | 62,975 | | 86,975 |
| USAR | TEXAS | FORT BLISS | ARMY RESERVE CENTER | 9,500 | 9,500 | 9,500 | | 9,500 |
| Army | TEXAS | FORT HOOD | VEHICLE MAINTENANCE SHOP | 23,000 | 23,000 | 23,000 | | 23,000 |
| Army | TEXAS | FORT HOOD | URBAN ASSAULT COURSE | 2,400 | 2,400 | 2,400 | | 2,400 |
| Army | TEXAS | FORT HOOD | AUTOMATED MULTIPURPOSE MACHINE GUN RANGE | 6,700 | 6,700 | 6,700 | | 6,700 |
| Army | TEXAS | FORT HOOD | FAMILY LIFE CENTER | | 8,500 | | 10,800 | 10,800 |
| Def-Wide | TEXAS | FORT HOOD | ALTER FUEL PUMP HOUSE AND FILL STAND | 3,000 | 3,000 | 3,000 | | 3,000 |
| Army | TEXAS | FORT SAM HOUSTON | ACCESS CONTROL POINT AND ROAD IMPROVEMENTS | 10,800 | 10,800 | 10,800 | | 10,800 |
| Army | TEXAS | FORT SAM HOUSTON | GENERAL INSTRUCTION BUILDING | 9,000 | 9,000 | 9,000 | | 9,000 |
| Milcon, Naval Res | TEXAS | FORT WORTH NAS/JRB | REPLACE JOINT BASE COMMS | | 6,170 | | 6,170 | 6,170 |
| Air Force | TEXAS | GOODFELLOW AFB | JOINT INTEL TECH TRNG FAC, PH 1 (TFI) | 18,400 | 18,400 | 18,400 | | 18,400 |
| Air Force | TEXAS | GOODFELLOW AFB | STUDENT DORMITORY (100 RM) | 14,000 | 14,000 | 14,000 | | 14,000 |
| Air Force | TEXAS | GOODFELLOW AFB | CONSOLIDATED LEARNING CENTER | | | 12,000 | 12,000 | 12,000 |
| USAR | TEXAS | HOUSTON | ARMY RESERVE CENTER/LAND | 24,000 | 24,000 | 24,000 | | 24,000 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Air__Guard | TEXAS | KELLY FIELD ANNEX | ADD/ALTER AIRCRAFT MAINT SHOPS | | 7,900 | | 7,900 | 7,900 |
| Navy | TEXAS | KINGSVILLE NAS | SOLAR PANEL ARRAY | | 4,470 | | 4,470 | 4,470 |
| AF Reserve | TEXAS | LACKLAND AFB | C–5 GROUND TRAINING SCHOOLHOUSE ADDITION | 1,500 | 1,500 | 1,500 | | 1,500 |
| Air Force | TEXAS | LACKLAND AFB | EVASION, CONDUCT AFTER CAPTURE TRNG | 4,879 | 4,879 | 4,879 | | 4,879 |
| Air Force | TEXAS | LACKLAND AFB | RECRUIT DORMITORY 2, PHASE 2 | 77,000 | 77,000 | 77,000 | | 77,000 |
| Air Force | TEXAS | LACKLAND AFB | BMT SATELLITE CLASSROOM/DINING FAC | 32,000 | 32,000 | 32,000 | | 32,000 |
| Def-Wide | TEXAS | LACKLAND AFB | DENTAL CLINIC REPLACEMENT | 29,318 | 29,318 | 29,318 | | 29,318 |
| Def-Wide | TEXAS | LACKLAND AFB | AMBULATORY CARE CENTER, PHASE 1 | 72,610 | 72,610 | 72,610 | | 72,610 |
| USAR | TEXAS | ROBSTOWN | TACTICAL EQUIP MAINT FACILITY | | 10,200 | | 10,200 | 10,200 |
| Milcon, Naval Res | TEXAS | SAN ANTONIO | RESERVE TRAINING CENTER | 2,210 | 2,210 | 2,210 | | 2,210 |
| USAR | TEXAS | SAN ANTONIO | ARMY RESERVE CENTER | 20,000 | 20,000 | 20,000 | | 20,000 |
| Air Force | TEXAS | SHEPPARD AIR FORCE BASE | ENJJPT OPERATIONS COMPLEX, PHASE 1 | | | 11,600 | 13,450 | 13,450 |
| Def-Wide | UTAH | CAMP WILLIAMS | IC CNCI CENTER, Inc 1 | 800,000 | 500,000 | 600,000 | –200,000 | 600,000 |
| Army | UTAH | DUGWAY PROVING GROUND | WATER TREATMENT SYSTEMS | 25,000 | 25,000 | 25,000 | | 25,000 |
| AF Reserve | UTAH | HILL AFB | RESERVE SQUAD OPS/AMU FACILITY | 3,200 | 3,200 | 3,200 | | 3,200 |
| Air Force | UTAH | HILL AFB | F–22A RADAR CROSS SECTION TESTING FAC | 21,053 | 21,053 | 21,053 | | 21,053 |
| Air Force | UTAH | HILL AFB | PCC APRON NORTHWEST END TAXIWAY | | 5,100 | 5,100 | 5,100 | 5,100 |
| Air__Guard | VERMONT | BURLINGTON IAP | FIRE CRASH AND RESCUE STATION ADDITION AND ALTERATION | | | 6,000 | 6,000 | 6,000 |
| ARNG | VERMONT | ETHAN ALLEN FIRING RANGE | BOQ ADDITIONS AND IMPROVEMENTS | | | 1,996 | 1,996 | 1,996 |
| Def-Wide | VIRGINIA | DAHLGREN | AEGIS BMD FACILITY EXPANSION | 24,500 | 24,500 | 24,500 | | 24,500 |
| Navy | VIRGINIA | DAHLGREN | ELECTROMAGNETIC RESEARCH AND ENGINEERING FACILITY | | 3,660 | 3,660 | 3,660 | 3,660 |
| Def-Wide | VIRGINIA | DAM NECK | SOF OPERATIONS FACILITY INC III | 15,967 | 15,967 | 15,967 | | 15,967 |
| Navy | VIRGINIA | DAM NECK | SOF CAFETERIA | | 6,100 | | 14,170 | 14,170 |
| Army | VIRGINIA | FORT A.P. HILL | AUTOMATED INFANTRY PLATOON BATTLE COURSE | 4,900 | 4,900 | 4,900 | | 4,900 |
| Army | VIRGINIA | FORT A.P. HILL | FIELD TRAINING AREA | 9,000 | 9,000 | 9,000 | | 9,000 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Army | VIRGINIA | FORT A.P. HILL | TRAINING AIDS CENTER | 9,100 | 9,100 | 9,100 | | 9,100 |
| Army | VIRGINIA | FORT BELVOIR | FLIGHT CONTROL TOWER | 8,400 | 8,400 | 8,400 | | 8,400 |
| Army | VIRGINIA | FORT BELVOIR | ROAD AND ACCESS CONTROL POINT | 9,500 | 9,500 | 9,500 | | 9,500 |
| Army | VIRGINIA | FORT BELVOIR | ROAD AND INFRASTRUCTURE IMPROVEMENTS | 20,000 | 20,000 | | –20,000 | |
| Army | VIRGINIA | FORT LEE | DEFENSE ACCESS ROADS | | 5,000 | | 5,000 | 5,000 |
| ARNG | VIRGINIA | FORT PICKETT | REGIONAL TRAINING INSTITUTE PH2 | 32,000 | 32,000 | 32,000 | | 32,000 |
| Army | VIRGINIA | FT. EUSTIS | UPGRADE MARSHALLING AREA | | | 8,900 | 8,900 | 8,900 |
| Air Force | VIRGINIA | LANGLEY AFB | WEST & LASALLE GATES FORCE PROTECTION/ACCESS | 10,000 | 10,000 | 10,000 | | 10,000 |
| Def-Wide | VIRGINIA | LITTLE CREEK | SOF SUPPORT ACTIVITY OPERATION FACILITY | 18,669 | 18,669 | 18,669 | | 18,669 |
| Navy | VIRGINIA | LITTLE CREEK | NAVAL CONSTRUCTION DIVISION OPERATIONS FAC | 13,095 | 13,095 | 13,095 | | 13,095 |
| Navy | VIRGINIA | NORFOLK | E–2D TRAINER FACILITY | 11,737 | 11,737 | 11,737 | | 11,737 |
| Navy | VIRGINIA | NORFOLK | FACILITY UPGRADES FOR E–2D PROGRAM | 6,402 | 6,402 | 6,402 | | 6,402 |
| Milcon, Naval Res | VIRGINIA | OCEANA NAVAL AIR STATION | C–40 HANGAR | 30,400 | 30,400 | 30,400 | | 30,400 |
| Def-Wide | VIRGINIA | PENTAGON | PENTAGON ELECTRICAL UPGRADE | 19,272 | 19,272 | 19,272 | | 19,272 |
| Def-Wide | VIRGINIA | PENTAGON | SECONDARY UNINTERRUPTIBLE POWER RAVEN ROCK | 8,400 | 8,400 | 8,400 | | 8,400 |
| Navy | VIRGINIA | PORTSMOUTH | SHIP REPAIR PIER REPLACEMENT, Inc 1 | 226,969 | 176,969 | 126,969 | –100,000 | 126,969 |
| Navy | VIRGINIA | QUANTICO | STUDENT QUARTERS—TBS (PHASE 4) | 32,060 | 32,060 | 32,060 | | 32,060 |
| Navy | VIRGINIA | QUANTICO | BATTALION TRAINING FACILITY—MSGBN | 10,340 | 10,340 | 10,340 | | 10,340 |
| Navy | VIRGINIA | QUANTICO | MC INFORMATION OPERATIONS CENTER—MCIOC | 29,620 | 29,620 | 29,620 | | 29,620 |
| Navy | VIRGINIA | QUANTICO | AIRCRAFT TRAINER | 3,170 | 3,170 | 3,170 | | 3,170 |
| Navy | VIRGINIA | QUANTICO | DINING FACILITY - TBS | 14,780 | 14,780 | 14,780 | | 14,780 |
| Navy | VIRGINIA | QUANTICO | SOUTH MAINSIDE ELECTRICAL SUBSTATION | 15,270 | 15,270 | 15,270 | | 15,270 |
| Navy | WASHINGTON | BANGOR | LIMITED AREA PRODUCTION/STRG CMPLX (INC 6) | 87,292 | 87,292 | 87,292 | | 87,292 |
| Navy | WASHINGTON | BREMERTON | ENCLAVE FENCING/ PARKING, SILVERDALE WA | 67,419 | 67,419 | 67,419 | | 67,419 |
| Navy | WASHINGTON | BREMERTON | CVN MAINTENANCE PIER REPLACEMENT (INC 2) | 69,064 | 69,064 | 69,064 | | 69,064 |
| Navy | WASHINGTON | EVERETT NS | SMALL CRAFT LAUNCH | | 3,810 | | 3,810 | 3,810 |
| Air Force | WASHINGTON | FAIRCHILD AFB | SERE FORCE SUPPORT COMPLEX, PHASE I | | | 11,000 | 11,000 | 11,000 |
| Air Force | WASHINGTON | FAIRCHILD AFB | TFI REFUEL VEH MAINT FACILITY | | 4,150 | | 4,150 | 4,150 |
| Def-Wide | WASHINGTON | FAIRCHILD AFB | REPLACE FUEL DISTRIBUTION SYSTEM | 7,500 | 7,500 | 7,500 | | 7,500 |
| Army | WASHINGTON | FORT LEWIS | LIVE FIRE EXERCISE SHOOTHOUSE | 2,550 | 2,550 | 2,550 | | 2,550 |
| Army | WASHINGTON | FORT LEWIS | ANIMAL BUILDING | 3,050 | 3,050 | 3,050 | | 3,050 |
| Army | WASHINGTON | FORT LEWIS | BRIGADE COMPLEX, INC 4 | 102,000 | 102,000 | 102,000 | | 102,000 |
| Army | WASHINGTON | FORT LEWIS | MODIFIED RECORD FIRE RANGE | 4,100 | 4,100 | 4,100 | | 4,100 |
| Army | WASHINGTON | FORT LEWIS | FT LEWIS-MCCHORD AFB JOINT ACCESS | | 9,000 | | 9,000 | 9,000 |

MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Def-Wide | WASHINGTON | FORT LEWIS | SOF SUPPORT COMPANY FACILITY | 14,500 | 14,500 | 14,500 | | 14,500 |
| Def-Wide | WASHINGTON | FORT LEWIS | HEALTH AND DENTAL CLINIC | 15,636 | 15,636 | 15,636 | | 15,636 |
| Navy | WASHINGTON | INDIAN ISLAND NM | ORD STORAGE PADS W/2 COVERS | | 13,130 | | 13,130 | 13,130 |
| Navy | WASHINGTON | SPOKANE | JNT PERS RECOVERY AGENCY SPECIALIZED SERE TRA | 12,707 | 12,707 | 12,707 | | 12,707 |
| Air__Guard | WEST VIRGINIA | MARTINSBURG | C–5 TAXIWAY UPGRADES | | | 19,500 | 19,500 | 19,500 |
| Navy | WEST VIRGINIA | NAVY, SUGAR GROVE | EMERGENCY SERVICES CENTER | | | 9,560 | 10,990 | 10,990 |
| ARNG | WEST VIRGINIA | ST. ALBANS ARMORY | READINESS CENTER ADDITIONS | | | 2,000 | 2,000 | 2,000 |
| USAR | WISCONSIN | FORT MCCOY | COMBINED ARMS COLLECTIVE TRAINING FACILITY | 25,000 | 25,000 | 25,000 | | 25,000 |
| USAR | WISCONSIN | FORT MCCOY | RANGE UTILITY UPGRADE | | | 3,850 | 3,850 | 3,850 |
| Air__Guard | WISCONSIN | GENERAL MITCHELL IAP | UPGRADE CORROSION CONTROL HANGAR | | 5,000 | 5,000 | 5,000 | 5,000 |
| Air__Guard | WYOMING | CHEYENNE AIRPORT | SQUADRON OPERATIONS | | | 1,500 | 1,500 | 1,500 |
| Air Force | WYOMING | F. E. WARREN AFB | ADAL MISSILE SERVICE COMPLEX | 9,100 | 9,100 | 9,100 | | 9,100 |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | RECISSION PL 110–417 UAS MAINT COMPLEX | | | | –22,000 | –22,000 |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | RECISSION PL 110–417 UAS OPS COMPLEX | | | | –15,500 | –15,500 |
| BRAC 05 | ZU | UNSPECIFIED WORLDWIDE | BASE REALIGNMENT AND CLOSURE 2005 | 7,479,498 | 7,129,498 | 7,479,498 | –24,000 | 7,455,498 |
| BRAC IV | ZU | UNSPECIFIED WORLDWIDE | BASE REALIGNMENT AND CLOSURE IV | 396,768 | 536,768 | 396,768 | 100,000 | 496,768 |
| Army | ZU | VARIOUS LOCATIONS | BRIGADE COMBAT TEAM STATIONING | | –500,000 | | –166,000 | –166,000 |
| Army | ZU | VARIOUS LOCATIONS | TRAINEE TROOP HOUSING | | 450,000 | | 350,000 | 350,000 |
| Air Force | AFGHANISTAN | BAGRAM AIR BASE | PASSENGER TERMINAL | 22,000 | 22,000 | 22,000 | | 22,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | FUEL SYSTEM PH 6 | 12,000 | 12,000 | 12,000 | | 12,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | FUEL SYSTEM PH 7 | 5,000 | 5,000 | 5,000 | | 5,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | COALITION OPERATION CENTER | 49,000 | 49,000 | 49,000 | | 49,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | APS COMPOUND | 38,000 | | 38,000 | –38,000 | |
| Army | AFGHANISTAN | BAGRAM AIR BASE | AVIATION SUPPORT FACILITY | 2,600 | 2,600 | 2,600 | | 2,600 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | BARRACKS | 18,500 | 18,500 | | | 18,500 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | COMMAND AND CONTROL FACILITY | 38,000 | | | –38,000 | |
| Army | AFGHANISTAN | BAGRAM AIR BASE | PERIMETER FENCE AND GUARD TOWERS | 7,000 | | | –7,000 | |
| Navy | BAHRAIN | SW ASIA | WATERFRONT DEVELOPMENT PHASE 2 | 41,526 | 41,526 | 41,526 | | 41,526 |
| Def-Wide | BELGIUM | BRUSSELS | REPLACE ELEMENTARY SCHOOL (SHAPE) | 38,124 | 38,124 | 38,124 | | 38,124 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Army | BELGIUM | MONS | NATO SOF OPERATIONAL SUPPORT | | 20,000 | | 20,000 | 20,000 |
| Def-Wide | BELGIUM | BRUSSELS | NATO HEADQUARTERS | | 41,400 | | 41,400 | 41,400 |
| Air Force | COLOMBIA | PALANQUERO AB | PALANQUERO AB DEVELOPMENT | 46,000 | 46,000 | 46,000 | | 46,000 |
| Def-Wide | CZECH REPUBLIC | VARIOUS LOCATIONS | RECISSION PL 110–417 EMCR SITE | | | | –108,560 | –108,560 |
| Navy | DJIBOUTI | CAMP LEMONIER | INTERIOR PAVED ROADS PHASE A | 7,275 | 7,275 | 7,275 | | 7,275 |
| Navy | DJIBOUTI | CAMP LEMONIER | AMMO SUPPLY POINT | 21,689 | 21,689 | 21,689 | | 21,689 |
| Navy | DJIBOUTI | CAMP LEMONIER | SECURITY FENCING I | 8,109 | 8,109 | 8,109 | | 8,109 |
| Navy | DJIBOUTI | CAMP LEMONIER | FIRE STATION | 4,772 | 4,772 | 4,772 | | 4,772 |
| Army | GERMANY | ANSBACH | BARRACKS | 17,500 | 17,500 | 17,500 | | 17,500 |
| Army | GERMANY | ANSBACH | BARRACKS | 14,200 | 14,200 | 14,200 | | 14,200 |
| FH Con Army | GERMANY | BAUMHOLDER | FAMILY HOUSING REPLACEMENT CONSTRU(138 UNITS) | 18,000 | 18,000 | 18,000 | | 18,000 |
| Def-Wide | GERMANY | BOEBLINGEN | NEW ELEMENTARY SCHOOL | | | 50,000 | 50,000 | 50,000 |
| Def-Wide | GERMANY | KAISERLAUTERN AB | KAISERSLAUTERN COMPLEX-PHASE 1 | 19,380 | 19,380 | 19,380 | | 19,380 |
| Def-Wide | GERMANY | KAISERLAUTERN AB | KAISERSLAUTERN HS REPLACE SCHOOL | 74,165 | 74,165 | 74,165 | | 74,165 |
| Army | GERMANY | KLEBER KASERNE | BARRACKS | 20,000 | 20,000 | 20,000 | | 20,000 |
| Army | GERMANY | LANDSTUHL | WARRIOR IN TRANSITION (WT) COMPLEX | 25,000 | 25,000 | | –25,000 | |
| Air Force | GERMANY | RAMSTEIN AB | CONSTRUCT AGE MAINT COMPLEX | 11,500 | 11,500 | 11,500 | | 11,500 |
| Air Force | GERMANY | RAMSTEIN AB | CONTINGENCY RESPONSE GROUP COMMAND | 23,200 | 23,200 | 23,200 | | 23,200 |
| Air Force | GERMANY | SPANGDAHLEM AB | FITNESS CTR | 23,500 | 23,500 | 23,500 | | 23,500 |
| Def-Wide | GERMANY | WEISBADEN | WIESBADEN HS NEW CAFETERIA AND KITCHEN | 5,379 | 5,379 | 5,379 | | 5,379 |
| FH Con Army | GERMANY | WEISBADEN | FAMILY HOUSING REPLACEMENT CONST INC 2 | 10,000 | 10,000 | 10,000 | | 10,000 |
| FH Con Army | GERMANY | WEISBADEN | FAMILY HOUSING REPLACEMENT CONST INC 2 | 11,000 | 11,000 | 11,000 | | 11,000 |
| FH Con Army | GERMANY | WEISBADEN | FAMILY HOUSING REPLACEMENT CONST INC 2 | 11,000 | 11,000 | 11,000 | | 11,000 |
| Def-Wide | GREECE | SOUDA BAY | FUEL STORAGE TANKS & PIPELINE RPL | 24,000 | 24,000 | 24,000 | | 24,000 |
| Def-Wide | GUAM | AGANA NAVAL AIR STATION | REPLACE GAS CYLANDER STORAGE FACILITY | 4,900 | 4,900 | 4,900 | | 4,900 |
| Air Force | GUAM | ANDERSEN AFB | POSTAL SERVICE CENTER | | 3,500 | | 3,500 | 3,500 |
| Air Force | GUAM | ANDERSEN AFB | STRIKE FOL ELECTRICAL INFRASTRUCTURE | 33,750 | 33,750 | 33,750 | | 33,750 |
| Air Force | GUAM | ANDERSEN AFB | NW FIELD ATFP PERIMETER FENCE AND ROAD | 4,752 | 4,752 | 4,752 | | 4,752 |
| Air Force | GUAM | ANDERSEN AFB | COMMANDO WARRIOR OPERATIONS FAC | 4,200 | 4,200 | 4,200 | | 4,200 |
| Air Force | GUAM | ANDERSEN AFB | NW FIELD COMBAT SPT VEHICLE MAINT FAC | 15,500 | 15,500 | 15,500 | | 15,500 |
| ARNG | GUAM | BARRIGADA | READINESS CENTER | 30,000 | 30,000 | 30,000 | | 30,000 |
| Def-Wide | GUAM | GUAM | HOSPITAL REPLACEMENT INCR 1 | 259,156 | 259,156 | 200,000 | | 259,156 |
| FH Con Navy | GUAM | GUAM | REPLACE GUAM N. TIPALAO PH III | 20,730 | 20,730 | 20,730 | | 20,730 |
| Navy | GUAM | GUAM | CONSOLIDATED SLC TRAINING & CSS–15 HQ FAC | 45,309 | 45,309 | 45,309 | | 45,309 |

**MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Navy | GUAM | GUAM | MILITARY WORKING DOG RELOCATION, APRA HARBOR | 27,070 | 27,070 | 10,000 | –13,070 | 14,000 |
| Navy | GUAM | GUAM | DEFENSE ACCESS ROAD IMPROVEMENTS | 48,860 | 48,860 | 48,860 | | 48,860 |
| Navy | GUAM | GUAM | AAFB NORTH RAMP UTILITIES INCR 1 | 21,500 | 21,500 | | | 21,500 |
| Navy | GUAM | GUAM | AAFB NORTH RAMP PARKING INCR 1 | 88,797 | 88,797 | | | 88,797 |
| Navy | GUAM | GUAM | APRA HARBOR WHARVES IMP. INCR 1 | 167,033 | 127,033 | 83,517 | –40,000 | 127,033 |
| Navy | GUAM | GUAM | TORPEDO EXERCISE SUPPORT BUILDING | 15,627 | 15,627 | 15,627 | | 15,627 |
| Def-Wide | GUAM | VARIOUS LOCATIONS | UNSPECIFIED VARIOUS LOCATIONS | | 350,000 | | | |
| Def-Wide | GUANTANAMO | GUANTANAMO BAY | REPLACE FUEL STORAGE TANKS | 12,500 | 12,500 | 12,500 | | 12,500 |
| Air Force | ITALY | SIGONELLA | GLOBAL HAWK AIRCRAFT MAINT AND OPS COMPLEX | 31,300 | 31,300 | | | 31,300 |
| Army | ITALY | VICENZA | BDE COMPLEX—OPERATIONS SPT FAC, INCR 3 | 23,500 | 23,500 | 23,500 | | 23,500 |
| Army | ITALY | VICENZA | BDE COMPLEX—BARRACKS/COMMUNITY, INCR 3 | 22,500 | 22,500 | 22,500 | | 22,500 |
| Army | JAPAN | OKINAWA | TRAINING AIDS CENTER | 6,000 | 6,000 | 6,000 | | 6,000 |
| Army | JAPAN | SAGAMIHARA | TRAINING AIDS CENTER | 6,000 | 6,000 | 6,000 | | 6,000 |
| Army | KOREA | CAMP HUMPHREYS | VEHICLE MAINTENANCE SHOP | 19,000 | 19,000 | 19,000 | | 19,000 |
| Army | KOREA | CAMP HUMPHREYS | VEHICLE MAINTENANCE SHOP | 18,000 | 18,000 | 18,000 | | 18,000 |
| Army | KOREA | CAMP HUMPHREYS | FIRE STATIONS | 13,200 | 13,200 | 13,200 | | 13,200 |
| Def-Wide | KOREA | K–16 AIRFIELD | CONVERT WAREHOUSES | 5,050 | 5,050 | 5,050 | | 5,050 |
| Def-Wide | KOREA | OSAN AB | REPLACE HYDRANT FUEL SYSTEM | 28,000 | 28,000 | 28,000 | | 28,000 |
| FH Con Navy | KOREA | PUSAN | CONSTR CHINHAE WELCOME CTR/WAREHOUSE | 4,376 | 4,376 | 4,376 | | 4,376 |
| Army | KUWAIT | CAMP ARIFJAN | APS WAREHOUSES | 82,000 | 82,000 | 82,000 | | 82,000 |
| Air Force | OMAN | AL MUSANNAH AB | WAR RESERVE MATERIAL COMPOUND | 47,000 | 47,000 | | –47,000 | |
| Air Force | OMAN | AL MUSANNAH AB | AIRLIFT RAMP AND FUEL FACILITIES | 69,000 | 69,000 | | –69,000 | |
| Def-Wide | POLAND | VARIOUS LOCATIONS | RECISSION PL 110–417 EUROPEAN INTERCEPTOR SITE | | | | –42,600 | –42,600 |
| USAR | PUERTO RICO | CAGUAS | ARMY RESERVE CENTER/LAND | 12,400 | 12,400 | 12,400 | | 12,400 |
| Air Force | QATAR | AL UDEID, QATAR | BLATCHFORD-PRESTON COMPLEX PH II | 60,000 | 60,000 | 60,000 | | 60,000 |
| Navy | SPAIN | ROTA | RECEPTION AIRFIELD FACILITIES | 26,278 | 26,278 | 26,278 | | 26,278 |
| Air Force | TURKEY | INCIRLIK AB | CONSTRUCT CONSOLIDATED COMMUNITY CTR | 9,200 | 9,200 | 9,200 | | 9,200 |
| Def-Wide | UNITED KINGDOM | MENWITH HILL STATION | MHS PSC CONSTRUCTION | 37,588 | 37,588 | 37,588 | | 37,588 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Def-Wide | UNITED KINGDOM | RAF MILDENHALL | CONNECT FUEL TANK DISTRIBUTION PIPE LN | 4,700 | 4,700 | 4,700 | | 4,700 |
| Def-Wide | UNITED KINGDOM | ROYAL AIR FORCE ALCONBURY | MEDICAL/DENTAL CLINIC REPLACEMENT | 14,227 | 14,227 | 14,227 | | 14,227 |
| Def-Wide | UNITED KINGDOM | ROYAL AIR FORCE LALASKAENHEATH | LIBERTY IS—GYMNASIUM | 4,509 | 4,509 | 4,509 | | 4,509 |
| ARNG | VIRGIN ISLANDS | ST. CROIX | REGIONAL TRAINING INSTITUTE PH1 | 20,000 | 20,000 | 20,000 | | 20,000 |
| Air Force | ZC | CLASSIFIED LOCATION | CLASSIFIED PLANNING & DESIGN | 3,000 | 3,000 | 3,000 | | 3,000 |
| NSIP | ZU | NATO SECURITY INVEST PRGM | NATO SECURITY INVESTMENT PROGRAM | 276,314 | 234,914 | 276,314 | –78,900 | 197,414 |
| AF Reserve | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 1,976 | 4,669 | 1,976 | 1,893 | 3,869 |
| AF Reserve | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 800 | 3,300 | 800 | | 800 |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION | 18,000 | 23,000 | 18,000 | 2,000 | 20,000 |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN | 79,363 | 90,407 | 79,363 | 21,199 | 100,562 |
| Air__Guard | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 9,000 | 24,005 | 9,000 | 8,005 | 17,005 |
| Air__Guard | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN | 10,061 | 12,021 | 10,061 | 2,960 | 13,021 |
| Army | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION FY 10 | 23,000 | 33,000 | 23,000 | 2,000 | 25,000 |
| Army | ZU | UNSPECIFIED WORLDWIDE | PLANNING & DESIGN FY 10 | 153,029 | 162,872 | 153,029 | 22,490 | 175,519 |
| Army | ZU | UNSPECIFIED WORLDWIDE | HOST NATION SUPPORT FY 10 | 25,000 | 25,000 | 25,000 | | 25,000 |
| ARNG | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION | 10,300 | 29,078 | 10,300 | 19,382 | 29,682 |
| ARNG | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 23,981 | 40,488 | 23,981 | 23,448 | 47,429 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | | | | | | |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION—DODEA | 6,800 | 6,800 | 6,800 | | 6,800 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—DODEA | 8,855 | 8,855 | 8,855 | | 8,855 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION—DLA | 4,100 | 4,100 | 4,100 | | 4,100 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION—MDA | 3,717 | 3,717 | 3,717 | | 3,717 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—MDA | 2,000 | 2,000 | 2,000 | | 2,000 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—NSA | 10,534 | 10,534 | 10,534 | | 10,534 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION—SOCOM | 6,022 | 6,022 | 6,022 | | 6,022 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—SOCOM | 4,425 | 4,425 | 4,425 | | 4,425 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | JEP EXERCISE RELATED CONSTRUCTION—TJS | 7,861 | 7,861 | 7,861 | | 7,861 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION—TMA | 4,525 | 4,525 | 4,525 | | 4,525 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—TMA | 72,974 | 72,974 | 72,974 | | 72,974 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | ENERGY CONSERVATION IMPROVEMENT PROGRAM | 90,000 | 90,000 | 123,013 | 33,013 | 123,013 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | CONTINGENCY CONSTRUCTION—UNDD | 10,000 | 10,000 | 10,000 | | 10,000 |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION—UNDD | 3,000 | | 3,000 | –3,000 | |
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—UNDD | 35,579 | 19,079 | 35,579 | –16,500 | 19,079 |

**MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/ Country | Installation | Project Title | Budget Request | House Authorized | Senate Authorized | Conference Change | Conference Agreement |
|---|---|---|---|---|---|---|---|---|
| Def-Wide | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN—WHS | 3,575 | 3,575 | 3,575 | | 3,575 |
| FH Con AF | ZU | UNSPECIFIED WORLDWIDE | CONSTRUCTION IMPROVEMENTS | 61,737 | 61,737 | 61,737 | | 61,737 |
| FH Con AF | ZU | UNSPECIFIED WORLDWIDE | CLASSIFIED PROJECT | 50 | 50 | 50 | | 50 |
| FH Con AF | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 4,314 | 4,314 | 4,314 | | 4,314 |
| FH Con Army | ZU | UNSPECIFIED WORLDWIDE | CONSTRUCTION IMPROVEMENTS (2428 UNITS) | 219,300 | 219,300 | 219,300 | | 219,300 |
| FH Con Army | ZU | UNSPECIFIED WORLDWIDE | FAMILY HOUSING P&D | 3,936 | 3,936 | 3,936 | | 3,936 |
| FH Con Navy | ZU | UNSPECIFIED WORLDWIDE | IMPROVEMENTS | 118,692 | 118,692 | 118,692 | | 118,692 |
| FH Con Navy | ZU | UNSPECIFIED WORLDWIDE | DESIGN | 2,771 | 2,771 | 2,771 | | 2,771 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | UTILITIES ACCOUNT | 81,686 | 81,686 | 81,686 | | 81,686 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MANAGEMENT ACCOUNT | 1,557 | 1,557 | 1,557 | | 1,557 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MANAGEMENT ACCOUNT | 51,334 | 51,334 | 51,334 | | 51,334 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | SERVICES ACCOUNT | 20,183 | 20,183 | 20,183 | | 20,183 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | FURNISHINGS ACCOUNT | 39,182 | 39,182 | 39,182 | | 39,182 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MISCELLANEOUS ACCOUNT | 1,543 | 1,543 | 1,543 | | 1,543 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | LEASING ACCOUNT | 548 | 548 | 548 | | 548 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | LEASING | 102,858 | 102,858 | 102,858 | | 102,858 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE ACCOUNT | 1,911 | 1,911 | 1,911 | | 1,911 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE (RPMA & RPMC) | 148,318 | 148,318 | 148,318 | | 148,318 |
| FH Ops AF | ZU | UNSPECIFIED WORLDWIDE | HOUSING PRIVATIZATION | 53,816 | 53,816 | 53,816 | | 53,816 |
| FH Ops Army | ZU | UNSPECIFIED WORLDWIDE | UTILITIES ACCOUNT | 81,650 | 81,650 | 81,650 | | 81,650 |
| FH Ops Army | ZU | UNSPECIFIED WORLDWIDE | OPERATIONS | 87,263 | 87,263 | 87,263 | | 87,263 |
| FH Ops Army | ZU | UNSPECIFIED WORLDWIDE | MISCELLANEOUS ACCOUNT | 1,177 | 1,177 | 1,177 | | 1,177 |
| FH Ops Army | ZU | UNSPECIFIED WORLDWIDE | LEASING | 205,685 | 205,685 | 205,685 | | 205,685 |
| FH Ops Army | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE OF REAL PROPERTY | 115,854 | 115,854 | 115,854 | | 115,854 |
| FH Ops Army | ZU | UNSPECIFIED WORLDWIDE | PRIVATIZATION SUPPORT COSTS | 31,789 | 31,789 | 31,789 | | 31,789 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | FURNISHINGS ACCOUNT | 4,426 | 4,426 | 4,426 | | 4,426 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | LEASING | 33,579 | 33,579 | 33,579 | | 33,579 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | UTILITIES ACCOUNT | 274 | 274 | 274 | | 274 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | FURNISHINGS ACCOUNT | 19 | 19 | 19 | | 19 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | SERVICES ACCOUNT | 29 | 29 | 29 | | 29 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | MANAGEMENT ACCOUNT | 309 | 309 | 309 | | 309 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE OF REAL PROPERTY | 366 | 366 | 366 | | 366 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | RECISSION (PUBLIC LAW 110–5) | | | | | |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | OPERATIONS | 35 | 35 | 35 | | 35 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | LEASING | 10,108 | 10,108 | 10,108 | | 10,108 |
| FH Ops DW | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE OF REAL PROPERTY | 69 | 69 | 69 | | 69 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | UTILITIES ACCOUNT | 53,956 | 53,956 | 53,956 | | 53,956 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | FURNISHINGS ACCOUNT | 14,624 | 14,624 | 14,624 | | 14,624 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | MANAGEMENT ACCOUNT | 60,278 | 60,278 | 60,278 | | 60,278 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | MISCELLANEOUS ACCOUNT | 457 | 457 | 457 | | 457 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | SERVICES ACCOUNT | 16,462 | 16,462 | 16,462 | | 16,462 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | LEASING | 101,432 | 101,432 | 101,432 | | 101,432 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | MAINTENANCE OF REAL PROPERTY | 94,184 | 94,184 | 94,184 | | 94,184 |
| FH Ops Navy | ZU | UNSPECIFIED WORLDWIDE | PRIVATIZATION SUPPORT COSTS | 27,147 | 27,147 | 27,147 | | 27,147 |
| FHIF | ZU | UNSPECIFIED WORLDWIDE | FAMILY HOUSING IMPROVEMENT FUND | 2,600 | 2,600 | 2,600 | | 2,600 |
| HOAP | ZU | UNSPECIFIED WORLDWIDE | HOMEOWNERS ASSISTANCE PROGRAM | 23,225 | 23,225 | 373,225 | 276,775 | 300,000 |
| Milcon, Naval Res | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 2,371 | 2,951 | 2,371 | 580 | 2,951 |
| Navy | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION | 12,483 | 17,483 | 12,483 | | 12,483 |
| Navy | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 166,896 | 179,652 | 166,896 | 12,756 | 179,652 |
| USAR | ZU | UNSPECIFIED WORLDWIDE | UNSPECIFIED MINOR CONSTRUCTION | 3,600 | 6,100 | 3,600 | | 3,600 |
| USAR | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 22,262 | 25,016 | 22,262 | 454 | 22,716 |
| AF Reserve | ZU | UNSPECIFIED WORLDWIDE | PROGRAMMATIC PLUS UP | | 55,000 | | 55,000 | 55,000 |
| Air__Guard | ZU | UNSPECIFIED WORLDWIDE | PROGRAMMATIC PLUS UP | | 30,000 | | 30,000 | 30,000 |
| ARNG | ZU | UNSPECIFIED WORLDWIDE | PROGRAMMATIC PLUS UP | | 30,000 | | 30,000 | 30,000 |
| Milcon, Naval Res | ZU | UNSPECIFIED WORLDWIDE | PROGRAMMATIC PLUS UP | | 101,303 | | 55,000 | 55,000 |
| USAR | ZU | UNSPECIFIED WORLDWIDE | PROGRAMMATIC PLUS UP | | 30,000 | | 30,000 | 30,000 |
| | | | **TOTAL FY2010 AUTHORIZATIONS** | **22,946,036** | **23,260,265** | **22,918,593** | **933,820** | **23,879,856** |
| | | | **Prior Year Savings** | | **–85,300** | **–112,500** | **–175,800** | **–175,800** |
| | | | **General Reduction** | | | | **–529,091** | **–529,091** |
| | | | **GRAND TOTAL** | **22,946,036** | **23,174,965** | **2,806,093** | **228,929** | **23,174,965** |

*2005 Base Realignment and Closure round FY 2010 project listing (sec. 4502)*

The Senate amendment contained an authorization funding table (sec. 4502) for 2005 Base Realignment and Closure round FY 2010 project listing.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING**
(In Thousands of Dollars)

| Account | Commission Recommendation | Location | State | Project Title | Project Authorization | House Authorization | Senate Authorization | Conference Authorization of Appropriation |
|---|---|---|---|---|---|---|---|---|
| Army | 11 | Anniston (Pelham Range) | AL | Armed Forces Reserve Center | 8,000 | 8,000 | 8,000 | 8,000 |
| Army | 11 | Birmingham | AL | Armed Forces Reserve Center | 10,000 | 10,000 | 10,000 | 10,000 |
| Army | 11 | Mobile | AL | Armed Forces Reserve Center | 20,430 | 20,430 | 20,430 | 20,430 |
| Defense Wide | 134 | Redstone Arsenal | AL | Von Braun Complex | 0 | 27,800 | 27,800 | 27,800 |
| Army | 11 | Tuscaloosa | AL | Armed Forces Reserve Center | 18,000 | 18,000 | 18,000 | 18,000 |
| Army | 13 | Camden | AR | Armed Forces Reserve Center | 9,800 | 9,800 | 9,800 | 9,800 |
| Army | 13 | El Dorado | AR | Armed Forces Reserve Center | 14,000 | 14,000 | 14,000 | 14,000 |
| Army | 13 | Hot Springs | AR | Armed Forces Reserve Center | 14,600 | 14,600 | 14,600 | 14,600 |
| Army | 13 | Pine Bluff | AR | Armed Forces Reserve Center | 15,500 | 15,500 | 15,500 | 15,500 |
| Army | 12 | Marana | AZ | Armed Forces Reserve Center | 31,000 | 31,000 | 31,000 | 31,000 |
| Navy | 57 | Barstow | CA | Industrial Machine Shop Facility | 14,131 | 14,130 | 14,130 | 14,130 |
| Navy | 184 | China Lake | CA | Shipboard Shock Test Facility | 3,160 | 3,160 | 3,160 | 3,160 |
| Navy | 184 | China Lake | CA | Weapons Dynamics RDT&E Center | 5,970 | 5,970 | 5,970 | 5,970 |
| Army | 15 | Middletown | CT | Armed Forces Reserve Center, Incr 2 | 37,000 | 37,000 | 37,000 | 37,000 |
| Navy | 149 | Washington | DC | Navy Systems Management Activity Relocation (INCR II of II). | 71,929 | 71,929 | 71,929 | 71,929 |
| Navy | 149 | Washington | DC | Renovate 3rd Floor Building 176, Washington Navy Yard. | 750 | 750 | 750 | 750 |
| Army | 4 | Eglin AFB | FL | Special Forces Complex, Incr 2 | 8,000 | 8,000 | 8,000 | 8,000 |
| Air Force | 125 | Eglin AFB | FL | BRAC F–35 Live Ordnance Load Area (LOLA) | 6,624 | 6,624 | 6,624 | 6,624 |
| Air Force | 4B, 125 | Eglin AFB | FL | CE Facility | 2,000 | 2,000 | 2,000 | 2,000 |
| Air Force | 125 | Eglin AFB | FL | F–35 (JSF) Duke Field Control Tower | 2,280 | 2,280 | 2,280 | 2,280 |
| Air Force | 4B, 125 | Eglin AFB | FL | Fitness Facility | 2,750 | 2,750 | 2,750 | 2,750 |
| Air Force | 125 | Eglin AFB | FL | STOVL Simulated Carrier Practice Landing Deck. | 27,690 | 27,690 | 27,690 | 27,690 |
| Air Force | 125 | Eglin AFB | FL | School Age Facility | 2,600 | 2,600 | 2,600 | 2,600 |
| Air Force | 125 | Eglin AFB | FL | Security Forces Facility | 890 | 890 | 890 | 890 |
| Air Force | 125 | Eglin AFB | FL | Taxiway Extension | 13,000 | 13,000 | 13,000 | 13,000 |
| Air Force | 125 | Eglin AFB | FL | Traffic Management Cargo Processing Facility | 900 | 900 | 900 | 900 |
| Army | 9 | Benning | GA | AAFES Troop Store | 1,950 | 1,950 | 1,950 | 1,950 |
| Army | 17 | Benning | GA | Armed Forces Reserve Center | 18,000 | 18,000 | 18,000 | 18,000 |
| Army | 2 | Benning | GA | Equipment Concentration Site | 43,000 | 43,000 | 43,000 | 43,000 |
| Army | 9 | Benning | GA | General Instruction Complex 2, Incr 2 | 58,000 | 58,000 | 58,000 | 58,000 |
| Army | 9 | Benning | GA | Maneuver Ctr HQ & CDI Bldg Expansion | 42,000 | 42,000 | 42,000 | 42,000 |
| Army | 9 | Benning | GA | Medical Facility, Incr 2 | 77,000 | 77,000 | 77,000 | 77,000 |
| Army | 21 | Cedar Rapids | IA | Armed Forces Reserve Center | 42,000 | 42,000 | 42,000 | 42,000 |
| Army | 21 | Iowa AAP | IA | Armed Forces Reserve Center | 27,000 | 27,000 | 27,000 | 27,000 |
| Army | 21 | Muscatine | IA | Armed Forces Reserve Center | 8,800 | 8,800 | 8,800 | 8,800 |
| Army | 2 | Rock Island | IL | Army Headquarters Building Renovation | 20,000 | 20,000 | 20,000 | 20,000 |
| Army | 43 | Campbell | KY | Armed Forces Reserve Center | 5,900 | 5,900 | 5,900 | 5,900 |
| Army | 2 | Campbell | KY | Headquarters Building, Group | 14,800 | 14,800 | 14,800 | 14,800 |
| Army | 55 | Knox | KY | Armed Forces Reserve Center | 2,300 | 2,300 | 2,300 | 2,300 |
| Army | 5 | Aberdeen PG | MD | C4ISR, Phase 2, Incr 2 | 156,000 | 156,000 | 156,000 | 156,000 |
| Defense Wide | 169 | Bethesda (WRNMMC) | MD | Medical Center Addition—Increment 3 | 108,850 | 108,850 | 108,850 | 108,850 |
| Defense Wide | 169 | Bethesda (WRNMMC) | MD | Traffic Mitigation Increment 1 | 18,400 | 18,400 | 18,400 | 18,400 |
| Defense Wide | 169 | Bethesda (WRNMMC) | MD | Site Utility Infrastructure Upgrade for NICoE | 0 | 6,500 | 6,500 | 6,500 |
| Army | 174 | Detrick | MD | Joint Bio-Med RDA Management Center | 8,300 | 8,300 | 8,300 | 8,300 |
| Army | 169 | Forest Glenn | MD | Museum | 12,200 | 12,200 | 12,200 | 12,200 |
| Defense Wide | 140 | Fort Meade | MD | Construct DISA Building | 131,662 | 131,662 | 131,662 | 131,662 |
| Army | 141 | Fort Meade | MD | Defense Media Activity, Incr 2 | 17,000 | 17,000 | 17,000 | 17,000 |
| Navy | 65 | Brunswick | ME | Marine Corps Reserve Center | 12,960 | 12,960 | 12,960 | 12,960 |
| Army | 176 | Detroit Arsenal | MI | Administrative Office Buildings, Incr 2 | 0 | 21,384 | 21,384 | 21,384 |
| Army | 176 | Detroit Arsenal | MI | Weapons Systems Support and Training | 8,300 | 8,300 | 8,300 | 8,300 |
| Army | 26 | Ft. Custer (Augusta) | MI | Armed Forces Reserve Center | 18,500 | 18,500 | 18,500 | 18,500 |
| Air Force | 95 | Selfridge ANGB | MI | A10 Arm/Disarm Apron | 1,350 | 1,350 | 1,350 | 1,350 |
| Air Force | 95 | Selfridge ANGB | MI | Repair Munitions Admin Building 891 | 3,100 | 3,100 | 3,100 | 3,100 |
| Air Force | 95 | Selfridge ANGB | MI | Upgrade Munitions Maintenance Shop | 1,650 | 1,650 | 1,650 | 1,650 |
| Air Force | 95 | Selfridge ANGB | MI | Upgrade Munitions Missile Maintenance Bays | 2,350 | 2,350 | 2,350 | 2,350 |
| Army | 28 | Kirksville | MO | Armed Forces Reserve Center | 6,600 | 6,600 | 6,600 | 6,600 |
| Army | 29 | Great Falls | MT | Armed Forces Reserve Center | 7,600 | 7,600 | 7,600 | 7,600 |
| Army | 3 | Bragg | NC | Band Training Facility | 4,200 | 4,200 | 4,200 | 4,200 |
| Army | 3 | Bragg | NC | Headquarters Bldg, FORSCOM/USARC, Incr 3 | 124,000 | 124,000 | 124,000 | 124,000 |
| Army | 35 | Wilmington | NC | Armed Forces Reserve Center | 17,500 | 17,500 | 17,500 | 17,500 |
| Army | 36 | Fargo | ND | Armed Forces Reserve Center | 11,200 | 11,200 | 11,200 | 11,200 |
| Army | 30 | Columbus | NE | Armed Forces Reserve Center | 9,300 | 9,300 | 9,300 | 9,300 |
| Army | 30 | McCook | NE | Armed Forces Reserve Center | 7,900 | 7,900 | 7,900 | 7,900 |
| Army | 32 | Camden | NJ | Armed Forces Reserve Center | 21,000 | 21,000 | 21,000 | 21,000 |
| Army | 5 | West Point | NY | US Military Academy Prep School, Incr 2 | 0 | 98,000 | 98,000 | 98,000 |
| Army | 37 | Columbus | OH | Armed Forces Reserve Center, Incr 2 | 0 | 30,218 | 30,218 | 30,218 |
| Navy | 73 | Akron | OH | Armed Forces Reserve Center | 13,840 | 13,840 | 13,840 | 13,840 |
| Army | 126 | Sill | OK | Joint Fires & Effects Simulator Building | 28,000 | 28,000 | 28,000 | 28,000 |
| Air Force | 92 | Will Rogers World APT AGS | OK | Relocate Global Air Traffic Operation Program Office. | 1,200 | 1,200 | 1,200 | 1,200 |
| Army | 40 | Allentown | PA | Armed Forces Reserve Center | 15,000 | 15,000 | 15,000 | 15,000 |
| Army | 150 | Tobyhanna | PA | Electronics Maintenance Shop, Depot Level | 3,200 | 3,200 | 3,200 | 3,200 |
| Air Force | 68 | Willow Grove ARS, NAS Willow Grove JRB | PA | Establish Enclave | 4,000 | 4,000 | 4,000 | 4,000 |
| Army | 42 | Bristol | RI | Armed Forces Reserve Center | 17,500 | 17,500 | 17,500 | 17,500 |

**2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING**
(In Thousands of Dollars)

| Account | Commission Recom-mendation | Location | State | Project Title | Project Authorization | House Authorization | Senate Authorization | Conference Authorization of Appropriation |
|---|---|---|---|---|---|---|---|---|
| Navy | 181 | Charleston | SC | SPAWAR Data Center | 9,670 | 9,670 | 9,670 | 9,670 |
| Navy | 138 | Goose Creek | SC | Consolidated Brig Addition | 9,790 | 9,790 | 9,790 | 9,790 |
| Army | 3 | Shaw AFB | SC | Headquarters Building, Third US Army, Incr 2 | 55,000 | 55,000 | 55,000 | 55,000 |
| Army | 43 | Chattanooga | TN | Armed Forces Reserve Center | 8,900 | 8,900 | 8,900 | 8,900 |
| Army | 10 | Bliss | TX | Brigade Combat Team Complex #3, Incr 3 | 110,000 | 110,000 | 110,000 | 110,000 |
| Army | 10 | Bliss | TX | Combat Aviation Brigade Complex, Incr 3 | 94,000 | 94,000 | 94,000 | 94,000 |
| Army | 10 | Bliss | TX | Hospital Add/Alt, WBAMC | 24,000 | 24,000 | 24,000 | 0 |
| Army | 10 | Bliss | TX | Hospital Replacement | 89,000 | 89,000 | 89,000 | 89,000 |
| Army | 10 | Bliss | TX | Tactical Equipment Maintenance Facility 2 | 104,000 | 104,000 | 104,000 | 104,000 |
| Army | 44 | Brownsville | TX | Armed Forces Reserve Center | 15,000 | 15,000 | 15,000 | 15,000 |
| Army | 44 | Huntsville | TX | Armed Forces Reserve Center | 16,000 | 16,000 | 16,000 | 16,000 |
| Army | 44 | Kingsville | TX | Armed Forces Reserve Center | 17,500 | 17,500 | 17,500 | 17,500 |
| Air Force | 146 | Lackland AFB | TX | Joint Base San Antonio Headquarters Facility | 8,500 | 8,500 | 8,500 | 8,500 |
| Army | 44 | Lufkin | TX | Armed Forces Reserve Center | 15,500 | 15,500 | 15,500 | 15,500 |
| Air Force | 128 | Randolph AFB | TX | Renovate Building 38 | 2,050 | 2,050 | 2,050 | 2,050 |
| Army | 44 | Red River | TX | Armed Forces Reserve Center | 14,200 | 14,200 | 14,200 | 14,200 |
| Defense Wide | 172 | Fort Sam Houston | TX | San Antonio Military Medical Center (North) Incr 3. | 0 | 163,750 | 163,750 | 163,750 |
| Army | 148 | Sam Houston | TX | Add/Alt Building 2270 | 18,000 | 18,000 | 18,000 | 18,000 |
| Army | 148 | Sam Houston | TX | Housing, Enlisted Permanent Party | 10,800 | 10,800 | 10,800 | 10,800 |
| Army | 148 | Sam Houston | TX | IMCOM Campus Area Infrastructure | 11,000 | 11,000 | 11,000 | 11,000 |
| Army | 148 | Sam Houston | TX | Headquarters Bldg, IMCOM | 48,000 | 48,000 | 48,000 | 48,000 |
| Army | 132 | Belvoir | VA | Infrastructure Support, Incr 3 | 13,000 | 13,000 | 13,000 | 13,000 |
| Army | 168 | Belvoir | VA | Infrastructure Support, Incr 3 | 39,400 | 39,400 | 39,400 | 39,400 |
| Army | 169 | Belvoir | VA | NARMC HQ Building | 17,500 | 17,500 | 17,500 | 17,500 |
| Defense Wide | 168 | Fort Belvoir | VA | NGA Headquarters Facility | 0 | 168,749 | 168,749 | 168,749 |
| Defense Wide | 169 | Fort Belvoir | VA | Hospital Replacement—Increment 4 | 140,750 | 140,750 | 140,750 | 140,750 |
| Defense Wide | 169 | Fort Belvoir | VA | Dental Clinic | 12,600 | 12,600 | 12,600 | 12,600 |
| Defense Wide | 133 | Fort Belvoir | VA | Office Complex Increment 3 | | 360,533 | 360,533 | 360,533 |
| Army | 8 | Eustis | VA | Bldg 705 Renv (AAA & 902d MI) | 1,600 | 1,600 | 1,600 | 1,600 |
| Army | 8 | Eustis | VA | Headquarters Bldg, IMCOM Eastern Region | 5,700 | 5,700 | 5,700 | 5,700 |
| Army | 8 | Eustis | VA | Headquarters Building, TRADOC, Incr 2 | 34,300 | 34,300 | 34,300 | 34,300 |
| Army | 8 | Eustis | VA | Joint Task Force—Civil Support | 19,000 | 19,000 | 19,000 | 19,000 |
| Army | 3 | Eustis | VA | Renovation for ACA and NETCOM | 4,800 | 4,800 | 4,800 | 4,800 |
| Army | 121 | Lee | VA | AAFES Troop Store | 1,850 | 1,850 | 1,850 | 1,850 |
| Army | 133 | Lee | VA | Administrative Building (DCMA) | 28,000 | 28,000 | 28,000 | 28,000 |
| Army | 121 | Lee | VA | Combat Service Support School, Ph 1, Incr 4 | 0 | 30,000 | 30,000 | 30,000 |
| Army | 121 | Lee | VA | Combat Service Support School, Ph 2, Incr 3 | 137,000 | 137,000 | 137,000 | 137,000 |
| Army | 121 | Lee | VA | Combat Service Support School, Ph 3, Incr 2 | 145,000 | 145,000 | 145,000 | 145,000 |
| Army | 121 | Lee | VA | Consolidated Troop Med/Dntl Clinic | 20,000 | 20,000 | 20,000 | 20,000 |
| Army | 122 | Lee | VA | HQs, Transportation Management Detachment | 1,200 | 1,200 | 1,200 | 1,200 |
| Army | 121 | Lee | VA | USMC Training Facilities | 25,000 | 25,000 | 25,000 | 25,000 |
| Navy | 149 | Arlington | VA | Crystal Park 5 to Arlington Service Center | 33,660 | 33,660 | 33,660 | 33,660 |
| Navy | 138 | Chesapeake | VA | Joint Regional Correctional Facility (INCR II of II). | 0 | 47,560 | 47,560 | 47,560 |
| Navy | 181 | Norfolk | VA | Building 1558 Renovations for SPAWAR | 2,510 | 2,510 | 2,510 | 2,510 |
| Army | 47 | Elkins | WV | Armed Forces Reserve Center | 22,000 | 22,000 | 22,000 | 22,000 |
| Army | 47 | Fairmont | WV | Armed Forces Reserve Center | 21,000 | 21,000 | 21,000 | 21,000 |
| Army | 47 | Spencer-Ripley | WV | Armed Forces Reserve Center | 19,540 | 19,540 | 19,540 | 19,540 |
| Army | PM | Various | WW | Planning and Design | 26,100 | 26,100 | 26,100 | 26,100 |
| Army | | Various | Various | Environmental | 147,693 | 147,693 | 147,693 | 147,693 |
| Navy | | Various | Various | Environmental | 16,529 | 16,529 | 16,529 | 16,529 |
| Air Force | | Various | Various | Environmental | 19,454 | 19,454 | 19,454 | 19,454 |
| Defense Wide | | Various | Various | Environmental | 0 | 0 | 0 | 0 |
| Army | | Various | Various | Operation and Maintenance | 1,169,334 | 1,169,334 | 1,169,334 | 1,169,334 |
| Navy | | Various | Various | Operation and Maintenance | 322,495 | 322,495 | 322,495 | 322,495 |
| Air Force | | Various | Various | Operation and Maintenance | 288,459 | 288,459 | 288,459 | 288,459 |
| Defense Wide | | Various | Various | Operation and Maintenance | 836,715 | 836,715 | 836,715 | 836,715 |
| Army | | Various | Various | MilPers PCS | 0 | 0 | 0 | 0 |
| Navy | | Various | Various | MilPers PCS | 6,504 | 6,504 | 6,504 | 6,504 |
| Air Force | | Various | Various | MilPers PCS | 3,970 | 3,970 | 3,970 | 3,970 |
| Defense Wide | | Various | Various | MilPers PCS | 0 | 0 | 0 | 0 |
| Army | | Various | Various | Other | 311,138 | 311,138 | 311,138 | 311,138 |
| Navy | | Various | Various | Other | 20,115 | 20,115 | 20,115 | 20,115 |
| Air Force | | Various | Various | Other | 23,443 | 23,443 | 23,443 | 23,443 |
| Defense Wide | | Various | Various | Other | 412,320 | 412,320 | 412,320 | 412,320 |
| Defense Wide | | Various | Various | Other | | –350,000 | | |
| | | | | Subtotal BRAC 2005 FY 2010, Army | | 4,081,037 | 4,081,037 | 4,057,037 |
| | | | | Subtotal BRAC 2005 FY 2010, Navy | | 591,572 | 591,572 | 591,572 |
| | | | | Subtotal BRAC 2005 FY 2010, Air Force | | 418,260 | 418,260 | 418,260 |
| | | | | Subtotal BRAC 2005 FY 2010, Defense Wide | | 2,038,629 | 2,388,629 | 2,388,629 |
| | | | | **Total BRAC 2005 FY 2010 All Categories** | **5,934,740** | **7,129,498** | **7,479,498** | **7,455,498** |
| Army | | Various | Various | Base Realignment and Closure IV, Army | | 133,723 | 98,723 | 138,723 |
| Navy | | Various | Various | Base Realignment and Closure IV, Navy | | 228,000 | 168,000 | 228,000 |
| Air Force | | Various | Various | Base Realignment and Closure IV, Air Force | | 172,364 | 127,364 | 127,364 |
| Defense Wide | | Various | Various | Base Realignment and Closure IV, Defense Wide. | | 2,681 | 2,681 | 2,681 |
| | | | | **Total BRAC IV for FY 2010** | | **536,768** | **396,768** | **496,768** |

*Military construction for overseas contingency operations (sec. 4503)*

The Senate amendment contained an authorization funding table (sec. 4504) for military construction for overseas contingency operations.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Service | Country | Location | Project | Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|---|
| Army | AFGHANISTAN | AIRBORNE | DINING FACILITY | 2,200 | 2,200 | 2,200 | | 2,200 |
| Army | AFGHANISTAN | AIRBORNE | WASTE MANAGEMENT AREA | 5,600 | 5,600 | 5,600 | | 5,600 |
| Army | AFGHANISTAN | ALTIMUR | DINING FACILITY | 2,150 | 2,150 | 2,150 | | 2,150 |
| Army | AFGHANISTAN | ALTIMUR | WASTE MANAGEMENT AREA | 5,600 | 5,600 | 5,600 | | 5,600 |
| Army | AFGHANISTAN | ASADABAD | WASTE MANAGEMENT AREA | 5,500 | 5,500 | 5,500 | | 5,500 |
| Air Force | AFGHANISTAN | BAGRAM AIR BASE | CARGO TERMINAL | 13,800 | 13,800 | 13,800 | | 13,800 |
| Air Force | AFGHANISTAN | BAGRAM AIR BASE | AVIATION OPERATIONS & MAINTENANCE FACILITIES. | 8,900 | 8,900 | 8,900 | | 8,900 |
| Air Force | AFGHANISTAN | BAGRAM AIR BASE | EXPEDITIONARY FIGHTER SHELTER | 6,400 | 6,400 | 6,400 | | 6,400 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | TROOP HOUSING PHASE 3 | 22,000 | 0 | 0 | –22,000 | 0 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | DRAINAGE SYSTEM, PH 2 | 21,000 | 21,000 | 21,000 | | 21,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | APS COMPOUND | 0 | 38,000 | 0 | 38,000 | 38,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | BARRACKS | 0 | 0 | 18,500 | 0 | 0 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | PERIMETER FENCE AND GUARD TOWERS | 0 | 7,000 | 7,000 | 7,000 | 7,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | COMMAND AND CONTROL FACILITY | 0 | 38,000 | 38,000 | 38,000 | 38,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | ACCESS ROADS | 21,000 | 21,000 | 21,000 | | 21,000 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 | 4,500 | | 4,500 |
| Army | AFGHANISTAN | BAGRAM AIR BASE | MEDLOG WAREHOUSE | 3,350 | 3,350 | 3,350 | | 3,350 |
| Army | AFGHANISTAN | BLESSING | WASTE MANAGEMENT AREA | 5,600 | 5,600 | 5,600 | | 5,600 |
| Army | AFGHANISTAN | BOSTICK | WASTE MANAGEMENT AREA | 5,500 | 5,500 | 5,500 | | 5,500 |
| Air Force | AFGHANISTAN | DWYER | CARGO HANDLING AREA | 4,900 | 4,900 | 4,900 | | 4,900 |
| Army | AFGHANISTAN | DWYER | CONTINGENCY HOUSING PHASE 1 | 8,600 | 0 | 0 | –8,600 | 0 |
| Army | AFGHANISTAN | DWYER | CONTINGENCY HOUSING PHASE 2 | 6,900 | 0 | 0 | –6,900 | 0 |
| Army | AFGHANISTAN | DWYER | FUEL SYSTEM, PH 1 | 5,800 | 5,800 | 5,800 | | 5,800 |
| Army | AFGHANISTAN | DWYER | WASTE MANAGEMENT COMPLEX | 6,900 | 6,900 | 6,900 | | 6,900 |
| Army | AFGHANISTAN | DWYER | DINING FACILITY | 6,600 | 6,600 | 2,200 | | 6,600 |
| Army | AFGHANISTAN | FRONTENAC | DINING FACILITY | 2,200 | 2,200 | 2,200 | | 2,200 |
| Army | AFGHANISTAN | FRONTENAC | CONTINGENCY HOUSING | 3,800 | 0 | 0 | –3,800 | 0 |
| Army | AFGHANISTAN | GARDEZ | TACTICAL RUNWAY | 28,000 | 28,000 | 28,000 | | 28,000 |
| Army | AFGHANISTAN | GARDEZ | DINING FACILITY | 2,200 | 2,200 | 2,200 | | 2,200 |
| Army | AFGHANISTAN | GARDEZ | CONTINGENCY HOUSING | 8,400 | 0 | 0 | –8,400 | 0 |
| Army | AFGHANISTAN | GARDEZ | FUEL SYSTEM, PH 1 | 6,000 | 6,000 | 6,000 | | 6,000 |
| Army | AFGHANISTAN | GHAZNI | WASTE MANAGEMENT COMPLEX | 5,500 | 5,500 | 5,500 | | 5,500 |
| Army | AFGHANISTAN | JALALABAD | DINING FACILITY | 4,350 | 4,350 | 4,350 | | 4,350 |
| Army | AFGHANISTAN | JALALABAD | AMMUNITION SUPPLY POINT | 35,000 | 35,000 | 35,000 | | 35,000 |
| Army | AFGHANISTAN | JALALABAD | CONTINGENCY HOUSING | 6,900 | 0 | 0 | –6,900 | 0 |
| Army | AFGHANISTAN | JALALABAD | PERIMETER FENCING | 2,050 | 2,050 | 2,050 | | 2,050 |
| Army | AFGHANISTAN | JOYCE | DINING FACILITY | 2,100 | 2,100 | 2,100 | | 2,100 |
| Army | AFGHANISTAN | JOYCE | WASTE MANAGEMENT AREA | 5,600 | 5,600 | 5,600 | | 5,600 |
| Army | AFGHANISTAN | KABUL | USFOR–A HEADQUARTERS & HOUSING | 98,000 | 98,000 | 98,000 | | 98,000 |
| Army | AFGHANISTAN | KABUL | CAMP PHOENIX WEST EXPANSION | 39,000 | 39,000 | 39,000 | | 39,000 |
| Air Force | AFGHANISTAN | KANDAHAR | SECURE RSOI FACILITY | 9,700 | 9,700 | 9,700 | | 9,700 |
| Air Force | AFGHANISTAN | KANDAHAR | TACTICAL AIRLIFT APRON | 29,000 | 29,000 | 29,000 | | 29,000 |
| Air Force | AFGHANISTAN | KANDAHAR | REFUELER APRON/RELOCATE HCP | 66,000 | 66,000 | 66,000 | | 66,000 |
| Air Force | AFGHANISTAN | KANDAHAR | CAS APRON EXPANSION | 25,000 | 25,000 | 25,000 | | 25,000 |
| Air Force | AFGHANISTAN | KANDAHAR | ISR APRON EXPANSION | 40,000 | 40,000 | 40,000 | | 40,000 |
| Air Force | AFGHANISTAN | KANDAHAR | AVIATION OPERATIONS & MAINTENANCE FACILITIES. | 10,500 | 10,500 | 10,500 | | 10,500 |
| Air Force | AFGHANISTAN | KANDAHAR | EXPEDITIONARY FIGHTER SHELTER | 6,400 | 6,400 | 6,400 | | 6,400 |
| Air Force | AFGHANISTAN | KANDAHAR | CARGO HELICOPTER APRON | 32,000 | 32,000 | 32,000 | | 32,000 |
| Air Force | AFGHANISTAN | KANDAHAR | RELOCATE NORTH AIRFIELD ROAD | 16,000 | 16,000 | 16,000 | | 16,000 |
| Army | AFGHANISTAN | KANDAHAR | TROUP HOUSING PHASE 2 | 4,250 | 0 | 0 | –4,250 | 0 |
| Army | AFGHANISTAN | KANDAHAR | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 | 4,500 | | 4,500 |
| Army | AFGHANISTAN | KANDAHAR | TANKER TRUCK OFFLOAD FACILITY | 23,000 | 23,000 | 23,000 | | 23,000 |
| Army | AFGHANISTAN | KANDAHAR | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 | 4,500 | | 4,500 |
| Army | AFGHANISTAN | KANDAHAR | COMMAND AND CONTROL FACILITY | 4,500 | 4,500 | 4,500 | | 4,500 |
| Army | AFGHANISTAN | KANDAHAR | SOUTHPARK ROADS | 11,000 | 11,000 | 11,000 | | 11,000 |
| Army | AFGHANISTAN | KANDAHAR | WASTE MANAGEMENT COMPLEX | 10,000 | 10,000 | 10,000 | | 10,000 |
| Army | AFGHANISTAN | KANDAHAR | WAREHOUSE | 20,000 | 20,000 | 20,000 | | 20,000 |
| Army | AFGHANISTAN | KANDAHAR | THEATER VEHICLE MAINTENANCE FACILITY | 55,000 | 55,000 | 55,000 | | 55,000 |
| Army | AFGHANISTAN | MAYWAND | DINING FACILITY | 2,200 | 2,200 | 6,600 | | 2,200 |
| Army | AFGHANISTAN | MAYWAND | WASTE MANAGEMENT AREA | 5,600 | 5,600 | 5,600 | | 5,600 |
| Army | AFGHANISTAN | METHAR-LAM | WASTE MANAGEMENT AREA | 4,150 | 4,150 | 4,150 | | 4,150 |
| Army | AFGHANISTAN | SALERNO | WASTE MANAGEMENT COMPLEX | 5,500 | 5,500 | 5,500 | | 5,500 |
| Army | AFGHANISTAN | SALERNO | ELECTRICAL DISTRIBUTION GRID | 2,600 | 2,600 | 2,600 | | 2,600 |
| Army | AFGHANISTAN | SALERNO | FUEL SYSTEM, PH 1 | 12,800 | 12,800 | 12,800 | | 12,800 |
| Army | AFGHANISTAN | SALERNO | DINING FACILITY | 4,300 | 4,300 | 4,300 | | 4,300 |
| Army | AFGHANISTAN | SALERNO | RUNWAY UPGRADE | 25,000 | 25,000 | 25,000 | | 25,000 |
| Air Force | AFGHANISTAN | SHANK | CARGO HANDLING AREA | 4,900 | 4,900 | 4,900 | | 4,900 |

**MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**
(In Thousands of Dollars)

| Service | Country | Location | Project | Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|---|---|---|
| Army | AFGHANISTAN | SHANK | DINING FACILITY | 4,350 | 4,350 | 4,350 | | 4,350 |
| Army | AFGHANISTAN | SHANK | ELECTRICAL DISTRIBUTION GRID | 4,600 | 4,600 | 4,600 | | 4,600 |
| Army | AFGHANISTAN | SHANK | WASTE MANAGEMENT COMPLEX | 8,100 | 8,100 | 8,100 | | 8,100 |
| Army | AFGHANISTAN | SHANK | WATER DISTRIBUTION SYSTEM | 2,650 | 2,650 | 2,650 | | 2,650 |
| Army | AFGHANISTAN | SHANK | TROUP HOUSING PHASE 2 | 8,600 | 0 | 0 | –8,600 | 0 |
| Army | AFGHANISTAN | SHARANA | ROTARY WING PARKING | 32,000 | 32,000 | 32,000 | | 32,000 |
| Army | AFGHANISTAN | SHARANA | AMMUNITION SUPPLY POINT | 14,000 | 14,000 | 14,000 | | 14,000 |
| Army | AFGHANISTAN | SHARANA | AIRCRAFT MAINTENANCE FACILITIES | 12,200 | 12,200 | 12,200 | | 12,200 |
| Army | AFGHANISTAN | SHARANA | ELECTRICAL DISTRIBUTION GRID | 2,600 | 2,600 | 2,600 | | 2,600 |
| Air Force | AFGHANISTAN | TARIN KOWT | CARGO HANDLING AREA | 4,900 | 4,900 | 4,900 | | 4,900 |
| Army | AFGHANISTAN | TARIN KOWT | FUEL SYSTEM PHASE 2 | 11,800 | 11,800 | 11,800 | | 11,800 |
| Army | AFGHANISTAN | TARIN KOWT | WASTE MANAGEMENT AREA | 6,800 | 6,800 | 6,800 | | 6,800 |
| Army | AFGHANISTAN | TARIN KOWT | AMMUNITION SUPPLY POINT | 35,000 | 35,000 | 35,000 | | 35,000 |
| Army | AFGHANISTAN | TARIN KOWT | DINING FACILITY | 2,200 | 2,200 | 2,200 | | 2,200 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | STRATEGIC AIRLIFT APRON EXPANSION | 32,000 | 32,000 | 32,000 | | 32,000 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | CAS APRON EXPANSION | 40,000 | 40,000 | 40,000 | | 40,000 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | ISR APRON | 41,000 | 41,000 | 41,000 | | 41,000 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | SECURE RSOI FACILITY | 10,000 | 10,000 | 10,000 | | 10,000 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | CARGO HANDLING AREA | 18,000 | 18,000 | 18,000 | | 18,000 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | AVIATION OPERATIONS & MAINTENANCE FACS | 8,900 | 8,900 | 8,900 | | 8,900 |
| Air Force | AFGHANISTAN | TOMBSTONE/BASTION | EXPEDITIONARY FIGHTER SHELTER | 6,300 | 6,300 | 6,300 | | 6,300 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | BASIC LOAD AMMUNITION HOLDING AREA | 7,500 | 7,500 | 7,500 | | 7,500 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | DINING FACILITY | 8,900 | 8,900 | 8,900 | | 8,900 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | ENTRY CONTROL POINT AND ACCESS ROADS | 14,200 | 14,200 | 14,200 | | 14,200 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | FUEL SYSTEM, PH 2 | 14,200 | 14,200 | 14,200 | | 14,200 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | ROADS | 4,300 | 4,300 | 4,300 | | 4,300 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | TROOP HOUSING PHASE 3 | 3,250 | 0 | 0 | –3,250 | 0 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | TROOP HOUSING PHASE 4 | 3,800 | 0 | 0 | –3,800 | 0 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | LEVEL 3 MEDICAL FACILITY | 16,500 | 16,500 | 16,500 | | 16,500 |
| Army | AFGHANISTAN | TOMBSTONE/BASTION | WATER SUPPLY AND DISTRIBUTION SYSTEM | 6,200 | 6,200 | 6,200 | | 6,200 |
| Air Force | AFGHANISTAN | WOLVERINE | CARGO HANDLING AREA | 4,900 | 4,900 | 4,900 | | 4,900 |
| Army | AFGHANISTAN | WOLVERINE | DINING FACILITY | 4,350 | 4,350 | 4,350 | | 4,350 |
| Army | AFGHANISTAN | WOLVERINE | FUEL SYSTEM, PH 1 | 5,800 | 5,800 | 5,800 | | 5,800 |
| Army | AFGHANISTAN | WOLVERINE | WASTE MANAGEMENT COMPLEX | 6,900 | 6,900 | 6,900 | | 6,900 |
| Army | BELGIUM | MONS | NATO SOF OPERATIONAL SUPPORT | | | 20,000 | | |
| Air Force | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 35,000 | 29,000 | 35,000 | –6,000 | 29,000 |
| Army | ZU | UNSPECIFIED WORLDWIDE | MINOR CONSTRUCTION | 20,000 | 20,100 | 20,000 | 100 | 20,100 |
| Army | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 76,284 | 76,284 | 75,884 | | 76,284 |
| NSA | ZU | UNSPECIFIED WORLDWIDE | CLASSIFIED PROJECT | 6,000 | 0 | 0 | –6,000 | 0 |
| NSA | ZU | UNSPECIFIED WORLDWIDE | PLANNING AND DESIGN | 600 | 0 | 0 | –600 | 0 |
| | | | **Grand Total Military Construction** | **1,404,984** | **1,398,984** | **1,404,984** | **–6,000** | **1,398,984** |

## TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

*Department of Energy national security programs (sec. 4601)*

The Senate amendment contained an authorization funding table (sec. 4601) for Department of Energy national security programs.

The House bill contained no similar provision.

The House recedes with an amendment authorizing specific projects, programs, or activities and associated dollar amounts subject to appropriations.

**DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
**(In Thousands of Dollars)**

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **Electricity Delivery & Energy Reliability** | | | | | |
| **Electricity Delivery & Energy Reliability** | | | | | |
| Infrastructure security & energy restoration | 6,188 | 6,188 | 0 | 0 | 6,188 |
| **Weapons Activities** | | | | | |
| **Directed stockpile work** | | | | | |
| **Life extension programs** | | | | | |
| W76 Life extension program | 209,196 | 209,196 | 209,196 | | 209,196 |
| **Total, Life extension programs** | **209,196** | **209,196** | **209,196** | **0** | **209,196** |
| **Stockpile systems** | | | | | |
| B61 Stockpile systems | 124,456 | 124,456 | 124,456 | | 124,456 |
| W76 Stockpile systems | 65,497 | 65,497 | 65,497 | | 65,497 |
| W78 Stockpile systems | 50,741 | 50,741 | 50,741 | | 50,741 |
| W80 Stockpile systems | 19,064 | 19,064 | 19,064 | | 19,064 |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| B83 Stockpile systems | 35,682 | 35,682 | 35,682 | | 35,682 |
| W87 Stockpile systems | 51,817 | 51,817 | 51,817 | | 51,817 |
| W88 Stockpile systems | 43,043 | 43,043 | 43,043 | | 43,043 |
| **Total, Stockpile systems** | **390,300** | **390,300** | **390,300** | **0** | **390,300** |
| **Weapons dismantlement and disposition** | | | | | |
| Operation and maintenance | 84,100 | 84,100 | 99,100 | 10,000 | 94,100 |
| **Total, Weapons dismantlement and disposition** | **84,100** | **84,100** | **99,100** | **10,000** | **94,100** |
| **Stockpile services** | | | | | |
| Production support | 301,484 | 301,484 | 301,484 | | 301,484 |
| Research and development support | 37,071 | 37,071 | 37,071 | | 37,071 |
| R&D certification and safety | 143,076 | 153,076 | 173,076 | 10,000 | 153,076 |
| Dynamic plutonium experiment—NTS | | [10,000] | | [10,000] | |
| Management, technology, and production | 200,223 | 200,223 | 200,223 | | 200,223 |
| Plutonium infrastructure sustainment | 149,201 | 149,201 | 149,201 | | 149,201 |
| **Total, Stockpile services** | **831,055** | **841,055** | **861,055** | **10,000** | **841,055** |
| **Total, Directed stockpile work** | **1,514,651** | **1,524,651** | **1,559,651** | **20,000** | **1,534,651** |
| **Campaigns:** | | | | | |
| **Science campaign** | | | | | |
| Advanced certification | 19,400 | 29,400 | 24,400 | | 19,400 |
| Program increase | | [6,000] | | | |
| Dual Validation | | [4,000] | | | |
| Primary assessment technologies | 80,181 | 80,181 | 80,181 | | 80,181 |
| Dynamic materials properties | 86,617 | 86,617 | 86,617 | | 86,617 |
| Academic alliances | 30,251 | 30,251 | 30,251 | | 30,251 |
| Advanced radiography | 22,328 | 22,328 | 22,328 | | 22,328 |
| Secondary assessment technologies | 77,913 | 77,913 | 77,913 | | 77,913 |
| **Total, Science campaign** | **316,690** | **326,690** | **321,690** | **0** | **316,690** |
| **Engineering campaign** | | | | | |
| Enhanced surety | 42,000 | 47,000 | 47,000 | 5,000 | 47,000 |
| Program increase | | [5,000] | | [5,000] | |
| Weapon systems engineering assessment technology | 18,000 | 18,000 | 18,000 | | 18,000 |
| Nuclear survivability | 21,000 | 21,000 | 21,000 | | 21,000 |
| Enhanced surveillance | 69,000 | 69,000 | 79,000 | | 69,000 |
| **Total, Engineering campaign** | **150,000** | **155,000** | **165,000** | **5,000** | **155,000** |
| **Inertial confinement fusion ignition and high yield campaign** | | | | | |
| Ignition | 106,734 | 111,734 | 106,734 | | 106,734 |
| National Ignition Campaign program increase | | [5,000] | | | |
| NIF diagnostics, cryogenics and experimental support | 72,252 | 77,252 | 72,252 | 1,000 | 73,252 |
| National Ignition Campaign program increase | | [5,000] | | [1,000] | |
| Pulsed power inertial confinement fusion | 5,000 | 15,000 | 5,000 | | 5,000 |
| Z Machine operations, Sandia National Laboratory | | [10,000] | | | |
| Joint program in high energy density laboratory plasmas | 4,000 | 4,000 | 4,000 | | 4,000 |
| Facility operations and target production | 248,929 | 260,929 | 255,429 | 17,700 | 266,629 |
| Omega operations | | | [6,500] | [6,500] | |
| National Ignition Campaign program increase | | [12,000] | | [11,200] | |
| **Total, Inertial confinement fusion and high yield campaign** | **436,915** | **468,915** | **443,415** | **18,700** | **455,615** |
| **Advanced simulation and computing campaign** | | | | | |
| Operation and maintenance | 556,125 | 586,125 | 565,125 | | 556,125 |
| Program increase | | [30,000] | | | |
| **Total, Advanced simulation and computing campaign** | **556,125** | **586,125** | **565,125** | **0** | **556,125** |
| **Readiness Campaign** | | | | | |
| Stockpile readiness | 5,746 | 5,746 | 5,746 | | 5,746 |
| High explosives and weapon operations | 4,608 | 4,608 | 4,608 | | 4,608 |
| Nonnuclear readiness | 12,701 | 12,701 | 12,701 | | 12,701 |
| Tritium readiness | 68,246 | 68,246 | 48,246 | | 68,246 |
| Advanced design and production technologies | 8,699 | 8,699 | 8,699 | | 8,699 |
| **Total, Readiness campaign** | **100,000** | **100,000** | **80,000** | **0** | **100,000** |
| **Total, Campaigns** | **1,559,730** | **1,636,730** | **1,575,230** | **23,700** | **1,583,430** |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **Readiness in technical base and facilities (RTBF)** | | | | | |
| Operation of facilities | 1,342,303 | | 1,342,303 | 18,000 | 1,360,303 |
| Kansas City Plant | | 169,056 | | | |
| Lawrence Livermore National Laboratory | | 86,670 | | | |
| Los Alamos National Laboratory | | 311,776 | | | |
| Nevada Test Site | | 79,583 | | | |
| Panex Plant | | 146,602 | | | |
| Pantex Plant program increase | | [15,000] | | [8,000] | |
| Sandia National Laboratories | | 114,133 | | | |
| Sandia National Laboratories program increase | | [10,000] | | | |
| Savannah River Site | | 128,580 | | | |
| Y–12 National Security Complex | | 225,774 | | | |
| Y–12 National Security Complex program increase | | [15,000] | | [10,000] | |
| Institutional Site Support | | 120,129 | | | |
| **Total, Operation of facilities** | **1,342,303** | **1,382,303** | **1,342,303** | **18,000** | **1,360,303** |
| Program readiness | 73,021 | 73,021 | 73,021 | | 73,021 |
| Material recycle and recovery | 69,542 | 69,542 | 69,542 | | 69,542 |
| Containers | 23,392 | 23,392 | 23,392 | | 23,392 |
| Storage | 24,708 | 24,708 | 24,708 | | 24,708 |
| **Subtotal, Readiness in technical base and facilities (RTBF)** | **1,532,966** | **1,572,966** | **1,532,966** | **18,000** | **1,550,966** |
| **Construction:** | | | | | |
| 10–D–501 Nuclear facilities risk reduction Y–12 National Security Complex, Oakridge, TN | 12,500 | 12,500 | 12,500 | | 12,500 |
| 99–D–141 Pit disassembly and conversion facility, Savannah River Site, Aiken, SC | 30,321 | 30,321 | 30,321 | | 30,321 |
| 09–D–007, LANSCE—Refurbishment, Los Alamos National Laboratory, NM | 0 | 15,000 | 30,000 | 24,000 | 24,000 |
| Program increase in support of RTBF | | [15,000] | | [24,000] | |
| 09–D–404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM | 0 | 5,000 | | 5,000 | 5,000 |
| Program increase in support of RTBF | | [5,000] | | [5,000] | |
| 08–D–801 High pressure fire loop (HPFL), Pantex, TX | 31,910 | 31,910 | 31,910 | | 31,910 |
| 08–D–804 TA–55 Reinvestment project, Los Alamos National Laboratory | 0 | 5,000 | | | |
| Program increase in support of RTBF | | [5,000] | | | |
| 08–D–802 High Explosive Pressing Facility, Pantex Plant, Amarillo, TX | 0 | –20,000 | | | |
| Prior year savings | | [–20,000] | | | |
| 06–D–140 Project engineering design (PED), various locations | 70,678 | 70,678 | 70,678 | | 70,678 |
| 06–D–402 NTS replace fire stations 1 & 2 Nevada Test Site, NV | 1,473 | 1,473 | 1,473 | | 1,473 |
| 04–D–125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM | 55,000 | 55,000 | 35,000 | | 55,000 |
| 04–D–128 TA–18 Criticality experiments facility (CEF), Los Alamos National Laboratory, Nevada Test Site, NV | 1,500 | 1,500 | 1,500 | | 1,500 |
| **Total, Construction** | **203,382** | **208,382** | **213,382** | **29,000** | **232,382** |
| **Total, Readiness in technical base and facilities** | **1,736,348** | **1,781,348** | **1,746,348** | **47,000** | **1,783,348** |
| **Secure transportation asset** | | | | | |
| Operation and equipment | 138,772 | 138,772 | 138,772 | | 138,772 |
| Program direction | 96,143 | 96,143 | 96,143 | | 96,143 |
| **Total, Secure transportation asset** | **234,915** | **234,915** | **234,915** | **0** | **234,915** |
| **Nuclear counterterrorism incident response** | **221,936** | **221,936** | **227,624** | **0** | **221,936** |
| National technical forensics | | | [5,688] | | |
| **Facilities and infrastructure recapitalization program** | | | | | |
| Operation and maintenance | 144,959 | 144,959 | 144,959 | | 144,959 |
| Construction | | | | | |
| 07–D–253 TA 1 heating systems modernization (HSM) Sandia National Laboratory | 9,963 | 9,963 | 9,963 | | 9,963 |
| **Total, Construction** | **9,963** | **9,963** | **9,963** | **0** | **9,963** |
| **Total, Facilities and infrastructure recapitalization program** | **154,922** | **154,922** | **154,922** | **0** | **154,922** |
| **Site stewardship** | | | | | |
| Environmental projects and operations | 41,288 | 41,288 | 41,288 | | 41,288 |
| Nuclear materials integration | 20,000 | 20,000 | 20,000 | | 20,000 |
| Stewardship planning | 29,086 | 29,086 | 29,086 | | 29,086 |
| **Total, Site stewardship** | **90,374** | **90,374** | **90,374** | **0** | **90,374** |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **Safeguards and security** | | | | | |
| **Defense nuclear security** | | | | | |
| Operation and maintenance | 700,044 | 700,044 | 700,044 | | 700,044 |
| **Construction:** | | | | | |
| 10–D–701 Security improvements project Y–12 National Security Complex, Oak Ridge, TN | 49,000 | 49,000 | 49,000 | | 49,000 |
| **Total, Construction** | **49,000** | **49,000** | **49,000** | **0** | **49,000** |
| **Total, Defense nuclear security** | **749,044** | **749,044** | **749,044** | **0** | **749,044** |
| Cyber security | 122,511 | 122,511 | 122,511 | | 122,511 |
| **Total, Safeguards and security** | **871,555** | **871,555** | **871,555** | **0** | **871,555** |
| **Support to intelligence** | | | 30,000 | | |
| **Use of prior year balances** | | | | –42,000 | –42,000 |
| **Total, Weapons Activities** | **6,384,431** | **6,516,431** | **6,490,619** | **48,700** | **6,433,131** |
| **Defense Nuclear Nonproliferation** | | | | | |
| **Nonproliferation and verification research and development** | | | | | |
| Operation and maintenance | 297,300 | 297,300 | 347,300 | 40,000 | 337,300 |
| **Nonproliferation and international security** | 207,202 | 207,202 | 193,202 | –20,000 | 187,202 |
| Nuclear noncompliance verification | | | [–12,000] | | |
| Global initiatives for proliferation prevention | | | [–2,000] | | |
| **International nuclear materials protection and cooperation** | 552,300 | 731,400 | 552,300 | 39,750 | 592,050 |
| Program Increase | | [179,100] | | | |
| MPC&A | | | | [39,750] | |
| **Elimination of weapons-grade plutonium production program** | 24,507 | 24,507 | 24,507 | | 24,507 |
| **Fissile materials disposition** | | | | | |
| **U.S. surplus fissile materials disposition** | | | | | |
| Operation and maintenance | | | | | |
| U.S. plutonium disposition | 90,896 | 90,896 | 90,896 | | 90,896 |
| U.S. uranium disposition | 34,691 | 34,691 | 32,691 | | 34,691 |
| Supporting activities | 1,075 | 1,075 | 1,075 | | 1,075 |
| **Total, Operation and maintenance** | **126,662** | **126,662** | **124,662** | **0** | **126,662** |
| **Construction:** | | | | | |
| 99–D–143 Mixed oxide fuel fabrication facility, Savannah River Site, SC | 504,238 | 504,238 | 504,238 | | 504,238 |
| 99–D–141–02 Waste solidification building, Savannah River, SC | 70,000 | 70,000 | 70,000 | | 70,000 |
| **Total, Construction** | **574,238** | **574,238** | **574,238** | **0** | **574,238** |
| **Total, U.S. surplus fissile materials disposition** | **700,900** | **700,900** | **698,900** | **0** | **700,900** |
| Russian surplus materials disposition | 1,000 | 1,000 | 7,000 | | 1,000 |
| **Total, Fissile materials disposition** | **701,900** | **701,900** | **705,900** | **0** | **701,900** |
| **Global threat reduction initiative** | 353,500 | 577,000 | 313,500 | –20,000 | 333,500 |
| Gap nuclear material | | | [–40,000] | | |
| Program Increase | | [223,500] | | | |
| **Subtotal, Defense Nuclear Nonproliferation** | **2,136,709** | **2,539,309** | **2,136,709** | **39,750** | **2,176,459** |
| **Total, Defense Nuclear Nonproliferation** | **2,136,709** | **2,539,309** | **2,136,709** | **39,750** | **2,176,459** |
| **Naval Reactors** | | | | | |
| **Naval reactors development** | | | | | |
| **Operation and maintenance** | | | | | |
| Operation and maintenance | 935,533 | 935,533 | 935,533 | | 935,533 |
| **Total, Operation and maintenance** | **935,533** | **935,533** | **935,533** | **0** | **935,533** |
| **Construction:** | | | | | |
| 10–D–903, KAPL Security upgrades, Schnectady, NY | 1,500 | 1,500 | 1,500 | | 1,500 |
| 10–D–904, NRF infrastructure upgrades, ID | 700 | 700 | 700 | | 700 |
| 09–D–190, PED, Infrastructure upgrades, KAPL, Schnectady, NY | 1,000 | 1,000 | 1,000 | | 1,000 |
| 09–D–902, NRF Production Support Complex, ID | 6,400 | 6,400 | 6,400 | | 6,400 |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| 08–D–190 NRF Project engineering and design Expended Core Facility M–290 receiving/discharge station, ID | 9,500 | 9,500 | 9,500 | | 9,500 |
| 07–D–190 Materials research and technology complex, BAPL, Pittsburgh, PA | 11,700 | 11,700 | 11,700 | | 11,700 |
| **Total, Construction** | **30,800** | **30,800** | **30,800** | **0** | **30,800** |
| **Total, Naval reactors development** | **966,333** | **966,333** | **966,333** | **0** | **966,333** |
| Program direction | 36,800 | 36,800 | 36,800 | | 36,800 |
| **Total, Naval Reactors** | **1,003,133** | **1,003,133** | **1,003,133** | **0** | **1,003,133** |
| **Office Of The Administrator** | | | | | |
| Office of the administrator | 431,074 | 431,074 | 431,074 | | 431,074 |
| Use of prior year balances | –10,320 | –10,320 | –10,320 | | –10,320 |
| **Total, Office Of The Administrator** | **420,754** | **420,754** | **420,754** | **0** | **420,754** |
| **Total, National Nuclear Security Administration** | **9,945,027** | **10,479,627** | **10,051,215** | **88,450** | **10,033,477** |
| **Defense Environmental Cleanup** | | | | | |
| **Closure sites:** | | | | | |
| Closure sites administration | 8,225 | 8,225 | 8,225 | | 8,225 |
| Miamisburg | 33,243 | 33,243 | 33,243 | | 33,243 |
| **Total, Closure sites** | **41,468** | **41,468** | **41,468** | **0** | **41,468** |
| **Hanford site:** | | | | | |
| **2012 accelerated completions** | | | | | |
| Nuclear facility D&D river corridor closure project | 327,955 | 327,955 | 327,955 | | 327,955 |
| Nuclear material stabilization and disposition PFP | 118,087 | 118,087 | 118,087 | | 118,087 |
| SNF stabilization and disposition | 55,325 | 55,325 | 55,325 | | 55,325 |
| **Total, 2012 accelerated completions** | **501,367** | **501,367** | **501,367** | **0** | **501,367** |
| **2035 accelerated completions** | | | | | |
| Nuclear facility D&D—remainder of Hanford | 70,250 | 70,250 | 70,250 | | 70,250 |
| Richland community and regulatory support | 21,940 | 21,940 | 21,940 | | 21,940 |
| Soil and water remediation—groundwater vadose zone | 176,766 | 176,766 | 176,766 | | 176,766 |
| Solid waste stabilization and disposition 200 area | 132,757 | 132,757 | 132,757 | | 132,757 |
| **Total, 2035 accelerated completions** | **401,713** | **401,713** | **401,713** | **0** | **401,713** |
| **Total, Hanford site** | **903,080** | **903,080** | **903,080** | **0** | **903,080** |
| **Idaho National Laboratory:** | | | | | |
| SNF stabilization and disposition—2012 | 14,768 | 14,768 | 14,768 | | 14,768 |
| Solid waste stabilization and disposition | 137,000 | 137,000 | 137,000 | | 137,000 |
| Radioactive liquid tank waste stabilization and disposition | 95,800 | 95,800 | 95,800 | | 95,800 |
| **Construction** | | | | | |
| 06–D–401 Sodium bearing waste treatment project, Idaho | 83,700 | 83,700 | 83,700 | | 83,700 |
| Soil and water remediation—2012 | 71,000 | 71,000 | 71,000 | | 71,000 |
| Idaho community and regulatory support | 3,900 | 3,900 | 3,900 | | 3,900 |
| **Total, Idaho National Laboratory** | **406,168** | **406,168** | **406,168** | **0** | **406,168** |
| **NNSA sites** | | | | | |
| Lawrence Livermore National Laboratory | 910 | 910 | 910 | | 910 |
| NNSA Service Center/SPRU | 17,938 | 17,938 | 17,938 | | 17,938 |
| Nevada | 65,674 | 65,674 | 65,674 | | 65,674 |
| California site support | 238 | 238 | 238 | | 238 |
| Sandia National Laboratories | 2,864 | 2,864 | 2,864 | | 2,864 |
| Los Alamos National Laboratory | 189,000 | 189,000 | 189,000 | | 189,000 |
| **Total, NNSA sites and Nevada off-sites** | **276,624** | **276,624** | **276,624** | **0** | **276,624** |
| **Oak Ridge Reservation:** | | | | | |
| Building 3019 | 38,900 | 38,900 | 38,900 | | 38,900 |
| Nuclear facility D & D ORNL | 38,900 | 38,900 | 38,900 | | 38,900 |
| Nuclear facility D & D Y–12 | 34,000 | 34,000 | 34,000 | | 34,000 |
| Nuclear facility D & D, E. Tennessee technology park | 100 | 100 | 100 | | 100 |
| OR reservation community and regulatory support | 6,253 | 6,253 | 6,253 | | 6,253 |
| Solid waste stabilization and disposition—2012 | 35,615 | 35,615 | 35,615 | | 35,615 |
| **Total, Oak Ridge Reservation** | **153,768** | **153,768** | **153,768** | **0** | **153,768** |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **Office of River Protection:** | | | | | |
| **Waste treatment and immobilization plant** | | | | | |
| **Construction:** | | | | | |
| 01–D–416 Waste treatment and immobilization plant | | | | | |
| 01–D–16A Low activity waste facility | 100,000 | 100,000 | 100,000 | | 100,000 |
| 01–D–16B Analytical laboratory | 55,000 | 55,000 | 55,000 | | 55,000 |
| 01–D–16C Balance of facilities | 50,000 | 50,000 | 50,000 | | 50,000 |
| 01–D–16D High level waste facility | 160,000 | 160,000 | 160,000 | | 160,000 |
| 01–D–16E Pretreatment facility | 325,000 | 325,000 | 325,000 | | 325,000 |
| **Total, Waste treatment and immobilization plant** | **690,000** | **690,000** | **690,000** | **0** | **690,000** |
| **Tank farm activities** | | | | | |
| Rad liquid tank waste stabilization and disposition | 408,000 | 408,000 | 408,000 | | 408,000 |
| **Total, Office of River protection** | **1,098,000** | **1,098,000** | **1,098,000** | **0** | **1,098,000** |
| **Savannah River sites:** | | | | | |
| **Nuclear material stabilization and disposition** | | | | | |
| Nuclear material stabilization and disposition | 385,310 | 385,310 | 385,310 | | 385,310 |
| **Construction:** | | | | | |
| 08–D–414 Project engineering and design Plutonium Vitrification Facility, VL | 6,315 | 6,315 | 6,315 | | 6,315 |
| **Total, Nuclear material stabilization and disposition** | **391,625** | **391,625** | **391,625** | **0** | **391,625** |
| **2035 accelerated completions** | | | | | |
| SR community and regulatory support | 18,300 | 18,300 | 18,300 | | 18,300 |
| Spent nuclear fuel stabilization and disposition | 38,768 | 38,768 | 38,768 | | 38,768 |
| **Total, 2035 accelerated completions** | **57,068** | **57,068** | **57,068** | **0** | **57,068** |
| **Tank farm activities** | | | | | |
| Radioactive liquid tank waste stabilization and disposition | 527,138 | 527,138 | 527,138 | | 527,138 |
| **Construction:** | | | | | |
| 05–D–405 Salt waste processing facility, Savannah River | 234,118 | 234,118 | 234,118 | | 234,118 |
| **Total, Tank farm activities** | **761,256** | **761,256** | **761,256** | **0** | **761,256** |
| **Total, Savannah River site** | **1,209,949** | **1,209,949** | **1,209,949** | **0** | **1,209,949** |
| **Waste Isolation Pilot Plant** | | | | | |
| Waste isolation pilot plant | 144,902 | 144,902 | 144,902 | | 144,902 |
| Central characterization project | 13,730 | 13,730 | 13,730 | | 13,730 |
| Transportation | 33,851 | 33,851 | 33,851 | | 33,851 |
| Community and regulatory support | 27,854 | 27,854 | 27,854 | | 27,854 |
| **Total, Waste Isolation Pilot Plant** | **220,337** | **220,337** | **220,337** | **0** | **220,337** |
| Program direction | 355,000 | 355,000 | 355,000 | | 355,000 |
| Program support | 34,000 | 34,000 | 34,000 | | 34,000 |
| **Safeguards and Security:** | | | | | |
| Waste Isolation Pilot Project | 4,644 | 4,644 | 4,644 | | 4,644 |
| Oak Ridge Reservation | 32,400 | 32,400 | 32,400 | | 32,400 |
| West Valley | 1,859 | 1,859 | 1,859 | | 1,859 |
| Paducah | 8,190 | 8,190 | 8,190 | | 8,190 |
| Portsmouth | 17,509 | 17,509 | 17,509 | | 17,509 |
| Richland/Hanford Site | 82,771 | 82,771 | 82,771 | | 82,771 |
| Savannah River Site | 132,064 | 132,064 | 132,064 | | 132,064 |
| **Total, Safeguards and Security** | **279,437** | **279,437** | **279,437** | **0** | **279,437** |
| Technology development | 55,000 | 55,000 | 55,000 | | 55,000 |
| Uranium enrichment D&D fund contribution | 463,000 | 463,000 | 463,000 | | 463,000 |
| General reduction | | | –100,000 | | |
| **Subtotal, Defense environmental cleanup** | **5,495,831** | **5,495,831** | **5,395,831** | **0** | **5,495,831** |
| **UNDISTRIBUTED** | | | | | |
| Realignment to support NNSA Weapons Activities | 0 | –102,540 | | | |
| Transfer to Title II | 0 | –368,800 | | | |
| **Total, Defense Environmental Cleanup** | **5,495,831** | **5,024,491** | **5,395,831** | **0** | **5,495,831** |

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2010 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
|---|---|---|---|---|---|
| **Other Defense Activities** | | | | | |
| **Health, safety and security** | | | | | |
| Health, safety and security | 337,757 | 357,757 | 337,757 | | 337,757 |
| Program increase | | [20,000] | | | |
| Program direction | 112,125 | 112,125 | 112,125 | | 112,125 |
| **Total, Health, safety and security** | **449,882** | **469,882** | **449,882** | **0** | **449,882** |
| **Office of Legacy Management** | | | | | |
| Legacy management | 177,618 | 177,618 | 177,618 | | 177,618 |
| Program direction | 12,184 | 12,184 | 12,184 | | 12,184 |
| **Total, Office of Legacy Management** | **189,802** | **189,802** | **189,802** | **0** | **189,802** |
| **Nuclear energy** | | | | | |
| **Infrastructure** | | | | | |
| **Idaho facilities management** | | | | | |
| INL infrastructure O&M | 83,358 | 83,358 | 83,358 | | 83,358 |
| **Total, Infrastructure** | **83,358** | **83,358** | **83,358** | **0** | **83,358** |
| **Total, Nuclear energy** | **83,358** | **83,358** | **83,358** | **0** | **83,358** |
| Defense related administrative support | 122,982 | 122,982 | 122,982 | | 122,982 |
| Office of hearings and appeals | 6,444 | 6,444 | 6,444 | | 6,444 |
| **Total, Other Defense Activities** | **852,468** | **872,468** | **852,468** | **0** | **852,468** |
| **Defense Nuclear Waste Disposal** | | | | | |
| Defense nuclear waste disposal | 98,400 | 98,400 | 98,400 | | 98,400 |
| **Total, Environmental & other defense activities** | **6,446,699** | **5,995,359** | **6,346,699** | **0** | **6,446,699** |
| **Total, Atomic Energy Defense Activities** | **16,391,726** | **16,474,986** | **16,397,914** | **88,450** | **16,480,176** |
| **Total, Department of Energy** | **16,397,914** | **16,481,174** | **16,397,914** | **88,450** | **16,486,364** |

LEGISLATIVE PROVISION NOT ADOPTED

*American Recovery and Reinvestment Act military construction*

The Senate amendment contained an authorization funding table (sec. 4503) for military construction using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

The House bill contained no similar provision.

The Senate recedes.

*DIVISION E—MATTHEW SHEPARD AND JAMES BYRD, JR. HATE CRIMES PREVENTION ACT*

TITLE XLVII

*Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (secs. 4701–4713)*

The Senate amendment contained a Division (secs. 4701–4714) that would provide support for criminal investigations and prosecutions of hate crimes by State, local, and tribal law enforcement officials; add a new section to title 18, United States Code, prohibiting certain hate crime acts; establish certain limitations and guidelines for the prosecution of hate crimes; and add a new section to title 18, United States Code, prohibiting attacks on United States service members on account of their service.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the First Amendment protections in the provision; eliminate language authorizing the death penalty for certain hate crimes; direct the U.S. Sentencing Commission to produce a report on mandatory minimum sentencing provisions under Federal law; and make other technical and clarifying amendments.

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| | **TITLE 1** | | | | |
| **AIRCRAFT PROCUREMENT, ARMY** | | | | | |
| 36 | Air warrior ensemble generation III | 3,000 | Warner | Aerial Machine and Tool Company | Vesta, VA |
| 36 | Air warrior ensemble generation III | 3,000 | Webb | Aerial Machine and Tool Company | Vesta, VA |
| **PROCUREMENT OF AMMUNITION, ARMY** | | | | | |
| 8 | M722 60mm white phosphorous smoke mortar rounds | 2,000 | Lincoln | Pine Bluff Arsenal | Pine Bluff, AR |
| 8 | M722 60mm white phosphorous smoke mortar rounds | 2,000 | Pryor | Pine Bluff Arsenal | Pine Bluff, AR |
| 36 | Bomb line modernization | 2,000 | Inhofe | McAlester Defense Support Association | McAlester, OK |
| **OTHER PROCUREMENT, ARMY** | | | | | |
| 135 | FIDO explosive detector | 3,000 | Inhofe | ICx Nomadics | Stillwater and Norman, OK |
| 154 | Combat casualty care equipment upgrade program | 3,000 | Graham | North American Rescue | Greer, SC |
| 177 | Immersive group simulation virtual training system for the Hawaii ARNG | 2,500 | Akaka | Atlantis Cyberspace | Honolulu, HI |
| 177 | Joint fires & effects trainer systems (JFETS) | 5,000 | Inhofe | Stanley Associates | Fort Sill, OK |
| 177 | Operator driving simulator | 350 | Levin | FAAC, Inc | Ann Arbor, MI |
| 177 | Operator driving simulator | 350 | Stabenow | FAAC Inc | Ann Arbor, MI |
| 177 | Operator driving simulator | 350 | Corker | TN National Guard | Nashville, TN |
| 177 | Virtual interactive combat environment (VICE) | 4,000 | Chambliss | Dynamic Animation Systems, Inc, | Fort Benning Infantry School |
| 177 | Virtual interactive combat environment (VICE) | 4,000 | Wicker | Dynamic Animation Systems, Inc | Hattiesburg, MS |
| 177 | Virtual interactive combat environment (VICE) | 4,000 | Warner | Dynamic Animation Systems, Inc. | Fairfax, VA |
| 177 | Virtual interactive combat environment (VICE) | 4,000 | Webb | Dynamic Animation Systems, Inc. | Fairfax, VA |
| 177 | Virtual interactive combat environment (VICE) training system - VA ARNG | 2,000 | Warner | Dynamic Animation Systems, Inc. | Fairfax, VA |

'NMR' indicates no member request

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| OTHER PROCUREMENT, ARMY | | | | | |
| 177 | Virtual interactive combat environment (VICE) training system - VA ARNG | 2,000 | Webb | Dynamic Animation Systems, Inc. | Fairfax, VA |
| AIRCRAFT PROCUREMENT, NAVY | | | | | |
| 4 | F/A-18E/F additional aircraft | 512,280 | NMR | n/a | n/a |
| WEAPONS PROCUREMENT, NAVY | | | | | |
| 16 | Accelerate facility restoration program | 10,000 | Byrd | NavSea | ABL, Rocket Center, WV |
| OTHER PROCUREMENT, NAVY | | | | | |
| 7 | Smart valves for fire suppression | 3,100 | Collins | Portland Valve | S. Portland, ME |
| 7 | Smart valves for fire suppression | 3,100 | Snowe | Portland Valve, Inc | South Portland, ME |
| 34 | TB-33 thinline towed array | 4,000 | Dodd | L-3 Chesapeake Sciences Corporation | Stonington, CT |
| 34 | TB-33 thinline towed array | 4,000 | Lieberman | L-3 Chesapeake Sciences | Stonington, CT |
| 34 | TB-33 thinline towed array | 4,000 | Reed | L-3 Chesapeake Sciences Corporation | Ashaway, RI |
| AIRCRAFT PROCUREMENT, AIR FORCE | | | | | |
| 64 | Litening ATP upgrade kits | 24,000 | Nelson, Bill | Northrop Grumman | Arlington, VA |
| 64 | Litening ATP upgrade kits | 24,000 | Landrieu | Northrop Grumman Corporation | Bossier City, LA |
| 64 | Litening ATP upgrade kits | 24,000 | Thune | Northrop Grumman Corporation | Rolling Meadows, IL |
| OTHER PROCUREMENT, AIR FORCE | | | | | |
| 24 | Joint threat emitter (JTE) | 1,000 | Crapo | Mountain Home AFB | Mountain Home, ID |
| 24 | Joint threat emitter (JTE) | 1,000 | Risch | Mountain Home AFB | Mountain Home, ID |
| 24 | Joint threat emitter (JTE) | 1,000 | Levin | Michigan Air National Guard | Lansing , MI |
| 24 | Unmanned modular threat emitter (UMTE) | 3,000 | Reid | 98th Range Wing | Nellis AFB |
| MINE RESISTANT AMBUSH PROT VEH FUND | | | | | |

'NMR' indicates no member request

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| | Additional MRAP/ATVs to meet new requirement | 600,000 | NMR | n/a | n/a |
| PROCUREMENT, DEFENSE-WIDE | | | | | |
| 36 | Additional SM-3 Block 1A missiles | 23,200 | NMR | n/a | n/a |
| 63 | MC-130W multi-mission modifications | 85,000 | NMR | n/a | n/a |
| 71 | Advanced lightweight grenade launcher | 5,000 | Collins | General Dynamics/ATP | Saco, ME |
| 71 | Advanced lightweight grenade launcher | 5,000 | Snowe | General Dynamics - SACO | Saco, ME |
| 85 | Special operations visual augmentation systems | 5,000 | Kennedy | FLIR Systems Inc. | North Billerica, MA |
| 85 | Special operations visual augmentation systems | 5,000 | Kerry | FLIR Systems, Inc | North Billerica, MA |
| 86 | Special operations forces multi-band inter/intra team radio | 10,000 | NMR | n/a | n/a |
| | TITLE 2 | | | | |
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 2 | Ballistic materials research | 3,500 | Collins | Tex Tech Industries | N. Monmouth, ME |
| 3 | Nanocomposite materials research | 2,000 | Martinez | Florida State University | Tallahassee, FL |
| 3 | Nanocomposite materials research | 2,000 | Nelson, Bill | Florida State University | Tallahassee, FL |
| 3 | Open source intelligence research | 1,000 | Dodd | University of New Haven | West Haven, CT |
| 3 | Open source intelligence research | 1,000 | Brown | Advanced Technical Intelligence Center for Human Capital Development | Beavercreek, Ohio |
| 3 | Open source intelligence research | 1,000 | Bennett | Attensity, INC | Salt Lake City, UT |
| 3 | Open source intelligence research | 1,000 | Hatch | Attensity Corporation | Salt Lake City, UT |
| 4 | Immersive simulation research | 1,200 | McConnell | University of Kentucky | Lexington, KY |
| 4 | Materials processing research | 1,500 | Sessions | University of Alabama at Birmingham (UAB) | Birmingham, AL |

'NMR' indicates no member request

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 5 | Advanced renewable jet fuels | 3,000 | Thune | SDSU | Brookings, SD |
| 5 | Applied composite materials research | 3,000 | Carper | University of Delaware | Newark, DE |
| 5 | Applied composite materials research | 3,000 | Kaufman | University of Delaware | Newark, DE |
| 5 | High strength fibers for ballistic armor applications | 2,000 | Graham | AGY Holding Corp | Aiken, SC |
| 5 | Moldable fabric armor | 2,000 | Graham | Milliken & Company | Spartanburg, SC |
| 5 | Nanomanufacturing of multifunctional sensors | 3,000 | Kennedy | UMass Lowell's Center for High-rate Nanomanufacturing | Lowell, MA |
| 5 | Nanomanufacturing of multifunctional sensors | 3,000 | Kerry | University of Massachusetts - Lowell | Lowell, MA |
| 5 | Smart materials and structures | 1,000 | Thune | SDSM&T | Rapid City, SD |
| 6 | Nanoelectronic memory, sensor and energy devices | 2,500 | Nelson, Ben | University of Nebraska - Lincoln | Lincoln, NE |
| 12 | Cognitive modeling and simulation research | 2,000 | Chambliss | Columbus State University | CSU in cooperation with Fort Benning |
| 12 | Cognitive modeling and simulation research | 2,000 | Isakson | Columbus State University | Columbus, GA |
| 13 | Advanced composite materials research | 3,500 | Levin | Michigan State University | East Lansing, MI |
| 13 | Advanced composite materials research | 3,500 | Stabenow | Michigan State University | East Lansing, MI |
| 13 | Composite vehicle shelters | 2,000 | Begich | Alkan Shelter, LLC | Fairbanks, AK |
| 13 | Tactical metal fabrication program | 1,000 | Kennedy | Thermo Fisher Scientific | Billerica, MA |
| 13 | Tactical metal fabrication program | 1,000 | Kerry | Thermo Fisher Scientific | Billerica, MA |
| 13 | Tactical metal fabrication program | 1,000 | Inhofe | IMTEC | Ardmore, OK |
| 13 | Tribology research | 2,000 | Levin | Oakland University | Rochester, MI |
| 13 | Tribology research | 2,000 | Stabenow | Oakland University | Rochester, MI |
| 13 | Vehicle systems engineering and integration activities | 10,000 | Levin | U.S. Army Tank-Automotive Research, Development and Engineering Center | Warren, MI |

'NMR' indicates no member request

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 14 | Lethality research | 2,000 | NMR | n/a | n/a |
| 14 | Reactive armor research | 3,000 | Dodd | Ensign Bickford Aerospace and Defense | Simsbury, CT |
| 14 | Reactive armor research | 3,000 | Lieberman | Ensign Bickford Aerospace and Defense | Simsbury, CT |
| 14 | Reactive armor research | 3,000 | McConnell | Ensign-Bickford Industries | Graham, KY |
| 17 | Acoustic gun detection systems | 2,000 | Kennedy | BBN Technologies | Cambridge, MA |
| 17 | Acoustic gun detection systems | 2,000 | Kerry | BBN Technologies | Cambridge, MA |
| 17 | Acoustic research | 3,000 | Wicker | University of Mississippi - National Center for Physical Acoustics | University, MS |
| 17 | UGV weaponization | 2,500 | Collins | Howe and Howe Technologies, Inc. | N. Berwick, ME |
| 17 | UGV weaponization | 2,500 | Snowe | Howe and Howe Technologies | N. Berwick, ME |
| 18 | Hybrid portable power program | 3,200 | Kennedy | Protonex Technology Corporation | Southborough, MA |
| 18 | Hybrid portable power program | 3,200 | Kerry | Protonex Technology, LLC | Southborough, MA |
| 18 | Hybrid portable power program | 3,200 | Wicker | Ultralife | West Point, MS |
| 25 | Cellulose nanocomposite panels for ballistic protection | 2,000 | Collins | University of Maine | Orono, ME |
| 25 | Cellulose nanocomposite panels for ballistic protection | 2,000 | Snowe | University of Maine | Orono, ME |
| 25 | Geosciences atmospheric research | 3,000 | Bennet | Colorado State University | Fort Collins, CO |
| 25 | Geosciences atmospheric research | 3,000 | Udall, Mark | Colorado State University | Fort Collins, CO |
| 27 | Thermal resistant fiber research | 2,500 | Carper | INVISTA S.a.r.l. | Seaford, DE |
| 27 | Thermal resistant fiber research | 2,500 | Kaufman | INVISTA S.a. r.l. | Seaford, DE |
| 27 | Thermal resistant fiber research | 2,500 | Graham | Greenwood Mills | Greenwood, SC |
| 28 | Advanced bio-engineering for enhancement of soldier survivability | 3,000 | Chambliss | Georgia Tech | Atlanta, GA |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 28 | Advanced functional nanomaterials for biological processes | 2,500 | Lincoln | University of Arkansas Little Rock | Little Rock, AR |
| 28 | Advanced functional nanomaterials for biological processes | 2,500 | Pryor | University of Arkansas Little Rock | Little Rock, AR |
| 28 | Biomechanics research | 3,500 | Warner | Virginia Polytechnic Institute and State University | Blacksburg, VA |
| 28 | Biomechanics research | 3,500 | Webb | Virginia Polytechnic Institute and State University | Blacksburg, VA |
| 28 | Blast wave modeling | 3,000 | Wicker | Diversified Technology | Ridgeland, MS |
| 28 | Blast wave modeling | 3,000 | Nelson, Ben | University of Nebraska - Lincoln | Lincoln, NE |
| 28 | Hemorrhage research | 3,000 | Nelson, Ben | University of Nebraska Medical Center | Omaha, NE |
| 28 | Malaria vaccine development | 2,500 | Schumer | SUNY Upstate | Syracuse, NY |
| 28 | Malaria vaccine development | 2,500 | Cantwell | Seattle Biomedical Research Institute (SBRI) | Seattle, WA |
| 28 | Neurotrauma research | 3,500 | Lugar | Purdue University | West Lafayette, IN |
| 28 | Neurotrauma research | 3,500 | Gillibrand | University of Rochester | Rochester, NY |
| 28 | Secondary trauma research | 2,500 | Udall, Mark | University of Colorado, Colorado Springs | Colorado Springs, CO |
| 30 | Biosensor controller systems development | 2,000 | Reid | Eye-Com Corporation | Reno, NV |
| 30 | Body temperature conditioner systems | 2,500 | Reid | University of NV School of Medicine | Las Vegas, NV |
| 30 | Gulf War Illness research | 12,000 | Feinstein | | |
| 30 | Gulf War Illness research | 12,000 | Dodd | | |
| 30 | Gulf War Illness research | 12,000 | Akaka | | |
| 30 | Gulf War Illness research | 12,000 | Burris | | |
| 30 | Gulf War Illness research | 12,000 | Kennedy | ALS Therapy Development Institute | Cambridge, MA |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 30 | Gulf War Illness research | 12,000 | Kerry | ALS Therapy Development Institute | Cambridge, MA |
| 30 | Gulf War Illness research | 12,000 | Snowe | | |
| 30 | Gulf War Illness research | 12,000 | Bond | | |
| 30 | Gulf War Illness research | 12,000 | Tester | | |
| 30 | Gulf War Illness research | 12,000 | Brown | | |
| 30 | Gulf War Illness research | 12,000 | Sanders | US Army Medical Research and Materiel Command | Fort Detrick, MD |
| 30 | Gulf War Illness research | 12,000 | Murray | | |
| 30 | Gulf War Illness research | 12,000 | Kohl | | |
| 30 | Gulf War Illness research | 12,000 | Rockefeller | | |
| 30 | Integrated medical technology program | 7,500 | Kennedy | Center for Integration of Medicine and Innovative Technology | Boston, MA |
| 30 | Integrated medical technology program | 7,500 | Kerry | Center for Integration of Medicine and Innovative Technology | Boston, MA |
| 30 | Lower limb prosthetics research | 2,000 | Kennedy | Foster-Miller, Inc. and Liberating Technologies | Waltham and Holliston, MA |
| 30 | Lower limb prosthetics research | 2,000 | Kerry | Foster-Miller, Inc. | Waltham, MA |
| 30 | Regenerative medical research | 4,000 | Collins | Mount Desert Island Biological Laboratory | Salisbury Cove, ME |
| 30 | Regenerative medical research | 4,000 | Snowe | Mount Desert Island Biological Laboratory | Salisbury Cove |
| 30 | Regenerative medical research | 4,000 | Hagan | Institute for Regenerative Medicine at Wake Forest University | Winston-Salem, NC |
| 31 | Advanced affordable turbine engine | 5,000 | Dodd | Pratt & Whitney | Middletown, CT |

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| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 31 | Advanced affordable turbine engine | 5,000 | Lieberman | United Technologies | Hartford, CT |
| 31 | Universal control FADEC | 9,000 | Dodd | Goodrich Pump and Engine Control Systems | West Hartford, CT |
| 31 | Universal control FADEC | 9,000 | Lieberman | Goodrich Engine Controls | West Hartford, CT |
| 32 | Lethality research | 6,500 | NMR | n/a | n/a |
| 33 | Advanced APU development | 2,000 | Martinez | Florida Institute of Technology | Rockledge, FL |
| 33 | Advanced APU development | 2,000 | Nelson, Bill | Advent Power Systems, Inc. | Coconut Creek, FL |
| 33 | Advanced APU development | 2,000 | Nelson, Bill | Mainstream Engineering Corporation | Rockledge, FL |
| 33 | Advanced battery development program | 10,000 | Levin | U.S. Army Tank-Automotive Research, Development and Engineering Center | Warren, MI |
| 33 | Advanced lithium ion battery systems | 3,000 | Levin | A123 Systems, Inc | Ann Arbor, MI |
| 33 | Advanced lithium ion battery systems | 3,000 | Stabenow | A123 Systems | Ann Arbor, MI |
| 33 | Advanced suspension systems for heavy vehicles | 2,700 | Reid | Advanced Materials and Devices, Inc. | Reno, NV |
| 33 | Advanced thermal management systems | 3,000 | Levin | Engineered Machined Products, Inc. | Escanaba, MI |
| 33 | Advanced thermal management systems | 3,000 | Stabenow | Engineered Machined Products Inc. | Escanaba, MI |
| 33 | Alternative energy research | 20,000 | NMR | n/a | n/a |
| 33 | Hybrid engine development program | 4,000 | Levin | U.S. Army Tank-Automotive Research, Development and Engineering Center | Warren, MI |
| 33 | Hybrid truck development | 4,000 | Boxer | National Automotive Center | Pasadena, CA |
| 33 | Hybrid truck development | 4,000 | Cardin | Volvo Powertrain of North America | Hagerstown, MD |
| 33 | Hydraulic hybrid vehicles (HHV) for the tactical wheeled fleet | 3,500 | Lugar | Navistar, Inc. Truck Group | Fort Wayne, IN |
| 33 | Hydraulic hybrid vehicles (HHV) for the tactical wheeled fleet | 3,500 | Levin | Bosch Rexroth Corporation | Rochester Hills, MI |

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## COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| **RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY** | | | | | |
| 33 | Hydraulic hybrid vehicles (HHV) for the tactical wheeled fleet | 3,500 | Stabenow | Bosch Rexroth Corporation | Rochester Hills, MI |
| 33 | Smart plug-in hybrid electric vehicle program | 4,100 | Levin | NextEnergy | Detroit, MI |
| 33 | Smart plug-in hybrid electric vehicle program | 4,100 | Stabenow | NextEnergy | Detroit, MI |
| 33 | Threat cue research | 2,000 | Levin | Michigan Tech University | Houghton, MI |
| 33 | Threat cue research | 2,000 | Stabenow | Michigan Technological University | Houghton, MI |
| 33 | Unmanned ground vehicle initiative | 12,000 | Levin | U.S. Army Tank-Automotive Research, Development and Engineering Center | Warren, MI |
| 33 | Unmanned robotic system utilizing hydrocarbon fueled solid oxide fuel cell | 3,000 | Levin | Adaptive Materials | Ann Arbor, MI |
| 33 | Unmanned robotic system utilizing hydrocarbon fueled solid oxide fuel cell | 3,000 | Stabenow | Adaptive Materials, Inc. | Ann Arbor, MI |
| 33 | Vehicle prognostics technologies | 3,100 | Wicker | HBM-nCode Products | Starkville, MS |
| 38 | Combat medic training systems | 2,000 | Martinez | University of Central Florida | Orlando, FL |
| 38 | Combat medic training systems | 2,000 | Nelson, Bill | Chi Systems, Inc. | Orlando, FL |
| 38 | Joint fires & effects trainer system enhancements | 2,500 | Inhofe | Creative Technologies, Inc. | Los Angeles, CA |
| 43 | Laser systems for light aircraft missile defense | 1,000 | Levin | Omni Sciences, Inc. | Ann Arbor, MI |
| 43 | Laser systems for light aircraft missile defense | 1,000 | Stabenow | Omni Sciences, Inc. | Ann Arbor, MI |
| 44 | Discriminatory imaging research | 2,500 | McConnell | University of Kentucky | Lexington, KY |
| 48 | Bradley third generation FLIR | 5,000 | Nelson, Bill | DRS Technologies Optronics | Palm Bay, FL |
| 50 | Permafrost tunnel | 500 | Begich | Cold Regions Research and Engineering Laboratory; US Army Corps of Engineers | Fox, AK |
| 50 | Photovoltaic technology development | 2,000 | Levin | United Solar Ovonic | Auburn Hills, MI |
| 53 | Adaptive robotic technology | 3,500 | Sessions | Calhoun Community College | Decatur, AL |

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| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 53 | Advanced electronics integration | 3,000 | Thune | Rosebud Sioux Tribe | Rosebud, SD |
| 53 | Advanced environmental controls | 2,000 | Reid | Rocky Research | Boulder City, NV |
| 78 | Lightweight caliber .50 machine gun | 4,000 | Collins | General Dynamics/ATP | Saco, ME |
| 78 | Lightweight caliber .50 machine gun | 4,000 | Snowe | General Dynamics - SACO | Saco, ME |
| 81 | Heavy tactical vehicle development | 2,000 | NMR | n/a | n/a |
| 102 | Common guidance control module | 7,500 | Inhofe | ATK | Plymouth, MN |
| 114 | Accelerate Paladin integration management | 58,216 | NMR | n/a | n/a |
| 128 | Common regional operational systems | 3,000 | Bingaman | White Sands Missile Range | White Sands Missile Range, NM |
| 128 | Common regional operational systems | 3,000 | Udall, Tom | White Sands Missile Range | White Sands Missile Range, NM |
| 128 | Data fusion systems | 2,500 | Bennett | ITT Advanced Engineering and Sciences | Dugway, UT |
| 128 | Data fusion systems | 2,500 | Hatch | Dugway Proving Ground, Utah; Utah State University's Space Dynamics Laboratory; and ITT | Logan, UT |
| 128 | Dugway field test improvements | 4,500 | Bennett | ITT Advanced Engineering and Sciences | Dugway, UT |
| 128 | Dugway field test improvements | 4,500 | Hatch | Dugway Proving Ground, Utah State University's Space Dynamics Laboratory, ITT | Logan, UT |
| 130 | Program increase | 6,000 | Bingaman | Northrop Grumman | White Sands Missile Range, NM |
| 130 | Program increase | 6,000 | Udall, Tom | Northrop Grumman | White Sands Missile Range, NM |
| 140 | 3D woven preform technology for Army munitions | 2,000 | Reed | Textile Engineering & Manufacturing | Woonsocket, RI |
| 172 | Smart machine platform initiative | 2,000 | Brown | TechSolve | Cincinnati, OH |
| 172 | Smart machine platform initiative | 2,000 | Voinovich | TechSolve, Inc | Cincinnati, OH |

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| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY | | | | | |
| 172 | Weapon systems repair technologies | 1,500 | Thune | H.F. Webster Inc. | Rapid City, SD |
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY | | | | | |
| 4 | Energetics research | 3,000 | Cardin | Indian Head Division / Naval Surface Warfare Center | Indian Head, MD |
| 4 | Energetics research | 3,000 | Bingaman | Applied Research Associates | Albuquerque, NM |
| 4 | Energetics research | 3,000 | Udall, Tom | Applied Research Associates | Albuquerque, NM |
| 5 | Alternative energy research | 20,000 | NMR | n/a | n/a |
| 5 | Design optimization of composite high-speed boats using advanced composite and manufacturing and non-destructive evaluation | 2,000 | Collins | Hodgdon Defense Composites | Portland, ME |
| 5 | Design optimization of composite high-speed boats using advanced composite and manufacturing and non-destructive evaluation | 2,000 | Snowe | Hodgdon Defense Composites | E. Boothbay, ME |
| 5 | Energy systems integration research | 4,000 | Martinez | Florida State University | Tallahassee, FL |
| 5 | Energy systems integration research | 4,000 | Nelson, Bill | Florida State University | Tallahassee, FL |
| 5 | Port security technologies | 2,000 | Voinovich | Battelle Memorial Institute | Columbus, OH |
| 5 | Port security technologies | 2,000 | Reed | Naval Undersea Warfare Center and Battelle | Newport, RI |
| 9 | Anti-reverse engineering technologies | 1,000 | Lincoln | Space Photonics | Fayetteville, AR |
| 9 | Anti-reverse engineering technologies | 1,000 | Pryor | Space Photonics | Fayetteville, AR |
| 9 | Managing and extending DOD asset lifecycles (MEDAL) | 2,000 | Akaka | Referentia Systems | Honolulu, HI |
| 11 | Advanced unmanned underwater vehicle research | 1,000 | Landrieu | C&C Technologies Inc | Lafayette, LA |
| 11 | Advanced unmanned underwater vehicle research | 1,000 | Cardin | Phoenix International Holdings Inc. | Largo, MD |
| 11 | Advanced unmanned underwater vehicle research | 1,000 | Reed | Alion Science and Technology | Middletown, RI |

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|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY | | | | | |
| 11 | Laser underwater imaging and communications research | 2,000 | Martinez | Harbor Branch Oceanographic Institute at Florida Atlantic University | Fort Pierce, FL |
| 11 | Laser underwater imaging and communications research | 2,000 | Nelson, Bill | Florida Atlantic University (Harbor Branch Oceanographic Institution) | Fort Pierce, FL |
| 14 | Electromagnetic signature assessment system | 2,000 | Crapo | University of Idaho | Moscow, ID |
| 14 | Electromagnetic signature assessment system | 2,000 | Risch | University of Idaho | Moscow, ID |
| 15 | Detection, tracking, and identification for ISRTE of mobile asymmetric targets | 2,500 | Akaka | Pukoa Scientific | Honolulu, HI |
| 16 | Advanced coatings for aviation components | 2,000 | Levin | Focus: HOPE | Detroit, MI |
| 16 | Advanced coatings for aviation components | 2,000 | Stabenow | Focus: Hope | Detroit, MI |
| 16 | Single Generator Operations Lithium Ion Battery | 5,000 | Lugar | Altair Nanotechnologies | Anderson, IN |
| 16 | Single Generator Operations Lithium Ion Battery | 5,000 | Reid | Altair Nanotechnologies Inc. | Reno, NV |
| 20 | Acoustic combat sensors | 5,000 | Inhofe | GWACS Defense, Inc. | Tulsa, OK |
| 26 | Semi-submersible for UUV sensor developments | 1,400 | Vitter | C&C Technologies | Lafayette, LA |
| 29 | Sonobuoy wave energy module | 1,000 | Landrieu | QinetiQ North America | Slidell, LA |
| 29 | Sonobuoy wave energy module | 1,000 | Vitter | QinetiQ-North America, Technology Solutions Group | Slidell, LA |
| 35 | DDG-51 hybrid propulsion system | 8,100 | Kennedy | DRS Power Technology, Inc. | Fitchburg, MA |
| 35 | DDG-51 hybrid propulsion system | 8,100 | Wicker | General Atomics EMS Tupelo Facility | Shannon, MS |
| 58 | Molten carbonate fuel cell demonstrator | 3,000 | Dodd | FuelCell Energy | Torrington, CT |
| 58 | Molten carbonate fuel cell demonstrator | 3,000 | Lieberman | Fuel Cell Energy | Danbury, CT |
| 58 | Solar heat reflective film development | 4,750 | Sessions | 3M Company | Decatur, AL |
| 61 | Highly integrated optical interconnects for advanced air vehicles | 1,000 | Levin | Calumet Electronics Corporation | Calumet, MI |

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## COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| **RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY** | | | | | |
| 61 | Highly integrated optical interconnects for advanced air vehicles | 1,000 | Stabenow | Calumet Electronics Corporation | Calumet, MI |
| 61 | RFID technology exploitation | 1,000 | McConnell | University of Louisville | Louisville, KY |
| 105 | Mobile maritime sensor technology development | 15,000 | Kennedy | Raytheon, Integrated Defense Systems | Tewksbury, MA |
| 110 | Common command & control system module | 6,000 | Dodd | Electric Boat | Groton, CT |
| 110 | Common command & control system module | 6,000 | Lieberman | General Dynamics | Groton, CT |
| 110 | Common command & control system module | 6,000 | Reed | Electric Boat | Groton, CT and Quonset Point, RI |
| 110 | Mold-in-place coating for development of U.S. submarine fleet | 2,000 | Wicker | Seeman Composites, Inc | Gulfport, MS |
| 112 | Artificial Intelligence-based combat system kernel | 4,000 | Reed | Rite Solutions | Middletown, RI |
| 112 | Submarine environment for evaluation & development | 3,000 | Reed | Advanced Solutions for Tomorrow | Newport, RI |
| 112 | Weapon acquisition & firing system | 3,000 | Reed | Naval Undersea Warfare Center and MIKEL | Newport and Middletown, RI |
| 113 | Automated fiber optic manufacturing initiative for Navy ships | 2,500 | Kennedy | kSaria | Lawrence, MA and Virginia Beach, VA |
| 113 | Automated fiber optic manufacturing initiative for Navy ships | 2,500 | Kerry | Ksaria | Lawrence, MA |
| 113 | Automated fiber optic manufacturing initiative for Navy ships | 2,500 | Warner | Kitco Fiber Optics | Virginia Beach, VA |
| 113 | Automated fiber optic manufacturing initiative for Navy ships | 2,500 | Webb | Kitco Fiber Optics | Virginia Beach, VA |
| 120 | AUSV | 3,000 | Akaka | Harbor Wing Technologies | Pearl Harbor, Hawaii |
| 121 | Phalanx Next Generation | 12,000 | McConnell | Raytheon Missile Systems | Louisville, KY |
| 121 | Phalanx Next Generation | 12,000 | Bennett | Colmek Systems Engineering | Salt Lake City, UT |
| 121 | Phalanx Next Generation | 12,000 | Hatch | Coda Octopus Colemek Systems Engineering; Raytheon | Salt Lake City, UT |
| 124 | Composite tissue transplantation research | 2,000 | Chambliss | Emory | Emory |
| 124 | Custom body implant development | 2,000 | Levin | University of Michigan- Dearborn | Dearborn, MI |

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|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY | | | | | |
| 124 | Custom body implant development | 2,000 | Stabenow | University of Michigan-Dearborn | Dearborn, MI |
| 124 | Multivalent dengue vaccine program | 1,600 | Graham | GenPhar, Inc. | Mount Pleasant, SC |
| 124 | Orthopedic surgery instrumentation | 3,000 | Nelson, Ben | University of Nebraska Medical Center | Omaha, NE |
| 129 | Information systems research | 4,000 | Landrieu | New Orleans IT Companies, UNO/ Business Council | Orleans |
| 129 | Information systems research | 4,000 | Vitter | SSC Atlantic New Orleans Office (Formerly SSC/ITC New Orleans) | New Orleans, LA |
| 129 | Integrated network-centric technology systems | 2,600 | Landrieu | SPAWAR Systems Center, Atlantic, New Orleans office | Statewide |
| 129 | Integrated network-centric technology systems | 2,600 | Vitter | SPAWAR Systems Center, Atlantic, New Orleans Office | New Orleans, LA |
| 139 | Aviation enterprise interoperability upgrades | 5,000 | Cardin | Patuxent River Naval Air Station | Lexington Park, MD |
| 160 | Advanced LINAC facility | 1,170 | Lugar | Indiana University | Crane, IN |
| 182 | Expandable rigid wall composite shelters | 1,000 | Begich | Alkan Shelter, LLC | Fairbanks, AK |
| 182 | Marine personnel carrier support system | 3,000 | Reed | Group B1, Inc. | Newport, RI |
| 183 | High performance capabilities for military vehicles | 1,000 | Hagan | Institute for Defense and Business | Chapel Hill, NC |
| 216 | Integrated manufacturing enterprise | 5,000 | Landrieu | Louisiana Center for Manufacturing Sciences (LCMS) | Shreveport, LA |
| 216 | Integrated manufacturing enterprise | 5,000 | Vitter | Louisiana Center for Manufacturing Sciences | Shreveport, LA |
| 216 | Life extension of weapon system structures research | 2,500 | Thune | SDSM&T | Rapid City, SD |
| 217 | National Shipbuilding Research Program | 4,000 | Sessions | National Shipbuilding Research Program | Mobile, AL |
| 217 | National Shipbuilding Research Program | 4,000 | Wicker | VT Halter Marine | Pascagoula, MS |
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE | | | | | |

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| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE | | | | | |
| 1 | Coal transformation research | 1,000 | Lugar | Purdue University | West Lafayette, IN |
| 2 | Cybersecurity for control networks research | 1,700 | Landrieu | Louisiana Tech University | Ruston, LA |
| 2 | Cybersecurity for control networks research | 1,700 | Nelson, Ben | University of Nebraska - Omaha | Omaha, NE |
| 2 | Cybersecurity for control networks research | 1,700 | Gillibrand | SUNY Institute of Technology | Utica, NY |
| 2 | End-user software safeguard research | 2,000 | Nelson, Ben | University of Nebraska - Lincoln | Lincoln, NE |
| 2 | Informatics research | 1,000 | Schumer | SUNY Buffalo | Buffalo, NY |
| 2 | Information security research | 1,500 | Inhofe | University of Tulsa | Tulsa, OK |
| 7 | Advanced aerospace heat exchangers | 3,000 | Voinovich | Ohio Aerospace Institute | Cleveland, OH |
| 7 | Energy and automation technologies | 2,000 | Bingaman | Univ. N.M. | Albuquerque, N.M. |
| 7 | Energy and automation technologies | 2,000 | Udall, Tom | University of New Mexico | Albuquerque, NM |
| 7 | Energy and automation technologies | 2,000 | Corker | Competitive Program | n/a |
| 7 | Energy efficiency, recovery, and generation systems | 1,000 | Thune | SDSM&T | Rapid City, SD |
| 7 | Health monitoring sensors for aerospace components | 2,000 | Collins | University of Maine | Orono, ME |
| 7 | Health monitoring sensors for aerospace components | 2,000 | Snowe | University of Maine | Orono, ME |
| 7 | Mid-infrared laser source research | 1,000 | Sessions | Photonics, Inc. | Birmingham, AL |
| 8 | Unmanned aerial system collaboration technologies | 2,500 | Voinovich | University of Dayton Research Institute | Dayton, OH |
| 10 | Advanced lithium battery scale-up and manufacturing | 2,000 | Chambliss | Excellatron Solid State | Decatur, GA |
| 10 | Hybrid bearing development | 1,000 | Dodd | Timken Company | Manchester, CT |
| 10 | Hybrid bearing development | 1,000 | Lieberman | Timken Company | Manchester, CT |
| 10 | Hybrid bearing development | 1,000 | Hagan | Timken Company | Randleman, NC |
| 10 | Hybrid bearing development | 1,000 | Shaheen | The Timken Company | Lebanon, NH |

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|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE | | | | | |
| 10 | Integrated electrical starter/generator systems | 2,000 | Brown | GE Aviation Systems, Electrical Power | Vandalia, OH |
| 10 | Integrated electrical starter/generator systems | 2,000 | Voinovich | GE Aviation Systems, Electrical Power | Vandalia, OH |
| 10 | Lithium ion technologies for aviation batteries | 1,500 | Chambliss | Saft America Inc | Valdosta, GA |
| 10 | Lithium ion technologies for aviation batteries | 1,500 | Isakson | Saft America | Valdosta, GA |
| 10 | Thermally efficient engine pumping system | 2,000 | Dodd | Goodrich Pump and Engine Control Systems | West Hartford, CT |
| 10 | Thermally efficient engine pumping system | 2,000 | Lieberman | Goodrich Engine Controls | West Hartford, CT |
| 12 | Reconfigurable electronics research | 1,000 | Crapo | Boise State University | Boise, ID |
| 12 | Reconfigurable electronics research | 1,000 | Risch | Boise State University | Boise, ID |
| 12 | Seismic research program | 5,000 | Kennedy | Weston Geophysical Corp. | Hanscom AFB |
| 12 | Seismic research program | 5,000 | Kerry | Weston Geophysical Corp | Lexington, MA |
| 17 | Advanced deformable mirrors for high energy laser weapons | 2,000 | Bingaman | MZA Associates | Albuquerque, NM |
| 17 | Advanced deformable mirrors for high energy laser weapons | 2,000 | Udall, Tom | MZA Associates | Albuquerque, NM |
| 18 | Metals Affordability Initiative | 10,000 | Dodd | Competitive | n/a |
| 18 | Metals Affordability Initiative | 10,000 | Lieberman | Competitive | n/a |
| 18 | Metals Affordability Initiative | 10,000 | Reid | TIMET Global | Toronto, OH |
| 18 | Metals Affordability Initiative | 10,000 | Brown | Competitive | n/a |
| 18 | Metals Affordability Initiative | 10,000 | Wyden | Competitive | n/a |
| 18 | Metals Affordability Initiative | 10,000 | Reed | Competitive | n/a |
| 18 | Metals Affordability Initiative | 10,000 | Bennett | Metals Affordability Initative Consortium | Dayton, OH |
| 18 | Metals Affordability Initiative | 10,000 | Kohl | Competitive | n/a |

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|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE | | | | | |
| 18 | Sewage-derived biofuels program | 4,800 | Wicker | General Atomics | Starkville, MS |
| 20 | Reconfigurable secure computing technologies | 2,000 | Warner | Curtiss-Wright Controls Embedded Computing | Leesburg, VA |
| 20 | Reconfigurable secure computing technologies | 2,000 | Webb | Curtiss-Wright Controls Embedded Computing | Leesburg, VA |
| 22 | Alternative energy research | 20,000 | NMR | n/a | n/a |
| 22 | Silicon carbide power electronics research | 3,000 | Lincoln | Arkansas Power Electronics International, Inc. | Fayetteville, AR |
| 22 | Silicon carbide power electronics research | 3,000 | Pryor | Arkansas Power Electronics International, Inc. | Fayetteville, AR |
| 22 | Silicon carbide power electronics research | 3,000 | Wicker | SemiSouth Laboratories, Inc | Starkville, MS |
| 30 | Next generation casting initiative | 3,250 | Levin | Alcoa Howmet | Whitehall, MI |
| 30 | Next generation casting initiative | 3,250 | Stabenow | Alcoa Howmet | Whitehall, MI |
| 30 | Next generation casting initiative | 3,250 | Reid | PCC Structurals Inc. | Carson City, NV |
| 31 | Optical interconnects research | 2,500 | Reid | OptiComp Corporation | Zephyr Cove, NV |
| 40 | Space situational awareness | 5,000 | Kennedy | Raytheon, Integrated Defense Systems | Tewksbury, MA |
| 40 | Space situational awareness | 5,000 | Kerry | Raytheon Company | Tewksbury, MA |
| 61 | Next generation MILSATCOM technology development | 50,000 | NMR | n/a | n/a |
| 101 | Holloman high speed test track | 5,000 | Bingaman | General Atomics | White Sands Missile Range, NM |
| 101 | Holloman high speed test track | 5,000 | Udall, Tom | General Atomics | Holloman AFB, NM |
| 105 | Program increase | 19,300 | NMR | n/a | n/a |
| 206 | Sense and avoid | 4,000 | Reid | Sierra Nevada Corp | Sparks, NV |
| 210 | Karnac | 6,000 | NMR | n/a | n/a |

'NMR' indicates no member request

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE | | | | | |
| 238 | Biometric signature and passive physiological monitoring | 5,000 | Reid | Noninvasive Medical Technologies, Inc. | Las Vegas, NV |
| 999 | Classified programs | 172,500 | NMR | n/a | n/a |
| RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE | | | | | |
| 6 | In-vitro models for bio-defense vaccines | 1,900 | Martinez | University Central Florida | Orlando, FL |
| 6 | In-vitro models for bio-defense vaccines | 1,900 | Nelson, Bill | University Of Central Florida | Orlando, FL |
| 14 | Chemical and biological infrared detector | 1,900 | Collins | Orono Spectral Solutions | Old Town, ME |
| 20 | Blast mitigation and protection | 1,500 | Warner | George Mason University | Fairfax, VA |
| 20 | Blast mitigation and protection | 1,500 | Webb | George Mason University | Fairfax, VA |
| 25 | Reconnaissance and data exploitation systems | 3,500 | Akaka | NovaSol | Honolulu, HI |
| 39 | High performance defense manufacturing technology | 10,000 | NMR | n/a | n/a |
| 40 | Robotics training systems | 2,000 | Graham | Florence Darlington Technical College | Florence, SC |
| 40 | Robotics training systems | 2,000 | Warner | Hampton Roads Military and Federal Facilities Alliance | Norfolk, VA |
| 40 | Robotics training systems | 2,000 | Webb | Hampton Roads Military and Federal Facilities Alliance | Norfolk, VA |
| 41 | Biofuels program | 2,000 | Levin | Defense Logistics Agency | Fort Belvoir, VA |
| 41 | Biomass conversion research | 1,600 | Collins | University of Maine | Orono, ME |
| 41 | Biomass conversion research | 1,600 | Snowe | University of Maine | Orono, ME |
| 41 | Fuel cell manufacturing research | 1,000 | Cardin | Ballard Power Systems | College Park, MD |
| 41 | Fuel cell manufacturing research | 1,000 | Reid | Scheelite Technologies | Reno, NV |
| 41 | Fuel cell manufacturing research | 1,000 | Graham | South Carolina Research Authority | Charleston, SC |
| 41 | Vehicle fuel cell and hydrogen logistics program | 8,000 | Levin | Defense Logistics Agency | Fort Belvoir, VA |

'NMR' indicates no member request

## COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| **RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE** | | | | | |
| 49 | Computational design of novel materials | 3,000 | Wicker | Jackson State University | Jackson, MS |
| 59 | Special warfare domain awareness | 1,500 | Collins | Technology Systems Inc. (TSI) | Brunswick, ME |
| 59 | Special warfare domain awareness | 1,500 | Snowe | Technology Systems Inc | Brunswick, ME |
| 65 | Lithium ion battery safety research | 1,600 | Lugar | Indiana University | Indianapolis, IN |
| 75 | GBI vendor base sustainment | 20,000 | NMR | n/a | n/a |
| 77 | Real-time non-specific viral agent detector | 1,600 | Collins | Sensor Research & Development, Inc. | Orono, ME |
| 97 | Short-range ballistic missile defense | 25,000 | Nelson, Bill | Honeywell | Various |
| 97 | Short-range ballistic missile defense | 25,000 | Wicker | ATK | Luka, MS |
| 100 | Corrosion control research | 3,500 | Wicker | The University of Southern Mississippi | Hattiesburg, MS |
| 100 | Corrosion control research | 3,500 | Brown | The University of Akron | Akron, OH |
| 129 | Advanced SAM hardware simulator development | 4,000 | Chambliss | GTRI | Atlanta and Smyrna, GA |
| 129 | Advanced SAM hardware simulator development | 4,000 | Isakson | Georgia Institute of Technology, Georgia Tech Research Institute | Atlanta, GA |
| 147 | Anti-tamper software systems | 1,900 | Collins | ANGEL Secure Networks, Inc. | Orono, ME |
| 147 | Anti-tamper software systems | 1,900 | Snowe | Angel Technologies | Orono, ME |
| 233 | Technology applications for security enhancement | 3,000 | Inhofe | Oklahoma State University | Stillwater, OK |
| 238 | Industrial base innovation fund | 30,000 | NMR | n/a | n/a |
| 247 | Advanced, long endurance unattended ground sensor | 4,900 | Wicker | Mississippi State University | Starkville, MS |
| | **TITLE 3** | | | | |
| **OPERATION AND MAINTENANCE, ARMY** | | | | | |
| 250 | Rule of law increase | 500 | Graham | University of South Carolina | Columbia, SC |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| OPERATION AND MAINTENANCE, NAVY | | | | | |
| 60 | Aviation depot maintenance increase | 70,027 | NMR | n/a | n/a |
| 250 | Gun depot overhauls | 12,000 | McConnell | BAE Systems | Louisville, KY |
| OPERATION AND MAINTENANCE, MARINE CORPS | | | | | |
| 10 | Family of shelters and tents | 2,000 | Warner | Base-X, Inc. | Rockbridge, Pulaski, Salem, Verona, VA |
| 10 | Family of shelters and tents | 2,000 | Webb | Base-X, Inc. | Rockbridge, Pulaski, Salem, Verona, VA |
| OPERATION AND MAINTENANCE, DEFENSE-WIDE | | | | | |
| 60 | Junior ROTC | 15,000 | NMR | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Boxer | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Bennet | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Udall, Mark | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Dodd | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Martinez | Department of Defense | Multiple, nationwide |
| 270 | Readiness and environmental protection initiative | 20,000 | Nelson, Bill | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Akaka | Military installations nationwide | Various |
| 270 | Readiness and environmental protection initiative | 20,000 | Landrieu | The Nature Conservancy (TNC), Louisiana Field Office (LAFO) | Nationwide |
| 270 | Readiness and environmental protection initiative | 20,000 | Cardin | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Burr | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Hagan | n/a | n/a |
| 270 | Readiness and environmental protection initiative | 20,000 | Inhofe | Land Legacy | Tulsa, OK |
| 270 | Readiness and environmental protection initiative | 20,000 | Cantwell | n/a | n/a |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| OPERATION AND MAINTENANCE, DEFENSE-WIDE | | | | | |
| 999 | Impact aid | 35,000 | Burris | Department of Defense Education Agency | Arlington, VA |
| 999 | Impact aid for children with severe disabilities | 5,000 | Akaka | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Roberts | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Conrad | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Menendez | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Schumer | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Inhofe | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Reed | n/a | n/a |
| 999 | Impact aid for children with severe disabilities | 5,000 | Whitehouse | n/a | n/a |
| | TITLE 4 | | | | |
| MILITARY PERSONNEL | | | | | |
| | Army additional recruitment incentives | 5,000 | NMR | n/a | n/a |
| | Community support for families with special needs | 50,000 | NMR | n/a | n/a |
| | Family supplemental subsistence allowance | 500 | NMR | n/a | n/a |
| | Mental health assessments | 3,000 | Kennedy | n/a | n/a |
| | Pay raise | 351,000 | NMR | n/a | n/a |
| | PDMRA | 59,000 | Grassley | n/a | n/a |
| | PDMRA | 59,000 | Harkin | n/a | n/a |
| | PDMRA | 59,000 | Roberts | n/a | n/a |
| | PDMRA | 59,000 | Klobuchar | n/a | n/a |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY PERSONNEL | | | | | |
| | PDMRA | 59,000 | Lautenberg | n/a | n/a |
| | PDMRA | 59,000 | Menendez | n/a | n/a |
| | PDMRA | 59,000 | Wyden | n/a | n/a |
| | PDMRA | 59,000 | Murray | n/a | n/a |
| | Psychology officers | 200 | NMR | n/a | n/a |
| | Reimbursement for exceptional travel for medical benefits | 10,000 | NMR | n/a | n/a |
| | Substance abuse study | 1,500 | NMR | n/a | n/a |
| | **TITLE 13** | | | | |
| COOPERATIVE THREAT REDUCTION | | | | | |
| 10 | Program increase | 20,000 | NMR | n/a | n/a |
| | **TITLE 14** | | | | |
| DEFENSE HEALTH PROGRAM | | | | | |
| | Extend dental coverage to dependent survivors | 2,000 | NMR | n/a | n/a |
| | Transitional dental care | 11,000 | NMR | n/a | n/a |
| | TRICARE continuation pending MEDICARE eligibility | 4,000 | NMR | n/a | n/a |
| | TRICARE coverage for gray-area retirees | 10,000 | NMR | n/a | n/a |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | | | | | |
| | International support--US CENTCOM CN training--Mi-17 procurement | 32,000 | NMR | n/a | n/a |
| OFFICE OF THE INSPECTOR GENERAL | | | | | |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| OFFICE OF THE INSPECTOR GENERAL | | | | | |
| 10 | Second year growth plan | 15,656 | NMR | n/a | n/a |
| | **TITLE 21** | | | | |
| MILITARY CONSTRUCTION, ARMY | | | | | |
| | Combat pistol range | 4,900 | Bagich | | Fort Richardson |
| | Gate 7 access control point | 3,550 | Sessions | | Redstone Arsenal |
| | Elevated water storage tank | 1,200 | Nelson, Bill | | Camp Rudder, Eglin AFB |
| | Estes Road access control point | 6,100 | Brownback | | Fort Riley |
| | Estes Road access control point | 6,100 | Roberts | | Fort Riley |
| | Installation chapel center | 14,400 | Bunning | | Fort Campbell |
| | Installation chapel center | 14,400 | McConnell | | Fort Campbell |
| | Analytical chemistry wing - advanced chemistry laboratory | 15,500 | Cardin | | Aberdeen Proving Ground |
| | Analytical chemistry wing - advanced chemistry laboratory | 15,500 | Mikulski | | Aberdeen Proving Ground |
| | Automated sniper field fire range | 3,450 | NMR | | Fort Bragg, NC |
| | Upgrade marshalling area | 8,900 | Warner | | Fort Eustis |
| | Upgrade marshalling area | 8,900 | Webb | | Fort Eustis |
| | **TITLE 22** | | | | |
| MILITARY CONSTRUCTION, NAVY | | | | | |
| | Production services support facility | 25,070 | Akaka | | NAVSTA Pearl Harbor |
| | Production services support facility | 25,070 | Inouye | | NAVSTA Pearl Harbor |
| | Strategic weapons systems engineering facility | 13,710 | Lugar | | Naval Support Activity Crane |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY CONSTRUCTION, NAVY | | | | | |
| | Gate #2 security improvements | 7,090 | Collins | | Portsmouth Naval Shipyard |
| | Gate #2 security improvements | 7,090 | Snowe | | Portsmouth Naval Shipyard |
| | Warrior physical training facility | 10,670 | Ensign | | NAS Fallon |
| | Warrior physical training facility | 10,670 | Reid | | NAS Fallon |
| | Renovation of senior enlisted academy | 10,550 | Reed | | NAVSTA Newport |
| | Electromagnetic research & engineering facility | 3,660 | Warner | | NSCW Dahlgren, VA |
| | Electromagnetic research & engineering facility | 3,660 | Webb | | NSCW Dahlgren, VA |
| | Emergency services center | 10,990 | Byrd | | Naval Security Group Activity, Sugar Grove |
| TITLE 23 | | | | | |
| MILITARY CONSTRUCTION, AIR FORCE | | | | | |
| | Arctic utilidors - phase 11 | 9,900 | Murkowski | | Eielson AFB |
| | Taxiway lighting | 3,450 | Murkowski | | Eielson AFB |
| | Security forces operations facility | 10,400 | Lincoln | | Little Rock AFB |
| | Security forces operations facility | 10,400 | Pryor | | Little Rock AFB |
| | Chapel center | 7,500 | Carper | | Dover AFB |
| | Chapel center | 7,500 | Kaufman | | Dover AFB |
| | Combat weapons training facility | 8,400 | Nelson, Bill | | Patrick AFB |
| | Rescue operations/maintenance headquarters facility | 10,000 | Chambliss | | Moody AFB |
| | Rescue operations/maintenance headquarters facility | 10,000 | Isakson | | Moody AFB |
| | Aeromedical evacuation facility | 7,400 | Durbin | | Scott AFB |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY CONSTRUCTION, AIR FORCE | | | | | |
| | Phase five ramp replacement - aircraft apron pavement | 12,800 | Landrieu | | Barksdale AFB |
| | Phase five ramp replacement - aircraft apron pavement | 12,800 | Vitter | | Barksdale AFB |
| | Air traffic control tower | 9,000 | NMR | | Pope AFB |
| | Consolidated security forces facility | 12,000 | Conrad | | Grand Forks AFB |
| | Consolidated security forces facility | 12,000 | Dorgan | | Grand Forks AFB |
| | STRATCOM gate | 10,400 | Nelson, Ben | | Offutt AFB |
| | Replace west ramp, phase two | 10,600 | Brown | | Wright-Patterson AFB |
| | Replace west ramp, phase two | 10,600 | Voinovich | | Wright-Patterson AFB |
| | Control tower | 10,700 | Inhofe | | Vance AFB |
| | Addition/alteration to deployment center | 14,500 | Johnson | | Ellsworth AFB |
| | Addition/alteration to deployment center | 14,500 | Thune | | Ellsworth AFB |
| | Consolidated learning center | 12,000 | Cornyn | | Goodfellow AFB |
| | Consolidated learning center | 12,000 | Hutchison | | Goodfellow AFB |
| | ENJJPT operations complex, phase one | 13,450 | Cornyn | | Sheppard AFB |
| | ENJJPT operations complex, phase one | 13,450 | Hutchison | | Sheppard AFB |
| | SERE force support complex, phase one | 11,000 | Cantwell | | Fairchild AFB |
| | SERE force support complex, phase one | 11,000 | Murray | | Fairchild AFB |
| | TITLE 24 | | | | |
| MILITARY CONSTRUCTION, DEFENSE-WIDE | | | | | |
| | Missile and Space Intelligence Center Explosive Ordinance Exploitation Complex | 12,000 | Shelby | | Redstone Arsenal |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (In thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY CONSTRUCTION, DEFENSE-WIDE | | | | | |
| | 5th Special Forces Group language sustainment training facility | 6,800 | Alexander | | Fort Campbell, KY |
| | 5th Special Forces Group language sustainment training facility | 6,800 | Corker | | Fort Campbell, KY |
| | SOF AC-130 load out apron PH1 | 6,000 | Udall, Tom | | Cannon AFB |
| | New elementary school | 50,000 | NMR | | Boeblingen, Germany |
| CHEMICAL AGENTS AND MUNITIONS DESTRUCTION | | | | | |
| | Blue Grass Army Depot chemical demilitarization project | 5,000 | McConnell | | Blue Grass Army Depot |
| | TITLE 26 | | | | |
| MILITARY CONSTRUCTION, ARMY NATIONAL GUARD | | | | | |
| | 144th Squadron operations facility | 9,800 | Boxer | | Fresno-Yosemite Intl ANG |
| | 144th Squadron operations facility | 9,800 | Feinstein | | Fresno-Yosemite Intl ANG |
| | Aviation readiness center | 8,967 | Chambliss | | Hunter Army Airfield |
| | Aviation readiness center | 8,967 | Isakson | | Hunter Army Airfield |
| | US Property and Fiscal Office | 4,000 | NMR | | Johnston, IA |
| | Readiness center expansion | 5,600 | Durbin | | Milan Readiness Center |
| | Taxiway alterations, ARNG aviation support facility | 2,227 | Brownback | | Army National Guard Aviation Support Facility, Salina, KS |
| | Taxiway alterations, ARNG aviation support facility | 2,227 | Roberts | | Salina Aviation Facility, Kansas |
| | Monticello National Guard readiness center | 14,350 | Cochran | | Monticello |
| | Monticello National Guard readiness center | 14,350 | Wicker | | Monticello |
| | National Guard renewable energy sustainable projects | 2,000 | Reid | | NV National Guard |
| | Camp Rilea infrastructure (water supply system) | 3,369 | Merkley | | Clatsop County, Warrenton |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY CONSTRUCTION, ARMY NATIONAL GUARD | | | | | |
| | Camp Rilea infrastructure (water supply system) | 3,369 | Wyden | | Clatsop County, Warrenton |
| | Joint force headquarters readiness center supplement | 7,890 | Johnson | | Camp Rapid |
| | Joint force headquar ers readiness center supplement | 7,890 | Thune | | Camp Rapid |
| | Troop medical clinic addition/alteration | 1,950 | Thune | | Camp Rapid |
| | BOQ additions and improvements | 1,996 | Leahy | | Ethan Allen Firing Range |
| | BOQ additions and improvements | 1,996 | Sanders | | Ethan Allen Firing Range |
| MILITARY CONSTRUCTION, ARMY RESERVES | | | | | |
| | Range utility upgrade | 3,850 | Kohl | | Fort McCoy |
| MILITARY CONSTRUCTION, AIR NATIONAL GUARD | | | | | |
| | Add/alter weapons release | 4,500 | Bennet | | Buckley ANG Base |
| | Add/alter weapons release | 4,500 | Udall, Mark | | Buckley ANG Base |
| | CNAF beddown upgrade facilities | 9,000 | Dodd | | Bradley National Airport |
| | CNAF beddown upgrade facilities | 9,000 | Lieberman | | Bradley National Airport |
| | Des Moines alteration to security forces facility | 4,600 | Grassley | | Des Moines |
| | Des Moines alteration to security forces facility | 4,600 | Harkin | | Des Moines |
| | Composite operations and training facility | 12,800 | Kennedy | | Otis ANG Base |
| | Composite operations and training facility | 12,800 | Kerry | | Otis ANG Base |
| | A-10 squad operations facility | 7,100 | Levin | | Selfridge ANG Base |
| | A-10 squad operations facility | 7,100 | Stabenow | | Selfridge ANG Base |
| | CNAF beddown facilities | 14,000 | Levin | | Battle Creek ANG Base |
| | CNAF beddown facilities | 14,000 | Stabenow | | Battle Creek ANG Base |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY CONSTRUCTION, AIR NATIONAL GUARD | | | | | |
| | Replace troop quarters | 8,900 | Levin | | Alpena Combat Readiness Training Center |
| | Replace troop quarters | 8,900 | Stabenow | | Alpena Combat Readiness Training Center |
| | Minnesota STARBASE facility alteration | 1,900 | Klobuchar | | Minneapolis/St. Paul IAP 133rd AW Base |
| | Replace fire/crash rescue station, phase two | 9,300 | NMR | | Rosencrans Memorial Airport, MO |
| | Upgrade weapons storage area | 10,600 | Tester | | Malmstrom AFB |
| | Replace squadron operations facilities | 10,000 | Gregg | | Pease ANG Base |
| | Replace squadron operations facilities | 10,000 | Shaheen | | Pease ANG Base |
| | Base civil engineering complex | 9,700 | Lautenberg | | 108th Air Refueling Wing, McGuire AFB |
| | Base civil engineering complex | 9,700 | Menendez | | 108th Air Refueling Wing, McGuire AFB |
| | NV Air National Guard fire station replacement | 10,800 | Ensign | | Reno, NV |
| | NV Air National Guard fire station replacement | 10,800 | Reid | | Reno, NV |
| | Joint force headquarters building | 1,300 | Graham | | Air National Guard |
| | Above ground multi-cubicle magazine storage | 1,300 | Thune | | Joe Foss Field |
| | Addition/alteration to munitions maintenance complex | 1,300 | Thune | | Joe Foss Field |
| | ANG engineer maintenance and training facility | 9,800 | Alexander | | 164th Airlift Wing, Memphis |
| | ANG engineer maintenance and training facility | 9,800 | Corker | | 164th Airlift Wing, Memphis |
| | Fire crash and rescue station addition/alteration | 6,000 | Leahy | | Burlington International Airport |
| | Fire crash and rescue station addition/alteration | 6,000 | Sanders | | Burlington International Airport |
| | Upgrade corrosion control hangar | 5,000 | Kohl | | General Mitchell International Airport |

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COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

| Line | Description | Amount (in thousands) | Member | Suggested Recipient | Suggested Location of Performance |
|---|---|---|---|---|---|
| MILITARY CONSTRUCTION, AIR NATIONAL GUARD | | | | | |
| | C-5 taxiway upgrades | 19,500 | Byrd | | Shepherd Airbase, Martinsburg |
| | Squadron operations | 1,500 | Barrasso | | Cheyenne Airport/WY National Guard |
| | Squadron operations | 1,500 | Enzi | | Cheyenne Airport/WY National Guard |
| MILITARY CONSTRUCTION, AIR FORCE RESERVES | | | | | |
| | Indoor small arms range | 5,700 | Gillibrand | | Niagara Falls Air Reserve Station, NY |
| | Indoor small arms range | 5,700 | Schumer | | Niagara Falls Air Reserve Station, NY |
| | Visiting quarters phase one | 12,400 | Casey | | Pittsburgh Air Reserve Base |
| | Visiting quarters phase one | 12,400 | Specter | | Pittsburgh Air Reserve Base |
| | TITLE 31 | | | | |
| DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS; WEAPONS ACTIVITIES | | | | | |
| | Engineering campaign; enhanced surety | 5,000 | NMR | n/a | n/a |
| | Inertial confinement fusion and high yield campaign; facility operations and target production; Omega operations | 6,500 | NMR | University of Rochester | Rochester, NY |
| | International nuclear materials protection and cooperation; MPC&A | 39,750 | NMR | n/a | n/a |
| | Readiness in technical base and facilities; construction; 09-D-007, LANSCE refurbishment | 24,000 | NMR | Los Alamos National Laboratory | Los Alamos, NM |
| | Weapons dismantlement and disposition; operation and maintenance | 10,000 | NMR | n/a | n/a |

'NMR' indicates no member request

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| I | APA | | 20 | Air filtrations systems | $1,000 | Akin (MO) | Aerospace Filtration Systems, Inc. | St. Charles, MO |
| I | APA | | 22 | Common Avionics Architecture System (CAAS-PVI) CH-47F | $2,000 | McHugh (NY) | Rockwell Collins (HQ Cedar Rapids, IA) | Binghamton, NY |
| I | APA | | 22 | Vibration Management Enhancement Program (VMEP) | $3,000 | Wilson (SC) | South Carolina Army National Guard | Columbia, SC |
| I | APA | | 26 | UH-60 Rewiring Program - Army National Guard | $5,000 | Granger (TX) | InterConnect Wiring L.L.P. | Fort Worth, TX |
| I | WTCV | | 44 | Arsenal Support Program Initiative (ASPI) at Rock Island Arsenal | $3,000 | Braley (IA) | Rock Island Arsenal | Rock Island, IL |
| I | WTCV | | 44 | Arsenal Support Program Initiative (ASPI) at Rock Island Arsenal | $3,000 | Hare (IL) | Rock Island Arsenal | Rock Island, IL |
| I | PAA | | 7 | 40MM Tactical All Types – Mortar Rounds | $3,000 | Tanner (TN) | Milan AAP | Milan, TN |
| I | PAA | | 8 | M722 60mm White Phosphorus Smoke Mortar | $2,000 | Ross (AR) | Pine Bluff Arsenal | Pine Bluff, AR |
| I | PAA | | 36 | Bomb Line Modernization | $2,000 | Boren (OK) | McAlester Army Ammunition Plant | McAlester, OK |
| I | OPA | | 135 | FIDO Explosive Detector | $3,000 | Fallin (OK) | Nomadics | Stillwater, OK |
| I | OPA | | 154 | Life Support for Trauma and Transport (LSTAT) | $1,000 | Loretta Sanchez (CA) | Integrated Medical Systems | Signal Hill, CA |
| I | OPA | | 154 | Life Support for Trauma and Transport (LSTAT) | $1,000 | Reyes (TX) | Integrated Medical Systems | Signal Hill, CA |
| I | OPA | | 177 | Immersive Group Simulation Virtual Training System for the Hawaii Army National Guard | $2,500 | Abercrombie (HI) | Atlantis Cyberspace | Honolulu, HI |
| I | OPA | | 177 | Mobile Firing Range for TXARNG | $1,500 | Conaway (TX) | Texas Army National Guard | Austin, TX |
| I | OPA | | 177 | Mobile Firing Range for TXARNG | $1,500 | Granger (TX) | Texas National Guard | Fort Worth, TX |
| I | OPA | | 177 | Virtual Interactive Combat Environment (V.I.C.E.) training system for the Virginia National Guard | $2,000 | Connolly (VA) | Dynamic Animation Systems, Inc. | Fairfax County, VA |
| I | APN | | 52 | Crane Integrated Defensive Countermeasures (IDECM) Depot Capability | $2,000 | Ellsworth (IN) | ITT Electronic Systems and NSWC, Crane | Crane, IN |

## COMPLIANCE WITH HOUSE RULE XXI

**(Dollars In Thousands)**

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| I | OPN | | 64 | Deployable Joint Command and Control (DJC2) Shelter Upgrade Program | $3,000 | Salazar (CO) | Weatherport/Alaska Structures | Delta, CO |
| I | OPN | | 97 | Multi-Climate Protection System (MCPS) | $5,000 | Hodes (NH) | Polartec, LLC | Hudson, NH |
| I | OPN | | 97 | Multi-Climate Protection System (MCPS) | $5,000 | Rogers (MI) | Peckham | Lansing, MI |
| I | OPN | | 97 | Multi-Climate Protection System (MCPS) | $5,000 | Shea-Porter (NH) | Polartec, LLC | Hudson, NH |
| I | OPN | | 97 | Multi-Climate Protection System (MCPS) | $5,000 | Tsongas (MA) | Polartec, LLC | Lawrence, MA |
| I | PMC | | 44 | USMC Tactical Fuel Systems (Nitrile Rubber Collapsible Storage Units) | $3,100 | Taylor (MS) | Avon Engineered Fabrications, Inc | Picayune, MS |
| I | APAF | | 17 | C-40C Aircraft, Scott AFB | $105,250 | Costello (IL) | 932nd Airlift Wing | Scott AFB, IL |
| I | APAF | | 52 | Scathe View Hyper-Spectral Imagery Upgrade | $4,500 | Berkley (NV) | Nevada Military Department | Carson City, NV |
| I | APAF | | 52 | Scathe View Hyper-Spectral Imagery Upgrade | $4,500 | Titus (NV) | Nevada Military Department/Nevada National Guard | Carson City, NV |
| I | APAF | | 52 | Senior Scout COMINT (Communications Intelligence) Capability Upgrade | $3,750 | Andrews (NJ) | L-3 Communications - East | Camden, NJ |
| I | APAF | | 52 | Senior Scout COMINT (Communications Intelligence) Capability Upgrade | $3,750 | LoBiondo (NJ) | L-3 Communications Systems | Camden, NJ |
| I | OPAF | | 12 | Eagle Vision III, 147th Combat Communications Squadron, San Diego, California | $4,000 | Bilbray (CA) | 147th Combat Communications Squadron, California Air National Guard, San Diego, California | San Diego, CA |
| I | OPAF | | 12 | Eagle Vision III, 147th Combat Communications Squadron, San Diego, California | $4,000 | Davis (CA) | 147th Combat Communications Squadron, California Air National Guard, San Diego, California | San Diego, CA |
| I | OPAF | | 12 | Eagle Vision Upgrade | $1,500 | Wilson (SC) | South Carolina Air National Guard | Eastover, SC |
| I | OPAF | | 54 | Aircrew Body Armor and Load Carriage Vest System | $3,000 | Akin (MO) | Eagle Industries | Fenton, MO |
| I | PDW | | 63 | Intelligence Broadcast Receiver (IBR) for AFSOC MC-130 | $1,000 | Miller (FL) | DRS Technologies | Fort Walton Beach, FL |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| I | PDW | | 71 | Special Operations Forces Combat Assault Rifle (SCAR) | $2,500 | Wilson (SC) | FN Manufacturing, LLC | Columbia, SC |
| I | PDW | | 74 | Special Operations Craft-Riverine | $10,000 | Taylor (MS) | United States Marine, Inc | Gulfport, MS |
| II | RDA | 0601103A | 3 | Smart Wound Dressing for MRSA-infected Battle Wounds | $1,000 | Cummings (MD) | Soluble Systems, LLC. | Newport News, VA |
| II | RDA | 0601103A | 3 | Smart Wound Dressing for MRSA-infected Battle Wounds | $1,000 | Scott (VA) | Eastern Virginia Medical School | Norfolk, VA |
| II | RDA | 0602105A | 5 | Dual Stage Variable Energy Absorber | $3,000 | Murphy (PA) | ARCCA, Inc. | Penns Park, PA |
| II | RDA | 0602105A | 5 | Nanomanufacturing of Multifunctional Sensors | $3,000 | Tsongas (MA) | University of Massachusetts Lowell | Lowell, MA |
| II | RDA | 0602105A | 5 | Next Generation High Strength Glass Fibers for Ballistic Armor Applications | $2,000 | Wilson (SC) | AGY Holding Corporation | Aiken, SC |
| II | RDA | 0602105A | 5 | Ultra Lightweight Metallic Armor | $1,000 | Costello (IL) | Magnesium Elektron North America | Madison, IL |
| II | RDA | 0602601A | 13 | Tactical Metal Fabrication (TacFab) | $1,000 | Adler (NJ) | SeaBox | East Riverton, NJ |
| II | RDA | 0602601A | 13 | Tactical Metal Fabrication (TacFab) | $1,000 | Andrews (NJ) | SeaBox, Inc. | East Riverton, NJ |
| II | RDA | 0602601A | 13 | Tactical Metal Fabrication (TacFab) | $1,000 | Lance (NJ) | SeaBox, Inc. | No. Brunswick, NJ |
| II | RDA | 0602601A | 13 | Tactical Metal Fabrication (TacFab) | $1,000 | Markey (MA) | Thermo Fisher Scientific | Waltham, Woburn, Billerica, Beverly, Lowell, MA |
| II | RDA | 0602601A | 13 | Tactical Metal Fabrication (TacFab) | $1,000 | Tsongas (MA) | Thermo Fisher Scientific | Billerica, MA |
| II | RDA | 0602601A | 13 | Tactical Metal Fabrication (TacFab) | $1,000 | Turner (OH) | BuyCASTINGS.com, Inc. | Miamisburg, OH |
| II | RDA | 0602618A | 14 | Beneficial Infrastructure for Rotorcraft Risk Reduction Demonstrations (BIRRRD) Program | $1,000 | Sestak (PA) | Dragonfly Pictures, Inc. | Essington, PA |
| II | RDA | 0602624A | 17 | Defense Support for Civil Authorities (DSCA) for Key Resource Protection – South Central, PA | $1,000 | Shuster (PA) | L. Robert Kimball & Associates | Ebensburg, PA |
| II | RDA | 0602624A | 17 | Highly Integrated Production for Expediting RESET | $2,500 | Rogers (AL) | Anniston Army Depot | Anniston, AL |
| II | RDA | 0602624A | 17 | Highly Integrated Production for Expediting RESET | $2,500 | Wilson (SC) | South Carolina Research Authority | Columbia, SC |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDA | 0602624A | 17 | Hybrid Projectile Program | $3,000 | Courtney (CT) | University of Hartford | West Hartford, CT |
| II | RDA | 0602624A | 17 | Hybrid Projectile Program | $3,000 | Larson (CT) | University of Hartford | West Hartford, CT |
| II | RDA | 0602624A | 17 | Specialized Compact Automated Mechanical Clearance Platform (SCAMP) | $4,000 | Murphy (PA) | Humanistic Robotics, Inc. | Bristol, PA |
| II | RDA | 0602705A | 18 | Novel Zinc Air Power Sources for Military | $2,500 | Rogers (AL) | Electric Fuel Battery Corporation (Arotech Subsidiary) | Auburn, AL |
| II | RDA | 0602716A | 21 | LWI Training-based Collaborative Research | $15,000 | Skelton (MO) | Leonard Wood Institute | Fort Leonard Wood, MO |
| II | RDA | 0602720A | 22 | Cluster Bomb Unit/ Combined Effects Munitions (CBU/CEM) Demil System | $1,000 | Brady (PA) | Day & Zimmermann | Philadelphia, PA |
| II | RDA | 0602720A | 22 | Renewable Energy Testing Center | $1,000 | Matsui (CA) | Renewable Energy Institute International | Sacramento, CA |
| II | RDA | 0602720A | 22 | SUNY Cobleskill Biowaste-to-Bioenergy Center | $2,500 | Murphy (NY) | State University of New York | Cobleskill, NY |
| II | RDA | 0602720A | 22 | SUNY Cobleskill Biowaste-to-Bioenergy Center | $2,500 | Tonko (NY) | State University of New York College of Agriculture and Technology at Cobleskill | Cobleskill, NY |
| II | RDA | 0602784A | 25 | Cellulose Nanocomposite Panels for Ballistic Protection | $2,000 | Michaud (ME) | University of Maine | Orono, ME |
| II | RDA | 0602784A | 25 | Cellulose Nanocomposite Panels for Ballistic Protection | $2,000 | Pingree (ME) | University of Maine | Orono, ME |
| II | RDA | 0602784A | 25 | Geosciences/Atmospheric Research (CG/AR) | $3,000 | Markey (CO) | Colorado State University | Fort Collins, CO |
| II | RDA | 0602787A | 28 | Advanced Bio-engineering for Enhancement of Soldier Survivability | $3,000 | Gingrey (GA) | Georgia Institute of Technology | Atlanta, GA |
| II | RDA | 0602787A | 28 | Advanced Bio-engineering for Enhancement of Soldier Survivability | $3,000 | Johnson (GA) | Georgia Institute of Technology | Atlanta, GA |
| II | RDA | 0602787A | 28 | Advanced Functional Nanomaterials for Biological Processes | $2,500 | Snyder (AR) | University of Arkansas at Little Rock | Little Rock, AR |
| II | RDA | 0602787A | 28 | Human Organ and Tissue Preservation Technology | $2,000 | Wilson (SC) | Lifeblood Medical | Columbia, SC |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDA | 0602787A | 28 | Improving Soldier Recovery from Catastrophic Bone Injuries | $4,000 | Murphy (CT) | University of Connecticut Health Center | Farmington, CT |
| II | RDA | 0602787A | 28 | Optical Neural Techniques for Combat and Post-Trauma Healthcare | $4,000 | Smith (WA) | Lockheed Martin Aculight | Bothell, WA |
| II | RDA | 0602787A | 28 | Self Powered Prosthetic Limb Technology | $2,000 | Thompson (PA) | KCF Technologies | State College, PA |
| II | RDA | 0603001A | 29 | High Pressure Pasteurization & Pressure Assisted Thermal Sterilization Project | $4,300 | Ellsworth (IN) | AmeriQual Group, LLC and Natick Soldier Research, Development and Engineering Center | Evansville, IN |
| II | RDA | 0603001A | 29 | Next Generation Precision Airdrop System (Next-Gen PADS) | $2,500 | Larson (CT) | Capewell Components Company, LLC | South Windsor, CT |
| II | RDA | 0603001A | 29 | Onyx System Precision Guided Airdrop Equipment | $1,500 | McMahon (NY) | Atair Aerospace | Brooklyn, NY |
| II | RDA | 0603001A | 29 | Onyx System Precision Guided Airdrop Equipment | $1,500 | Towns (NY) | Atair Aerospace | Brooklyn, NY |
| II | RDA | 0603001A | 29 | Onyx System Precision Guided Airdrop Equipment | $1,500 | Velazquez (NY) | Atair Aerospace | Brooklyn, NY |
| II | RDA | 0603002A | 30 | Carbide Derived Carbon for Treatment of Combat Related Sepsis | $1,000 | Sestak (PA) | Y-Carbon Inc. | King of Prussia, PA |
| II | RDA | 0603002A | 30 | Clinical Technology Integration for Military Health | $2,000 | Markey (MA) | DocBox, Inc. | Waltham, MA |
| II | RDA | 0603002A | 30 | Institute for Simulation and Interprofessional Studies | $5,800 | Smith (WA) | University of Washington | Seattle, WA |
| II | RDA | 0603002A | 30 | Malaria Vaccine Development: Protecting our Troops | $5,000 | Smith (WA) | Seattle Biomedical Research Initiative | Seattle, WA |
| II | RDA | 0603002A | 30 | Multi-dose Closed-loop pH Monitoring System for Platelets | $1,000 | Smith (WA) | Blood Cell Storage, Inc. | Seattle, WA |
| II | RDA | 0603002A | 30 | Northern Illinois Proton Treatment and Research Center | $2,000 | Foster (IL) | Northern Illinois University | DeKalb, IL |
| II | RDA | 0603002A | 30 | Regenerative Medicine to Address Acute Hearing Loss | $3,000 | Smith (WA) | FATE Therapeutics | Seattle, WA |
| II | RDA | 0603002A | 30 | Wounded Servicemember Bioelectrics Research | $1,500 | Nye (VA) | Old Dominion University (ODU) | Norfolk, VA |
| II | RDA | 0603003A | 31 | Advanced Affordable Turbine Engine (AATE) Program | $5,000 | DeLauro (CT) | Pratt & Whitney | East Hartford/Middletown, CT |

## COMPLIANCE WITH HOUSE RULE XXI

**(Dollars In Thousands)**

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDA | 0603003A | 31 | Advanced Affordable Turbine Engine (AATE) Program | $5,000 | Larson (CT) | Pratt & Whitney | East Hartford, CT |
| II | RDA | 0603003A | 31 | Drive System Composite Structural Component Risk Reduction Program | $3,000 | Brady (PA) | V System Composites, Inc. | Chester, PA |
| II | RDA | 0603003A | 31 | Robust Composite Structural Core for Army Helicopters | $2,000 | Shea-Porter (NH) | Albany Engineered Composites | Rochester, NH |
| II | RDA | 0603003A | 31 | UH-60 Transmission/Gearbox Galvanic Corrosion Reduction | $1,500 | Kissell (NC) | United Protective Technologies | Locust, NC |
| II | RDA | 0603003A | 31 | Universal Control Program - FADEC | $9,000 | Larson (CT) | Goodrich Pump & Engine Controls | West Hartford, CT |
| II | RDA | 0603005A | 33 | Advanced Composites for Light Weight, Low Cost Transportation Systems using a 3+ Ring Extruder | $3,000 | Stupak (MI) | Century/3 Plus, LLC | Traverse City, MI |
| II | RDA | 0603005A | 33 | Advanced Lithium Ion Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle P | $3,000 | Dingell (MI) | A123Systems, Inc. | Ann Arbor, MI |
| II | RDA | 0603005A | 33 | Fire Shield | $2,000 | Dreier (CA) | Chang Industry, Inc | La Verne, CA |
| II | RDA | 0603005A | 33 | Hybrid Electric (Heavy Truck) Vehicle | $2,000 | Bartlett (MD) | Volvo Powertrain of North America | Hagerstown, MD |
| II | RDA | 0603005A | 33 | Hydraulic Hybrid Vehicle (HHV) for the Tactical Wheeled Fleet | $3,500 | Peters (MI) | Bosch Rexroth Corporation | Rochester Hills, MI |
| II | RDA | 0603005A | 33 | Protective 3-D Armor Structure to Safeguard Military Vehicles and Troops | $2,000 | Levin (MI) | Lawrence Technological University | Southfield, MI |
| II | RDA | 0603005A | 33 | Unmanned Robotic System Utilizing a Hydrocarbon Fueled Solid Oxide Fuel Cell System | $3,000 | Dingell (MI) | Adaptive Materials, Inc. | Ann Arbor, MI |
| II | RDA | 0603006A | 34 | Applied Communciations and Information Networking (ACIN) | $3,800 | Andrews (NJ) | Drexel University | Camden, NJ |
| II | RDA | 0603006A | 34 | Applied Communciations and Information Networking (ACIN) | $3,800 | LoBiondo (NJ) | Drexel University | Philadelphia, PA |
| II | RDA | 0603015A | 38 | HapMed Combat Medic Trainer | $1,000 | Hunter (CA) | CHI Systems | Poway, CA |
| II | RDA | 0603015A | 38 | HapMed Combat Medic Trainer | $1,000 | Schwartz (PA) | CHI Systems, Inc. | Fort Washington, PA |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars in Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDA | 0603015A | 38 | Joint Fires and Effects Trainer System Enhancements | $2,500 | Fallin (OK) | Creative Technologies Inc. | Fort Sill, OK |
| II | RDA | 0603103A | 40 | Propellant Conversion to Fertilizer Program for Tooele Army Depot | $2,000 | Bishop (UT) | Tooele Army Depot, Utah | Tooele, UT |
| II | RDA | 0603270A | 43 | Advanced Ground Electronic Warfare & Signals Intelligence System | $2,500 | Larsen (WA) | Agilent Technologies | Everett, WA |
| II | RDA | 0603270A | 43 | Advanced Ground Electronic Warfare & Signals Intelligence System | $2,500 | Smith (WA) | Agilent Technologies | Everett, WA |
| II | RDA | 0603313A | 44 | Scenario Generation for Integrated Air and Missile Defense (IAMD) Evaluation (SGIE) | $800 | Reyes (TX) | Integrated Defense Applications and QNA SEG and Integration Innovation, Incorporated (I3) | El Paso, Union Grove, AL and Huntsville, AL, TX |
| II | RDA | 0603710A | 48 | Brownout Situational Awareness Sensor | $3,000 | Hunter (CA) | Trex Enterprises | San Diego, CA |
| II | RDA | 0603710A | 48 | Brownout Situational Awareness Sensor | $3,000 | Olver (MA) | Trex Enterprises | West Hatfield, MA |
| II | RDA | 0603710A | 48 | Buster/Blacklight UAV Development | $1,000 | Ortiz (TX) | Mission Technologies | San Antonio, TX |
| II | RDA | 0603710A | 48 | Buster/Blacklight UAV Development | $1,000 | Rodriguez (TX) | Mission Technologies, Inc. | San Antonio, TX |
| II | RDA | 0603710A | 48 | High Resolution Personal Miniature Thermal Viewer (PMTV) | $1,000 | Loretta Sanchez (CA) | Irvine Sensors | Costa Mesa, CA |
| II | RDA | 0603710A | 48 | Hyper-IFP (Hyper spectral Sensor for Improved Force Protection) | $2,000 | Akin (MO) | Clean Earth Technologies, LLC | St. Louis, MO |
| II | RDA | 0603734A | 50 | Demonstration of Thin Film Solar Modules as a Renewable Energy Source – Fort Bliss | $1,000 | Reyes (TX) | Florida Solar Energy | Boca Raton, TX |
| II | RDA | 0603734A | 50 | Field Deployable Hologram Production System | $4,800 | Conaway (TX) | Zebra Imaging, Inc. | Austin, TX |
| II | RDA | 0603734A | 50 | Field Deployable Hologram Production System | $4,800 | Granger (TX) | Zebra Imaging, Inc | Austin, TX |
| II | RDA | 0603734A | 50 | Nanotechnology for Potable Water and Waste Treatment | $2,000 | Murphy (PA) | PPG Industries | Monroeville, PA |
| II | RDA | 0603734A | 50 | PacCom Renewable Energy Security Systems | $3,000 | Abercrombie (HI) | Pacific Biodiesel | Honolulu, HI |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDA | 0603772A | 51 | Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER) | $2,000 | Maffei (NY) | Syracuse Research Corporation | North Syracuse, NY |
| II | RDA | 0603772A | 51 | Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER) | $2,000 | McHugh (NY) | Syracuse Research Corporation | North Syracuse, NY |
| II | RDA | 0603772A | 51 | Optimizing Natural Language Processing of Open Source Intelligence (OSINT) | $1,500 | Bishop (UT) | Army / Attensity, Inc., / partnered with University of Buffalo | Salt Lake City, UT |
| II | RDA | 0603305A | 53 | Biological Air Filtering System Technology (BAFST) | $3,000 | Berry (AR) | Arkansas State University | Jonesboro, AR |
| II | RDA | 0603305A | 53 | Compact Pulsed Power Initiative | $4,000 | Conaway (TX) | Texas Tech University | Lubbock, TX |
| II | RDA | 0603305A | 53 | Compact Pulsed Power Initiative | $4,000 | Neugebauer (TX) | Texas Tech University | Lubbock, TX |
| II | RDA | 0603327A | 55 | Center for Defense Systems Research (CDSR) | $1,000 | Reyes (TX) | University of Texas at El Paso | El Paso, TX |
| II | RDA | 0603779A | 64 | Cadmium Emissions Reduction - Letterkenny Army Depot | $1,000 | Shuster (PA) | Mountain Research, LLC | Altoona, PA |
| II | RDA | 0603779A | 64 | Vanadium Technology Program | $3,000 | Wilson (SC) | Advanced Technology Institute | North Charleston, SC |
| II | RDA | 0603827A | 71 | Acid Alkaline Direct Methanol Fuel Cell | $2,000 | McIntyre (NC) | Fayetteville Works Plant | Fayetteville, NC |
| II | RDA | 0604804A | 103 | Autonomous Sustainment Cargo Container (ASCC), "Sea Truck" | $1,500 | Bartlett (MD) | AEPLOG Inc. | Germantown, MD |
| II | RDA | 0604807A | 105 | Plasma Sterilizer | $800 | Ellison (MN) | Phygen, Inc | Minneapolis, MN |
| II | RDA | 0604807A | 105 | Plasma Sterilizer | $800 | McCollum (MN) | Phygen-Sterilucent | Minneapolis, MN |
| II | RDA | 0604854A | 114 | Paladin Integrated Management, M109A6 | $9,000 | Platts (PA) | BAE Systems | Arlington, VA |
| II | RDA | 0604854A | 114 | Paladin Integrated Management, M109A6 | $9,000 | Rogers (AL) | BAE Systems | Arlington, VA |
| II | RDA | 0605602A | 128 | MOTS All Sky Imager | $1,200 | Reyes (TX) | Aerospace Missions Corporation and Trex Enterprises | El Paso and San Diego, CA, TX |
| II | RDA | 0203726A | 147 | AFATDS Voice Recognition and Cross Platform Speech Interface System | $2,500 | Shuster (PA) | Szanca Solutions, Inc. | Bedford, PA |
| II | RDA | 0203802A | 155 | Javelin Warhead Improvement Plan | $5,000 | Bright (AL) | Lockheed Martin Corporation | Troy, AL |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDA | 0305208A | 168 | Adaptive-Defense HIPPIE (High-speed Internet Protocol Packet Inspection Engine) on a Chip | $1,300 | Akin (MO) | TechGuard Security, LLC | Chesterfield, MO |
| II | RDA | 0305208A | 168 | Joint STARS Surveillance and Control Data Link (SCDL) Technology Refresh | $1,000 | Davis (CA) | Cubic Defense Applications | San Diego, CA |
| II | RDN | 0601153N | 3 | ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology (N31) Initiative | $2,500 | Blumenauer (OR) | Portland State University (with Subcontracting to Oregon State Univesity and University of Oregon) | Portland, OR |
| II | RDN | 0601153N | 3 | ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology (N31) Initiative | $2,500 | DeFazio (OR) | University of Oregon | Eugene, OR |
| II | RDN | 0601153N | 3 | ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology (N31) Initiative | $2,500 | Schrader (OR) | ONAMI | Corvalis, OR |
| II | RDN | 0601153N | 3 | ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology (N31) Initiative | $2,500 | Walden (OR) | University of Oregon; Oregon State University; Portland State University; ONAMI | Eugene; Corvallis; Portland; Corvallis, OR |
| II | RDN | 0602114N | 4 | Multifunctional Materials, Their Applications and Devices | $2,000 | Kilroy (OH) | The Ohio State University | Columbus, OH |
| II | RDN | 0602123N | 5 | Design Optimization of Composite High-Speed Boats using Advanced Composite Manufacturing and Non-Des | $2,000 | Pingree (ME) | Hodgdon Defense Composites | Portland, ME |
| II | RDN | 0602123N | 5 | Force Protection – Non Traditional Weaving Application for Aramid (Ballistic) Fibers and Fabrics | $2,500 | LoBiondo (NJ) | Absecon Mills Inc. | Cologne, NJ |
| II | RDN | 0602123N | 5 | Lithium Ion Storage Advancement for Aircraft Applications | $2,500 | Blunt (MO) | EaglePicher Technologies LLC | Joplin, MO |
| II | RDN | 0602236N | 9 | Managing and Extending DoD Asset Lifecycles (MEDAL) | $2,000 | Abercrombie (HI) | Referentia Systems | Honolulu, HI |
| II | RDN | 0603114N | 15 | Countermine Lidar UAV-based System (CLUBS) | $2,000 | Taylor (MS) | Optech International Inc. | Kiln, MS |
| II | RDN | 0603114N | 15 | Detection, Tracking, and Identification for ISRTE of Mobile and Asymmetric Targets | $2,500 | Abercrombie (HI) | Pukoa Scientific | Honolulu, HI |
| II | RDN | 0603114N | 15 | Quiet Drive Advanced Rotary Actuator | $2,000 | Higgins (NY) | Moog Inc. | East Aurora, NY |
| II | RDN | 0603114N | 15 | Quiet Drive Advanced Rotary Actuator | $2,000 | Sestak (PA) | Moog Inc. | East Aurora, NY |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDN | 0603114N | 15 | Tactical High Speed Anti-Radiation Missile Demonstration | $1,900 | Connolly (VA) | Aerojet-General Corporation | Gainesville, VA |
| II | RDN | 0603114N | 15 | Tactical High Speed Anti-Radiation Missile Demonstration | $1,900 | McKeon (CA) | Naval Air Warfare Center, China Lake | China Lake, CA |
| II | RDN | 0603123N | 16 | High-Temperature Radar Dome Materials | $2,000 | Giffords (AZ) | University of Arizona | Tucson, AZ |
| II | RDN | 0603123N | 16 | Pure Hydrogen Supply from Logistic Fuels | $3,000 | Murphy (PA) | Power and Energy, Inc. | Ivyland, PA |
| II | RDN | 0603640M | 20 | Acoustic Combat Sensors | $5,000 | Boren (OK) | GWACS Defense, Inc. | Tulsa, OK |
| II | RDN | 0603729N | 22 | Navy Special Warfare Performance and Injury Prevention Program for SBT 22 at Stennis Space Center | $2,500 | Taylor (MS) | University of Pittsburgh Scool of Health and Rehabilitation | Pittsburgh, PA |
| II | RDN | 0603216N | 27 | Lighter-Than-Air Stratospheric UAV for Persistent Communications Relay and Surveillance | $3,000 | Lamborn (CO) | U.S. Northern Command | Colorado Springs, CO |
| II | RDN | 0603254N | 29 | Marine Mammal Detection System | $3,000 | Smith (NJ) | Integrated Systems Solutions, Inc. (ISSI) | Lakehurst, NJ |
| II | RDN | 0603506N | 33 | Continuous Active Sonar (CAS) for Torpedo DCL Systems | $4,500 | Courtney (CT) | Alion Science and Technology | Mystic, CT |
| II | RDN | 0603513N | 35 | Advanced Steam Turbine | $4,000 | Massa (NY) | Dresser-Rand | Wellsville, Painted Post, Olean, NY |
| II | RDN | 0603513N | 35 | Advanced Steam Turbine | $4,000 | Olver (MA) | DRS | Fitchburg, MA |
| II | RDN | 0603513N | 35 | Advanced Steam Turbine | $4,000 | Tsongas (MA) | DRS Power Technology, Inc | Fitchburg and Hudson, MA |
| II | RDN | 0603513N | 35 | Next Generation Shipboard Integrated Power: Fuel Efficiency and Advanced Capability Enhancer | $5,000 | Bartlett (MD) | Northrop Grumman | Los Angeles, CA |
| II | RDN | 0603561N | 41 | Submarine Fatline Vector Senor Towed Array | $2,000 | Kratovil (MD) | L3 Chesapeake Sciences Corporation | Millersville, MD |
| II | RDN | 0603564N | 44 | Support for Naval Ship Hydrodynamics Test Facilities | $4,000 | Van Hollen (MD) | Carderock Division, Naval Surface Warfare Center | West Bethesda, MD |
| II | RDN | 0603573N | 46 | High Density Power Conversion and Distribution Equipment | $1,500 | Boren (OK) | Westwood Corporation, L-3 | Tulsa, OK |
| II | RDN | 0603573N | 46 | High Density Power Conversion and Distribution Equipment | $1,500 | Sullivan (OK) | L-3 Westwood Corporation | Tulsa, OK |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDN | 0603573N | 46 | Hybrid Propulsion / Power Generation for Increased Fuel Efficiency for Surface Combatants | $2,000 | Loretta Sanchez (CA) | L-3 Power Paragon, Inc. | Anaheim, CA |
| II | RDN | 0603573N | 46 | Hybrid Propulsion / Power Generation for Increased Fuel Efficiency for Surface Combatants | $2,000 | Miller (CA) | NAVSEA Electric Ship Office | Washington, DC |
| II | RDN | 0603725N | 59 | Photovoltaic Rooftop Systems - Navy | $1,500 | Peters (MI) | United Solar Ovonic | Auburn Hills, MI |
| II | RDN | 0603725N | 59 | Regenerative Fuel Cell Back-up Power | $1,700 | Larson (CT) | Infinity Fuel Cell and Hydrogen, Inc. | Windsor, CT |
| II | RDN | 0603725N | 59 | Wave Energy PowerBuoy Generating System | $2,400 | Abercrombie (HI) | Ocean Power Technologies | Honolulu, HI |
| II | RDN | 0603725N | 59 | Wave Energy PowerBuoy Generating System | $2,400 | Hirono (HI) | Ocean Power Technologies | Honolulu, HI |
| II | RDN | 0603925N | 74 | Joint Technology Insertion & Accelerated System Integration Capability for Electronic Warfare | $2,000 | Ellsworth (IN) | Science Applications International Corporation (SAIC) and NSWC, Crane | Crane, IN |
| II | RDN | 0604215N | 82 | Measurement Standards Research and Development | $2,000 | Calvert (CA) | Naval Surface Warfare Center, Corona Division, Corona, CA 92878-5000 | Corona, CA |
| II | RDN | 0604216N | 83 | USN MH-60S 'Close the Lethality Gap' M230 Pylon Qualification | $4,700 | Massa (NY) | Navy Strike and Air Warfare Center | Fallon, NV |
| II | RDN | 0604307N | 99 | Advanced Capability Build 12 and ACB 14 | $2,000 | Adler (NJ) | Lockheed Martin MS2 | Moorestown, NJ |
| II | RDN | 0604558N | 110 | Common Command and Control System Module (CCCS) | $6,000 | Courtney (CT) | General Dynamics Electric Boat | Groton, CT |
| II | RDN | 0604558N | 110 | Common Command and Control System Module (CCCS) | $6,000 | Langevin (RI) | General Dynamics Electric Boat | North Kingstown, RI |
| II | RDN | 0604558N | 110 | Mold -In-Place (MIP) Coating Development for the U.S. Submarine Fleet | $2,000 | Taylor (MS) | Seeman Composites, Inc | Gulfport, MS |
| II | RDN | 0604567N | 113 | Automated Fiber Optic Manufacturing Initiative for Navy Ships | $2,500 | Nye (VA) | CAPT Brian Antonio, PEO Aircraft Carriers PMS 378, Washington Navy Yard | Washington, DC |
| II | RDN | 0604567N | 113 | Automated Fiber Optic Manufacturing Initiative for Navy Ships | $2,500 | Tsongas (MA) | kSaria | Lawrence, MA |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDN | 0604771N | 124 | U.S. Navy Pandemic Influenza Vaccine Program: Enhancement of Influenza Vaccine Efficacy | $2,000 | McHugh (NY) | Trudeau Institute (Saranac Lake, NY) and Naval Health Research Center (NHRC) (San Diego, CA) | Saranac Lake, NY |
| II | RDN | 0604771N | 124 | U.S. Navy Vaccine Program | $3,000 | Alexander (LA) | The Breast Foundation | Baton Rouge, LA |
| II | RDN | 0604771N | 124 | U.S. Navy Vaccine Program | $3,000 | Jones (NC) | OncBioMune, LLC | Baton Rouge, LA |
| II | RDN | 0605013N | 129 | Maintenance Planning and Assessment Technology (MPAT) Insertion | $1,500 | Brady (PA) | Progeny Systems | Philadelphia, PA |
| II | RDN | 0605804N | 143 | Center for Commercialization of Advanced Technology | $2,500 | Davis (CA) | San Diego State University Research Foundation | San Diego, CA |
| II | RDN | 0101221N | 160 | Advanced LINAC Facility | $1,170 | Hill (IN) | Indiana University | Bloomington, IN |
| II | RDN | 0101402N | 163 | E-6B Strategic Communications Upgrade Block 1A (VLF-TX & HPTS) | $3,000 | Fallin (OK) | Rockwell Collins through the US Navy | Tinker AFB, OK |
| II | RDN | 0101402N | 163 | E-6B Strategic Communications Upgrade Block 1A (VLF-TX & HPTS) | $3,000 | Loebsack (IA) | Rockwell Collins | Cedar Rapids, IA |
| II | RDN | 0708011N | 216 | Laser Optimization Remote Lighting Systems | $2,500 | Larson (CT) | RSL Fiber Systems, LLC | East Hartford, CT |
| II | RDAF | 0602201F | 8 | UAV Sensor and Maintenance Development Center | $4,900 | Bishop (UT) | Utah State University Space Dynamics Lab / Ogden ALC | Logan, UT |
| II | RDAF | 0602201F | 8 | Unmanned Sense, Track, and Avoid Radar (USTAR) | $2,000 | Lamborn (CO) | N/A | Colorado Springs, CO |
| II | RDAF | 0602203F | 10 | Advanced Lithium Battery Scale-up and Manufacturing | $2,000 | Johnson (GA) | Excellatron Solid State, LLC | Atlanta, GA |
| II | RDAF | 0602203F | 10 | Advanced Vehicle Propulsion Center (AVPC) | $3,000 | McKeon (CA) | Advatech Pacific, Inc. | Redlands, CA |
| II | RDAF | 0602203F | 10 | Integrated Electrical Starter | $2,000 | Turner (OH) | GE Aviation Systems, Electrical Power | Vandalia, OH |
| II | RDAF | 0602203F | 10 | Multi-Mode Propulsion Phase IIA: High Performance Green Propellant | $2,000 | Kratovil (MD) | Alliant Techsystems Inc. (ATK) | Baltimore, MD |
| II | RDAF | 0602204F | 11 | Information Quality Tools for Persistent Surveillance Data Sets | $1,800 | Snyder (AR) | University of Arkansas at Little Rock | Little Rock, AR |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDAF | 0602204F | 11 | Net-Centric Sensor Grids | $3,000 | Hill (IN) | Indiana University | Bloomington, IN |
| II | RDAF | 0602601F | 12 | Advanced Modular Avionics for ORS Use | $3,100 | Heinrich (NM) | Goodrich ISR Systems Albuquerque | Albuquerque, NM |
| II | RDAF | 0602890F | 17 | Advanced Deformable Mirrors for High Energy Laser Weapons | $2,000 | Heinrich (NM) | MZA Associates Corporation and Active Optical Systems | Albuquerque, NM |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | Arcuri (NY) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | DeFazio (OR) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | DeLauro (CT) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | Holden (PA) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | Kaptur (OH) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | Kissell (NC) | Air Force Research Laboratory (AFRL) | Metals Affordability Initiative Consortium Program, CT |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | Latta (OH) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Metals Affordability Initiative | $10,000 | Ryan (OH) | Air Force Research Laboratory (AFRL) | Multiple Locations, OH |
| II | RDAF | 0603112F | 18 | Rapid Automated Processing of Advanced Low Observables | $1,500 | Turner (OH) | ATK Aerospace Structures | Dayton, OH |
| II | RDAF | 0603211F | 21 | Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence | $5,000 | Blunt (MO) | QinetiQ North America | Springfield, MO |
| II | RDAF | 0603401F | 25 | Small Responsive Spacecraft at Low-Cost (SRSL) | $3,000 | Bishop (UT) | Utah State University Space Dynamics Laboratory / Air Force Research Laboratory | Logan, UT |
| II | RDAF | 0603680F | 30 | Production of Nanocomposites for Aerospace Applications | $2,000 | Turner (OH) | NanoSperse, LLC | Kettering, OH |
| II | RDAF | 0603788F | 31 | Cyber Attack and Security Environment | $4,000 | Arcuri (NY) | Air Force Research Laboratory/RI | Rome, NY |
| II | RDAF | 0603788F | 31 | Cyber Attack and Security Environment | $4,000 | McHugh (NY) | Clarkson University and ITT | Clarkson (Potsdam) and ITT (Rome), NY |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDAF | 0604796F | 56 | Advanced Propulsion Non-Tactical Vehicle (APNTV) | $2,000 | Massa (NY) | Steven McTier, Project Manager (Robbins AFB) | Honeoye Falls, NY |
| II | RDAF | 0604240F | 66 | B-2 Advanced Tactical Data Link | $12,000 | McKeon (CA) | Northrop Grumman Corporation | Los Angeles, CA |
| II | RDAF | 0604617F | 79 | Backpack Medical Oxygen System (BMOS) | $1,000 | Akin (MO) | Essex Cryogenics | St. Louis, MO |
| II | RDAF | 0604706F | 80 | ACES 5 Ejection Seat | $2,400 | Lamborn (CO) | Aircrew Performance Systems Acquisition Program, SAF/AQPC, Combat Support and Joint Counterair Div. | Washington, DC |
| II | RDAF | 0604706F | 80 | ACES 5 Ejection Seat | $2,400 | Pastor (AZ) | Goodrich Corporation | Phoenix, AZ |
| II | RDAF | 0604706F | 80 | ACES 5 Ejection Seat | $2,400 | Tauscher (CA) | Goodrich Corporation | Phoenix, AZ |
| II | RDAF | 0604740F | 82 | Distributed Mission Interoperability Toolkit (DMIT) | $4,000 | Andrews (NJ) | Accenture National Security Services | Camden, NJ |
| II | RDAF | 0604740F | 82 | Distributed Mission Interoperability Toolkit (DMIT) | $4,000 | LoBiondo (NJ) | Accenture | Camden, NJ |
| II | RDAF | 0604740F | 82 | Distributed Mission Interoperability Toolkit (DMIT) | $4,000 | Sestak (PA) | Accenture National Security Services | King of Prussia, PA |
| II | RDAF | 0604759F | 101 | Eglin AFB Range Operations Control Center (ROCC) | $2,500 | Miller (FL) | Cubic Corporation | Arlington, VA |
| II | RDAF | 0207134F | 132 | Corrosion Detection and Visualization Program | $1,000 | Smith (WA) | Quest Integrated, Inc. | Kent, WA |
| II | RDAF | 0301310F | 165 | Open Source Research Centers | $1,000 | Turner (OH) | Radiance Technologies | Fairborn, OH |
| II | RDAF | 0304348F | 181 | Advanced Technical Intelligence Center | $6,500 | Turner (OH) | Advanced Technical Intelligence Center for Human Capital Development (ATIC) | Beavercreek, OH |
| II | RDAF | 0305159F | 193 | Carbon Nanotube Enhanced Power Sources for Space | $2,000 | Markey (MA) | Northeastern University | Boston, MA |
| II | RDAF | 0305206F | 203 | Multiple UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Objective | $2,000 | Bartlett (MD) | Proxy Aviation Systems | Germantown, MD |
| II | RDAF | 0305207F | 204 | Rivet Joint Services Oriented Architecture (SOA) | $2,500 | Hall (TX) | L-3 Communications Integrated Systems | Greenville, TX |
| II | RDAF | 0708011F | 231 | Wire Integrity Technology | $2,000 | Marshall (GA) | WR-ALC | Warner Robins, GA |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDAF | 0708611F | 233 | ALC Logistics Integration Environment | $2,000 | Shuster (PA) | IS2 Technologies, Inc. | Altoona, PA |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Ackerman (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Arcuri (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Bishop (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Clarke (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Israel (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Maloney (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | McCarthy (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Rangel (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Tonko (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0601384BP | 6 | Synchrotron Beamline and Experimental Station | $4,000 | Towns (NY) | New York Structural Biology Center | New York, NY |
| II | RDDW | 0602384BP | 14 | Chemical and Biological Resistant Clothing | $2,000 | Sestak (PA) | Arkema, Inc. | King of Prussia, PA |
| II | RDDW | 0603122D8Z | 25 | Affordable Robust Mid-Sized (ARMS) Unmanned Ground Vehicle | $2,000 | Tsongas (MA) | Black-I Robotics, Inc. | Tyngsborough, MA |
| II | RDDW | 0603122D8Z | 25 | Combating Terrorism: Threat and Risk Assessment | $2,500 | Brady (PA) | Foreign Policy Research Institute | Philadelphia, PA |
| II | RDDW | 0603122D8Z | 25 | Integrated Rugged Checkpoint Container | $2,500 | Taylor (MS) | Rapiscan Systems, Inc | Ocean Springs, MS |
| II | RDDW | 0603384BP | 32 | Total Perimeter Surveillance | $2,000 | Schauer (MI) | Dexter Research Center, Inc. | Dexter, MI |
| II | RDDW | 0603648D8Z | 34 | Distributed Network Switching and Security | $2,000 | Loretta Sanchez (CA) | Raptor Networks Technology, Inc. | Santa Ana, CA |
| II | RDDW | 0603648D8Z | 34 | High Accuracy Network Determination System - Intelligent Optical Networks (HANDS-IONS) | $2,000 | Abercrombie (HI) | Oceanit | Honolulu, HI |
| II | RDDW | 0603712S | 41 | Next Generation Manufacturing Technologies Initiative | $2,000 | Loebsack (IA) | The University of Iowa | Iowa City, IA |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDDW | 0603720S | 44 | End to End Semi Fab Alpha Tool | $2,000 | Loretta Sanchez (CA) | Digibeam Corporation | San Juan Capistrano, CA |
| II | RDDW | 0603720S | 44 | Feature Size Yield Enhancement at DMEA's Semiconductors Foundry | $2,500 | Matsui (CA) | Defense Microelectronics Activity | McClellan, CA |
| II | RDDW | 0603828D8Z | 60 | Tidewater Full Scale Exercise | $2,700 | Forbes (VA) | N/A | various, VA |
| II | RDDW | 0603942D8Z | 63 | National Radio Frequency RD&T Transfer Center | $3,000 | Buyer (IN) | Technology Service Corporation | Bloomington, IN |
| II | RDDW | 0603942D8Z | 63 | National Radio Frequency RD&T Transfer Center | $3,000 | Ellsworth (IN) | Technology Service Corporation and NSWC Crane | Crane, IN |
| II | RDDW | 1160402BB | 65 | Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center | $3,500 | Etheridge (NC) | Partnership for Defense Innovation | Fayetteville, NC |
| II | RDDW | 1160402BB | 65 | Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center | $3,500 | Kissell (NC) | Partnership for Defense Innovation | Fayetteville, NC |
| II | RDDW | 1160402BB | 65 | Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center | $3,500 | McIntyre (NC) | Partnership for Defense Innovation | Fayetteville, NC |
| II | RDDW | 0603709D8Z | 71 | Autonomous Machine Vision for Mapping and Investigation of Remote Sites | $2,000 | Davis (CA) | Vision Robotics Corp | San Diego, CA |
| II | RDDW | 0603898C | 89 | Independent Advisory Group to Review Ballistic Missile Defense Training Needs | $500 | Lamborn (CO) | Missile Defense Agency | Colorado Springs, CO |
| II | RDDW | 0603913C | 97 | Short-Range Ballistic Missile Defense | $25,000 | Blunt (MO) | LaBarge | Joplin, MO |
| II | RDDW | 0604940D8Z | 129 | Advanced SAM Hardware Simulator Development | $4,000 | Johnson (GA) | Georgia Institute of Technology | Atlanta, GA |
| II | RDDW | 0604940D8Z | 129 | Gulf Range Mobile Instrumentation Capability | $3,000 | Miller (FL) | Prologic | Manassas, VA |
| II | RDDW | 0604940D8Z | 129 | Joint Gulf Range Complex Test and Training | $3,000 | Miller (FL) | Boeing | Fort Walton Beach, FL |
| II | RDDW | 0301301L | 181 | Advanced Scientific Missile Intelligence Preparation of the Battlespace (IPB) | $2,500 | Griffith (AL) | SPARTA Inc. | Huntsville, AL |
| II | RDDW | 0301301L | 181 | Portable Device for Latent Fingerprint Identification | $1,800 | Smith (WA) | Sagem Morpho | Tacoma, WA |

## COMPLIANCE WITH HOUSE RULE XXI

**(Dollars In Thousands)**

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| II | RDDW | 0708011S | 238 | Northwest Manufacturing Initiative | $1,200 | Blumenauer (OR) | Manufacturing 21 Coalition | Portland, OR |
| II | RDDW | 0708011S | 238 | Northwest Manufacturing Initiative | $1,200 | DeFazio (OR) | Manufacturing 21 Coalition | Portland, OR |
| II | RDDW | 0708011S | 238 | Northwest Manufacturing Initiative | $1,200 | Walden (OR) | Manufacturing 21 Coalition | Portland, OR |
| II | RDDW | 1160405BB | 247 | Advanced, Long Endurance Unattended Ground Sensor | $4,900 | Harper (MS) | Mississippi State University | Starkville, MS |
| II | RDDW | 1160405BB | 247 | Advanced, Long Endurance Unattended Ground Sensor | $4,900 | Taylor (MS) | Mississippi State University, Camgian Microsystems Corp. | Starkville, MS |
| II | RDDW | 1160405BB | 247 | Biometric Optical Surveillance System (BOSS) | $2,000 | Guthrie (KY) | EWA, Inc. | Bowling Green, KY |
| II | RDDW | 1160405BB | 247 | Counterproliferation Analysis and Planning System (CAPS) | $5,000 | McNerney (CA) | Captain Jeff Trumbell | MacDill Air Force Base, FL |
| II | RDDW | 1160405BB | 247 | Counterproliferation Analysis and Planning System (CAPS) | $5,000 | Tauscher (CA) | Lawrence Livermore National Laboratory | Livermore, CA |
| II | RDDW | 1160479BB | 260 | Miniature Day Night Sight for Crew Served Weapons | $1,500 | Sestak (PA) | Peak Beam Systems Inc. | Edgmont, PA |
| II | RDDW | 1160483BB | 263 | Transformer Technology for Combat Submersibles (TTCS) | $4,000 | Bishop (NY) | STIDD Systems Inc | Greenport, NY |
| II | RDDW | 1160483BB | 263 | Transformer Technology for Combat Submersibles (TTCS) | $4,000 | Ros-Lehtinen (FL) | STIDD Systems Inc | Marathon, FL |
| III | OMA | ba01-2020a | 90 | Texas Defense Manufacturing Supply Chain Initiative | $3,000 | Ortiz (TX) | US - Mexico Cultural and Educational Foundation | Irving, TX |
| III | OMA | ba01-2020a | 100 | Fort Bliss Data Center | $1,700 | Reyes (TX) | Fort Bliss | El Paso, TX |
| III | OMA | ba04-2020a | 380 | M24 Sniper Weapons System Upgrade | $1,000 | Arcuri (NY) | US Army Military Center - Small Arms Division - Combat Developments | Fort Benning, GA |
| III | OMN | ba02-1804n | 320 | Navy Ship Disposal - Carrier Demonstration Program | $3,000 | Ortiz (TX) | United States Navy | Washington, DC |
| III | OMN | ba03-1804n | 430 | Navy Sea Cadet Corps | $651 | Bishop (NY) | U.S. Naval Sea Cadet Corps | Arlington, VA |
| III | OMN | ba03-1804n | 430 | Navy Sea Cadet Corps | $651 | Calvert (CA) | U.S. Naval Sea Cadet Corps | Arlington, VA |
| III | OMN | ba03-1804n | 430 | Navy Sea Cadet Corps | $651 | Loretta Sanchez (CA) | Navy Recruiting Command | Millington, TN |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| III | OMN | ba03-1804n | 430 | Navy Sea Cadet Corps | $651 | Ortiz (TX) | U.S. Naval Sea Cadet Corps | Arlington, VA |
| III | OMMC | ba01-1106n | 10 | Flame Resistant Organizational Gear | $1,500 | Cummings (MD) | 180s, LLC | Baltimore, MD |
| III | OMMC | ba01-1106n | 10 | Flame Resistant Organizational Gear | $1,500 | Kissell (NC) | Longworth Industries | Candor, NC |
| III | OMMC | ba01-1106n | 10 | Ultra Lightweight Camouflage Net System | $3,500 | Etheridge (NC) | Saab | Lillington, NC |
| III | OMAF | ba01-3400f | 30 | Air Education and Training Command Range Improvements | $1,500 | Giffords (AZ) | Barry M. Goldwater Range - Luke Air Force Base | Luke Air Force Base, AZ |
| III | OMAF | ba01-3400f | 70 | Wage Modification for US Azores Portugese National Employees | $240 | Frank (MA) | N/A | N/A, nonUSA |
| III | OMAF | ba02-3400f | 160 | Warner Robins Air Logistics Center Strategic Airlift Aircraft Availability Improvements | $2,000 | Marshall (GA) | WR-ALC | Warner Robins, GA |
| III | OMDW | ba01-0100d | 20 | Special Operations Forces Modular Glove System | $1,500 | Kratovil (MD) | W.L. Gore and Associates | Elkton, MD |
| III | OMDW | ba04-0100d | 210 | SOaR Recruiting Initiative | $3,400 | Braley (IA) | University of Northern Iowa | Cedar Falls, IA |
| III | OMDW | ba04-0100d | 210 | SOaR Recruiting Initiative | $3,400 | Wilson (SC) | Celebrate Freedom Foundation | Columbia, SC |
| III | OMDW | ba04-0100d | 260 | Redevelopment of Naval Station Ingleside | $1,000 | Ortiz (TX) | Ingleside Local Redevelopment Authority | Ingleside, TX |
| III | OMDW | ba04-0100d | 270 | Critical Language Training | $2,000 | Davis (CA) | San Diego State University Research Foundation | San Diego, CA |
| III | OMNG | ba01-2065a | 60 | Joint Command Vehicle and Supporting C3 Systems | $2,250 | Shea-Porter (NH) | New Hampshire National Guard | Concord, NH |
| III | OMNG | ba01-2065a | 100 | North Carolina National Guard Family Assistance Centers | $1,600 | Butterfield (NC) | North Carolina National Guard | Raleigh, NC |
| III | OMNG | ba01-2065a | 100 | North Carolina National Guard Family Assistance Centers | $1,600 | Etheridge (NC) | North Carolina National Guard | Raleigh, NC |
| III | OMNG | ba01-2065a | 100 | North Carolina National Guard Family Assistance Centers | $1,600 | Kissell (NC) | North Carolina National Guard | Raleigh, NC |
| III | OMNG | ba01-2065a | 100 | North Carolina National Guard Family Assistance Centers | $1,600 | McIntyre (NC) | North Carolina National Guard | Raleigh, NC |
| III | OMNG | ba01-2065a | 100 | North Carolina National Guard Family Assistance Centers | $1,600 | Miller (NC) | North Carolina National Guard | Raleigh, NC |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| III | OMNG | ba01-2065a | 100 | North Carolina National Guard Family Assistance Centers | $1,600 | Watt (NC) | North Carolina National Guard | Raleigh, NC |
| III | OMNG | ba01-2065a | 100 | Our Military Kids | $1,000 | Kilroy (OH) | Our Military Kids, Inc. | McLean, VA |
| III | OMNG | ba01-2065a | 100 | Our Military Kids | $1,000 | Ortiz (TX) | Our Military Kids, Inc. | McLean, VA |
| III | OMNG | ba01-2065a | 100 | Our Military Kids | $1,000 | Taylor (MS) | Our Military Kids, Inc. | McLean, VA |
| III | OMNG | ba01-2065a | 110 | Camp Ethan Allen Training Site Road Equipment | $300 | Welch (VT) | Vermont Army National Guard | Jericho, VT |
| VII | DHP | | | Fort Drum Regional Health Planning Organization | $430 | McHugh (NY) | Fort Drum Regional Health Planning Organization | Watertown, NY |
| VII | DHP | | | Tacoma Trauma Trust | $2,500 | Smith (WA) | Madigan Army Medical Center, MultiCare Health System, and Franciscan Health System | Tacoma, WA |
| VII | DHP | | | USUHS Immersive, Wide Area Virtual Environment (WAVE) Simulation for Medical Readiness Training | $3,000 | Van Hollen (MD) | The Uniformed Services University of the Health Sciences (USUHS) | Bethesda, MD |
| XV | OCO - DICA | | | Mi-17 Aircraft Modifications | $16,000 | Reyes (TX) | Army Threat Simulation Management Office | Redstone Arsenal, AL |
| XXIII | MCA | | | All Wx Marksmanship Facility | $8,200 | McHugh (NY) | Fort Drum | Watertown, NY |
| XXIII | MCA | | | Analytical Chem Wing - Advanced Chem Lab | $15,500 | Kratovil (MD) | Aberdeen Proving Ground | Aberdeen, MD |
| XXIII | MCA | | | ATL Auditorium & Tng Cntr Expand | $7,400 | Bartlett (MD) | Fort Detrick | Fort Detrick, MD |
| XXIII | MCA | | | Ballistic Eval Facility PH2 | $10,200 | Frelinghuysen (NJ) | Picatinny Arsenal | Picatinny, NJ |
| XXIII | MCA | | | Defense Access Roads | $5,000 | Forbes (VA) | Fort Lee | Fort Lee, VA |
| XXIII | MCA | | | Family Life Center | $10,800 | Carter (TX) | Fort Hood | Fort Hood, TX |
| XXIII | MCA | | | Fire Station, Two Company | $6,700 | Giffords (AZ) | Fort Huachuca | Fort Huachuca, AZ |
| XXIII | MCA | | | Ft Lewis-McChord AFB Joint Access | $9,000 | Smith (WA) | Fort Lewis | Fort Lewis, WA |
| XXIII | MCA | | | Gate 7 Access Control Point | $3,550 | Griffith (AL) | Redstone Arsenal | Huntsville, AL |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| XXIII | MCA | | | Health Clinic | $7,800 | Skelton (MO) | Fort Leonard Wood | Fort Leonard Wood, MO |
| XXIII | MCA | | | Industrial Area Elec System Upgrade | $3,300 | Rogers (AL) | Anniston Army Depot | Anniston Army Depot, AL |
| XXIII | MCA | | | Installation Chapel Center | $14,400 | Tanner (TN) | Fort Campbell | Fort Campbell, KY |
| XXIII | MCA | | | Installation Chapel Center | $14,400 | Wamp (TN) | Fort Campbell | Fort Campbell, KY |
| XXIII | MCA | | | Installation Chapel Center | $14,400 | Whitfield (KY) | Fort Campbell | Fort Campbell, KY |
| XXIII | MCA | | | Intersection, Rockenbach Rd & Cooper Ave | $2,350 | Kratovil (MD) | Fort Meade | Ft. Meade, MD |
| XXIII | MCA | | | Intersection, Rockenbach Rd & Cooper Ave | $2,350 | Sarbanes (MD) | Fort Meade | Fort Meade, MD |
| XXIII | MCA | | | Multipurpose Machine Gun Range | $6,400 | Fleming (LA) | Fort Polk | Leesville, LA |
| XXIII | MCN | | | Alter/Add Marine Mammal Surgical Center | $2,330 | Davis (CA) | Point Loma Annex | San Diego, CA |
| XXIII | MCN | | | Electromagnetic Research and Engineering Facility | $3,660 | Wittman (VA) | Dahlgren | Dahlgren, VA |
| XXIII | MCN | | | Fitness Ctr | $26,360 | Crenshaw (FL) | Mayport | Jacksonville, FL |
| XXIII | MCN | | | Gate 2 Security Improvements | $7,090 | Hodes (NH) | Portsmouth Naval Shipyard | Kittery, ME |
| XXIII | MCN | | | Gate 2 Security Improvements | $7,090 | Pingree (ME) | Portsmouth Naval Shipyard | Kittery, ME |
| XXIII | MCN | | | Gate 2 Security Improvements | $7,090 | Shea-Porter (NH) | Portsmouth Naval Shipyard | Kittery, ME |
| XXIII | MCN | | | Marine Meteorology Center | $10,240 | Farr (CA) | Monterey NSA | Monterey, CA |
| XXIII | MCN | | | MK-48 Torpedo Magazine | $6,570 | Courtney (CT) | New London Naval Submarine Base | Groton, CT |
| XXIII | MCN | | | Mountain Warfare Training, Commissary | $6,830 | McKeon (CA) | Bridgeport | Bridgeport, CA |
| XXIII | MCN | | | Ord Storage Pads w/2 Covers | $13,130 | Dicks (WA) | Indian Island Naval Magazine | Port Townsend, WA |
| XXIII | MCN | | | RDTE Support Facility, PH2 | $6,520 | Van Hollen (MD) | Carderock NSWC Det | West Bethesda, MD |
| XXIII | MCN | | | Renovate Perry Hall | $8,530 | Kennedy (RI) | Newport | Newport, RI |
| XXIII | MCN | | | Small Craft Launch | $3,810 | Larsen (WA) | Everett Naval Station | Everett, WA |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| XXIII | MCN | | | SOF Cafeteria | $14,170 | Nye (VA) | Dam Neck | Dam Neck, VA |
| XXIII | MCN | | | Solar Panel Array | $4,470 | Ortiz (TX) | Kingsville Naval Air Station | Delray Beach, FL |
| XXIII | MCN | | | Special Commo Rqts Eng Facility | $11,043 | Hoyer (MD) | Patuxent River Naval Air Station | Patuxent River, MD |
| XXIII | MCN | | | Strategic Weapons Systems Engineering Facility | $13,710 | Ellsworth (IN) | Naval Support Activity Crane | Crane, IN |
| XXIII | MCN | | | Wpns Maint Hardstand Fac | $4,870 | Bishop (GA) | Albany Marine Corps Logistics Base | Albany, GA |
| XXIII | MCAF | | | Add to Space RDT&E Opns Cntr | $5,800 | Heinrich (NM) | Kirtland Air Force Base | Albuquerque, NM |
| XXIII | MCAF | | | Add/Alter USAFCENT HQ | $21,183 | Spratt (SC) | Shaw Air Force Base | Shaw Air Force Base, SC |
| XXIII | MCAF | | | Aeromedical Evac Facility | $7,400 | Costello (IL) | Scott Air Force Base | Scott Air Force Base, IL |
| XXIII | MCAF | | | Arctic Utilidors - Phase 11 | $9,900 | Young (AK) | Eielson Air Force Base | Eielson Air Force Base, AK |
| XXIII | MCAF | | | Consolidated Commo Facility | $21,000 | Young (FL) | MacDill Air Force Base | MacDill Air Force Base, FL |
| XXIII | MCAF | | | Consolidated Parking Area, PH 1 | $8,000 | Loretta Sanchez (CA) | Los Angeles Air Force Base | El Segundo, CA |
| XXIII | MCAF | | | East Gate Realignment | $7,200 | Lamborn (CO) | Peterson Air Force Base | Peterson Air Force Base, CO |
| XXIII | MCAF | | | EOD Opns Complex | $7,400 | Skelton (MO) | Whiteman Air Force Base | Whiteman Air Force Base, MO |
| XXIII | MCAF | | | Fire-Crash Rescue Station | $10,400 | Teague (NM) | Holloman Air Force Base | Holloman Air Force Base, NM |
| XXIII | MCAF | | | Flight Test Opns Fac (413 FLTS) | $9,400 | Miller (FL) | Hurlburt Field | Hurlburt Air Force Base, FL |
| XXIII | MCAF | | | Ground Control Tower | $4,000 | Abercrombie (HI) | Hickam Air Force Base | Hickam Air Force Base, HI |
| XXIII | MCAF | | | Hot Cargo Pad/Taxiway | $6,200 | Marshall (GA) | Warner Robins Air Force Base | Warner Robins, GA |
| XXIII | MCAF | | | Land Aquisition North & South Bdry | $5,500 | Skelton (MO) | Whiteman Air Force Base | Whiteman Air Force Base, MO |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars in Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| XXIII | MCAF | | | PCC Apron Northwest End Taxiway A | $5,100 | Bishop (UT) | Hill Air Force Base | Clearfield, VA |
| XXIII | MCAF | | | Postal Service Center | $3,500 | Bordallo (GU) | Andersen Air Force Base | Yigo, GU |
| XXIII | MCAF | | | Radar Approach Control Complex, PH1 | $6,900 | Jones (NC) | Seymour Johnson Air Force Base | Goldsboro, NC |
| XXIII | MCAF | | | Replace West Ramp, Phase II | $10,600 | Turner (OH) | Wright-Patterson Air Force Base | Dayton, OH |
| XXIII | MCAF | | | Security Forces Operations Facility | $10,400 | Snyder (AR) | Little Rock Air Force Base | Jacksonville, AR |
| XXIII | MCAF | | | T-9 Noise Suppressor | $5,200 | Fallin (OK) | Tinker Air Force Base | Tinker Air Force Base, OK |
| XXIII | MCAF | | | Taxiway Lighting | $3,450 | Young (AK) | Eielson Air Force Base | Eielson Air Force Base, AK |
| XXIII | MCAF | | | Taxiway M Bypass Road | $6,000 | Tauscher (CA) | Travis Air Force Base | Travis Air Force Base, CA |
| XXIII | MCAF | | | TFI Refuel Veh Maint Facility | $4,150 | McMorris Rodgers (WA) | Fairchild Air Force Base | Spokane, WA |
| XXIII | MCAF | | | Warfighter & Family Sup Cntr | $7,900 | Adler (NJ) | McGuire Air Force Base | McGuire Air Force Base, NJ |
| XXVII | MCANG | | | Add/Alter Aircraft Maint Shops | $7,900 | Gonzalez (TX) | Kelly Field Annex | San Antonio, TX |
| XXVII | MCANG | | | Add/Alter Aircraft Maint Shops | $7,900 | Rodriguez (TX) | Kelly Field Annex | San Antonio, TX |
| XXVII | MCANG | | | CNAF Beddown Upgrade Facilities | $9,000 | Courtney (CT) | Bradley National Airport | Windsor Locks, CT |
| XXVII | MCANG | | | CNAF Beddown Upgrade Facilities | $9,000 | DeLauro (CT) | Bradley National Airport | Windsor Locks, CT |
| XXVII | MCANG | | | CNAF Beddown Upgrade Facilities | $9,000 | Himes (CT) | Bradley National Airport | Windsor Locks, CT |
| XXVII | MCANG | | | CNAF Beddown Upgrade Facilities | $9,000 | Larson (CT) | Bradley National Airport | Windsor Locks, CT |
| XXVII | MCANG | | | CNAF Beddown Upgrade Facilities | $9,000 | Murphy (CT) | Bradley National Airport | Windsor Locks, CT |
| XXVII | MCANG | | | F-15 Aircraft Ready Shelters | $8,100 | Olver (MA) | Barnes Air National Guard Base | Westfield, MA |
| XXVII | MCANG | | | Joint Force Headquarters Building | $1,300 | Wilson (SC) | McEntire Joint National Guard Base | Eastover, SC |
| XXVII | MCANG | | | Minnesota Starbase Facility Alteration | $1,900 | Ellison (MN) | Minn/St.Paul IAP 133rd AW Base | Minneapolis, MN |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| XXVII | MCANG | | | Relocate Base Entrance | $6,500 | Taylor (MS) | Gulfport - Biloxi Regional Airport | Gulfport, MS |
| XXVII | MCANG | | | Replace Squadron Operations Facilities | $10,000 | Shea-Porter (NH) | Pease Air National Guard Base | Portsmouth, NH |
| XXVII | MCANG | | | Security Improv-Relocate Base Entrance | $3,000 | Hare (IL) | Lincoln Capital Airport | Springfield, IL |
| XXVII | MCANG | | | Security Improv-Relocate Base Entrance | $3,000 | Shimkus (IL) | Lincoln Capital Airport | Springfield, IL |
| XXVII | MCANG | | | TFI - Reaper LRE Beddown | $2,700 | Maffei (NY) | Wheeler Sack AAF | Fort Drum Military Reservation, NY |
| XXVII | MCANG | | | TFI - Upgrade DCGS | $8,700 | Tiahrt (KS) | McConnell Air Force Base | Wichita, KS |
| XXVII | MCAR | | | Army Reserve Center | $12,200 | Edwards (TX) | Bryan | Bryan, TX |
| XXVII | MCAR | | | Tactical Equip Maint Facility | $10,200 | Ortiz (TX) | Robstown | Robstown, TX |
| XXVII | MCNR | | | Replace Joint Base Comms | $6,170 | Granger (TX) | Fort Worth NAS/JRB | Fort Worth, TX |
| XXVII | MCARNG | | | Add and Alter Munitions Maintenance Complex | $1,300 | Herseth (SD) | Joe Foss Field | Sioux Falls, SD |
| XXVII | MCARNG | | | Aviation Readiness Center | $8,967 | Kingston (GA) | Hunter Army Airfield | Savannah, GA |
| XXVII | MCARNG | | | Aviation Readiness Center | $8,967 | Marshall (GA) | Hunter Army Airfield | Savannah, GA |
| XXVII | MCARNG | | | BOQ Additions and Improvements | $1,996 | Welch (VT) | Ethan Allen Firing Range | Jericho, VT |
| XXVII | MCARNG | | | Camp Rilea Infrastructure (Water Supply System) | $3,369 | Wu (OR) | Clatsop County, Warrenton | Camp Rilea, OR |
| XXVII | MCARNG | | | Org Maint Shop (ADRS) | $7,732 | Schauer (MI) | Fort Custer | Augusta, MI |
| XXVII | MCARNG | | | Readiness Center | $12,100 | Schrader (OR) | Polk County | Dallas, OR |
| XXVII | MCARNG | | | Readiness Center Add/Alt | $2,516 | Shuler (NC) | East Flatrock | East Flat Rock, NC |
| XXVII | MCARNG | | | TUAS Support Facility | $6,038 | Kissell (NC) | Fort Bragg | Raleigh, NC |
| XXVII | MCARNG | | | TUAS Support Facility | $6,038 | McIntyre (NC) | Fort Bragg | Raleigh, NC |
| XXVII | MCARNG | | | Upgrade Corrosion Control Hangar | $5,000 | Moore (WI) | General Mitchell International Airport | Milwaukee, WI |
| XXVII | MCAFR | | | Indoor Small Arms Range | $5,700 | Lee (NY) | Niagara Falls Air Reserve Base | Niagara Falls, NY |

## COMPLIANCE WITH HOUSE RULE XXI

(Dollars In Thousands)

| TITLE | ACCT | PE OR PROJECT | LINE | DESCRIPTION | AMOUNT | MEMBER | INTENDED RECIPIENT | INTENDED LOCATION OF PERFORMANCE |
|---|---|---|---|---|---|---|---|---|
| XXVII | MCAFR | | | Indoor Small Arms Range | $5,700 | Slaughter (NY) | Niagara Falls Air Reserve Base | Niagara Falls, NY |
| XXVII | MCAFR | | | Small Arms Firing Range | $9,800 | Calvert (CA) | March Air Reserve Base | Riverside, CA |
| XXXI | NNSA | | | National Ignition Campaign | $12,200 | Tauscher (CA) | Lawrence Livermore National Security, LLC | Livermore, CA |
| XXXI | NNSA | | | Readiness in Technical Base and Facilities - Operations of Facilities | $10,000 | Wamp (TN) | B&W Y-12 National Security Complex | Oak Ridge, TN |

Congresswoman Ellen O. Tauscher resigned from the U.S. House of Representatives on June 26, 2009. Congressman John M. McHugh resigned from the U.S. House of Representatives on September 21, 2009.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

IKE SKELTON,
JOHN M. SPRATT, Jr.,
SOLOMON P. ORTIZ,
NEIL ABERCROMBIE,
SILVESTRE REYES,
VIC SNYDER,
ADAM SMITH,
LORETTA SANCHEZ,
ROBERT A. BRADY,
ROBERT E. ANDREWS,
SUSAN A. DAVIS,
JAMES R. LANGEVIN,
RICK LARSEN,
JIM COOPER,
JIM MARSHALL,
MADELEINE Z. BORDALLO,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

ALCEE L. HASTINGS,
ADAM B. SCHIFF,

From the Committee on Education and Labor, for consideration of secs. 243, 551–553, 585, 2833, and 2834 of the House bill and secs. 531–534 and 3136 of the Senate amendment, and modifications committed to conference:

LYNN C. WOOLSEY,
JASON ALTMIRE,
JUDY BIGGERT,

From the Committee on Energy and Commerce, for consideration of secs. 247, 315, and 601 of the House bill and secs. 311, 601, 2835, and 3118 of the Senate amendment, and modifications committed to conference:

HENRY A. WAXMAN,
EDWARD J. MARKEY,

From the Committee on Foreign Affairs, for consideration of secs. 812, 907, 912, 1011, 1013, 1046, 1201, 1211, 1213–1215, 1226, 1230A, 1231, 1236, 1239, 1240, Title XIII, secs. 1513, 1516, 1517, and 2903 of the House bill and secs. 1021, 1023, 1201–1203, 1205–1208, 1211–1214, Subtitle D of Title XII, Title XIII, and sec. 1517 of the Senate amendment, and modifications committed to conference:

HOWARD L. BERMAN,
GARY L. ACKERMAN,
ILEANA ROS-LEHTINEN,

From the Committee on Homeland Security, for consideration of sec. 1101 of the House bill, and modifications committed to conference:

BENNIE G. THOMPSON,
DINA TITUS,
GUS M. BILIRAKIS,

From the Committee on House Administration, for consideration of Subtitle H of Title V of the Senate amendment, and modifications committed to conference:

MICHAEL E. CAPUANO,
CHARLES A. GONZALEZ,
DANIEL E. LUNGREN,

From the Committee on the Judiciary, for consideration of secs. 583, 584, 1021, and 1604 of the House bill and secs. 821, 911, 1031, 1033, 1056, 1086, and Division E of the Senate amendment, and modifications committed to conference:

JERROLD NADLER,
ZOE LOFGREN,

From the Committee on Natural Resources, for consideration of secs. 1091 and 2308 of the Senate amendment, and modifications committed to conference:

NICK J. RAHALL II,

From the Committee on Oversight and Government Reform, for consideration of secs. 321, 322, 326–329, 335, 537, 666, 814, 815, 834, 1101–1107, 1110–1113, and Title II of Division D of the House bill and secs. 323, 323A–323C, 814, 822, 824, 901, 911, 1056, 1086, 1101–1105, and 1162 of the Senate amendment, and modifications committed to conference:

EDOLPHUS TOWNS,
STEPHEN F. LYNCH,

From the Committee on Science and Technology, for consideration of secs. 248, 819, 836, and 911 of the House bill and secs. 801, 814, 833, 834, 912, and Division F of the Senate amendment, and modifications committed to conference:

BART GORDON,
DAVID WU,

From the Committee on Small Business, for consideration of sec. 830 of the House bill and secs. 833, 834, 838, 1090 and Division F of the Senate amendment, and modifications committed to conference:

NYDIA M. VELÁZQUEZ,
GLENN C. NYE,

From the Committee on Transportation and Infrastructure, for consideration of secs. 315, 601, and 2811 of the House bill and secs. 311, 601, 933, 2835, 3301, 6002, 6007, 6008, 6012, and 6013 of the Senate amendment, and modifications committed to conference:

ELIJAH E. CUMMINGS,
LAURA RICHARDSON,

From the Committee on Veterans' Affairs, for consideration of secs. 525, 583, 584, and sec. 121 of Division D of the House bill and secs. 573–575, 617, 711, Subtitle E of Title X, secs. 1084, and 1085 of the Senate amendment, and modifications committed to conference:

CIRO D. RODRIGUEZ,
*Managers on the Part of the House.*

CARL LEVIN,
ROBERT C. BYRD,
JOSEPH I. LIEBERMAN,
JACK REED,
DANIEL K. AKAKA,
BILL NELSON,
BEN NELSON,
EVAN BAYH,
JIM WEBB,
CLAIRE MCCASKILL,
MARK UDALL,
KAY R. HAGAN,
MARK BEGICH,
ROLAND W. BURRIS,
JOHN MCCAIN,
SUSAN M. COLLINS,
PAUL G. KIRK, Jr.,
*Managers on the Part of the Senate.*

## PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 1035, MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY AMENDMENTS ACT OF 2009

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 806) providing for the concurrence by the House in the Senate amendment to H.R. 1035, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 806

*Resolved,* That upon the adoption of this resolution the bill (H.R. 1035) entitled ''An Act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.'', with the Senate amendment thereto, shall be considered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendment:

At the end of the Senate amendment, add the following:

At the end of the bill, add the following new section:

**SEC. 11. TRAVEL PROMOTION ACT OF 2009.**

(a) SHORT TITLE.—This section may be cited as the ''Travel Promotion Act of 2009''.

(b) THE CORPORATION FOR TRAVEL PROMOTION.—

(1) ESTABLISHMENT.—The Corporation for Travel Promotion is established as a nonprofit corporation. The Corporation shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-1001 et seq.), to the extent that such provisions are consistent with this subsection, and shall have the powers conferred upon a nonprofit corporation by that Act to carry out its purposes and activities.

(2) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The Corporation shall have a board of directors of 11 members with knowledge of international travel promotion and marketing, broadly representing various regions of the United States, who are United States citizens. Members of the board shall be appointed by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State), as follows:

(i) 1 shall have appropriate expertise and experience in the hotel accommodations sector;

(ii) 1 shall have appropriate expertise and experience in the restaurant sector;

(iii) 1 shall have appropriate expertise and experience in the small business or retail sector or in associations representing that sector;

(iv) 1 shall have appropriate expertise and experience in the travel distribution services sector;

(v) 1 shall have appropriate expertise and experience in the attractions or recreations sector;

(vi) 1 shall have appropriate expertise and experience as officials of a city convention and visitors' bureau;

(vii) 2 shall have appropriate expertise and experience as officials of a State tourism office;

(viii) 1 shall have appropriate expertise and experience in the passenger air sector;

(ix) 1 shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and

(x) 1 shall have appropriate expertise in the intercity passenger railroad business.

(B) INCORPORATION.—The members of the initial board of directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-301.01 et seq.).

(C) TERM OF OFFICE.—The term of office of each member of the board appointed by the Secretary shall be 3 years, except that, of the members first appointed—

(i) 3 shall be appointed for terms of 1 year;

(ii) 4 shall be appointed for terms of 2 years; and

(iii) 4 shall be appointed for terms of 3 years.

(D) REMOVAL FOR CAUSE.—The Secretary of Commerce may remove any member of the board for good cause.

(E) VACANCIES.—Any vacancy in the board shall not affect its power, but shall be filled

in the manner required by this subsection. Any member whose term has expired may serve until the member's successor has taken office, or until the end of the calendar year in which the member's term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member's predecessor was appointed shall be appointed for the remainder of the predecessor's term. No member of the board shall be eligible to serve more than 2 consecutive full 3-year terms.

(F) ELECTION OF CHAIRMAN AND VICE CHAIRMAN.—Members of the board shall annually elect one of the members to be Chairman and elect 1 or 2 of the members as Vice Chairman or Vice Chairmen.

(G) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding any provision of law to the contrary, no member of the board may be considered to be a Federal employee of the United States by virtue of his or her service as a member of the board.

(H) COMPENSATION; EXPENSES.—No member shall receive any compensation from the Federal government for serving on the Board. Each member of the Board shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5, United States Code.

(3) OFFICERS AND EMPLOYEES.—

(A) IN GENERAL.—The Corporation shall have an executive director and such other officers as may be named and appointed by the board for terms and at rates of compensation fixed by the board. No individual other than a citizen of the United States may be an officer of the Corporation. The Corporation may hire and fix the compensation of such employees as may be necessary to carry out its purposes. No officer or employee of the Corporation may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corporation, on committees of such boards, and in similar activities for such organizations) from any sources other than the Corporation for services rendered during the period of his or her employment by the Corporation. Service by any officer on boards of directors of other organizations, on committees of such boards, and in similar activities for such organizations shall be subject to annual advance approval by the board and subject to the provisions of the Corporation's Statement of Ethical Conduct. All officers and employees shall serve at the pleasure of the board.

(B) NONPOLITICAL NATURE OF APPOINTMENT.—No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(4) NONPROFIT AND NONPOLITICAL NATURE OF CORPORATION.—

(A) STOCK.—The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

(B) PROFIT.—No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(C) POLITICS.—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(D) SENSE OF CONGRESS REGARDING LOBBYING ACTIVITIES.—It is the sense of Congress that the Corporation should not engage in lobbying activities (as defined in section 3(7) of the Lobbying Disclosure Act of 1995 (5 U.S.C. 1602(7)).

(5) DUTIES AND POWERS.—

(A) IN GENERAL.—The Corporation shall develop and execute a plan—

(i) to provide useful information to foreign tourists, business people, students, scholars, scientists, and others interested in traveling to the United States, including the distribution of material provided by the Federal government concerning entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies, to prospective travelers, travel agents, tour operators, meeting planners, foreign governments, travel media and other international stakeholders;

(ii) to identify, counter, and correct misperceptions regarding United States entry policies around the world;

(iii) to maximize the economic and diplomatic benefits of travel to the United States by promoting the United States of America to world travelers through the use of, but not limited to, all forms of advertising, outreach to trade shows, and other appropriate promotional activities;

(iv) to ensure that international travel benefits all States and the District of Columbia and to identify opportunities and strategies to promote tourism to rural and urban areas equally, including areas not traditionally visited by international travelers; and

(v) to give priority to the Corporation's efforts with respect to countries and populations most likely to travel to the United States.

(B) SPECIFIC POWERS.—In order to carry out the purposes of this subsection, the Corporation may—

(i) obtain grants from and make contracts with individuals and private companies, State, and Federal agencies, organizations, and institutions;

(ii) hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out its purposes; and

(iii) take such other actions as may be necessary to accomplish the purposes set forth in this subsection.

(C) PUBLIC OUTREACH AND INFORMATION.—The Corporation shall develop and maintain a publicly accessible website.

(6) OPEN MEETINGS.—Meetings of the board of directors of the Corporation, including any committee of the board, shall be open to the public. The board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the Corporation, including pending or potential litigation.

(7) MAJOR CAMPAIGNS.—The board may not authorize the Corporation to obligate or expend more than $25,000,000 on any advertising campaign, promotion, or related effort unless—

(A) the obligation or expenditure is approved by an affirmative vote of at least 2/3 of the members of the board present at the meeting;

(B) at least 6 members of the board are present at the meeting at which it is approved; and

(C) each member of the board has been given at least 3 days advance notice of the meeting at which the vote is to be taken and the matters to be voted upon at that meeting.

(8) FISCAL ACCOUNTABILITY.—

(A) FISCAL YEAR.—The Corporation shall establish as its fiscal year the 12-month period beginning on October 1.

(B) BUDGET.—The Corporation shall adopt a budget for each fiscal year.

(C) ANNUAL AUDITS.—The Corporation shall engage an independent accounting firm to conduct an annual financial audit of the Corporation's operations and shall publish the results of the audit. The Comptroller General of the United States may review any audit of a financial statement conducted under this paragraph by an independent accounting firm and may audit the Corporation's operations at the discretion of the Comptroller General. The Comptroller General and the Congress shall have full and complete access to the books and records of the Corporation.

(D) PROGRAM AUDITS.—Not later than 2 years after the date of enactment of this section, the Comptroller General shall conduct a review of the programmatic activities of the Corporation for Travel Promotion. This report shall be provided to appropriate congressional committees.

(c) ACCOUNTABILITY MEASURES.—

(1) OBJECTIVES.—The Board shall establish annual objectives for the Corporation for each fiscal year subject to approval by the Secretary of Commerce (after consultation with the Secretary of Homeland Security and the Secretary of State). The Corporation shall establish a marketing plan for each fiscal year not less than 60 days before the beginning of that year and provide a copy of the plan, and any revisions thereof, to the Secretary.

(2) BUDGET.—The board shall transmit a copy of the Corporation's budget for the forthcoming fiscal year to the Secretary not less than 60 days before the beginning of each fiscal year, together with an explanation of any expenditure provided for by the budget in excess of $5,000,000 for the fiscal year. The Corporation shall make a copy of the budget and the explanation available to the public and shall provide public access to the budget and explanation on the Corporation's website.

(3) ANNUAL REPORT TO CONGRESS.—The Corporation shall submit an annual report for the preceding fiscal year to the Secretary of Commerce for transmittal to the Congress on or before the 15th day of May of each year. The report shall include—

(A) a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section;

(B) a comprehensive and detailed inventory of amounts obligated or expended by the Corporation during the preceding fiscal year;

(C) a detailed description of each in-kind contribution, its fair market value, the individual or organization responsible for contributing, its specific use, and a justification for its use within the context of the Corporation's mission;

(D) an objective and quantifiable measurement of its progress, on an objective-by-objective basis, in meeting the objectives established by the board;

(E) an explanation of the reason for any failure to achieve an objective established by the board and any revisions or alterations to the Corporation's objectives under paragraph (1);

(F) a comprehensive and detailed report of the Corporation's operations and activities to promote tourism in rural and urban areas; and

(G) such recommendations as the Corporation deems appropriate.

(4) LIMITATION ON USE OF FUNDS.—Amounts deposited in the Fund may not be used for any purpose inconsistent with carrying out the objectives, budget, and report described in this subsection.

(d) MATCHING PUBLIC AND PRIVATE FUNDING.—

(1) ESTABLISHMENT OF TRAVEL PROMOTION FUND.—There is hereby established in the

Treasury a fund which shall be known as the Travel Promotion Fund.

(2) FUNDING.—

(A) START-UP EXPENSES.—For fiscal year 2010, the Secretary of the Treasury shall make available to the Corporation such sums as may be necessary, but not to exceed $10,000,000, from amounts deposited in the general fund of the Treasury from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) to cover the Corporation's initial expenses and activities under this section. Transfers shall be made at least quarterly, beginning on January 1, 2010, on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(B) SUBSEQUENT YEARS.—For each of fiscal years 2011 through 2014, from amounts deposited in the general fund of the Treasury during the preceding fiscal year from fees under section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(B)(i)(I)), the Secretary of the Treasury shall transfer not more than $100,000,000 to the Fund, which shall be made available to the Corporation, subject to paragraph (3) of this subsection, to carry out its functions under this section. Transfers shall be made at least quarterly on the basis of estimates by the Secretary, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the amounts required to be transferred.

(3) MATCHING REQUIREMENT.—

(A) IN GENERAL.—No amounts may be made available to the Corporation under this subsection after fiscal year 2010, except to the extent that—

(i) for fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 50 percent or more of the amount transferred to the Fund under paragraph (2); and

(ii) for any fiscal year after fiscal year 2011, the Corporation provides matching amounts from non-Federal sources equal in the aggregate to 100 percent of the amount transferred to the Fund under paragraph (2) for the fiscal year.

(B) GOODS AND SERVICES.—For the purpose of determining the amount received from non-Federal sources by the Corporation, other than money—

(i) the fair market value of goods and services (including advertising) contributed to the Corporation for use under this section may be included in the determination; but

(ii) the fair market value of such goods and services may not account for more than 80 percent of the matching requirement under subparagraph (A) for the Corporation in any fiscal year.

(C) RIGHT OF REFUSAL.—The Corporation may decline to accept any contribution in-kind that it determines to be inappropriate, not useful, or commercially worthless.

(D) LIMITATION.—The Corporation may not obligate or expend funds in excess of the total amount received by the Corporation for a fiscal year from Federal and non-Federal sources.

(4) CARRYFORWARD.—

(A) FEDERAL FUNDS.—Amounts transferred to the Fund under paragraph (2)(B) shall remain available until expended.

(B) MATCHING FUNDS.—Any amount received by the Corporation from non-Federal sources in fiscal year 2010, 2011, 2012, 2013, or 2014 that cannot be used to meet the matching requirement under paragraph (3)(A) for the fiscal year in which amount was collected may be carried forward and treated as having been received in the succeeding fiscal year for purposes of meeting the matching requirement of paragraph (3)(A) in such succeeding fiscal year.

(e) TRAVEL PROMOTION FUND FEES.—Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended to read as follows:

''(B) FEES.—

''(i) IN GENERAL.—No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the Secretary of Homeland Security shall establish a fee for the use of the System and begin assessment and collection of that fee. The initial fee shall be the sum of—

''(I) $10 per travel authorization; and

''(II) an amount that will at least ensure recovery of the full costs of providing and administering the System, as determined by the Secretary.

''(ii) DISPOSITION OF AMOUNTS COLLECTED.—Amounts collected under clause (i)(I) shall be credited to the Travel Promotion Fund established by subsection (d) of section 11 of the Travel Promotion Act of 2009. Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System.

''(iii) SUNSET OF TRAVEL PROMOTION FUND FEE.—The Secretary may not collect the fee authorized by clause (i)(I) for fiscal years beginning after September 30, 2014.''.

(f) ASSESSMENT AUTHORITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the Corporation may impose an annual assessment on United States members of the international travel and tourism industry (other than those described in subsection (b)(2)(A)(iii) or (H)) represented on the Board in proportion to their share of the aggregate international travel and tourism revenue of the industry. The Corporation shall be responsible for verifying, implementing, and collecting the assessment authorized by this subsection.

(2) INITIAL ASSESSMENT LIMITED.—The Corporation may establish the initial assessment after the date of enactment of this section at no greater, in the aggregate, than $20,000,000.

(3) REFERENDA.—

(A) IN GENERAL.—The Corporation may not impose an annual assessment unless—

(i) the Corporation submits the proposed annual assessment to members of the industry in a referendum; and

(ii) the assessment is approved by a majority of those voting in the referendum.

(B) PROCEDURAL REQUIREMENTS.—In conducting a referendum under this paragraph, the Corporation shall—

(i) provide written or electronic notice not less than 60 days before the date of the referendum;

(ii) describe the proposed assessment or increase and explain the reasons for the referendum in the notice; and

(iii) determine the results of the referendum on the basis of weighted voting apportioned according to each business entity's relative share of the aggregate annual United States international travel and tourism revenue for the industry per business entity, treating all related entities as a single entity.

(4) COLLECTION.—

(A) IN GENERAL.—The Corporation shall establish a means of collecting the assessment that it finds to be efficient and effective. The Corporation may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Corporation any amount assessed by the Corporation under this section.

(B) ENFORCEMENT.—The Corporation may bring suit in Federal court to compel compliance with an assessment levied by the Corporation under this section.

(5) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds collected through assessments, and any other funds received by the Corporation, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

(g) OFFICE OF TRAVEL PROMOTION.—Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.) is amended by inserting after section 201 the following:

**''SEC. 202. OFFICE OF TRAVEL PROMOTION.**

''(a) OFFICE ESTABLISHED.—There is established within the Department of Commerce an office to be known as the Office of Travel Promotion.

''(b) DIRECTOR.—

''(1) APPOINTMENT.—The Office shall be headed by a Director who shall be appointed by the Secretary.

''(2) QUALIFICATIONS.—The Director shall be a citizen of the United States and have experience in a field directly related to the promotion of travel to and within the United States.

''(3) DUTIES.—The Director shall be responsible for ensuring the office is carrying out its functions effectively and shall report to the Secretary.

''(c) FUNCTIONS.—The Office shall—

''(1) serve as liaison to the Corporation for Travel Promotion established by subsection (b) of section 11 of the Travel Promotion Act of 2009 and support and encourage the development of programs to increase the number of international visitors to the United States for business, leisure, educational, medical, exchange, and other purposes;

''(2) work with the Corporation, the Secretary of State and the Secretary of Homeland Security—

''(A) to disseminate information more effectively to potential international visitors about documentation and procedures required for admission to the United States as a visitor;

''(B) to ensure that arriving international visitors are generally welcomed with accurate information and in an inviting manner;

''(C) to collect accurate data on the total number of international visitors that visit each State; and

''(D) enhance the entry and departure experience for international visitors through the use of advertising, signage, and customer service; and

''(3) support State, regional, and private sector initiatives to promote travel to and within the United States.

''(d) REPORTS TO CONGRESS.—Within a year after the date of enactment of the Travel Promotion Act of 2009, and periodically thereafter as appropriate, the Secretary shall transmit a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee on Foreign Relations, the House of Representatives Committee on Energy and Commerce, the House of Representatives Committee on Homeland Security, and the House of Representatives Committee on Foreign Affairs describing the Office's work with the Corporation, the Secretary of State and the Secretary of Homeland Security to carry out subsection (c)(2).''.

(h) RESEARCH PROGRAM.—Title II of the International Travel Act of 1961 (22 U.S.C. 2121 et seq.), as amended by subsection (g), is

further amended by inserting after section 202 the following:

**"SEC. 203. RESEARCH PROGRAM.**

''(a) IN GENERAL.—The Office of Travel and Tourism Industries shall expand and continue its research and development activities in connection with the promotion of international travel to the United States, including—

''(1) expanding access to the official Mexican travel surveys data to provide the States with traveler characteristics and visitation estimates for targeted marketing programs;

''(2) expanding the number of inbound air travelers sampled by the Commerce Department's Survey of International Travelers to reach a 1 percent sample size and revising the design and format of questionnaires to accommodate a new survey instrument, improve response rates to at least double the number of States and cities with reliable international visitor estimates and improve market coverage;

''(3) developing estimates of international travel exports (expenditures) on a State-by-State basis to enable each State to compare its comparative position to national totals and other States;

''(4) evaluate the success of the Corporation in achieving its objectives and carrying out the purposes of the Travel Promotion Act of 2009; and

''(5) research to support the annual reports required by section 202(d) of this Act.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for fiscal years 2010 through 2014 such sums as may be necessary to carry out this section.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Tennessee (Mr. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent for 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 806 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this bill that enhances the Morris K. Udall Foundation and honors the life of Stewart Udall.

The Morris K. Udall Foundation is an independent Federal agency based in Tucson, Arizona, which operates exceptional educational programs focused on developing leadership on environmental issues and Native American issues. It also includes the U.S. Institute for Environmental Conflict Resolution, the only program within the Federal Government focused entirely on preventing, managing, and resolving Federal environmental conflicts.

The legislation today will enhance the foundation's programs and operations, and at the same time honor one of the greatest public servants and conservationists in history, Stewart L. Udall, by adding his name to the foundation of his late brother, Morris K. Udall.

The Udall Foundation was established by Congress in 1992. Initially, the foundation's mission was to provide educational opportunities for studies related to the environment and Native American tribal policy and health care.

In 1998, Congress amended the Udall Foundation's enabling legislation to add a new mission: resolving conflicts related to the environment, natural resources, and public lands through services including mediation, facilitation, and training. The work of the Udall Foundation has become even more important today as the Nation seeks long-term responses to climate change, sustainable energy supplies, and a sustainable economy for all Americans.

Through its education programs, the Udall Foundation identifies and educates tomorrow's leaders in fields that are critical to the energy, climate change, and economic issues that face our Nation. These programs include:

The premier college scholarship and doctoral fellowship for studies related to the environment and a scholarship for Native Americans studying tribal policy or health care.

The Native American Congressional Internship Program that has provided to many of our offices over 150 young Native American leaders that have been part of that internship program.

The Native Nations Institute for Leadership, Management, and Policy that provides both governance and economic development resources for tribal nations as they develop their own self-determination and fully develop the sovereignty that they have.

The Parks in Focus Program which connects underserved youth to nature through the art of photography and instilling them with a long-last understanding and appreciation for our national parks and other public lands.

□ 1615

I think it is very appropriate for Congress to provide solid support for the Udall Foundation and very important programs through this legislation, while at the same time recognizing the unsurpassed contributions of Stewart Udall by adding his name to the foundation's title. Stewart Udall served in the House of Representatives with distinction from 1955, representing an area that included what is now my district, until he was appointed Secretary of the Interior in 1961 by President John F. Kennedy.

As Secretary of the Interior, Stewart Udall had an unmatched record of environmental leadership, overseeing the creation of 4 national parks, 6 national monuments, 8 national sea shore and lake shores, 9 recreation areas, 20 historic sites, and 56 wildlife refuges. He continued to make substantial contributions to environmental and Native American policy as a lawyer and author following his tenure at the Interior.

For these reasons, I believe that the legislation deserves the support of the House.

At this point, Mr. Speaker, I yield the remainder of my time to the gentlelady from Florida (Ms. CASTOR) and ask unanimous consent that she manage the remainder of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself as much time as I may consume. I rise today in support of H.R. 1035, a bill that amends the Morris K. Udall Scholarship and Excellence in National Environmental Policy Act. The Morris K. Udall Foundation was created by Congress in 1992 to honor Mr. Udall's 30 years of public service. The Foundation was created to help educate new generations to protect the environment. The Foundation works to increase the awareness of our Nation's natural resources, foster a greater recognition and understanding of the role of the environment and the development of our Nation, and through the U.S. Institute for Environmental Conflict Resolution, provide for mediation and other services to resolve environmental disputes involving Federal agencies.

The Foundation operates several educational programs. The Morris K. Udall scholarship program awards approximately 80 merit-based scholarships of about $5,000 each year. It also supports about 12 Native Americans or Alaskan natives every summer for a 10-week bipartisan congressional internship program.

Finally, the foundation supports two fellows every year in a doctoral program whose research focuses on environmental policy.

As we noted when this passed the House this summer, the legislation before us honors Stewart L. Udall's service to the Nation by adding his name to the foundation, making it the Morris K. Udall and Stewart L. Udall Foundation. Mr. Udall served in Congress and the administration, and then continued his work for the environment in the private sector. I would like to point out that there is one difference between this bill and the version passed by the House in July. The other body removed the authorization level of ''such sums,'' thereby leaving the authorization of these programs at $40 million, which is current law.

Finally, I would like to note this bill is being amended by the House to include the Travel Promotion Act, which creates a corporation to promote travel in the United States. My colleague from Missouri, Mr. BLUNT, a member of the Energy and Commerce Committee, will speak to these provisions. But let me just say that I'm glad that we are acting to promote tourism in this economic downturn. Attractions like the Great Smoky Mountains National Park, the most visited park in America, Dollywood, Jonesboro, the oldest town in Tennessee, and Sycamore Shoals historic site in my district stand to benefit greatly from increased tourism. The Senate amendment to the underlying Udall scholarship bill

makes this legislation better. I urge my colleagues to support this bill.

Mr. Speaker, I yield the balance of my time to the gentleman from Missouri (Mr. BLUNT) and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Ms. CASTOR of Florida. Mr. Speaker, I rise in strong support of the Udall Scholarship in Excellence in NEPA Act by Congressman GRIJALVA. As part of the act, the House will consider Senate bill 1023, the Travel Promotion Act, which is similar to H.R. 2935 by Representative DELAHUNT of Massachusetts, a bill of which I'm pleased to be an original cosponsor.

The Travel Promotion Act is a jobs bill. It's a vital economic development initiative to combat the economic downturn that we've been battling since the spring of 2008. The Travel Promotion Act establishes a nonprofit corporation for travel promotion to promote tourism in the United States and provide travel information to people around the world.

Tourism is particularly important to my home State of Florida. Florida is a top travel destination from across the globe. The millions and millions of tourists who travel to Florida support a $57 billion tourism industry and our economy. People come from every nation to visit our beautiful beaches, Busch Gardens, Disneyworld and Universal Studios, the Everglades and more, and the Florida economy thrives and families have good jobs in a clean industry because of tourism.

Having the beaches and attractions is not enough, however. Florida also communicates to the world about Florida vacations through the Visit Florida tourism Web site and outreach and advertising campaigns. But, you know, there is no similar initiative for the United States as a whole internationally. So the USA needs to get creative and create new jobs through growing tourism nationwide.

Unfortunately, there are a lot of misconceptions out there that the United States is not a friendly place for international tourists. Other nations actively promote international tourism through advertising campaigns and outreach, but some say that we've allowed our image to become an unwelcoming one. Nations that project a welcoming image are reaping economic benefits, while we run the risk of being left behind. Overseas travel in the United States has declined by 10 percent in the first quarter of 2009.

Our travel bill would let world travelers know that we want them to visit America's great cities and natural wonders. We want the world to come and share our culture and experience the richness that is the United States of America. Therefore, I urge adoption of the Travel Promotion Act to get our economy moving and create jobs.

Mr. Speaker, I now recognize Congresswoman LORETTA SANCHEZ of the Committee on Homeland Security.

Ms. LORETTA SANCHEZ of California. I thank my colleague for recognizing me to express support for the travel promotion legislation being considered today. I do, however, have a few concerns that I would like to discuss in a colloquy with the gentlelady from Florida.

First, I am concerned that the bill would allow the Corporation For Travel Promotion to distribute information on Federal entry and exit requirements to foreign tourists without the Department of Homeland Security or the State Department reviewing that information. To ensure accuracy and consistency it's imperative that the DHS and the State Department have the opportunity to review this information before it is released to the public. Do I understand that the gentlelady shares my concern and is willing to work with me to resolve that matter?

I yield to the gentlelady for a response.

Ms. CASTOR of Florida. I thank the gentlelady from California for raising this important issue. Yes, it is extremely important that the U.S. has a unified voice abroad, and that all information about Federal travel requirements is properly vetted. I look forward to working with you and the committee to address this issue.

Ms. LORETTA SANCHEZ of California. I thank my colleague. And the other concern that I have relates to the fee provision and its mandatory nature. I have heard concerns expressed by our European partners and others about these fees. And under the 9/11 Act, the Secretary of Homeland Security has discretion about how to fund the Electronic System For Travel Authorization program. This legislation appears to remove that discretion and to require our Secretary to collect fees for ESTA in addition to the fees collected for the corporation.

So I believe the Secretary should retain that discretion to determine how to fund the ESTA program. And I also believe that any fees collected in excess of the needs of the corporation should be made available to the Department of Homeland Security to fund important travel, security, and facilitation programs, including our US-VISIT and our Global Entry program.

Would my colleague work with me to ensure that the Secretary has this flexibility and the resources needed to effectively carry out the missions of the department?

Ms. CASTOR of Florida. I share your concern about the fee structure, and I will be happy to work with you and the committee to ensure that these matters are addressed.

I would also like to submit for the RECORD an exchange of letters between the leadership of the Energy and Commerce Committee and the Senate Commerce Committee that reflects a shared commitment to work on these very issues as well as other important issues raises by other Members.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
*Washington, DC, October 7, 2009.*

Hon. JOHN D. ROCKEFELLER IV,
*Chairman, Senate Committee on Commerce, Science, and Transportation.*

Hon. AMY KLOBUCHAR,
*Chairman, Subcommittee on Competitiveness, Innovation, and Export Promotion.*

Hon. BYRON L. DORGAN,
*U.S. Senator.*

DEAR SENATORS ROCKEFELLER, KLOBUCHAR, AND DORGAN: As the House may consider S. 1023, the Travel Promotion Act of 2009, shortly, we write to clarify your intent with regard to several provisions in the bill.

I. CREATION OF THE CORPORATION

It is our understanding that the intent of the legislation is for the Department of Commerce to administer grants to the newly created nonprofit, ''Corporation for Travel Promotion.'' It will be left to the judgment of the Secretary of Commerce to transfer sums necessary for the operations of the nonprofit and the administration of the grants. We understand further that the Department of Treasury will hold the separate ''Travel Promotion Fund,'' but will have no substantive role with regard to the Corporation. By having the Department of Commerce issue grants to the Corporation, we can assure the application of Circular A–110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. A–110 imposes a number of requirements on non-profit entities spending federal dollars, including the requirement that contracts target small businesses owned by women and minorities.

In addition, we appreciate that you share our commitment to diversity on the Corporation Board of Directors. We want to stress that the Secretary of Commerce should make every effort to ensure that the homeland security and small business communities are adequately represented on the Corporation's Board, and that the Board has a balance of gender, ethnicity, and economic status, as well as representatives from both urban and rural areas.

Also, we understand the importance of a functioning Corporation and the decision to allow expenditures to be made when six Board members are present. We would suggest that for expenditures over $25 million, the Board strive to have more than four members support approval of such an expenditure.

Moreover, we would expect the Corporation's campaigns to target travelers from a diverse set of regions of the world and to advertise a wide range of destinations across the United States and its territories.

II. COORDINATION WITH THE FEDERAL GOVERNMENT

Although the legislation creates a requirement that the Corporation consult with the Department of Commerce, we believe that the Corporation should consult regularly with the Departments of State and Homeland Security which also have key responsibilities relating to travel and tourism. For example, it is imperative that the Corporation coordinate on any information it may disseminate regarding entry requirements, required documentation, fees, processes, and information concerning declared public health emergencies and requirements for entering the United States. This coordination is necessary in order to avoid the risk that prospective travelers to the United States could receive conflicting or confusing information regarding entry requirements and processes.

III. TRAVEL PROMOTION FUND FEES

Under the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 100–53), the Secretary of Homeland Security already has authority to charge a fee to cover the cost of administering the Electronic System for Travel Authorization (ESTA), but also has discretion to pay for ESTA with other funds. Similarly, the legislation before us should maintain the Secretary's discretion to determine the most appropriate manner to fund ESTA administration.

The legislation does not specify how funds collected in excess of $100 million or greater than the needs of the Corporation for Travel Promotion should be used. We believe that these funds should be transferred to the Department of Homeland Security to: (1) reinvest in ESTA to support changes necessary to collect the new fee, and (2) enhance critical border security programs such as US–VISIT and Global Entry. Under the Implementing Recommendations of the 9/11 Commission Act of 2007, full implementation of the US–VISIT air exit capability is required for increased flexibility to expand the Visa Waiver Program, which would help increase tourism to the United States.

IV. LIMITATIONS AND ACCOUNTABILITY

Furthermore, we believe it is essential to ensure that the Corporation's funds are invested only in low risk vehicles and that none of the funds provided to the Corporation be used to directly promote or advertise a specific corporation. Finally, we understand that under this bill, Congress has full and complete access to the books and records of the Corporation. We would suggest that the Corporation proactively send its marketing plan to Congress.

V. SUMMARY

While there is strong support in the House for passage of S. 1023, the Travel Promotion Act of 2009, we remain concerned about some aspects of the bill. We look forward to working with you to conduct vigorous oversight of the Travel Promotion Act once it is law and to make any changes to the legislation that may become necessary. Thank you in advance for clarifying your thoughts on the matters discussed in this letter.

Sincerely,

HENRY A. WAXMAN,
*Chairman.*

JOHN D. DINGELL,
*Chairman Emeritus.*

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U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
*Washington, DC, October 7, 2009.*

Hon. HENRY A. WAXMAN,
*Chairman, House Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.*

Hon. JOHN D. DINGELL,
*Chairman Emeritus, House Committee on Energy and Commerce, Rayburn House Office Building, Washington DC.*

DEAR CHAIRMAN WAXMAN AND CHAIRMAN EMERITUS DINGELL, Thank you for your letter regarding S. 1023, the Travel Promotion Act of 2009. We appreciate your significant interest in and contributions to this important piece of economic development legislation.

Many members of the Senate have praised this legislation for two main reasons. First, the legislation would stimulate the economy at a time when our country is facing record level job losses and deficits. A study by Oxford Economics showed that a coordinated international travel promotion campaign, such as the type that would be created by S. 1023, could drive as much as $8 billion in new spending and create nearly $1 billion in tax revenues annually. Additionally, the Congressional Budget Office found that enacting S. 1023 would have the added benefit of reducing budget deficits by $425 million over fiscal years 2010—2019. This is the rare bill that stimulates economic growth while reducing the deficit at the same time.

Second, S. 1023 is a broadly bipartisan piece of legislation. Authored by Senators Dorgan and Ensign, 53 senators signed on as co-sponsors to the measure. The Travel Promotion Act of 2009 passed the Senate on September 9, 2009 by a vote of 79—19. While bipartisanship has been difficult to achieve on many issues, the solidarity of support across the aisle shows the Senate's strong commitment to enacting this legislation. The travel industry is crucial to every state and region, and we are excited to join together with you and the members of the House to aid in sending this important bill to President Obama's desk.

Presuming House passage of the Travel Promotion Act of 2009 on Wednesday, October 7, 2009 and the President's signature thereafter, we agree that the efficient and proper implementation of the Act is the cornerstone of a successful and equitable program. As Chairman of the Senate Committee on Commerce, Science, and Transportation, joined by the Chairman of the Subcommittee on Competitiveness, Innovation, and Export Promotion and the author of S. 1023, please find the following statements of intent regarding the Travel Promotion Act of 2009.

Consultation with the Department of Homeland Security and the Department of State: One of the central purposes of the Travel Promotion Act of 2009 is to assist in disseminating information to foreign travelers about documents and procedures required for admission to the United States. While the Office of Travel Promotion and the Corporation would have the mandated responsibility to serve as an outlet for this information, in no way does the Act change the primary responsibilities of the Departments of State and Homeland Security for this function. The Department of Homeland Security has authority over the entry portals to the United States, and the Department of State is responsible for the execution of the visa policy. The Act does not create an express or implied ability for the Department of Commerce to supersede either agency's responsibilities. The purpose of the Office of Travel Promotion is to educate potential foreign tourists regarding the visa and entry policies set by those agencies—not to change visa and entry policies.

It is our expectation that the consultation requirements established in Sections 3 and 7 of the Act will establish an open, ongoing and vigorous line of communication between the Departments of Commerce, Homeland Security and State. The goal is for the Commerce Department and the Office of Travel Promotion to work closely with the other agencies to clearly and accurately communicate visa and entry policies and to improve the entry experience for international arrivals. In that vein, we expect the Departments of Homeland Security and State to work with the Department of Commerce to achieve the goals of the Act, and we would insist that the Department of Commerce, the Office of Travel Promotion, or the Corporation for Travel Promotion not go forward with any communication regarding the entry or visa process without prior consultation with the Departments of State and Homeland Security.

Board of Directors Composition and Guidance: The Secretary of Commerce has the responsibility of appointing the Board of Directors for the Corporation for Travel Promotion, after consultation with the Secretaries of Homeland Security and State. In addition to the mandates regarding the Board expressed in Section 2(a), (b), (c) and (d), we strongly encourage the Secretary of Commerce to select board members that are reflective of the diversity of our country. As with any governmental posting, we would expect the Board to reflect a balance of gender, racial and ethnic diversity.

Section 2(g) limits the Board's ability to obligate or expend more than $25 million without at least 6 members of the Board present. We would strongly suggest that as part of the Board's procedures and rules of corporate governance that at least 5 members be present before the authorization, obligation or expenditure of any funds for campaigns, promotions or related efforts.

Small Business Representation and Diversity of Contractors: Approximately 90 percent of all employers that are part of the travel industry are small businesses. One of the primary purposes of the Act is to craft campaigns to encourage overseas travelers to come to America so these small businesses generate new revenue and create new jobs. Because small businesses play a vital role in the travel industry, we strongly encourage the Secretary of Commerce to select board members who have knowledge and expertise of small businesses. We expect the Board and the Executive Director to strive to make certain that promotional efforts benefit small businesses in every region. In the planning and execution of campaigns, the Corporation should make special efforts in the bidding and contract process to target small businesses and businesses owned by women and minorities.

Considerations for Promotion Campaigns: The Corporation and the Office for Travel Promotion shall plan and execute the promotion campaigns to maximize the return of investment for each advertising dollar expended. The campaigns should be comprehensive in scope and should advertise in all regions of the world to encourage overseas arrivals to the United States.

Per the mandate in Section 2(e)1(D), the Corporation shall develop and execute a plan to generate international tourism benefits for all states and the District of Columbia and to identify opportunities and strategies to encourage tourism to underserved rural and urban areas equally, including areas not traditionally visited by international travelers. It is our intention that U.S. territories are included in the promotional plan along with the states and District of Columbia. We expect the Corporation and the Office of Travel Promotion to vigorously implement and execute this mandate.

Accountability and Oversight: Section 3(c) of the Act mandates that the Secretary of Commerce transmit an annual report to Congress, which shall include a comprehensive and detailed report of the operations, activities, financial condition and accomplishments of the Corporation. To aid in the oversight of the Corporation and the Office of Travel Promotion, we strongly suggest the Corporation submit its marketing plan to the Senate Committee on Commerce, Science, and Transportation and the House Committee on Energy and Commerce.

Corporation for Travel Promotion Funding: The Corporation has the fiduciary duty to collect and ascertain the quality of the private sector contributions, protect the corpus of the fund from undue and unnecessary risks, and to make certain that the funds are not used in a discriminatory fashion.

In-Kind Goods and Services: The Act allows for up to 80 percent of the private sector contribution be fulfilled with in-kind contributions of goods and services that are appropriate to carry out the dictates of the Act. The Corporation shall be very conservative in its acceptance of these goods and

services. The contributions must be directly useable for the campaigns, their value assessed at current fair market rates, and they must have true commercial value. In making that evaluation, we suggest that the good or service be able to be sold on the open market and garner the assessed fair market return. As example, but not for the purposes of limiting the discretion of the Corporation, we would consider television air-time or print advertising space to be examples of goods and services that would be appropriate for acceptance and usage.

Protecting the Corpus of the Fund: As part of its fiduciary duties to protect the Fund, the Board of Directors must invest the fund in conservative investment vehicles, such as Unites States Government Treasury Bills. While the Corporation should invest a $200 million dollar corpus to take advantage of the fund's size to benefit American travel businesses and taxpayers, the Fund should not be exposed to undue risk.

Prohibition on Discriminatory Fund Distribution and Campaign Focus: As mandated in Section 2(e), the international travel advertising campaign must benefit all states and the District of Columbia. We read this mandate as strictly forbidding the Corporation from expending funds to promote one specific company. The campaign should promote travel to the United States to provide benefits to multiple regions and businesses. A campaign singling out specific travel related companies would violate Section 3(d) of the Act.

Governmental Responsibilities for Collecting and Distributing Funds: We expect the Departments of Commerce, Homeland Security and Treasury to work together collaboratively to execute the collection and distribution of monies to the Travel Promotion Fund.

Department of Homeland Security and Electronic System for Travel Authorization (ESTA) Funding Discretion: The Travel Promotion Act of 2009 mandates that the Secretary of Homeland Security establish and collect a fee from visa waiver travelers to use the ESTA for the Travel Promotion Fund and an amount to ensure the costs of providing and administering the system. This mandate does not supersede or limit any additional authority or discretion for the Department of Homeland Security to pay for ESTA administration with other funds. The need for this additional ESTA fee is at the determination of the Secretary. If the ESTA system is funded by other means, the Secretary of Homeland Security shall collect the minimum $10 for the Travel Promotion Fund as mandated by the Travel Promotion Act of 2009.

Usage of Fees after seeding the Travel Promotion Fund: The Travel Promotion Fund Fee as established in Section 5 of the Act is to provide the funding level mandated by the year of collection. After the Federal contribution level for the Fund has reached its annual cap, we strongly suggest that any funds collected beyond that level may be used to complete visa waiver system improvements to the ESTA.

The Department of Commerce is the Primary Agency: The Department of Commerce is responsible for administering the Travel Promotion Fund. As part of the Secretary's duties, which include selecting the Board of Directors of the Corporation, overseeing the Office of Travel Promotion within the Department, and executing the accountability measures mandated by the Act, the Secretary also is responsible for administering the Fund. The Department of the Treasury is not responsible for administering the Travel Promotion Fund; its responsibilities are limited to holding and distributing the funds to the Corporation of Travel Promotion.

Again, we thank you for your consideration and assistance in bringing the Travel Promotion Act of 2009 before the House for a vote. The Senate Committee on Commerce, Science and Transportation will stand with you to execute aggressive and exacting oversight of the implementation and execution of S. 1023. As always, we look forward to working with you on this and other matters before our Committees.

Sincerely,

JOHN D. ROCKEFELLER IV,
*Chairman*

AMY KLOBUCHAR,
*Chairman, Subcommittee on Competitiveness, Innovation and Export Promotion.*

BYRON L. DORGAN,
*U.S. Senator.*

Ms. LORETTA SANCHEZ of California. I thank my colleague for her continued support, and I look forward to working with you on this issue.

Mr. Speaker, I rise in support of S. 1023 the Travel Promotion Act, and the underlying bill, H.R. 1035, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009.

The Travel Promotion Act would help establish an independent non-profit corporation that would provide and maintain useful tourist information.

Most importantly, this bill will further educate potential tourists abroad about the U.S. entry policies.

As the Chairwoman of the Subcommittee in charge of all ingress and egress into our country, this bill will play an important role in educating foreign travelers about our border and port of entry procedures and will help clear up misconceptions about traveling to the United States.

This outreach and expansion will improve research and development activities to promote international travel to the United States at a time when many foreigners are wary of traveling to our country.

Foreign travelers traditionally stay in a visited region longer and spend more money during their stay than domestic travelers do.

This bill will find ways to encourage more foreign travelers to visit the United States.

As the Representative of the district that includes the happiest place on earth, Disneyland, this bill is crucial to my district.

In Orange County, the tourist industry alone supports approximately 160,000 jobs, both directly and indirectly.

Furthermore, in 2008 tourism brought in over 43 million visitors, including 2.5 million foreign visitors, to Orange County, California.

These visitors generated over 7.9 billion dollars in spending which provided critical support to local businesses and governments.

I want to thank Representative DELAHUNT, Senator DORGAN, and the leadership of both the House and Senate for advocating for this legislation.

I urge my colleagues to vote for the underlying legislation and pass H.R. 1035.

Ms. CASTOR of Florida. Mr. Speaker, I'd also like to add for the RECORD that we intend to work with Congressman DOYLE of Pennsylvania regarding nonprofit cultural destinations as part of the bill.

I reserve the balance of my time.

Mr. BLUNT. Mr. Speaker, I would like to join Mr. ROE in supporting the Morris K. Udall Act, and that now includes the Travel Promotion Act, an act that passed this body in the last Congress with 244 cosponsors and by voice vote, a very similar piece of legislation we sent to the Senate and to the other body in the last Congress. I'd also like to thank my good friend, Mr. DELAHUNT from Massachusetts, for his sponsorship of the House version of this legislation, and my co-Chair of the House Travel and Tourism Caucus, Mr. FARR from California, for his support and advocacy of this bill. Also, Mr. BARTON from Texas, Mr. RADANOVICH from California, Mr. KING from New York and Mr. SMITH from Texas have been helpful in moving this bill through the process.

I believe that the House bill was superior in some ways to the Senate bill, but the goal of both of these bills is a worthy goal. It's a goal that this Congress should move forward with. Every State and every congressional district is a tourism destination. In Missouri, whether it's the St. Louis Arch, the world's largest sporting goods store in Springfield, Missouri, the Bass Pro Shop, or for the 8.4 million tourists that visited Branson, Missouri, last year, all benefit from tourism, and our country benefits from international visitors and international tourism.

This bill does create a fee paid by visitors to the United States that, in fact, based on information I have, is lower than the entry and exit fees in the countries that are generally discussed. The Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, the Netherlands, Slovenia, Spain, Sweden, and the U.K. all have entry fees for Americans that would exceed this entry fee that would allow us to have a matching fund to encourage international tourism.

After barely recovering to its pre-9/11 numbers in 2007, international tourism took a 17 percent decline. The bill we're considering today will remind people overseas of what the United States has to offer. The corporation created by this bill will be composed of individuals with expertise across the spectrum that will show the value and the logistics of international travel. Foreign travelers to the United States spend more time in the country than the average domestic traveler. They spend more money, and frankly, in virtually every case, they like Americans and America better after they've visited here than they did when they first came. I'm hopeful the House will pass this legislation today, and I'm looking forward to seeing it signed into law.

I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Speaker, I am proud to yield 1 minute to my colleague from the House Energy and Commerce Committee, Mrs. CHRISTENSEN from the Virgin Islands.

Mrs. CHRISTENSEN. Mr. Speaker, as a member of Energy and Commerce and also a former Steering Committee Member of the Travel and Tourism

Caucus and a cosponsor of this bill, I too support its enactment with the understanding that its implementation will benefit the territories and not just the 50 States. So I want to thank Ms. CASTOR, Mr. DELAHUNT, Mr. BLUNT and others for their work on the bill; thank them for the exchange of letters clarifying the application of the territories, and we look forward to working with you on the implementation of the bill.

□ 1630

Mr. BLUNT. I am wondering if I can enter into a colloquy with the gentleman from Massachusetts, the principal sponsor of this bill, Mr. DELAHUNT.

Mr. DELAHUNT, as this legislation advances, it's important that tour operators, most of which are small businesses involved in inbound U.S. travel, are not adversely affected and that any marketing Web site the corporation will create is protected from being misused in a way that would favor particular companies or segments of the industry over any other and would provide equal access and choice. There are three issues I need to have further clarification on as we move forward.

First, the board of directors of the Corporation for Travel Promotion created by this legislation will include representatives from many sectors of the travel industry. I'm hopeful that at least one member of this board will be a representative from the receptive/inbound tour operator sector. In addition, given their current efforts to market the United States as part of their business model, tour operators should be excluded from any assessment the corporation may impose.

Second, any marketing Web site the corporation might create may include destination information for all 50 States, the U.S. territories, and the District of Columbia; but it should not include an internal consumer booking engine or reservation system that would infringe on the services provided by existing travel operators.

A Web site should include no link to sites promoting non-U.S. destinations except those I mentioned, and any external Web links on the site, including those connected to paid advertisements, should be prohibited from the homepage.

Third, any advertising space on a Web site the corporation might create should be equally available to any sector or company promoting travel to the United States and should not be focused on any one sector. To ensure this availability, I'd encourage the corporation to ensure that no single entity be allowed to purchase more than 5 percent of the total advertising space available on the marketing Web site, and at least 10 percent of the space offered should be reserved for small businesses. No industry segment should receive any favored pricing or access.

I respectfully ask my friend from Massachusetts that he work with me to ensure that all sectors of our travel industry be protected and any Web site created by the corporation be used effectively and without abuse.

I yield to the gentleman.

Mr. DELAHUNT. I want to thank the gentleman from Missouri for bringing these concerns to our attention and to the floor. I want to assure the gentleman that these points and these issues are important to the success and effectiveness of this legislation, and I'm in full agreement with the gentleman.

Mr. BLUNT. I reserve the balance of my time, Mr. Speaker.

Ms. CASTOR of Florida. Mr. Speaker, I yield 3 minutes to the original sponsor of the Travel Promotion Act, the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. I thank the gentlelady for her leadership on this effort and the work that many who are sitting here have contributed to today's debate on the floor.

As has been indicated, the bill addresses the sharp decline in the number of overseas visitors to the United States. There were over 600,000 fewer visitors in 2008 than there were in 2000. This is happening as the world travel market is expanding but our market share is plummeting. In other words, overseas tourists and businessmen and students are going elsewhere. This has a devastating consequence to our economy, as one of every eight nonfarm jobs is created directly or indirectly through travel and tourism.

This drop in foreign travel during the 7-year period from 2001 to 2008 translates into a loss of $182 billion in visitor spending, a loss of $27 billion in tax revenue, and the loss of more than 200,000 American jobs annually. The question is: Why? Why did this happen?

The reason is painfully simple. We don't make a coherent effort to tell America's story, to say to foreign visitors that they are welcome here or to explain the confusing and sometimes intimidating rules and delays and even indignities that have become part of our visa and border entry process since 9/11.

Just last week, an International Olympic Committee member from Pakistan went out of his way in explaining his vote against Chicago to host the games to note that going through the United States customs can be a harrowing experience.

This legislation would clarify misperceptions about security protocols and other confusing aspects of our entry process that scare away potential visitors in droves and to communicate unambiguously: welcome to the United States.

And the best part: it would not cost U.S. taxpayers a penny. The program is partially funded by a $10 fee charged to visitors under the Visa Waiver Program. The rest of the cost is defrayed by the U.S. travel industry itself. In fact, it will actually reduce the deficit by some $400 million. So it's a win for the economy, it's a win for American foreign policy, and it's a win for fiscal responsibility.

So I urge my colleagues to join my friend from Missouri (Mr. BLUNT) and I, along with the co-Chair of the Travel Caucus, Mr. FARR, in voting for this legislation. I look forward to getting this program under way within the next few months.

I understand that the gentlelady from Guam wishes to enter into a colloquy.

Ms. CASTOR of Florida. I'll yield the gentleman an additional 1½ minutes.

Mr. DELAHUNT. I yield to the gentlelady from Guam.

Ms. BORDALLO. I thank my colleague for yielding, and I rise to clarify the application of the Travel Promotion Act to the territories. Of chief interest to me and my colleagues representing the territories is ensuring that the travel promotion mandates of this legislation fully encompass and take into account the territories.

Tourism is a critical component of the economies of the territories Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

I support the underlying bill. Given the territories depend heavily on tourism and will make contributions to the Travel Promotion Fund, they should be included.

I ask my colleagues, Mr. DELAHUNT and Mr. BLUNT, to clarify its application of the territories.

Mr. DELAHUNT. I thank the gentlelady from Guam for raising this issue and for her leadership. It is not the intent of this body for the territories to be excluded from the mandate of the Corporation for Travel Promotion or from the scope of duties prescribed by the bill for the offices within the Department of Commerce.

This bill should be interpreted, rather, as granting the corporation both the authority and obligation to promote tourism in the territories.

Ms. BORDALLO. I thank the gentleman.

Mr. BLUNT. Mr. Speaker, I second the views expressed by my friend from Massachusetts. The territories should, without question, be made part of the corporation's and the Commerce Department's effort to promote international travel.

Having traveled to the territories, I recognize the value of their visitor industries to their economic development and reiterate our expectation that this legislation, when implemented, will take into account travel promotion for the territories.

Mr. Speaker, I'd like to yield 2 minutes to my friend from California (Mr. FARR). He and I are co-Chair of the Travel and Tourism Caucus. Again, every State and probably every congressional district feels that it has a tourism destination. And over 100 Members of the Congress are members of the Travel and Tourism Caucus to promote that important part of our economy, and nobody more actively does that than Mr. FARR.

Mr. FARR. Thank you very much, Mr. BLUNT, for yielding and for the nice comments. I co-chair, as Mr. BLUNT said, the Travel and Tourism Caucus. This is a caucus that is essentially looking at how we can increase the usage of travel and tourism in the United States. The travel and tourism industry is the biggest industry in the United States—in fact, the world.

If you really look at this bill, it's called the Travel Promotion Act, but this is really about jobs—jobs and jobs. It's about understanding the United States of America and its territories. It's about peace, because it's about people. I think it's especially about jobs everywhere, because every part of the United States has something special to offer. Yet, we never take the advantage of telling anybody overseas about that. We have never done that.

You watch television today and there's countries all over the world advertising for you to come there. We're not doing that. This allows us to do that, but with private money, not taxpayer money. So it's a paid-for bill.

If anybody has been watching the Ken Burns series on the national parks, the comments I've heard and I felt were, Wow, I'm really proud to be an American. That is a beautiful series about the United States. That's not shown overseas. People don't know about all these assets that we have.

This act is going to allow that process to attract people. So, in a way, it is the biggest job promoter that we do, because it's the biggest industry, and it's everywhere.

The average international visitor spends $4,500 per visit. That's more than we spend when we're traveling around the United States.

So I think this is good for America, it's good for the world, it's good for peace and understanding. But, most of all, it's good for putting people back to work in the United States of America. Please support this act.

Ms. CASTOR of Florida. Mr. Speaker, may I inquire how much time is left on both sides.

The SPEAKER pro tempore. The gentlewoman from Florida has 5 minutes remaining. The gentleman from Missouri has 9½ minutes remaining.

Ms. CASTOR of Florida. At this time I am pleased to yield 1 minute to my good friend, the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. I rise in strong support of the Travel Promotion Act of 2009. Passage of the Travel Promotion Act is vital to my congressional district in southern Nevada. The current economic recession has hit our area especially hard, and unemployment is at an all-time high because travel and tourism revenue, the driver of our local economy, has declined dramatically.

Travel and tourism generate billions in tax revenue for local, State and Federal governments. Nationally, the travel and tourism industry employs 7.7 million people. In Nevada, more than 450,000 jobs are created by travelers who pumped $34.5 billion into the Nevada economy in 2007.

This act will bring millions of additional travelers to the United States at no cost to our taxpayers; it will create a public-private partnership to promote our Nation as a leading international travel destination; and it will communicate U.S. security and entry policies to people abroad. It's estimated that the program will generate $4 billion in new spending and $321 million in new Federal tax revenue annually.

So I strongly support passage of the Travel Promotion Act. It will help our economy in Nevada and across the Nation.

Mr. BLUNT. I continue to reserve the balance of my time.

Ms. CASTOR of Florida. At this time I'm very pleased to yield 1 minute to my good friend, the gentleman from the great State of Florida (Mr. KLEIN).

Mr. KLEIN of Florida. I thank the gentlelady. Mr. Speaker, I rise to support the Travel Promotion Act for all the reasons that have been discussed so far. Tourism is an economic engine for our home State of Florida. From our pristine beaches to the Everglades to our large destination amusement parks, Florida has so much to offer both international and domestic tourists.

The tourism industry creates jobs in all sorts of sectors: hospitality, construction, travel. In fact, in my home county of Palm Beach, as well as Broward County, 160,000 people are employed in tourism-related jobs, contributing over $11 billion to our local economy.

The tourism industry has faced challenges this year, which is why it is imperative that Congress pass the Travel Promotion Act. This bill will greatly strengthen south Florida's ability and all over the United States the ability to attract tourists from abroad, which will in turn reinforce our local economies.

I encourage our colleagues to join me in supporting this legislation.

Mr. BLUNT. I continue to reserve the balance of my time.

Ms. CASTOR of Florida. At this time I'm very pleased to yield 1 minute to my good friend, the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentlelady for yielding, and I particularly thank Mr. DELAHUNT for his steadfast leadership on this issue.

□ 1645

Mr. Speaker, I rise today in strong support of the Travel Promotion Act. In these difficult economic times, this bill is vital for our Nation's economy. It is essential to my hometown and congressional district of Las Vegas, which is the very definition of tourism and travel.

Last year, the United States lost nearly 200,000 travel-related jobs. In my district of Las Vegas and North Las Vegas, we've been hit particularly hard, with one of the highest unemployment rates in the country and a hotel occupancy rate just about as low as we've ever seen it.

This bill will bring back these jobs and put Americans back to work. Independent economists say that for every dollar we spend on this program, we will bring in $3 of increased revenue from added jobs and economic growth that will be created by increased tourism to our country. And this could be accomplished without adding to our national debt.

Every State in our Nation benefits from tourism. Tourism is one of the largest industries in America. Whether you have mountains, beaches, amusement parks, vineyards, ballparks, historic monuments or gaming, we all benefit from this bill.

This is a great piece of legislation that will help energize our economy at a time when we need it most. I urge support for this bill.

Mr. BLUNT. I continue to reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Speaker, I am the last speaker on my side, so I will reserve my time. I have the right to close.

Mr. BLUNT. Mr. Speaker, I would say that I'm as hopeful as all the speakers have been that this bill passes, that this effort encourages foreign travel and that this effort encourages that important segment of our economy. This is an area where the United States has a lot to gain by encouraging foreign travelers who, as we've said before, come, stay longer, they spend more and they like us better. It's an important part of our diplomacy. It's an important part of our economy.

I urge the passage of this bill, and I yield back the balance of my time.

Ms. CASTOR of Florida. Mr. Speaker, I would like to thank the gentleman from Missouri for his support in all of his endeavors to promote travel and tourism in the United States of America.

My hat is also off to Congressman DELAHUNT from Massachusetts who certainly understands the importance of reviving our economy and bringing good, clean industry jobs in the tourism and travel sector to our great Nation.

We need the Travel Promotion Act now more than ever during this economic downturn. The Travel Promotion Act is a jobs bill. It is a vital economic development initiative to help us combat this horrendous economic downturn.

Mr. SABLAN. Mr. Speaker, I rise today in support of H.R. 1035, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009, as amended. Specifically Title II, which consists of the full text of S–1023, the Travel Promotion Act of 2009. Tourism is the main driver of the economy of the Northern Mariana Islands and for the other U.S. Territories. S–

1023 would establish the Corporation for Travel Promotion (Corporation) and the Travel Promotion Fund, both of which I support, and recognizes the need for the United States government to have an active role in promoting tourism to the U.S. In addition, it allows the collection of an entry fee through 2014 for foreign visitors to the U.S., including the Territories. However, S–1023 as currently written does not recognize the Territories, even though the majority of our visitors are foreign visitors and will be paying the assessed fee. Like a taxpayer who pays into a system, you should expect to get some benefit, and this is no different. I appreciate the gentlelady from Guam and Representative DELAHUNT for their colloquy in ensuring that the intent of this Congress in S–1023 is to include the Territories and ensure they receive the full benefits of the activities of the Corporation under this important legislation. Tourism is one of the major industries in our country and in the Northern Mariana and the Territories, it is our economic lifeline and I urge my colleagues to support this legislation.

Mr. DINGELL. Mr. Speaker, while I support H.R. 1035, the ''Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009,'' I rise to voice my most rigorous protest at its inclusion of S. 1023, the ''Travel Promotion Act of 2009.'' This legislation, which has not benefitted from proper consideration by the various committees of jurisdiction in this body, creates an unnecessary Corporation for Travel Promotion. In sharp contrast to my long-held view that private corporations can and should promote travel to the United States on their own, the Corporation for Travel Promotion, comprised of companies from the travel and tourism industry, will be the recipient of taxpayer funds to finance its operations. Admittedly, the Corporation will be required to match public sector funds with contributions from its members, but these matching contributions may be up to 80 percent in the form of goods and services, whose value is to be determined by the Corporation itself. This outrage underscores the deficient public oversight to which the Corporation will be subject, as well as the fundamental dearth in meaningful constraints placed on its operation under pending statute. Further illustration of this is the legislation's omission of a provision to prevent the Corporation from acting solely in the benefit of one constituent member, as well as no requirement that public funds appropriated to the Corporation be returned to the Treasury in the event they are not expended.

The questions of the Corporation's establishment, functioning, and funding aside, I feel S. 1023 neglects to consider the more basic reasons for declining travel to the United States. Anecdotal evidence suggests potential foreign visitors take issue with America's reputation of late, particularly in the wake of the Iraq War, and moreover are confused and very likely offended by the difficulties of obtaining a visa to this country and the unfriendly treatment when they arrive at its borders. We would do well to examine what must be done in order to rehabilitate our image internationally, as well as how to facilitate easier entry into this country, while maintaining a necessary degree of security. In short, simply creating a corporation to promote travel to the U.S. will not address the more essential elements of why fewer foreigners decide to come to our country as tourists.

Finally, I must also object to the apparent failure of this body to afford the Travel Promotion Act proper consideration under the auspices of regular order. I would note that during the 110th Congress, the Committees on Energy and Commerce, the Judiciary, and Homeland Security worked cooperatively to produce an amended version of this legislation for consideration by the full House. While I confess that bill was in no way perfect, it included much-needed improvements to the oversight and accountability measures applicable to the Corporation and, in my view, represented a more palatable alternative to the measure before us for consideration today.

In closing, I intend to vote in favor of H.R. 1035 but must voice my most rigorous protest at its inclusion of the Travel Promotion Act, legislation I find remarkably lacking in merit and deficient in due deliberation by this body.

Ms. CASTOR of Florida. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and agree to the resolution, H. Res. 806.

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. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## CONFERENCE REPORT ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. DELAURO. Mr. Speaker, pursuant to House Resolution 799, I call up the conference report on the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of September 30, 2009, at page H10358.)

The SPEAKER pro tempore. Pursuant to House Resolution 799, the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Georgia (Mr. KINGSTON) each will control 30 minutes.

The Chair recognizes the gentlewoman from Connecticut.

GENERAL LEAVE

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2997.

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

There was no objection.

Ms. DELAURO. Mr. Speaker, I yield myself such time as I may consume.

I am delighted to present the 2010 Agriculture-Food and Drug Administration appropriations conference report. I want to note for my colleagues that this is the earliest that an Agriculture appropriations conference report has come to the House floor since 1999.

This report represents a culmination of many months of hard work in both Houses of Congress. I want to offer my thanks to the ranking member, Congressman JACK KINGSTON, for his collaboration and input over these months, and I also want to say ''thank you'' to the minority and majority staff for all of their tireless work in this effort, a ''thank you'' to our ranking member, Mr. LEWIS, and a special ''thank you'' to Chairman OBEY for his counsel on this effort.

We have been busy all year. The subcommittee has held seven hearings so far, including two hearings with the Secretary of Agriculture, a hearing with the Acting Commissioner of the Food and Drug Administration and another with the Inspector General of the Department of Health and Human Services. We had a hearing on domestic nutrition programs, a hearing on the equivalency process for imported meat and poultry. We also had a hearing in which members discussed their priorities.

The fiscal year 2010 conference report before us, the culmination of the process, focuses on several key areas such as: supporting agricultural research, investing in rural communities, protecting public health, bolstering food nutrition programs and food aid, and conserving our natural resources. The final bill invests in these priorities and the agencies that can help us to meet them while making specific and sensible budget cuts where feasible.

The 2010 Agriculture-FDA appropriations conference report provides for $23.3 billion in funding, a 13 percent increase over 2009 levels, with major and responsible investments across the board.

In terms of protecting public health, the bill provides a substantial increase for the Food and Drug Administration—$306 million—to conduct more inspections of domestic and foreign food and medical products.

In addition, the bill fully funds the administration's request for the Food Safety and Inspection Service at the United States Department of Agriculture, providing over $1 billion for FSIS for the first time in history.

The appropriate funding of FDA and FSIS is not only a matter of public health and consumer safety, it is a matter of national and economic security. Not all of the dangers that threaten the health and safety of American families can be found in airports, border checkpoints or harbor containers.

Sometimes they lurk in our refrigerators and on our kitchen tables. We cannot afford to neglect our food safety system any longer, and I am pleased that we fund the FDA and the FSIS adequately in this bill.

With regards to nutrition, the bill provides $7.25 billion for WIC, the women, infants and children program, to serve our Nation's vulnerable populations and help those hit hardest by the economic crisis.

Our fundamental responsibility as legislators and as leaders, to say nothing of basic morality and fairness, demands that we do everything that we can to help Americans suffering right now from poverty and malnutrition. Each dollar we spend on nutrition here in this bill means food on the table for hungry families who are struggling.

The bill also includes $171 million for the Commodity Supplemental Food Program, or CSFP, and expands assistance to seven new States: Arkansas, Oklahoma, Delaware, Utah, New Jersey, Georgia and Maine.

In addition, conferees agreed to extend the school lunch program for 1 year at the request of the Education and Labor Committee to ensure that the school lunch program remains operational and that schoolchildren will not go hungry.

The bill makes significant investments in agricultural research: $1.2 billion for the Agricultural Research Service, over $1.3 billion for the National Institute for Food and Agriculture, and among the key programs funded is $262.5 million for the Agriculture and Food Research Initiative, a competitive research program.

In addition, the report seeks to create new opportunities for growth in the Nation's small-town economies with rural development and conservation. The agreement provides $12 billion for the section 502 Guaranteed Single-Family Housing Loans and $164 million for the Rural Energy for America Program, just two of the important programs funded here to encourage rural development.

The bill addresses concerns raised on a bipartisan basis about the need to modernize the Farm Service Agency's information technology networks and databases in order to provide more effective and secure service for the agency's customers. It fully funds the request of $67.3 million for this work.

The conference report increases funding for key safety nets for our farmers, $257 million more in farm ownership loans and $676 million more in farm operating loans than the President's request.

This agreement includes $350 million for dairy assistance, $290 million to the Secretary of Agriculture to supplement producers' income and $60 million for purchasing surplus cheese and other dairy products to distribute to food banks.

The conference agreement also works to conserve America's natural resources and thus sustain our national prosperity. It includes approximately $1 billion for the Natural Resources Conservation Service to improve service in the field, conserve and protect the environment and upgrade aging dams at risk of catastrophic failure. It restores funding eliminated in the budget for the Resource Conservation and Development program and maintains the House position of keeping it in a separate account.

It funds the Commodity Futures Trading Commission above the President's request to better secure the markets from improper speculation. And it continues to protect our Nation's families and farmers from the dangers posed by unsafe processed poultry imports from overseas. Some of you may be familiar with the long debate we've had over processed poultry from China. From the very beginning, I have insisted that the question of processed Chinese poultry imports be taken as a public health issue that must not be entangled in trade discussions. This conference report language provides meaningful assurances that the public health will be protected and that adequate preventive measures will be taken to ensure poultry products from China are safe.

The final conference language firmly establishes that Chinese poultry imports must live up to American sanitary conditions before being shipped to the United States. This includes requiring new onsite audits, new onsite inspections and an increased level of port-of-entry reinspections. The language also requires USDA to report frequently to the Congress on the implementation of any rule authorizing China to export poultry products to the U.S. This will allow the Congress to monitor USDA's work in this area on a frequent basis.

In short, the new language ensures the USDA will perform the necessary inspection and monitoring functions to minimize possible food safety threats from Chinese processed poultry imports. I look forward to working with the Secretary as this process moves forward.

Finally, for all the important investments in this bill, we have also made responsible cuts where warranted. This report includes $194 million in cuts below 2009, more than $1 billion in cuts below the 2010 budget request, and $346 million in cuts below the 2010 House-passed bill.

Taken as a whole, I believe we have crafted responsible agriculture legislation that alleviates short-term suffering, encourages long-term growth, invests in our future and reflects our priorities as a Nation.

In closing, let me take a moment to thank the staff who have worked diligently to help to put this bill together. Subcommittee majority staff—Martha Foley, our clerk, Leslie Barrack, Matthew Smith, Jason Weller, Cliff Isenberg and Kerstin Millius have worked closely with David Gibbons on the minority staff. In addition, Brian Ronholm and Letty Mederos on my staff, and Merritt Myers and Meg Gilley from Mr. KINGSTON's staff have been of tremendous help to this subcommittee.

I urge you to support this bill.

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - AGRICULTURAL PROGRAMS | | | | | | |
| Production, Processing, and Marketing | | | | | | |
| Office of the Secretary | 5,174 | 5,285 | 5,285 | 5,285 | 5,285 | +111 |
| Office of Tribal Relations | --- | 1,000 | 1,000 | 1,000 | 1,000 | +1,000 |
| Executive Operations: | | | | | | |
| Office of Chief Economist | 10,651 | 16,732 | 12,982 | 13,032 | 13,032 | +2,381 |
| National Appeals Division | 14,711 | 15,559 | 15,289 | 15,219 | 15,254 | +543 |
| Office of Budget and Program Analysis | 9,054 | 9,436 | 9,436 | 9,436 | 9,436 | +382 |
| Office of Homeland Security | 974 | 2,994 | 2,494 | 1,859 | 1,859 | +885 |
| Office of Advocacy and Outreach | --- | 3,000 | 3,000 | --- | 1,700 | +1,700 |
| Office of the Chief Information Officer | 17,527 | 63,579 | 48,541 | 63,579 | 61,579 | +44,052 |
| Office of the Chief Financial Officer | 5,954 | 6,566 | 6,466 | 6,566 | 6,566 | +612 |
| Total, Executive Operations | 58,871 | 117,866 | 98,208 | 109,691 | 109,426 | +50,555 |
| Office of the Assistant Secretary for Civil Rights | 871 | 895 | 888 | 895 | 895 | +24 |
| Office of Civil Rights | 21,551 | 23,922 | 23,922 | 23,422 | 23,922 | +2,371 |
| Office of the Assistant Secretary for Administration | 687 | 806 | 700 | 806 | 806 | +119 |
| Agriculture buildings and facilities and rental payments | (244,244) | (346,182) | (326,482) | (274,482) | (293,093) | (+48,849) |
| Payments to GSA | 168,901 | 237,901 | 223,901 | 168,901 | 184,812 | +15,911 |
| Department of Homeland Security | 13,500 | 13,500 | 13,500 | 13,500 | 13,500 | --- |
| Building operations and maintenance | 61,843 | 94,781 | 89,081 | 92,081 | 94,781 | +32,938 |
| Hazardous materials management | 5,100 | 5,125 | 5,125 | 5,125 | 5,125 | +25 |
| Departmental administration | 27,011 | 43,319 | 37,319 | 41,319 | 41,319 | +14,308 |
| Office of the Assistant Secretary for Congressional Relations | 3,877 | 3,968 | 3,968 | 3,968 | 3,968 | +91 |
| Office of Communications | 9,514 | 9,922 | 9,722 | 9,722 | 9,722 | +208 |
| Office of the Inspector General | 85,766 | 88,781 | 89,281 | 88,025 | 88,725 | +2,959 |
| Office of the General Counsel | 41,620 | 44,651 | 43,601 | 43,551 | 43,551 | +1,931 |
| Office of the Under Secretary for Research, Education, and Economics | 609 | 895 | 620 | 895 | 895 | +286 |
| Economic Research Service | 79,500 | 82,478 | 82,528 | 82,078 | 82,478 | +2,978 |
| National Agricultural Statistics Service | 151,565 | 161,830 | 161,830 | 161,830 | 161,830 | +10,265 |
| Census of Agriculture | (37,265) | (37,908) | (37,908) | (37,908) | (37,908) | (+643) |
| Agricultural Research Service: | | | | | | |
| Salaries and expenses | 1,140,406 | 1,153,368 | 1,157,568 | 1,181,632 | 1,179,639 | +39,233 |
| Buildings and facilities | 46,752 | --- | 35,000 | 47,027 | 70,873 | +24,121 |
| Total, Agricultural Research Service | 1,187,158 | 1,153,368 | 1,192,568 | 1,228,659 | 1,250,512 | +63,354 |
| National Institute of Food and Agriculture: | | | | | | |
| Research and education activities | 691,043 | 622,892 | 711,523 | 757,821 | 788,243 | +97,200 |
| Native American Institutions Endowment Fund | (11,880) | (11,880) | (11,880) | (11,880) | (11,880) | --- |
| Extension activities | 474,250 | 487,005 | 485,466 | 491,292 | 494,923 | +20,673 |
| Integrated activities | 56,864 | 56,864 | 60,022 | 56,864 | 60,022 | +3,158 |
| Outreach for socially disadvantaged farmers | --- | --- | --- | --- | --- | --- |
| Total, National Institute of Food and Agriculture | 1,222,157 | 1,166,761 | 1,257,011 | 1,305,977 | 1,343,188 | +121,031 |
| Office of the Under Secretary for Marketing and Regulatory Programs | 737 | 895 | 753 | 895 | 895 | +158 |
| Animal and Plant Health Inspection Service: | | | | | | |
| Salaries and expenses | 876,675 | 872,423 | 881,019 | 909,394 | 904,953 | +28,278 |
| Inspections (user fees) (leg. proposal) NA | --- | (20,000) | --- | --- | --- | --- |
| Buildings and facilities | 4,712 | 4,712 | 4,712 | 4,712 | 4,712 | --- |
| Total, Animal and Plant Health Inspection Service | 881,387 | 877,135 | 885,731 | 914,106 | 909,665 | +28,278 |
| Agricultural Marketing Service: | | | | | | |
| Marketing Services | 86,711 | 90,848 | 90,848 | 90,848 | 91,148 | +4,437 |
| Standardization (user fees) (leg. proposal) NA | --- | --- | --- | --- | --- | --- |
| (Limitation on administrative expenses, from fees collected) | (62,888) | (64,583) | (64,583) | (64,583) | (64,583) | (+1,695) |
| Permanent, Section 32 | 1,169,000 | 1,300,000 | 1,300,000 | 1,300,000 | 1,300,000 | +131,000 M |
| Funds for strengthening markets, income, and supply (transfer from section 32) | 17,270 | 20,056 | 20,056 | 20,056 | 20,056 | +2,786 M |
| Commodity purchases support system | (10,000) | (20,000) | (20,000) | (20,000) | (10,000) | --- |
| Payments to states and possessions | 1,334 | 1,334 | 1,334 | 1,334 | 1,334 | --- |
| Total, Agricultural Marketing Service program | 1,347,203 | 1,496,821 | 1,496,821 | 1,496,821 | 1,487,121 | +139,918 |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Grain Inspection, Packers and Stockyards Administration: | | | | | | |
| Salaries and expenses | 40,342 | 41,964 | 41,964 | 41,564 | 41,964 | +1,622 |
| Limitation on inspection and weighing services | (42,463) | (42,463) | (42,463) | (42,463) | (42,463) | --- |
| Office of the Under Secretary for Food Safety | 613 | 813 | 622 | 813 | 813 | +200 |
| Food Safety and Inspection Service | 971,566 | 1,018,520 | 1,018,520 | 1,018,520 | 1,018,520 | +46,954 |
| Lab accreditation fees | (1,000) | (1,000) | (1,000) | (1,000) | (1,000) | --- |
| Total, Production, Processing, and Marketing | 6,314,235 | 6,608,619 | 6,699,886 | 6,774,866 | 6,850,135 | +535,900 |
| Farm Assistance Programs | | | | | | |
| Office of the Under Secretary for Farm and Foreign Agricultural Services | 646 | 895 | 662 | 895 | 895 | +249 |
| Farm Service Agency: | | | | | | |
| Salaries and expenses | 1,170,273 | 1,253,777 | 1,248,777 | 1,603,777 | 1,253,777 | +83,504 |
| (Transfer from export loans) | (348) | (355) | (355) | (355) | (355) | (+7) |
| (Transfer from P.L. 480) | (2,736) | (2,812) | (2,812) | (2,812) | (2,812) | (+76) |
| (Transfer from ACIF) | (309,403) | (318,173) | (317,654) | (313,173) | (313,173) | (+3,770) |
| Subtotal, transfers from program accounts | (312,487) | (321,340) | (320,821) | (316,340) | (316,340) | (+3,853) |
| Total, Salaries and expenses | (1,482,760) | (1,575,117) | (1,569,598) | (1,920,117) | (1,570,117) | (+87,357) |
| State mediation grants | 4,369 | 4,369 | 4,000 | 4,369 | 4,369 | --- |
| Grassroot source water protection program | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 | --- |
| Dairy indemnity program | 1,700 | 930 | 930 | 930 | 930 | -770 M |
| Subtotal, Farm Service Agency | 1,181,342 | 1,264,076 | 1,258,707 | 1,614,076 | 1,264,076 | +82,734 |
| Agricultural Credit Insurance Fund Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Farm ownership loans: | | | | | | |
| Direct | (222,298) | (392,990) | (392,990) | (392,990) | (650,000) | (+427,702) |
| Guaranteed | (1,238,768) | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) | (+261,232) |
| Subtotal | (1,461,066) | (1,892,990) | (1,892,990) | (1,892,990) | (2,150,000) | (+688,934) |
| Farm operating loans: | | | | | | |
| Direct | (575,095) | (700,000) | (700,000) | (700,000) | (1,000,000) | (+424,905) |
| Unsubsidized guaranteed | (1,017,497) | (1,150,000) | (1,150,000) | (1,150,000) | (1,500,000) | (+482,503) |
| Subsidized guaranteed | (269,986) | (144,467) | (144,467) | (144,467) | (170,000) | (-99,986) |
| Subtotal | (1,862,578) | (1,994,467) | (1,994,467) | (1,994,467) | (2,670,000) | (+807,422) |
| Indian tribe land acquisition loans | (3,940) | (2,000) | (3,940) | (2,000) | (3,940) | --- |
| Conservation loans: | | | | | | |
| Direct | --- | (75,000) | (75,000) | (75,000) | (75,000) | (+75,000) |
| Guaranteed | --- | (75,000) | (75,000) | (75,000) | (75,000) | (+75,000) |
| Subtotal | --- | (150,000) | (150,000) | (150,000) | (150,000) | (+150,000) |
| Indian Highly Fractionated Land Loans | --- | (10,000) | (10,000) | (10,000) | (10,000) | (+10,000) |
| Boll weevil eradication loans | (100,000) | (60,000) | (100,000) | (100,000) | (100,000) | --- |
| Total, Loan authorizations | (3,427,584) | (4,109,457) | (4,151,397) | (4,149,457) | (5,083,940) | (+1,656,356) |
| Loan subsidies: | | | | | | |
| Farm ownership loans: | | | | | | |
| Direct | 12,715 | 16,034 | 16,034 | 16,034 | 26,520 | +13,805 |
| Guaranteed | 4,088 | 5,550 | 5,550 | 5,550 | 5,550 | +1,462 |
| Subtotal | 16,803 | 21,584 | 21,584 | 21,584 | 32,070 | +15,267 |
| Farm operating loans: | | | | | | |
| Direct | 67,804 | 33,180 | 33,180 | 33,180 | 47,400 | -20,404 |
| Unsubsidized guaranteed | 25,336 | 26,910 | 26,910 | 26,910 | 35,100 | +9,764 |
| Subsidized guaranteed | 37,231 | 20,312 | 20,312 | 20,312 | 23,902 | -13,329 |
| Subtotal | 130,371 | 80,402 | 80,402 | 80,402 | 106,402 | -23,969 |
| Indian tribe land acquisition | 248 | --- | --- | --- | --- | -248 |
| Conservation loans: | --- | --- | --- | --- | --- | --- |
| Direct | --- | 1,065 | 1,065 | 1,065 | 1,065 | +1,065 |
| Guaranteed | --- | 278 | 278 | 278 | 278 | +278 |
| Subtotal | --- | 1,343 | 1,343 | 1,343 | 1,343 | +1,343 |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Indian Highly Fractionated Land Loans | --- | 793 | 793 | 793 | 793 | +793 |
| Individual Development Accounts | --- | 5,000 | --- | --- | --- | --- |
| Total, Loan subsidies | 147,422 | 109,122 | 104,122 | 104,122 | 140,608 | -6,814 |
| ACIF expenses: | | | | | | |
| Salaries and expense (transfer to FSA) | 309,403 | 318,173 | 317,654 | 313,173 | 313,173 | +3,770 |
| Administrative expenses | 7,920 | 7,920 | 7,920 | 7,920 | 7,920 | --- |
| Total, ACIF expenses | 317,323 | 326,093 | 325,574 | 321,093 | 321,093 | +3,770 |
| Total, Agricultural Credit Insurance Fund | 464,745 | 435,215 | 429,696 | 425,215 | 461,701 | -3,044 |
| (Loan authorization) | (3,427,584) | (4,109,457) | (4,151,397) | (4,149,457) | (5,083,940) | (+1,656,356) |
| Total, Farm Service Agency | 1,646,087 | 1,699,291 | 1,688,403 | 2,039,291 | 1,725,777 | +79,690 |
| Risk Management Agency, | | | | | | |
| Administrative and operating expenses | 77,177 | 80,325 | 80,325 | 79,425 | 80,325 | +3,148 |
| Total, Farm Assistance Programs | 1,723,910 | 1,780,511 | 1,769,390 | 2,119,611 | 1,806,997 | +83,087 |
| Corporations | | | | | | |
| Federal Crop Insurance Corporation: | | | | | | |
| Federal crop insurance corporation fund | 6,582,945 | 7,502,601 | 7,502,601 | 7,502,601 | 7,502,601 | +919,656 M |
| Commodity Credit Corporation Fund: | | | | | | |
| Reimbursement for net realized losses | 11,106,324 | 13,878,054 | 13,878,054 | 13,878,054 | 13,878,054 | +2,771,730 M |
| Hazardous waste management (limitation on expenses) | (5,000) | (5,000) | (5,000) | (5,000) | (5,000) | --- |
| Total, Corporations | 17,689,269 | 21,380,655 | 21,380,655 | 21,380,655 | 21,380,655 | +3,691,386 |
| Total, Title I, Agricultural Programs | 25,727,414 | 29,769,785 | 29,849,931 | 30,275,132 | 30,037,787 | +4,310,373 |
| (By transfer) | (312,487) | (321,340) | (320,821) | (316,340) | (316,340) | (+3,853) |
| (Loan authorization) | (3,427,584) | (4,109,457) | (4,151,397) | (4,149,457) | (5,083,940) | (+1,656,356) |
| (Limitation on administrative expenses) | (110,351) | (112,046) | (112,046) | (112,046) | (112,046) | (+1,695) |
| TITLE II - CONSERVATION PROGRAMS | | | | | | |
| Office of the Under Secretary for Natural Resources and Environment | 758 | 895 | 774 | 895 | 895 | +137 |
| Natural Resources Conservation Service: | | | | | | |
| Conservation operations | 853,400 | 867,197 | 874,397 | 949,577 | 887,629 | +34,229 |
| Watershed and flood prevention operations | 24,289 | --- | 20,000 | 24,394 | 30,000 | +5,711 |
| Watershed rehabilitation program | 40,000 | 40,161 | 40,161 | 40,161 | 40,161 | +161 |
| Resource conservation and development | 50,730 | --- | 50,730 | --- | 50,730 | --- |
| Total, Natural Resources Conservation Service | 968,419 | 907,358 | 985,288 | 1,014,132 | 1,008,520 | +40,101 |
| Total, Title II, Conservation Programs | 969,177 | 908,253 | 986,062 | 1,015,027 | 1,009,415 | +40,238 |
| TITLE III - RURAL DEVELOPMENT PROGRAMS | | | | | | |
| Office of the Under Secretary for Rural Development | 646 | 895 | 660 | 895 | 895 | +249 |
| Rural Development: | | | | | | |
| Rural development expenses: | | | | | | |
| Salaries and expenses | 192,484 | 195,987 | 193,987 | 207,237 | 201,987 | +9,503 |
| (Transfer from RHIF) | (460,217) | (468,593) | (468,593) | (468,593) | (468,593) | (+8,376) |
| (Transfer from RDLFP) | (4,853) | (4,941) | (4,941) | (4,941) | (4,941) | (+88) |
| (Transfer from RETLP) | (39,245) | (39,959) | (39,959) | (39,959) | (39,959) | (+714) |
| Subtotal, Transfers from program accounts | (504,315) | (513,493) | (513,493) | (513,493) | (513,493) | (+9,178) |
| Total, Rural development expenses | (696,799) | (709,480) | (707,480) | (720,730) | (715,480) | (+18,681) |
| Rural Housing Service: | | | | | | |
| Rural Housing Insurance Fund Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Single family direct (sec. 502) | (1,121,488) | (1,121,488) | (1,121,488) | (1,226,501) | (1,121,488) | --- |
| Unsubsidized guaranteed | (6,223,859) | (6,204,444) | (6,204,444) | (12,000,000) | (12,000,000) | (+5,776,141) |
| Subtotal, Single family | (7,345,347) | (7,325,932) | (7,325,932) | (13,226,501) | (13,121,488) | (+5,776,141) |
| Housing repair (sec. 504) | (34,410) | (34,412) | (34,412) | (34,412) | (34,412) | (+2) |
| Rental housing (sec. 515) | (69,512) | (69,512) | (80,000) | (69,512) | (69,512) | --- |
| Site loans (sec. 524) | (5,045) | (5,045) | (5,045) | (5,045) | (5,045) | --- |
| Multi-family housing guarantees (sec. 538) | (129,090) | (129,090) | (129,090) | (129,090) | (129,090) | --- |
| Multi-family housing credit sales | (1,447) | (1,448) | (1,448) | (1,448) | (1,448) | (+1) |
| Single family housing credit sales | (10,000) | (10,000) | (10,000) | (10,000) | (10,000) | --- |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Self-help housing land develop. (sec. 523) | (4,970) | (4,970) | (4,970) | (4,970) | (4,970) | --- |
| Total, Loan authorizations | (7,599,821) | (7,580,409) | (7,590,897) | (13,480,978) | (13,375,965) | (+5,776,144) |
| Loan subsidies: | | | | | | |
| Single family direct (sec. 502) | 75,364 | 40,710 | 40,710 | 44,522 | 40,710 | -34,654 |
| Unsubsidized guaranteed | 79,043 | 89,624 | 89,624 | 172,800 | 172,800 | +93,757 |
| Subtotal, Single family | 154,407 | 130,334 | 130,334 | 217,322 | 213,510 | +59,103 |
| Housing repair (sec. 504) | 9,246 | 4,422 | 4,422 | 4,422 | 4,422 | -4,824 |
| Rental housing (sec. 515) | 28,611 | 18,935 | 21,792 | 18,935 | 18,935 | -9,676 |
| Multi-family housing guarantees (sec. 538) | 8,082 | 1,485 | 1,485 | 1,485 | 1,485 | -6,597 |
| Multi-family housing credit sales | 523 | 556 | 556 | 556 | 556 | +33 |
| Self-help housing land develop. (sec. 523) | 82 | --- | --- | --- | --- | -82 |
| Total, Loan subsidies | 200,951 | 155,732 | 158,589 | 242,720 | 238,908 | +37,957 |
| RHIF administrative expenses (transfer to RD) | 460,217 | 468,593 | 468,593 | 468,593 | 468,593 | +8,376 |
| Total, Rural Housing Insurance Fund program | 661,168 | 624,325 | 627,182 | 711,313 | 707,501 | +46,333 |
| (Loan authorization) | (7,599,821) | (7,580,409) | (7,590,897) | (13,480,978) | (13,375,965) | (+5,776,144) |
| Rental assistance program: | | | | | | |
| Rental assistance (Sec. 521) | 891,112 | 1,080,042 | 968,612 | 968,612 | 968,612 | +77,500 |
| Eligible households (Sec. 502(c)(5)(D)) | 5,958 | 5,958 | 5,958 | 5,958 | 5,958 | --- |
| New construction (Sec. 515) | 2,030 | 2,030 | 2,030 | 2,030 | 2,030 | --- |
| New construction (Farm Labor Housing) | 3,400 | 3,400 | 3,400 | 3,400 | 3,400 | --- |
| Total, Rental assistance program | 902,500 | 1,091,430 | 980,000 | 980,000 | 980,000 | +77,500 |
| Rural housing voucher program | 4,965 | 4,965 | 4,965 | 18,000 | 16,400 | +11,435 |
| Multifamily housing revitalization program account | 19,860 | 19,860 | 25,000 | 19,860 | 25,000 | +5,140 |
| Multifamily housing preservation revolving loans | 2,889 | 1,791 | 1,791 | 1,791 | 1,791 | -1,098 |
| Total, Multifamily housing revitalization | 27,714 | 26,616 | 31,756 | 39,651 | 43,191 | +15,477 |
| Mutual and self-help housing grants | 38,727 | 38,727 | 45,000 | 38,727 | 41,864 | +3,137 |
| Rural housing assistance grants | 41,500 | 41,500 | 45,500 | 41,500 | 45,500 | +4,000 |
| Farm labor housing program account: | | | | | | |
| (Loan authorization) | (21,678) | (21,677) | (30,501) | (21,677) | (27,319) | (+5,641) |
| Loan subsidy | 9,135 | 7,834 | 11,023 | 7,834 | 9,873 | +738 |
| Grants | 9,134 | 9,134 | 11,500 | 9,134 | 9,873 | +739 |
| Total, Farm Labor Housing Program Account | 18,269 | 16,968 | 22,523 | 16,968 | 19,746 | +1,477 |
| Rural community facilities program account: | | | | | | |
| Loan authorizations: | | | | | | |
| Community facility: | | | | | | |
| Direct | (294,948) | (294,962) | (294,962) | (294,962) | (294,962) | (+14) |
| Guaranteed | (206,425) | (206,417) | (206,417) | (206,417) | (206,417) | (-8) |
| Total, Loan authorizations | (501,373) | (501,379) | (501,379) | (501,379) | (501,379) | (+6) |
| Loan subsidies and grants: | | | | | | |
| Community facility: | | | | | | |
| Direct | 16,871 | 3,864 | 3,864 | 3,864 | 3,864 | -13,007 |
| Guaranteed | 6,358 | 6,626 | 6,626 | 6,626 | 6,626 | +268 |
| Grants | 20,373 | 20,373 | 20,373 | 20,373 | 20,373 | --- |
| Rural community development initiative | 6,256 | 6,256 | 6,256 | 6,256 | 6,256 | --- |
| Economic impact initiative grants | 10,000 | 13,902 | 10,000 | 13,902 | 13,902 | +3,902 |
| Tribal college grants | 3,972 | 3,972 | 3,972 | 3,972 | 3,972 | --- |
| Total, RCP Loan subsidies and grants | 63,830 | 54,993 | 51,091 | 54,993 | 54,993 | -8,837 |
| Subtotal, grants and payments | 162,326 | 152,188 | 164,114 | 152,188 | 162,103 | -223 |
| Total, Rural Housing Service | 1,753,708 | 1,894,559 | 1,803,052 | 1,883,152 | 1,892,795 | +139,087 |
| (Loan authorization) | (8,122,872) | (8,103,465) | (8,122,777) | (14,004,034) | (13,904,663) | (+5,781,791) |
| Rural Business-Cooperative Service: | | | | | | |
| Rural Business Program Account: | | | | | | |
| (Guaranteed business and industry loans) | (993,000) | (993,002) | (993,002) | (993,002) | (993,002) | (+2) |
| Loan subsidies and grants: | | | | | | |
| Guaranteed business and industry subsidy | 43,196 | 52,927 | 52,927 | 52,927 | 52,927 | +9,731 |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Grants: | | | | | | |
| Rural business enterprise | 38,727 | 38,727 | 38,727 | 38,727 | 38,727 | --- |
| Rural business opportunity | 2,483 | 2,483 | 2,483 | 2,483 | 2,483 | --- |
| Delta regional authority | 2,979 | 2,979 | 2,979 | 2,979 | 2,979 | --- |
| Total, RBP loan subsidies and grants | 87,385 | 97,116 | 97,116 | 97,116 | 97,116 | +9,731 |
| Rural Development Loan Fund Program Account: | | | | | | |
| (Loan authorization) | (33,536) | (33,536) | (33,536) | (33,536) | (33,536) | --- |
| Loan subsidy | 14,035 | 8,464 | 8,464 | 8,464 | 8,464 | -5,571 |
| Administrative expenses (transfer to RD) | 4,853 | 4,941 | 4,941 | 4,941 | 4,941 | +88 |
| Total, Rural Development Loan Fund | 18,888 | 13,405 | 13,405 | 13,405 | 13,405 | -5,483 |
| Rural Economic Development Loans Program Account: | | | | | | |
| (Loan authorization) | (33,077) | (33,077) | (33,077) | (33,077) | (33,077) | --- |
| Rural cooperative development grants: | | | | | | |
| Cooperative development | 4,424 | 10,424 | 5,424 | 10,424 | 7,924 | +3,500 |
| Appropriate technology transfer for rural areas | 2,582 | 2,582 | 2,582 | 2,800 | 2,800 | +218 |
| Cooperative research agreement | 300 | 300 | 300 | 300 | 300 | --- |
| Value-added agricultural product market development | 3,867 | 21,867 | 18,867 | 21,867 | 20,367 | +16,500 |
| Grants to assist minority producers | 1,463 | 3,463 | 3,463 | 3,463 | 3,463 | +2,000 |
| Total, Rural Cooperative development grants | 12,636 | 38,636 | 30,636 | 38,854 | 34,854 | +22,218 |
| Rural Microenterprise Investment Program Account: | | | | | | |
| (Loan authorization) | --- | (51,522) | --- | (51,522) | (11,710) | (+11,710) |
| Loan subsidy | --- | 11,000 | --- | 11,000 | 2,500 | +2,500 |
| Grants | --- | 11,000 | --- | 11,000 | 2,500 | +2,500 |
| Total, Rural Microenterprise Investment | --- | 22,000 | --- | 22,000 | 5,000 | +5,000 |
| Rural empowerment zones and enterprise communities grants | 8,130 | --- | --- | --- | --- | -8,130 |
| Renewable energy program(Rural energy for America) | | | | | | |
| (Loan authorization) | (25,780) | (246,334) | (73,314) | (246,334) | (144,209) | (+118,429) |
| Loan subsidy | 2,500 | 33,600 | 10,000 | 33,600 | 19,670 | +17,170 |
| Grants | 2,500 | 34,530 | 12,000 | 34,530 | 19,670 | +17,170 |
| Total, Renewable energy program | 5,000 | 68,130 | 22,000 | 68,130 | 39,340 | +34,340 |
| Biorefinery Assistance Program: | | | | | | |
| (Loan authorization) | --- | (48,884) | --- | (48,884) | --- | --- |
| Loan subsidy | --- | 17,339 | --- | 17,339 | --- | --- |
| Total, Biorefinery Assistance Program | --- | 17,339 | --- | 17,339 | --- | --- |
| Total, Rural Business-Cooperative Service | 132,039 | 256,626 | 163,157 | 256,844 | 189,715 | +57,676 |
| (Loan authorization) | (1,085,393) | (1,406,355) | (1,132,929) | (1,406,355) | (1,215,534) | (+130,141) |
| Rural Utilities Service: | | | | | | |
| Rural water and waste disposal program account: | | | | | | |
| Loan authorizations: | | | | | | |
| Direct | --- | (1,022,163) | (1,022,163) | (1,022,163) | (1,022,163) | (+1,022,163) |
| Guaranteed | (75,000) | (75,000) | (75,000) | (75,000) | (75,000) | --- |
| Total, Loan authorization | 75,000 | 1,097,163 | 1,097,163 | 1,097,163 | 1,097,163 | +1,022,163 |
| Loan subsidies and grants: | | | | | | |
| Subsidy and grants | 537,278 | --- | --- | --- | --- | -537,278 |
| Direct subsidy | --- | 77,071 | 77,071 | 77,071 | 77,071 | +77,071 |
| Water and waste grants | --- | 464,228 | 464,228 | 469,228 | 469,228 | +469,228 |
| Solid waste management grants | --- | 3,441 | 3,441 | 3,441 | 3,441 | +3,441 |
| Water and waste financing revolving fund | 497 | 497 | 497 | 497 | 497 | --- |
| Water well system grants | 993 | 993 | 993 | 993 | 993 | --- |
| High energy cost grants | 17,500 | --- | --- | 17,500 | 17,500 | --- |
| Rural water and waste disposal | --- | --- | 10,038 | --- | --- | --- |
| Total, Water loan subsidies and grants | 556,268 | 546,230 | 556,268 | 568,730 | 568,730 | +12,462 |
| Rural Electrification and Telecommunications Loans Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Electric: | | | | | | |
| Direct, 5% | (100,000) | (100,000) | (100,000) | (100,000) | (100,000) | --- |
| Direct, FFB | (6,500,000) | (6,500,000) | (6,500,000) | (6,500,000) | (6,500,000) | --- |
| Guaranteed underwriting | --- | --- | --- | (500,000) | (500,000) | (+500,000) |
| Subtotal, Electric | (6,600,000) | (6,600,000) | (6,600,000) | (7,100,000) | (7,100,000) | (+500,000) |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Telecommunications: | | | | | | |
| Direct, 5% | (145,000) | (145,000) | (145,000) | (145,000) | (145,000) | --- |
| Direct, Treasury rate | (250,000) | (250,000) | (250,000) | (250,000) | (250,000) | --- |
| Direct, FFB | (295,000) | (295,000) | (295,000) | (295,000) | (295,000) | --- |
| Subtotal, Telecommunications | (690,000) | (690,000) | (690,000) | (690,000) | (690,000) | --- |
| Total, Loan authorizations | (7,290,000) | (7,290,000) | (7,290,000) | (7,790,000) | (7,790,000) | (+500,000) |
| Loan subsidies: | | | | | | |
| Telecommunications: | | | | | | |
| Direct, Treasury rate | 525 | --- | --- | --- | --- | -525 |
| Subtotal, Telecommunications | 525 | --- | --- | --- | --- | -525 |
| RETLP administrative expenses (transfer to RD) | 39,245 | 39,959 | 39,959 | 39,959 | 39,959 | +714 |
| Total, Rural Electrification and Telecommunications Loans Program Account | 39,770 | 39,959 | 39,959 | 39,959 | 39,959 | +189 |
| (Loan authorization) | (7,290,000) | (7,290,000) | (7,290,000) | (7,790,000) | (7,790,000) | (+500,000) |
| Distance learning, telemedicine, and broadband program: | | | | | | |
| Loan authorizations: | | | | | | |
| Broadband telecommunications | (400,487) | (531,699) | (400,000) | (531,699) | (400,000) | (-487) |
| Total, Loan authorizations | (400,487) | (531,699) | (400,000) | (531,699) | (400,000) | (-487) |
| Loan subsidies and grants: | | | | | | |
| Distance learning and telemedicine: | | | | | | |
| Grants | 34,755 | 29,790 | 34,755 | 37,755 | 37,755 | +3,000 |
| Broadband telecommunications: | | | | | | |
| Direct | 15,619 | 38,495 | 28,960 | 38,495 | 28,960 | +13,341 |
| Grants | 13,406 | 13,406 | 17,976 | 13,406 | 17,976 | +4,570 |
| Total, Loan subsidies and grants | 63,780 | 81,691 | 81,691 | 89,656 | 84,691 | +20,911 |
| Broadband loans (rescission) | -6,404 | --- | --- | --- | --- | +6,404 |
| Total, Rural Utilities Service | 653,414 | 667,880 | 677,918 | 698,345 | 693,380 | +39,966 |
| (Loan authorization) | (7,765,487) | (8,918,862) | (8,787,163) | (9,418,862) | (9,287,163) | (+1,521,676) |
| Total, Title III, Rural Development Programs | 2,732,291 | 3,015,947 | 2,838,774 | 3,046,473 | 2,978,772 | +246,481 |
| (By transfer) | (504,315) | (513,493) | (513,493) | (513,493) | (513,493) | (+9,178) |
| (Loan authorization) | (16,973,752) | (18,428,682) | (18,042,869) | (24,829,251) | (24,407,360) | (+7,433,608) |
| TITLE IV - DOMESTIC FOOD PROGRAMS | | | | | | |
| Office of the Under Secretary for Food, Nutrition and Consumer Services | 610 | 813 | 623 | 813 | 813 | +203 |
| Food and Nutrition Service: | | | | | | |
| Child nutrition programs | 8,496,109 | 10,044,369 | 10,046,707 | 10,046,707 | 9,859,930 | +1,363,821 M |
| Competitive grants | --- | 5,000 | 5,000 | 5,000 | 5,000 | +5,000 |
| Nutrition education | --- | --- | --- | 2,000 | 1,000 | +1,000 |
| Transfer from section 32 | 6,455,802 | 6,747,877 | 6,747,877 | 6,747,877 | 6,989,899 | +534,097 M |
| Total, Child nutrition programs | 14,951,911 | 16,797,246 | 16,799,584 | 16,801,584 | 16,855,829 | +1,903,918 |
| Special supplemental nutrition program for women, infants, and children (WIC) | 6,860,000 | 7,777,000 | 7,541,000 | 7,552,000 | 7,252,000 | +392,000 |
| Supplemental nutrition assistance program: | | | | | | |
| Expenses | 48,843,897 | 56,105,314 | 56,105,314 | 56,105,314 | 53,164,019 | +4,320,122 M |
| Indian reservations (FDPIR) | 114,914 | 112,656 | 112,656 | 112,656 | 112,797 | -2,117 M |
| Reserve | 3,000,000 | 3,000,000 | 3,000,000 | 3,000,000 | 3,000,000 | --- M |
| Nutrition assistance for Puerto Rico and Samoa | 1,760,435 | 1,880,626 | 1,880,626 | 1,880,626 | 1,753,365 | -7,070 M |
| The emergency food assistance program | 250,000 | 253,250 | 253,250 | 253,250 | 248,000 | -2,000 M |
| Total, Food stamp program | 53,969,246 | 61,351,846 | 61,351,846 | 61,351,846 | 58,278,181 | +4,308,935 |
| Commodity assistance program: | | | | | | |
| Commodity supplemental food program | 160,430 | 162,818 | 180,000 | 162,818 | 171,409 | +10,979 |
| Farmers market nutrition program | 19,800 | 20,000 | 20,000 | 20,000 | 20,000 | +200 |
| Emergency food assistance program | 49,500 | 49,500 | 49,500 | 49,500 | 49,500 | --- |
| Emergency food program infrastructure grants | --- | --- | 5,000 | --- | 6,000 | +6,000 |
| Pacific island and disaster assistance | 1,070 | 1,070 | 1,070 | 1,070 | 1,070 | --- |
| Total, Commodity assistance program | 230,800 | 233,388 | 255,570 | 233,388 | 247,979 | +17,179 |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Nutrition programs administration | 142,595 | 150,139 | 147,801 | 147,801 | 147,801 | +5,206 |
| Total, Food and Nutrition Service | 76,154,552 | 86,309,619 | 86,095,801 | 86,086,619 | 82,781,790 | +6,627,238 |
| Total, Title IV, Domestic Food Programs | 76,155,162 | 86,310,432 | 86,096,424 | 86,087,432 | 82,782,603 | +6,627,441 |
| TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS | | | | | | |
| Foreign Agricultural Service | | | | | | |
| Salaries and expenses, direct appropriation | 165,436 | 180,367 | 177,136 | 180,367 | 180,367 | +14,931 |
| (Transfer from export loans) | (4,985) | (6,465) | (6,465) | (6,465) | (6,465) | (+1,480) |
| Total, Salaries and expenses program level | (170,421) | (186,832) | (183,601) | (186,832) | (186,832) | (+16,411) |
| Public Law 480 Program and Grant Accounts: | | | | | | |
| Title II - Commodities for disposition abroad: | | | | | | |
| Program level | (1,225,900) | (1,690,000) | (1,690,000) | (1,690,000) | (1,690,000) | (+464,100) |
| Appropriation | 1,225,900 | 1,690,000 | 1,690,000 | 1,690,000 | 1,690,000 | +464,100 150 |
| Salaries and expenses: | | | | | | |
| Farm Service Agency (transfer to FSA) | 2,736 | 2,812 | 2,812 | 2,812 | 2,812 | +76 |
| Subtotal | 2,736 | 2,812 | 2,812 | 2,812 | 2,812 | +76 |
| Total, Public Law 480: | | | | | | |
| Program level | (1,225,900) | (1,690,000) | (1,690,000) | (1,690,000) | (1,690,000) | (+464,100) |
| Appropriation | 1,228,636 | 1,692,812 | 1,692,812 | 1,692,812 | 1,692,812 | +464,176 |
| Commodity Credit Corporation Export Loans Program Account (administrative expenses): | | | | | | |
| Salaries and expenses (Export Loans): | | | | | | |
| General Sales Manager (transfer to FAS) | 4,985 | 6,465 | 6,465 | 6,465 | 6,465 | +1,480 |
| Farm Service Agency (transfer to FSA) | 348 | 355 | 355 | 355 | 355 | +7 |
| Total, CCC Export Loans Program Account | 5,333 | 6,820 | 6,820 | 6,820 | 6,820 | +1,487 |
| McGovern-Dole international food for education and child nutrition program grants | 100,000 | 199,500 | 199,500 | 199,500 | 209,500 | +109,500 150 |
| Total, Title V, Foreign Assistance and Related Programs | 1,499,405 | 2,079,499 | 2,076,268 | 2,079,499 | 2,089,499 | +590,094 |
| (By transfer) | (4,985) | (6,465) | (6,465) | (6,465) | (6,465) | (+1,480) |
| TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION | | | | | | |
| DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | | |
| Food and Drug Administration | | | | | | |
| Salaries and expenses, direct appropriation | 2,038,984 | 2,337,656 | 2,337,656 | 2,337,656 | 2,344,656 | +305,692 |
| Prescription drug user fee act | (510,665) | (578,162) | (578,162) | (578,162) | (578,162) | (+67,497) |
| Medical device user fee act | (52,547) | (57,014) | (57,014) | (57,014) | (57,014) | (+4,467) |
| Animal drug user fee act | (15,260) | (17,280) | (17,280) | (17,280) | (17,280) | (+2,020) |
| Generic animal drug user fees | (4,831) | (5,106) | (5,106) | (5,106) | (5,106) | (+275) |
| Tobacco product user fees | --- | --- | (235,000) | (235,000) | (235,000) | (+235,000) |
| Subtotal (including user fees) | (2,622,267) | (2,995,218) | (3,230,218) | (3,230,218) | (3,237,218) | (+614,951) |
| New User Fees (Legislative proposals)(NA): | | | | | | |
| Generic drug user fees | --- | (36,000) | --- | --- | --- | --- |
| Food and Feed Export Certification | --- | (4,152) | --- | --- | --- | --- |
| Reinspection fees | --- | (25,848) | --- | --- | --- | --- |
| Subtotal, New User fees (NA) | --- | (66,000) | --- | --- | --- | --- |
| Food Facility Registration and Inspection | --- | (75,000) | --- | --- | --- | --- |
| Mammography clinics user fees (outlay savings) | (19,318) | (19,318) | (19,318) | (19,318) | (19,318) | --- |
| Export and color certification | (10,300) | (10,400) | (10,400) | (10,400) | (10,400) | (+100) |
| Buildings and facilities | 12,433 | 12,433 | 12,433 | 12,433 | 12,433 | --- |
| Total, Food & Drug Administration (w/user fees) | (2,664,318) | (3,037,369) | (3,272,369) | (3,272,369) | (3,279,369) | (+615,051) |
| Total, Food and Drug Administration | 2,051,397 | 2,350,089 | 2,350,089 | 2,350,089 | 2,357,089 | +305,692 |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| INDEPENDENT AGENCIES | | | | | | |
| Commodity Futures Trading Commission 1/ | 146,000 | 160,600 | 160,600 | 177,000 | 168,800 | +22,800 |
| Farm Credit Administration (limitation on administrative expenses) | (49,000) | (54,500) | (54,500) | (54,500) | (54,500) | (+5,500) |
| Total, Title VI, Related Agencies and Food and Drug Administration | 2,197,397 | 2,510,689 | 2,510,689 | 2,527,089 | 2,525,889 | +328,492 |
| TITLE VII - GENERAL PROVISIONS | | | | | | |
| Denali Commission | 434 | --- | --- | --- | --- | -434 |
| Section 32 (rescission) | -293,530 | -43,000 | -52,000 | -52,000 | -52,470 | +241,060 |
| Agricultural Research Service, Buildings and and facilities (rescission) | --- | -49,885 | --- | --- | --- | --- |
| Nat'l Center for Natural Products Research (Sec. 725) | 3,497 | --- | --- | 3,497 | 3,497 | --- |
| Hawaii APHIS facility (Sec. 726) | 469 | --- | --- | 2,600 | 2,600 | +2,131 |
| Hardwoods Trees (Sec. 728) | 794 | --- | --- | 800 | 800 | +6 |
| Hunger Fellowships (Sec. 731) | 2,347 | --- | 2,500 | 3,000 | 3,000 | +653 |
| Market development (WI, VT) (Sec. 732) | 1,877 | --- | 1,408 | 3,000 | 3,000 | +1,123 |
| Carbon Inventory and Accounting System | --- | --- | 1,000 | --- | 1,000 | +1,000 |
| International Food Protection Training Institute | --- | --- | 1,000 | --- | 1,000 | +1,000 |
| Rural Community Out Migration | --- | --- | --- | 499 | 499 | +499 |
| Food-borne Illness Health Registry | --- | --- | 200 | --- | 200 | +200 |
| Food Aid Products | --- | --- | --- | 4,000 | 4,000 | +4,000 |
| Food Bank Infrastructure | --- | --- | --- | 7,000 | --- | --- |
| Graham Avenue business improvement district (Sec. 732) | 94 | --- | --- | --- | --- | -94 |
| Geographic Disadvantaged | --- | --- | --- | 2,600 | 2,600 | +2,600 |
| Product Access | --- | --- | --- | 1,000 | 1,000 | +1,000 |
| Durum Wheat | --- | --- | --- | 4,000 | 3,000 | +3,000 |
| Kansas Farm Bureau Foundation | --- | --- | --- | 250 | 250 | +250 |
| Specialty market (Sec. 732) | 338 | --- | --- | 350 | 350 | +12 |
| Limit Environmental Quality Incentives program | -270,000 | -250,000 | -270,000 | -250,000 | -270,000 | --- |
| Limit Agriculture management assistance (sec.1524) | --- | -5,000 | --- | --- | --- | --- |
| Limit wildlife habitat incentives program | --- | -43,000 | --- | --- | --- | --- |
| Limit farmland protection program | --- | -30,000 | --- | --- | --- | --- |
| Limit Section 32 (Sec. 723) | -52,470 | --- | --- | --- | --- | +52,470 |
| Limit fruit and vegetable program (Sec. 723) | -49,000 | --- | --- | -76,000 | -76,000 | -27,000 |
| Limit healthy forests reserve program | --- | -5,000 | --- | --- | --- | --- |
| Limit Wetlands Reserve program | --- | -184,000 | --- | --- | --- | --- |
| Limit Plant Pest and Disease Management and Disaster Prevention program | --- | -30,000 | --- | --- | --- | --- |
| Limit National Clean Plant Network | --- | -5,000 | --- | --- | --- | --- |
| Limit Dam Rehab | -165,000 | -30,000 | -165,000 | -165,000 | -165,000 | --- |
| Supplemental Nutrition Assistance Program Employment and Training (rescission) | --- | --- | -11,000 | --- | -11,000 | -11,000 |
| W&W Alaska Village (rescission) | --- | --- | -25,008 | --- | --- | --- |
| At risk supper program | --- | --- | --- | --- | 1,000 | +1,000 |
| Methamphetamine inhibitor grant program | --- | --- | 2,000 | --- | 1,000 | +1,000 |
| Dairy | --- | --- | --- | --- | 350,000 | +350,000 |
| H1N1 program | --- | --- | --- | --- | 2,000 | +2,000 |
| Total, Title VII, General provisions | -820,150 | -674,885 | -514,900 | -510,404 | -193,674 | +626,476 |
| OTHER APPROPRIATIONS | | | | | | |
| SUPPLEMENTAL APPROPRIATIONS ACT, 2008 (PL 110-252) | | | | | | |
| DEPARTMENT OF AGRICULTURE | | | | | | |
| Foreign Agricultural Service | | | | | | |
| Public Law 480 Title II Grants (emergency) | 395,000 | --- | --- | --- | --- | -395,000 150 |
| DISASTER RELIEF AND RECOVERY SUPPLEMENTAL (PL 110-329) | | | | | | |
| DEPARTMENT OF AGRICULTURE | | | | | | |
| General Provision | | | | | | |
| Sec.20001. Bill Emerson humanitarian trust (emergency) | 10,000 | --- | --- | --- | --- | -10,000 |

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION-AND RELATED AGENCIES - FY 2010
H.R. 2997 (H.Rept. 111-279)
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| AMERICAN RECOVERY & REINVESTMENT ACT, 2009 (PL 111-5) | | | | | | |
| TITLE I - AGRICULTURE, NUTRITION, & RURAL DEVELOPMENT | | | | | | |
| Department of Agriculture | 11,329,500 | --- | --- | --- | --- | -11,329,500 |
| Rural Housing Service Loan authorizations | (11,472,000) | --- | --- | --- | --- | (-11,472,000) |
| SUPPLEMENTAL APPROPRIATIONS ACT, 2009 (PL 111-32) | | | | | | |
| DEPARTMENT OF AGRICULTURE | | | | | | |
| Foreign Agricultural Service | | | | | | |
| Public Law 480 Title II Grants (emergency) | 700,000 | --- | --- | --- | --- | -700,000 150 |
| Agriculture Credit Insurance Fund (emergency) | 71,270 | --- | --- | --- | --- | -71,270 |
| Loan authorization | (810,201) | --- | --- | --- | --- | (-810,201) |
| Total, Other appropriations | 12,505,770 | --- | --- | --- | --- | -12,505,770 |
| Grand total | 120,966,466 | 123,919,720 | 123,843,248 | 124,520,248 | 121,230,291 | +263,825 |
| Appropriations | (108,760,630) | (124,012,605) | (123,931,256) | (124,572,248) | (121,293,761) | (+12,533,131) |
| Emergency Appropriations | (12,505,770) | --- | --- | --- | --- | (-12,505,770) |
| Rescissions | (-299,934) | (-92,885) | (-88,008) | (-52,000) | (-63,470) | (+236,464) |
| (By transfer) | (821,787) | (841,298) | (840,779) | (836,298) | (836,298) | (+14,511) |
| (Loan authorization) | (32,683,537) | (22,538,139) | (22,194,266) | (28,978,708) | (29,491,300) | (-3,192,237) |
| (Limitation on administrative expenses) | (159,351) | (166,546) | (166,546) | (166,546) | (166,546) | (+7,195) |

1/ FY 2009 CFTC funding of $146M and Senate's FY 2010 recommendation of $177M was provided in the Financial Services and General Government Appropriations Act.

RECAPITULATION

| | | | | | | |
|---|---|---|---|---|---|---|
| Title I - Agricultural programs | 25,727,414 | 29,769,785 | 29,849,931 | 30,275,132 | 30,037,787 | +4,310,373 |
| Mandatory | (18,877,239) | (22,701,641) | (22,701,641) | (22,701,641) | (22,701,641) | (+3,824,402) |
| Discretionary | (6,850,175) | (7,068,144) | (7,148,290) | (7,573,491) | (7,336,146) | (+485,971) |
| Title II - Conservation programs (discretionary) | 969,177 | 908,253 | 986,062 | 1,015,027 | 1,009,415 | +40,238 |
| Title III - Rural development programs (discretionary) | 2,732,291 | 3,015,947 | 2,838,774 | 3,046,473 | 2,978,772 | +246,481 |
| Title IV - Domestic food programs | 76,155,162 | 86,310,432 | 86,096,424 | 86,087,432 | 82,782,603 | +6,627,441 |
| Mandatory | (68,921,157) | (78,144,092) | (78,146,430) | (78,146,430) | (75,128,010) | (+6,206,853) |
| Discretionary | (7,234,005) | (8,166,340) | (7,949,994) | (7,941,002) | (7,654,593) | (+420,588) |
| Title V - Foreign assistance and related programs (discretionary) | 1,499,405 | 2,079,499 | 2,076,268 | 2,079,499 | 2,089,499 | +590,094 |
| Title VI - Related agencies and Food and Drug Administration (discretionary) | 2,197,397 | 2,510,689 | 2,510,689 | 2,527,089 | 2,525,889 | +328,492 |
| Title VII - General provisions (discretionary) | -820,150 | -674,885 | -514,900 | -510,404 | -193,674 | +626,476 |
| Other appropriations (discretionary) | 12,505,770 | --- | --- | --- | --- | -12,505,770 |
| Total | 120,966,466 | 123,919,720 | 123,843,248 | 124,520,248 | 121,230,291 | +263,825 |

I reserve the balance of my time.

□ 1700

Mr. KINGSTON. Mr. Speaker, I yield myself as much time as I may consume.

I want to tell a story about Kika de la Garza who at one time was chairman of the Ag Committee. Chairman de la Garza came down to Georgia and visited the Kings Bay nuclear submarine plant. At that time, as it still is, our nuclear submarine plant was a marvel of technology and was really a floating and submerged fortress that was one of the most powerful weapons on the globe today.

He asked the captain, Tell me about this nuclear generator. Well, the generator goes on and on, and of course nuclear is a very powerful source of fuel. He said, Well, what would make you turn the submarine around? If the nuclear generation can make this submarine go all over the globe without stopping, without ever having to stop to refuel, what makes you go back to port? And the captain of the nuclear submarine looked at the chairman of the Agriculture Committee with some amazement and amusement and said, Well, Mr. Chairman, we turn around when we run out of food. That's a very profound statement. It's something that as we debate this bill, I think we should be aware of.

Our agricultural policies can be a little peculiar, can be a little bit difficult to follow, and can be open to a lot of criticism, but our food policy works. We have a large food supply, an abundant food supply at very low prices. Indeed, when you go into a grocery store, you complain if you can't get fruit 12 months a year or if the milk isn't at a good price or whatever it is. We have a good food policy in America and, as a result, we spend more time talking about obesity than we do hunger. So I think all Members should be very appreciative of the Ag appropriations conference report. We all support it in some fashion, sometimes not necessarily casting a vote ''yes,'' but the vote, nonetheless, isn't indicative of how we feel about the importance of agriculture.

I have some concerns about this bill. We have worked very closely as a subcommittee. We've had a lot of hearings. The chairwoman is a very vigorous, energized member and has a lot of passion on lots of different issues. We have a lot of great agreements and a lot of disagreements on some things that she feels passionately about and some things I feel passionately about. As she has mentioned, we both have very strong staffs on the majority and on the minority side. We're very appreciative of that, and I think we have got a good ag family. My concerns about this bill though, Mr. Speaker, focus on the spending levels.

This bill was higher than last year when it left the House, and now it's again higher, now that it's come back to the House from the Senate. The bill is nearly 14 percent higher than it was last year. The discretionary spending level is $23.3 billion, and it's about $2.8 billion over last year's level. The mandatory spending is 11 percent higher than 2009. Combined, the mandatory and the discretionary spending levels are about 12 percent higher than last year. I'm concerned about that because, you know, food prices haven't gone up that much.

Think about Social Security. Our seniors will not be receiving a COLA this year because, among other things, Social Security is based on inflation, which has a reflection of food. So they are scheduled not to receive a COLA, and yet people on food stamps are going to get a huge increase. I find that bothersome. If we look at some of the individual accounts, I could tick them off. But I would just say, if you look at some things, why is the spending up so high?

Well, take broadband. Broadband has about $4 million in it this year, yet in the stimulus package which was passed—the stimulus package which was financed not on tax dollars but on borrowed dollars and printed dollars. It's a package that our children's children will be paying for. In that package, the Rural Utility Service received $2.5 billion, not to mention another $2.5 billion—actually, about $3 billion—that was in another account that the Department of Commerce will be funding. None of that has been spent yet. So we've got $6 billion to $7 billion in broadband that came out of the stimulus bill that has not been used, yet this bill gives them another $4.5 billion. That defies common sense.

Food stamps, this bill has $4.3 billion more than 2009. Half of the mandatory spending is in food stamps, $58.3 billion. But in the stimulus bill, food stamps received a $19 billion slug of money. It wasn't because of an increase in food prices. It was allegedly because of new enrollment or anticipated new enrollment. But this bill still gives food stamps an increase. It's ironic, because one of the things this bill also does in reaction to falling milk prices is it gives the dairy farmers more money. So we're giving people who get food stamps an increase.

This bill does not fund Social Security, but just to think about this in a sequence, Social Security recipients do not get an increase; food stamp recipients do get an increase because of a rise in food costs and dairy farmers get money because of falling dairy prices. That's not consistent. I think we could do better than that.

Food for Peace gets $1.69 billion. That's an increase of $462 million on top of what they just got in the stimulus bill of $700 million. I don't think that is justified at this point in time. So I have some real concerns about our spending. Keep in mind that the Obama administration will have the historical record of the highest deficit in the history of the United States Congress, three times as high as the highest deficit in the history of the United States. I want to repeat that. The Obama-Pelosi deficit will be $1.5 trillion this year. That's three times as high as the highest deficit in the history of the United States of America.

Now, we had an opportunity to save some money. We had an opportunity to save $150 million, but instead, what we did in the conference report was air-drop five new pilot programs: a summer food program for $85 million; equipment assistance program, $25 million; WIC breast-feeding outreach at about $5 million; nutrition outreach for day care, $8 million; and direct certification expansion of $25 million. These programs may have some merit. Perhaps we can easily get these programs passed by Members of the House and Members of the Senate, but they did not come through the authorizing committee. They did not come through the Ag Committee. They were not debated. There were not hearings on it. They were air-dropped in this committee, and I'm not convinced that the administration formally asked for them.

There was a lot of discussion about these so-called pilot programs. But why not give the money back to the taxpayers? Why not say, Okay, we have got $150 million. Let's not go out and create new programs because we know what happens to new programs. Ronald Reagan said it best. He said, If you don't believe in eternal life, try killing a Federal program. It's impossible. You find out how many people have a brother-in-law who works for the particular agency anytime you try to kill any program whatsoever.

So I'm very concerned about the spending of the Obama-Pelosi team, and it has less to do with the Ag appropriations bill but much more to do with the direction of Congress. So my worry about this bill was really tied into a bigger picture of spending.

As I said, I think we've done a good job this year. We've worked hard on a lot of things. Many of these accounts are things that I would fight for and I would certainly support 100 percent of what we're doing with them. But I am concerned about the big picture, because when I talk about that big Pelosi-Obama deficit of $1.5 trillion, that doesn't even talk about the $1.29 trillion health care bill that we will be facing soon, which I would say that even if you think a public option is great, if you think that the government who brought us Cash for Clunkers can run health care, you've still got to step back and say, But can you afford it?

So as we look at these appropriations bills, I think more and more people in America are saying, You know what? You Republicans spent too much money, but doggone it if it's not on supercharge right now. You've got to do something about it.

With that, Mr. Speaker, I'll reserve the balance of my time.

Ms. DELAURO. Mr. Speaker, just to set the record straight on one or two

items, as the gentleman from Georgia knows, the difference between a little over 11 percent and a little over 13 percent comes from the $350 million allocation for U.S. dairy farmers. Now, I don't know if the gentleman has dairy farmers in his district, but North, South, East and West, the dairy industry is collapsing.

Now, it may be that you and your side of the aisle would like to see the dairy industry collapse. We pay for it. It's within the allocation, in addition to which we thought it was the right thing to do in order to deal with small farmers, people who are on their knees with regard to the dairy industry, and essentially because of what happened in China. If the truth be known, it is that given the tainted product in China, we were exporting—we were doing a voluminous export business to China. Because the product was tainted, the Chinese were not buying their product because it killed their kids. So they are not buying milk, and our dairy farmers are suffering as a result of that.

Now, I happen to believe it is an appropriate responsibility for our government to look at what was happening to the U.S. dairy farmers and to provide them with assistance, and the gentleman knows what that is.

In addition to this, one additional point. We keep hearing about air-dropping. You know, it sounds good, and maybe the view is that if you continue to repeat it often enough, it will somehow in some way catch on. There was no such thing as air-dropping anything into this bill. As a matter of fact, as far as I know, Education and Labor is an authorizing committee. This went through the authorizing committee, and essentially, as I said in my opening remarks, conferees—House, Senate, Democrat, Republican—agreed to extend for 1 year the child nutrition program because it isn't ready to move to reauthorization yet. And what would that cut off if we did not, if we did not extend it under this bill? It would mean the school breakfast program, the school lunch program.

I know several years ago folks on the other side of the aisle thought it was a good idea to end the school lunch program. I think probably on a bipartisan basis these days no one believes that we should end these nutrition programs. So nothing was air-dropped. It was vetted by the committee, supported by Chairs and ranking members, both sides of the aisle, House and Senate, and essentially what we did, at no cost within this allocation, was to extend this program for a year.

With that, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Thank you, Madam Chair, for yielding time to me.

Mr. Speaker, as chairman of the Congressional Rural Housing Caucus, I rise in strong support of the Agriculture appropriations conference report for fiscal year 2010. It goes a long way to improving the affordability, availability, and quality of housing in rural America.

On April 2, 2009, several of my colleagues and I sent a letter to Chairwoman ROSA DELAURO and to Ranking Member JACK KINGSTON from Georgia encouraging them to provide significant funding for several rural housing programs. I am pleased with the amount of funding each of these have received and look forward to providing additional funding to some of those that were kept at the fiscal year 2009 appropriations level.

Mr. Speaker, rural America needs our help. Our rural constituents, their families and their communities need our support. This conference report will improve the quality of life in rural America, an area of the country that was neglected for quite some time.

I want to thank Chairwoman ROSA DELAURO and Ranking Member JACK KINGSTON of the Appropriations Subcommittee on Agriculture for finding and for providing the ways and means to improve the affordability, availability and quality of housing in rural America. I also want to thank Chairman OBEY and Ranking Member LEWIS for bringing this conference report to the floor. I applaud you for your efforts and thank you for this conference report. I look forward to continuing to work with all of you to increase funding in future fiscal years for programs that help rural America.

I urge all my colleagues to support this conference report that will bring much-needed help to our neighbors in rural America.

Mr. KINGSTON. Mr. Speaker, I would just like to make the point that an earmark that has not been vetted by the subcommittee, not been voted on by the full committee and appears in a conference report is an air-dropped earmark. In this case, the Education and Labor Committee debated these, but they never voted on it. And if they did vote on it, we could have had the vote on the House floor on suspension.

□ 1715

Maybe we could say it's an unauthorized earmark, but it did not come through the House, did not come through the Senate. It appeared in conference committee. And as my friend knows, I have been very steadfast and maybe the only Republican to constantly compliment the majority on a very good job of reducing the number of earmarks. In fact, I have said that at the subcommittee level, at the full committee level, and at the conference committee level. So credit where credit is due. But I really think on this one these things have been air dropped because they did not come through our committee and they did not come through the Senate. Maybe there's a better word than ''air dropped,'' but they were not voted on by the committee.

Mr. Speaker, I reserve the balance of my time.

Ms. DELAURO. I am happy to yield 3 minutes to a member of the committee and former member of the committee, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank Chairwoman DELAURO for her excellent work on this bill and the open and bipartisan process that yielded it, and the ranking member, Mr. KINGSTON of Georgia, for his great work always.

I rise in support of this measure because it truly undergirds the four pillars of U.S. agriculture: food, forestry, fiber, and, the most recent, fuel to help America become energy independent.

The American people know that in the area of nutrition truly the funding in this bill, especially for those who are out of work and their families, is extraordinarily important. The Commodity Supplemental Food Program will be expanded to seven States, and we really have no choice in this and the other programs in the bill to try to help the American people weather this really terrible economy. The Special Nutritional Assistance Program and the Women, Infants and Children food program are essentials. They're not frills. They're not unnecessary.

I am particularly pleased that through the Department of Agriculture, and through this measure and the leadership of the chairwoman, that community gardening and hunger-free communities are highlighted so that people become involved in the production of their own food to try to alleviate some of the growing want across the country. These are really very important and they really work.

In the area of rural development, we know that energy independence has to be our future, and agriculture has a rare opportunity to become a part of the green revolution. Really this initiative started with Congress. It really didn't start with USDA. Some of the folks over there have seen the light, and we know that the farmers of our country have to help our Nation transition in this new millennium to an energy-independent future.

In terms of sustainable agriculture, I again want to compliment the chairwoman for the growing efforts in the Urban and Sustainable Agriculture arena to help a whole new generation of American farmers reinvent American agriculture. If you look at our imports, they've increased from $43 billion in food in 1997 to over $85 billion today. They've doubled. In our Nation we can produce our own food. What are we doing? The Agricultural Research Service has ways and means to help us invest and invent new growing platforms in this country to recapture these markets 12 months out of the year. So sustainable farming is given a real boost in this bill.

And I want to praise Chairwoman DELAURO again for her steadfast leadership on this and so many other areas, including food safety, to produce a fair and honest bill that maintains a leadership role for American agriculture and protects the health and safety of our citizens while investing in very important conservation and development

tools for rural America and for a sustainable ecosystem. I thank the gentlewoman for yielding me time.

Ms. DELAURO. I am delighted to yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the chairwoman for yielding time to me.

I rise in strong support of the Agriculture appropriations conference report. I'm really proud that I think I'm the only member of the committee who sits in the Western United States, where an awful lot of our agriculture in this country comes from. And one of the things I've learned about being on this committee, in the regular authorization committee, is that there is probably no other subject matter that touches every part of the United States as much as the Department of Agriculture. One of the oldest departments in government, essentially touching all the cultures and all of the qualities of rural America.

And in a very urbanized country right now, it's important that we think about rural America because that's the part of America that feeds us and in many cases feeds much of the world. The food and fiber produced in this country is the lifeblood of our Nation. This bill continues the focus on the needs of all Americans, both rural and urban.

Just a few of the things I am very keen on is that I don't think we can stay ahead of the rest of the world in any field unless we commit our best brains and talent to it. The best resources of America are intellectual resources. So you apply those intellectual resources to research, staying ahead of the curve. I am fortunate to represent ''the salad bowl of the United States,'' the Salinas Valley in Monterey County. The production of agriculture there in just one county is about $4 billion, and it's about 85 different crops. And those crops are what we call fresh crops. That means they go from the field to your fork. And we need to make sure we have all the research that's necessary to make those things fresh and safe for you.

I am also keen on this committee because this is the committee that's in charge of putting the funds in for school nutrition programs and all the other kinds of nutrition programs, food stamps and the WIC program, Women, Infants, and Children. And these are the nutrition programs that are so essential to getting the right start and a healthy start not only in the beginning of life but for every day in our schools. And we have a lot of work to do in that area.

I'd also like to thank the chairwoman because she has been very involved in plusing-up the Buildings and Facilities Account in order to advance some of these important construction projects that would allow research to continue. I have a very active agriculture research station in Salinas, and it's leading the way on crop improvement protection.

So I appreciate what both Mr. KINGSTON and Ms. DELAURO have done in bringing this bill and the conference report to us today, and I would strongly urge that all our Members support this. This is going to appropriate money to keep the Department of Agriculture and Food and Drug and safety going for another year with conditions that I think are very meaningful for this year in the United States.

It's a good bill and it deserves support. A lot of hard work went into it, and I thank them for their leadership.

Mr. Speaker, I rise in strong support of the Agriculture Appropriations Conference Report for fiscal year 2010.

Chairwoman DELAURO and Ranking Member KINGSTON are to be commended for the product they helped craft. As a member of the Subcommittee I know that there are differences in ideas and I appreciate the Chairwoman's efforts to have open debate.

Mr. Speaker—the food and fiber produced in this country is the lifeblood of our nation. This bill continues to focus on the needs of all Americans, both rural and urban.

It is imperative that we continue to fund priority areas such and research, food safety, nutrition programs and pest detection—just to name a few—that are important to the nation as well as my constituents on California's Central Coast.

I am fortunate to represent the Salad Bowl of the World, the Salinas Valley in Monterey County, that has a production value for agriculture of almost $4 billion last year, according to Eric Lauritzen, our County Agriculture Commissioner.

We grow primarily for a fresh market, and the investments made in this bill for research, pest detection and food safety are paramount to the growers because without them they couldn't do business.

Agricultural research is an everyday job for many in the Salinas Valley, and the Agriculture Research Service's Research Station in Salinas is leading the way in crop improvement and protection.

Every day, the station's researchers are making agriculture better for all of us. From organics, verticillium wilt and vine mealy bug research to methyl bromide alternatives and treatments for postharvest pest control on perishable commodities, Salinas is leading the charge to keep our food supplies healthy and safe.

The Chairwoman and I have discussed at length many times the need to plus-up the Buildings and Facilities Account in order to advance some of these important construction projects.

I appreciate the gentlewoman's efforts to increase the B&F this year and look forward to working with you in the future to find a solution so we can get shovels in the ground for many of these vital research facilities.

Having the largest fresh production capacity in the world, my growers know how important food safety is. They have already invested millions of dollars in their own resources to provide safe and wholesome food to the nation and the world.

I also appreciate the gentlewoman's efforts to help FDA improve the safety of domestic and imported food by adding $306 million above the investment we made 2009.

It is time that FDA receives necessary resources to perform time-critical inspections when dealing with the fresh market.

No less important than food safety is pest detection. I am especially glad this conference agreement bolstered the APHIS account in this area. We have in recent outbreaks that strong pest detection program that prevent outbreaks of invasive species in the first place is the most cost-effective way to deal with pests and diseases that are not native to our country.

Finally I would be remiss not to mention the investment made in this conference report for nutrition. In a country as bountiful as ours, it is unacceptable that so many still go to bed hungry.

This conference report includes a one-year extension for the child nutrition program authorities and has reinvested $150 million in savings back into the child nutrition programs to fund select administration and committee priorities for reducing childhood hunger and improving child nutrition, building program capacity and improving program access and program performance.

Thank you Chairwoman DELAURO for crafting another outstanding bill, and I urge my colleagues to join me in supporting this conference report.

Ms. DELAURO. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. I thank the chairwoman for yielding.

Mr. Speaker, I rise in strong support of the fiscal year 2010 Agriculture appropriations conference report, and specifically the provision included in the bill that will grant Wisconsin a waiver in the Child and Adult Food Care Program to serve a third meal through the At-Risk After-School Supper Program. As a matter of fact, Representative ANDRÉ CARSON and I have introduced H.R. 3321 that would also provide a third After-School Supper meal. I want to thank the chairwoman here and Senator HERB KOHL in the Senate for diligently putting together a bill with record funding that will help to meet the needs of all those who are food insecure.

Every 35 seconds a child is born into poverty, and in the United States 12 million children are at risk of going hungry. In the city of Milwaukee, a city I represent, this is the 11th-poorest large city in the Nation, and we are in dire need of this expansion.

Mr. Speaker, as a school-aged youth, I attended school hungry every day. But now that our country is facing a recession, all signs point to an epidemic of hunger unlike anything we have seen in our lifetime. Between 2000 and 2007, the number of people we have seen living in poverty and suffering from very low food security rose from 8.5 million to 11.9 million. This is a 40 percent increase in the numbers of households living in poverty.

In my own city of Milwaukee, we have the largest achievement gap between blacks and whites in Wisconsin. But studies have shown that students who eat nutritious meals every day perform better on standardized tests, improve reading and are more attentive in class. Every single day this program provides 3.1 million children with nutritious meals.

Mr. Speaker, I again congratulate the gentlewoman.

Mr. KINGSTON. Mr. Speaker, I want to talk about some of the great research that we have done in agriculture which I think is important.

A few years ago I was talking to an ag researcher down in south Georgia, and he's an entomologist and has been doing some work with wasps, and he found out that wasps react differently around gunpowder. And it was a fascinating study because they thought maybe there would be an application in the war on terrorism with wasps, and they might be cheaper than using these very expensive canine dogs to sniff cars. I thought that's pretty interesting. I don't know how they're going to do it. I don't want wasps let loose in my car the way these dogs are. But that's just one example of some of the research that's being done that could potentially save us money.

Another example of some of the great research is, take a city like New Orleans. They have a huge problem with subterranean termites. Termites are a fascinating animal. The more you learn about it, the more you appreciate them. They actually can change sexes. They can live underground in colonies for years and years. But when they run out of wood, they start burrowing holes in all directions trying to find another piece of wood, and when they can't find one, they start coming up to our foundation. Now, that is millions of dollars a year, millions of dollars a year that we have in termite damage that this bill seeks to study.

Another thing, and it doesn't affect my friend up in Connecticut, but everybody in the South who has ever eaten a proper breakfast with grits knows that if you leave the grits in the cabinet too long, it doesn't matter how good your bug spray is. There are grubs coming up. I know I shouldn't be telling you this before I invite you over to eat at my house. But a problem in any household that has flour or something is that after a while, if you leave it on the shelf, you start getting these bugs that get in it. And you wonder how do they get in there? They actually come as part of the meal, and that's not the meal you eat but the meal from the meal. And the question is, how do you stop that problem? Ag research is doing that kind of work, and it's an example of some of the things that we're looking at in this bill.

So while we do have some disagreements on the funding, we both believe passionately, as Mr. FARR said, let the smart guys with the white coats in the back room study these things and come up with new inventions and new technologies.

At the University of Georgia one of the labs is studying getting fuel from algae. And, of course, we know algae can be a problem. If they can figure out how to make fuel out of it, it would be a wonderful thing. Kudzu, a plant that we actually imported from China maybe 60 or 70 years ago to stop erosion in the South, has grown wild, and yet the University of Tennessee is trying to figure out can you get fuel from kudzu?

□ 1730

They're doing the same thing with pine trees. Can you make cellulosic ethanol out of pine trees and, if so, a State like Georgia, which is about 66 percent in trees, we would become the Saudi Arabia of cellulosic ethanol. So it would be a great thing.

We're excited about this. There are so many great mysteries that we have yet to solve in our plants and animal world that this bill does study.

With that, I reserve the balance of my time.

Ms. DELAURO. I would be happy to accept an invitation for breakfast. I love grits with butter and salt. What do you put first, the butter or the salt? I'll take your advice on that.

Mr. KINGSTON. If my friend will yield.

Ms. DELAURO. I'd be happy to yield.

Mr. KINGSTON. The great thing about really great grits is you put cheese in them.

Ms. DELAURO. Amen.

Mr. KINGSTON. But the invitation is open.

Ms. DELAURO. With that, let me yield 3 minutes to the gentleman from Tennessee (Mr. DAVIS).

Mr. DAVIS of Tennessee. I thank the chairman and ranking member for their work in bringing before the floor the conference agreement between the House and the Senate.

I rise in support of the conference agreement for H.R. 2997, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations for Fiscal Year 2010. I believe this is a robust investment in America's farming and rural development needs, and it ensures a brighter economic future for all Americans.

I am particularly pleased with the investment in America's farmers, both through funding for agriculture research and for farm production. As a long-time farmer, and also a former employee of the United States Department of Agriculture, I understand firsthand how focused investments make concrete differences in America's food production as well as the folks that work tirelessly to provide it.

Contained in this conference agreement, the Agriculture Research receives a 5 percent increase from the current level of funding. This vital service provides research in a variety of areas, including bio-based products, bioenergy, floriculture, and nurseries. Included in the approximate 100 research locations nationwide that are funded by ARS is the University of Tennessee; the Institute of Agriculture, which is conducting bioenergy research on converting switchgrass into cellulosic ethanol. Research on clean bioenergy is vital to America's quest to become energy independent.

Also included is increased funding for research to provide early warning technologies for the detection of crop disease to prevent crop failure from natural causes or a terrorist event. The research addresses needs to produce such a system that could take advantage of biotech advances to develop a precision agriculture tool for guarding America's crops.

Further, I am pleased by the increase in funding for the Farm Service Agency. The FSA administers major commodity programs and farm loan programs such as the Farm Ownership and Farm Operating loan programs. Farm Ownership loans, which received a 47 percent increase through fiscal year 2009 funding levels, often provided the initial investments to help farmers acquire and expand land ownership. Farm operating loans, which receive a 43 percent increase from fiscal year 2009 funding levels, allow farmers to purchase equipment, livestock, and seed. This funding is critical to ensure the continued role of America as the world's greatest agriculture producer.

As a lifelong farmer representing the district with the fourth largest percentage of rural residents, I am proud to support these investments and urge passage of the conference agreement for H.R. 2997. Saying that is the fourth largest congressional district, as far as rural residents that I represent, means we have a variety and probably one of the most diverse agriculture districts in America: cotton, soybeans, corn, nursery stock. We have timber; both beef cattle and dairy cattle.

We also have a large poultry, the broiler industry, across the Cumberland Plateau, in the southern part of the plateau and the northern part of the plateau.

The SPEAKER pro tempore (Mr. WEINER). The time of the gentleman has expired.

Ms. DELAURO. Mr. Speaker, I am happy to yield the gentleman an additional 1 minute.

Mr. DAVIS of Tennessee. I am pleased that in this legislation it at least addresses import and reimportation of poultry that may be produced here in America. There are some guards and some guidelines that I think we must have.

I have been a poultry producer of broilers as a youngster growing up on a farm in Fentress County, Tennessee; and I know if we allow the poultry industry to be run out of business, it will destroy many of the farms in the Fourth Congressional District that I represent.

So I am pleased that our chairman was willing to work an agreement that would at least require certain inspection to be sure that safe food was imported into America from poultry and to also help protect our poultry industry in America and certainly in the Fourth Congressional District.

Mr. KINGSTON. Mr. Speaker, I yield myself such time as I may consume.

I just wanted to thank the Chair and the majority staff for all of the good

work. We have had a very good process. I congratulate you on passing this bill as among the very first—and let the record show that if it was up to Agriculture, we would adjourn on time, whenever that may be.

And also I want to thank you for working with us on poultry, as Mr. DAVIS said. It's very, very important to particular States especially. And having a Chinese market is important but at the same time—you know, what Ms. KAPTUR said is very interesting. She said we don't need to be importing food; we need to produce our own food and then exporting that which is left. And yet as important as that is economically, you have always focused on the food safety as you should as the number one value. And I think that's important because if you are importing or exporting food that is not inspected and it is not at the highest quality and standard of food safety, then we're not doing our job.

So I certainly commend you for keeping that bar very high, and yet we were able to work something out. I've enjoyed the whole process.

My concern with the bill—as you know I've been very open about it—has something to do beyond this room, if you will, in terms of the spending picture. But having been in the majority, I know that your job is to come together with lots of different factions and philosophies, and I think you have done a great job on it. I am proud to be your ranking member and look forward to a long relationship, and you are going to love my grits.

I yield back the balance of my time.

Ms. DELAURO. First of all, let me just say thank you to the ranking member, Mr. KINGSTON; and, in fact, it is a pleasure to work with Mr. KINGSTON. We always say that we may have philosophical differences, but we are good-natured about it and understand that and work in a very collaborative effort. And I, too, thank you for all of your help and your input with regard to the issue of Chinese poultry. It was a long discussion, but one in which I think we came to a conclusion as our colleague, Mr. DAVIS, said being able to strike that balance where we are able to protect the public health and at the same time to protect an industry. And I feel good about that.

And I, too, look forward to our continued efforts together as we approach problems—as you know and I do—that really face people with the jurisdiction that we have that comes under this portfolio. It really touches people's lives in so, so many ways. And I know that you have a deep and abiding concern for what happens to our farmers and our ranchers, what's happening to our industries and to making sure that we have the wherewithal and provide the resources people need to succeed.

I would like to, if I might, just make one further comment, and then we'll yield back whatever time is remaining.

I wanted to bring the attention of my colleagues to an important matter of health and safety. And when we talked about the child nutrition program and its extension, our Nation's schoolchildren and the people who work with them on a daily basis are faced with a growing public health concern. Awareness of vaccine for H1N1 flu, annual flu has made the front pages of our communities these days.

You've got school food service workers who face a very difficult dilemma in trying to do their jobs. They don't have any paid sick leave. These are people without any leave. So there's thousands of food service workers who pose a real risk to the health and safety of our Nation's kids. And the comment is ''show up for work or do not get paid.''

So rather than exacerbating the problems, these workers can and should be part of the solution to ensuring the health and safety of our children. I look forward to working in the months ahead as Education and Labor looks to reauthorize their legislation, and I pledge to work with my colleagues to see if we can provide a minimum and a reasonable standard for paid sick leave for school service workers.

In the meantime, I am also encouraging the administration to examine this issue because I think it is a health problem and the Nation's well-being depends on it.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the FY 2010 Agriculture, Rural Development, and Food and Drug Administration Appropriations Conference Report, and I commend Chairwoman DELAURO for bringing this bipartisan legislation to the floor today.

The FY 2010 Agriculture, Rural Development, and Food and Drug Administration Appropriations bill makes key investments in protecting our public health, bolstering food nutrition programs, and conserving our natural resources.

The conference report provides $2.36 billion for the Food and Drug Administration, which represents a 15 percent increase over last year. We need to ensure that the FDA has the necessary tools and resources to fulfill its vital mission in protecting the American public so that FDA-regulated products, like food, are safe. This important investment in the FDA will help the agency in meeting its mission in protecting the public health.

The $58 billion provided for the Supplemental Nutrition Assistance Program will help low income and elderly Americans struggling with rising food costs in this current economic downturn. In addition, $7.3 billion is provided for the Special Supplemental Nutrition Program for Women, Infants, and Children, WIC, to help encourage a healthy pregnancy for women and promote a healthy start for their children.

This legislation provides $1 billion for the Natural Resources Conservation Service to help face the demands for cleaner water, reduced soil erosion, and more wildlife habitat. I am particularly pleased that almost $4 million is provided for Chesapeake Bay restoration activities that will provide farmers, landowners, and communities within the Chesapeake Bay watershed technical assistance in implementing important conservation programs which will help improve the health of the Chesapeake Bay.

Mr. Speaker, I urge adoption of this conference report.

Ms. DELAURO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 799, the previous question is ordered.

The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adopting the conference report will be followed by 5-minute votes on suspending the rules and agreeing to H. Res. 806 and H. Res. 795.

The vote was taken by electronic device, and there were—yeas 263, nays 162, not voting 7, as follows:

[Roll No. 761]

YEAS—263

Abercrombie
Ackerman
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E.B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maffei
Markey (CO)
Markey (MA)
Marshall
Massa
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (AL)
Rooney

Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—162

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Dreier
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Jordan (OH)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lewis (CA)
Linder
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Myrick
Nunes
Nye
Olson
Paul
Paulsen
Pence
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Rehberg
Reichert
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—7

Carney
Johnson, Sam
Maloney
Neugebauer
Radanovich
Ruppersberger
Tsongas

□ 1805

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

Mr. SPRATT, Mr. CARTER and Mrs. MILLER of Michigan changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 1035, MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY AMENDMENTS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 806, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and agree to the resolution, H. Res. 806.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 358, nays 66, not voting 8, as follows:

[Roll No. 762]

YEAS—358

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lynch
Maffei
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—66

Akin
Bachmann
Bachus
Barrett (SC)
Blackburn
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Calvert
Cantor
Coble
Coffman (CO)
Conaway
Culberson
Deal (GA)
Duncan
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Hensarling
Herger
Hoekstra
Inglis
Issa
Jordan (OH)
King (IA)
Kingston
Lamborn
Latta
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McClintock
McHenry
Miller (FL)
Miller, Gary
Nunes
Paul
Paulsen
Pence
Poe (TX)
Price (GA)
Rohrabacher
Ryan (WI)
Schmidt
Sensenbrenner
Shadegg
Shimkus
Simpson
Smith (NE)
Sullivan
Thornberry
Tiahrt
Tiberi
Turner
Westmoreland
Young (FL)

NOT VOTING—8

Carney
Johnson, E. B.
Johnson, Sam
Maloney
Neugebauer
Radanovich
Space
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there is less than 1 minute remaining in this vote.

□ 1812

Mr. WILSON of South Carolina changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## HONORING EFFORTS TO CREATE A FLIGHT 93 MEMORIAL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 795, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 795.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 6, as follows:

[Roll No. 763]

YEAS—426

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

NOT VOTING—6

Carney
Johnson, Sam
Maloney
Neugebauer
Radanovich
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1820

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ELECTING A MINORITY MEMBER TO A STANDING COMMITTEE

Mr. PENCE. Mr. Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 807

*Resolved*, That the following member be, and is hereby, elected to the following standing committee:

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM—Mr. CAO.

Mr. PENCE (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–289) on the resolution (H. Res. 808) providing for consideration of the conference report to accompany the bill (H.R. 2647) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## SUSAN G. KOMEN RACE FOR THE CURE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Saturday, October 20, at Bayfront Park in Miami, in my congressional district, we will be having the 14th Annual Miami/Fort Lauderdale Susan G. Komen Race for the Cure. Since its inception in 1996, the Miami/Fort Lauderdale Race for

the Cure has raised more than $4.5 million and has reached hundreds of thousands of people through educational outreach and grassroots efforts.

Volunteers are dedicated to ending breast cancer by making it a nonlife-threatening disease through community grants to support research, education, screening, and treatment.

More than 465,000 die from this disease every year, Mr. Speaker. But there are more than 2.5 million breast cancer survivors alive in the U.S. today, the largest group of all cancer survivors.

The Susan G. Komen Race for the Cure helps them fight the disease through breast cancer survivors networks. Thanks to this Race for the Cure, we are making great strides toward a world without breast cancer.

I encourage all in our community in south Florida to participate on Saturday, October 20, at Bayfront Park in Miami, to fight breast cancer.

## DISCOVERY OF GLOBALLY RARE PLANT COMMUNITIES

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

Mr. CONNOLLY of Virginia. I rise to congratulate the Prince William Conservation Alliance, the Prince William Wildflower Society, and the Prince William County Park Authority for their discovery of globally rare plant communities at Silver Lake Park. The Virginia Department of Conservation and Recreation confirmed that the diabase flatwoods and a pin oak-white oak upland depression swamp qualify as globally rare or threatened species.

Diabase flatwoods are a rare type of oak-hickory forest that are only found in northern Virginia and central Maryland. It's very rare to find a site such as this, which has not been substantially disturbed by land development or incursion of invasive species.

The rare pin oak-white oak upland depression swamp habitat is characterized by small wetlands with hardwood forests. These environments have often been disturbed by past development.

I applaud local activists in Prince William County in my district, the 11th District of Virginia, for their work to protect these rare plant communities and offer them my full support and congratulations in permanently preserving these important ecological resources.

## DEDICATION TO OUR FIREFIGHTERS

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, this is National Fire Prevention Week. Last weekend, the National Fallen Firefighters Foundation held their memorial service out in Emmitsburg, Maryland. They added the names of 103 firefighters who died this year in the line of duty. That brings the total to 3,330 names on the memorial to fallen firefighters since it was established in 1981.

As a volunteer firefighter and EMT, I've seen the bravery and dedication of the men and women who face infernos to save lives and property. They walk into hell, and they do so knowingly. Many never walk out again. That was the case on September 11, 2001, when 343 firefighters lost their lives.

There are more than a million firefighters across this country who respond to more than 2 million calls per year. We owe them a debt of gratitude that cannot be repaid.

But there is something we can do. This week I cosponsored H. Res. 729, a measure to request that the President designate a day as National Firefighters Memorial Day to commemorate Federal, State, and local firefighters killed or disabled in the line of duty. It's the least we can do for these heroes.

## AVOID MISTAKES OF THE PAST

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

Ms. JENKINS. ''This is not a war of choice. This is a war of necessity.'' But just 7 weeks after the President spoke those words, White House political advisers consider rejecting General McChrystal's assessment.

To win in Afghanistan, we must provide the general the resources he needs. Insufficient troop levels is a mistake that must not be repeated.

Servicemembers from my district from Fort Leavenworth, Fort Riley, and the Kansas National Guard are putting their lives on the line in this war of necessity. As the President decides on his strategy in Afghanistan, I remind him of his words.

Leaving our brave soldiers in Afghanistan without the resources they need is indefensible. Our duty is to avoid the mistakes of the past.

Mr. President, please listen to the generals you have placed in command.

## TRIBUTE TO PATRICK JOYCE, JR.

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

Mr. ENGEL. I rise today to speak on behalf of a fallen hero from my district. On October 2, Patrick Joyce, Jr., and his fellow firefighters responded to a call of a burning building in Yonkers, New York. He was searching the burning building when an explosion of flame hurled him and two other firefighters out of a third-story window. The other two survived with serious injuries; but, sadly, Patrick, married and the father of two little girls, did not survive.

Patrick and his wife, Tara, met as teenagers in my neighborhood of Riverdale the year before I first came to Congress. They married and had two daughters, Charlotte and Isabella. The family was planning to visit an apple orchard this weekend. Instead, they attended his funeral.

I also attended Patrick Joyce's funeral mass. He was beloved by not only his family but by his fellow firefighters and his community. The loss of any life is one to be mourned, but the loss of a life such as Patrick's is doubly devastating. The Nation truly honors people like Patrick who are willing to risk their lives to save others.

Little Charlotte said of her father, ''This wasn't supposed to happen. Daddy fixed everything. He made everything better.'' Now he's gone at age 39, and we all miss him.

It's become almost a cliche to praise our firefighters since the heroism shown on 9/11 but, for me, there will never be enough. Patrick Joyce, Jr. was taken from us far too early. On behalf of his wife, Tara; his children, Charlotte and Isabella; his friends and family; and the people of Yonkers, I would like to state for the record, in conclusion, in the words of Charlotte, that this was not supposed to happen. You did make everything better.

Patrick, you will be sorely missed by everyone you touched in life and those of us who are saddened by your death.

## DEFUND ACORN ACT

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

Mr. INGLIS. Recently on this House floor, Mr. BOEHNER was successful in getting the Defund ACORN Act attached to the student aid bill. By a vote of 345–75, this House voted to cut off funding to ACORN.

My constituents are very relieved by that because throughout August I heard from them very clearly that they don't want an organization that's been up to the things that ACORN has been up to receiving Federal funds.

In fact, since 1994, according to Leader BOEHNER's office, they may have received directly as much as $53 million; more than that indirectly through block grants that may have come from State sources.

Madam Speaker, that's got to stop. It's a good step that we took in the Defund ACORN Act, but we're not through yet, because something tells me that throughout the appropriations process there's money tucked away.

And so we must remain vigilant and see this organization associated with voter fraud and other irregularities must be cut off at the Federal trough.

## WHAT TO DO IN AFGHANISTAN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Very quickly, I know that all of us understand you're innocent until proven

guilty. We are very pleased with the leadership that ACORN is taking in addressing the needs of those who cannot speak for themselves.

They understand the need for transparency; they understand the need for audits; they understand the need for new leadership in many of their areas. And they are doing it. And I'm grateful for the fact that we have congressional oversight. But I'm not going to demonize an organization that helps those that cannot help themselves.

Very quickly, it is important for the President to be addressing the question of: What do we do in Afghanistan, counterinsurgency or counterterrorism? I believe we should surge up diplomacy, fight the terrorists, and gain the friendship of the Afghan people, and let the Afghans fight the fight alongside of us—and not send 40,000 troops into Afghanistan.

□ 1830

## WHAT HAPPENED TO AUGUST?

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, before I return to my district this weekend, I thought I might ask the question on this floor once again, what happened to August? What happened to August? What happened to those town hall meetings? What happened to the pleas we heard from average, everyday Americans coming to town hall meetings by ones, twos and threes, coming with families, not coming bused, not coming organized, but just coming out of a concern about what we were about to do on this floor.

And yet I returned here after that period of time, and I have heard deafening silence from the White House about August. I have heard an absolute repudiation of August by the Democrats in the House and in the Senate.

No. We are talking about health care reform as if August did not exist, as if the American people did not exist and as if their concerns were not our concerns.

What happened to August? What happened to August?

## HATE CRIMES BILL

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

Mr. GOHMERT. Madam Speaker, today we had a conference report after just voting to send the matter to conference last night on the Defense authorization bill.

This authorizes what is being done in the military. On the backs of our soldiers is put the hate crimes bill. That is unbelievable. As if our soldiers don't have enough to do, we are going to put social bills like that on their shoulders and say, If you don't pass this to help the soldiers, then we are going to say, gee, you're against the soldiers.

It's outrageous. They deserve better treatment. They deserve a straight-up vote on the Defense authorization without a hate crimes bill that will be, when coupled with 18 U.S.C. 2(a), the mechanism to muzzle ministers. I stood with dozens of African American ministers out here who knew they would be muzzled under this bill. It's not the right thing to do.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. DAHLKEMPER). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## DANCING WITH CZARS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, we have 45 czars in America, and the dance card keeps growing. The President has the right to get advice from as many people as he wants to. And that's not new with our Presidents, and that is not a problem. Advisers are one thing, but policymakers are another thing altogether.

If someone is putting a policy in place, if someone is to govern and rule over the rest of us, they must be confirmed by the United States Senate. That's what the Constitution says and demands. After all, article II, section 2 states in part that the President may appoint ambassadors and other public ministers with the advice and consent of the Senate.

The American people have been asking a lot of questions about these czars. Who are these czars? What do they do? Is this a shadow government? What are the Cabinet secretaries doing? Why aren't they in charge of implementing policy instead of these czars? Do Cabinet secretaries report to our shadow government czars? Is that what happens? And why haven't we had transparency or confirmation hearings on these czars?

Now, Madam Speaker, here are some of the czars that we have. It's not all 45, but it's some of them. And let me list some of them for you. We have the Afghan-Pakistan czar. We have the AIDS czar and the auto recovery czar. We are getting a behavioral science czar. Now, what's that about, spanking of kids? No. It is actually about the study of human behavior and how the government can influence human conduct. Sounds a bit like the book ''1984'' to me.

We have a bailout czar. We have a border czar. Is the border czar supposed to secure the border or open up the border? Who knows? Nobody is telling us.

We have a climate change czar, a copyright czar, a counterterrorism czar. We have a cyber security czar and a communications diversity czar. Let me repeat that one. A communications diversity czar. Ironically, this communications diversity czar is now barred from talking or communicating with the media. Now isn't that lovely? That's kind of odd in my opinion.

We have the disinformation czar. Now what does that person do? It sounds like he should be called the government propaganda czar to me.

We have two economic czars. We probably could use a few more of those. We have an education czar. We have an energy CIA. There's a food czar, the government performance czar, the Great Lakes czar, the Gitmo closure czar and the health care czar.

We have an info tech czar—well, we had an info tech czar, Madam Speaker. His last day in D.C. Government was March 4, but on March 12 the FBI raided his office and arrested two staffers. That position is still open for people who want to apply.

We have an intelligence czar. We have a Latin American czar, a Mideast peace czar and a Mideast policy czar. We have a pay czar and a regulatory czar. We have a religion, or God, czar; a safe school czar and a science czar. Now there's a beaut. Our science czar wrote a controversial book promoting population control.

We have a stimulus czar. And then, of course, there's the TARP czar, the technology czar, the trade czar and the urban affairs czar. We have the war czar, the water czar and, of course, there is a weapons czar.

Now, Madam Speaker, we know very little about those czars or what they do. We don't know who pays them or whether they paid their income tax. So Congress should defund these czars and no taxpayer money should go to pay for them or their salaries or their staffs.

After all, Madam Speaker, since we continue to dance with the czars, it would be nice to know who brought us to the dance.

And that's just the way it is.

## COMMENDING OUR FIRST RESPONDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. SUTTON) is recognized for 5 minutes.

Ms. SUTTON. Madam Speaker, I rise in support of H. Res. 731 to commend our first responders for their tireless efforts to ensure our safety as they serve on our Nation's front lines. These brave men and women are often the first ones on the scene and the last ones to leave.

Firefighters in Lorain, Elyria, Barberton, Akron, Brunswick, Strongsville and throughout my district and our Nation deserve our deepest gratitude. In spite of all of the cuts that our firefighters are facing, they continue to put their lives on the line to save ours.

Far too many communities in the 13th District of Ohio have had to lay

off firefighters. In Lorain, 33 percent of the time, fire station No. 4 is closed. But even with these frequent closures, they still put their lives on the line. They risk their lives without hesitation. Lorain firefighters Shawn Lloyd and Dan Russell were injured as they pulled a 6-year-old girl from a fire. Four firefighters from Elyria saved the 56-year old life of Russell Bowles, who wasn't breathing and had no heartbeat. They used a defibrillator to bring him back to life and then rushed him to the hospital.

In August, an Elyria Township firefighter was injured by a gas tank explosion as he was responding to a house fire. In Akron, fire captains Albert Bragg and Charles Twigg arrived at a house fire and were told someone was still in the home. Without hesitation, they ran into the house. They found the man and they carried him to safety. And when a man in Brunswick was experiencing a type of cardiac arrest known as the ''widow maker'' because it almost always results in death, it was firefighter Russ Merhaut and his fellow team members who arrived on the scene and resuscitated him.

First responders not only keep us safe, they also actively support our communities. This year, Barberton police officers and firefighters helped raise about $1,800 for the Youth in Action fund during the Police versus Fire Olympics. In Strongsville, the fire department plays an active role in Safety Town, which is a fire safety program that teaches children about fire safety and prevention.

We can sleep soundly at night knowing that these men and women are here to serve and protect us. But all too often, their service comes at a costly price. Each year, approximately 80,000 of our Nation's firefighters are injured. And last year, 103 firefighters were killed. Those who have made the ultimate sacrifice put their community and their neighbors above their own lives. And even though our departed firefighters are no longer with us, the lessons they taught us will last forever. Their noble and unrelenting allegiance to public service embodies the American spirit, and I cannot imagine better role models.

For these reasons, our Nation's firefighters and first responders deserve our continued praise and support. H. Res. 731 expresses our great appreciation for these great men and women. However, true support should come in the form of job stability. Protecting the jobs of our first responders is a top priority in ensuring the safety of all communities.

I was very pleased that language included in the supplemental appropriations bill this year expanded the use of the SAFER grants to allow communities to retain and rehire firefighters. Communities in my district are looking forward to applying for those grants that they so desperately need.

Given the economic hardships currently facing our country, these grants are critically important to the wellbeing of our firefighters and communities. Far too many communities have had to lay off firefighters. And as we all know, these fire department closures cause response times to be longer. This can be risky for emergency callers as well as for our firefighters because a working fire has more time to grow and become more dangerous.

Lorain firefighters need these SAFER grants, and Fire Chief Tom Brown is ready and waiting to apply for them. Elyria firefighters need these SAFER grants, and Elyria Fire Chief Rich Benton is ready and waiting to apply for them. In Akron, 38 firefighters have been laid off. Our firefighters are people with mortgages and young children. Akron firefighters need these SAFER grants, and Fire Chief Larry Bunner is ready and waiting to apply for them.

Competition for the estimated $630 million for the entire country will be intense. In 2008, 72 firefighters protected the city of Elyria, but today only 46 are tasked with the duty. And our union presidents like Dean Marks and Jon George are working hard to preserve jobs and the safety of their communities. The IAFF and the OAPF are working hard to protect the jobs of these brave men and women.

Our Nation's first responders can never be thanked enough for their efforts. Through this resolution, we recognize their brave work, and it does not go unnoticed. We salute the sacrifices and commitment to our State and local government officials for their efforts to keep our communities safe and deter acts of terrorism. Let's get those SAFER grants out.

□ 1845

## CZARS NEED TO BE CONFIRMED BY THE SENATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, the reason I rise tonight is to follow up on my good friend Mr. POE of Texas. He was talking about 45 czars being appointed by the President to run this government in large part. The thing that bothers me about that and what Mr. POE said is that these people do not have to go through the normal process of confirmation in the Senate.

The reason we have that process of advice and consent of the Senate is to make sure that the people that are being appointed are not only capable of doing the job, but they don't have anything in their closets that is going to cause disrepute, disrespect, or anything on the administration. But the administration continues to appoint these people as czars in large part, I believe, because he doesn't want the American people to know their backgrounds.

We've had people that have been appointed who are admitted Communists, people who have been appointed who have been involved in supporting nefarious activities and deviant kinds of activities, and it just seems to me that the American people need to know those things. But unfortunately, the administration continues to appoint these czars because they know they do not have to go through the confirmation process. I think that's just wrong.

So, if I were talking to the President, I think if the American people were talking to the President tonight, as would Mr. POE, my good friend from Texas, would like to say, Hey, let's have these people unveiled. Let's find out what they're all about before they take on positions of responsibility, positions that spend taxpayers' money and make decisions on how this government is run. We need to know what kind of people they are. We need to know their backgrounds.

So I would just like to say, if I were talking to the President on behalf of the American people, Let's go through the regular process, Mr. President, just like you do with Cabinet appointees. Make sure that there is a background check done on them by the FBI so we know what they're about. Let's make sure they go through the confirmation process, through the Senate, through the committee system and are voted upon by the United States Senate so that they are confirmed. And if we do that, we'll know that they're competent people, honorable people who will do the job for the American people and not people that we're going to be embarrassed by later on.

## IN AFGHANISTAN, ''EIGHT IS ENOUGH'' TO PROVE THERE'S NO MILITARY SOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, today is the eighth anniversary of American involvement in Afghanistan. America will soon be at war in Afghanistan longer than we were in World War I, World War II, and the Korean War combined.

For 8 long years we've been trying to find a military solution in Afghanistan, but we have not succeeded. Hundreds of billions of dollars have been spent, and over 850 of our brave troops have died, but the insurgency continues to grow. Now President Obama is being urged to double down on the military option. Some people believe that all we need to do is send in 40,000 more troops, and then we can roll out the ''mission accomplished'' sign. But the last 8 years of fighting, Madam Speaker, have proven beyond doubt that there is no military solution to Afghanistan, and escalating the war now will only make things worse, not better.

A study done by the Carnegie Endowment for International Peace found

that ''the presence of foreign troops is the most important element driving the resurgence of the Taliban.'' That's why I have joined with 56 of my colleagues in the House on both sides of the aisle to send a letter to President Obama urging him to reject calls to increase the number of combat troops in Afghanistan. But I'm not urging the President to walk away from Afghanistan; far from it.

America needs to stay involved, but we need a winning strategy, and that means understanding the plight of the Afghan people and what they need so that they can reject the Taliban and violent extremism. They desperately need food, education, economic development, agricultural enrichment, better infrastructure, protection from disease, and a government that they can trust.

Afghanistan is easy pickings for violent extremists because it's virtually the poorest nation on Earth, and without assistance from the outside world, the Afghan people have little hope for a better future. The United Nations issues its annual Human Development Index on Monday, and it ranks the countries of the world on criteria such as life expectancy, literacy, school enrollment, and gross domestic product. Out of 182 countries, Afghanistan ranks 181, next to last.

That's why, Madam Speaker, the United States must break from the military-only approach that hasn't worked for the past 8 years and change our mission to emphasize development, reconstruction, humanitarian aid, and civil affairs. NGOs and military forces can be directed to support these efforts. That would improve the lives of the Afghan people, and it would achieve the crucial goal of removing the impression that America is an occupying country.

We must also step up our diplomatic efforts. We've got to do a better job of engaging all the Nations in the region that have an interest in stabilizing Afghanistan. President Obama himself has recognized that military power alone is not the answer to our problems. In his inaugural address, he said that—and I quote him—''Our power alone cannot protect us, nor does it entitle us to do as we please . . . Our power grows through its prudent use (and) our security emanates from the justness of our cause, the force of our example, and the tempering qualities of humility and restraint.''

President Obama is right to believe that America does best when we demonstrate our commitment to peace, to democracy, to human rights and progress.

Madam Speaker, I urge the President to remember his words and use them to guide his decisions about Afghanistan in the coming days. If he does, he will take important steps toward defeating violent extremism and making America and the world safer.

## HONDURAS' UPCOMING ELECTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I rise tonight to express my strong support for the upcoming November elections in Honduras and to underscore my ongoing concern with the current U.S. policy toward this Central American nation and its people.

I have just returned from Honduras, where I had the opportunity to see with my own eyes what is happening on the ground there. Let me tell you, Madam Speaker, it's very quiet on the streets of Tegucigalpa. Despite the efforts of the pro-Zelaya camp to create the impression that chaos is reigning in Honduras, there are no tires burning in the streets, there are no massive protests urging Manuel Zelaya's return, no collapse of democratic order or institutions.

I met with officials of the constitutional, democratic Government of Honduras. I met with Honduran civil society. I met with their religious leaders. I met with the Honduran press. I even had the opportunity to meet with some of our fellow Americans who are living in Honduras now. And through it all, there was a very consistent and a very clear message. That is: The Honduran people are committed to the defense and the protection of their democracy, of their constitution, of the rule of law.

The people of Honduras do not want Manuel Zelaya back in office. The Honduran people do not want outside actors infringing upon and determining their democracy and their rule of law. For the Honduran people, the November 29 elections are the solution, they are the way forward, and I couldn't agree with them more.

I introduced House Resolution 749. What does it do? It calls on Secretary Clinton to support the efforts of the appropriate authorities in Honduras to ensure that the November elections are free, are fair, are now transparent.

It calls on President Obama to recognize these elections as an important step in the consolidation of democracy and the rule of law in Honduras. No matter how one views the events of June 28, it is critical that the implementation and the recognition of the validity of the November 29 Honduran elections remains separate and independent from the current political fray.

The date of the elections, the presidential candidates, and the presidential term were determined long before Zelaya's removal, and nothing has changed since then. Again, the Honduran electoral process is continuing in accordance with the Honduran Constitution.

The U.S. has historically recognized free, fair, and transparent elections as a fundamental component of a democracy. So why now is the U.S. so quick to admonish what appears to be the only viable way forward for a peaceful resolution in Honduras? How could the U.S. help to open the door to the Cuban tyranny to rejoin the Organization of American States but yet push for Honduras' expulsion because the Honduran people defended their constitution and their democracy? How could the U.S. directly engage with Ahmadinejad, let him into the United States to address the General Assembly at the United Nations yet revoke the visas of the constitutionally democratic constituted representatives of the Honduran Government? These are all questions that I have been asking officials in this administration and have been asked time and time again.

Madam Speaker, I'm concerned that if we in the U.S. continue along this misguided path and continue to impose this misguided Zelaya-centric policy, that the goodwill and the respect and the admiration that the U.S. currently enjoys in Honduras will now start to dissipate. We can't afford for that to happen. The United States has always been the beacon of democracy. How can we take this undemocratic way forward for Honduras?

I'm deeply concerned about the impact that this action will have on our U.S. security interests as well, Madam Speaker. After all of my meetings and briefings and during my visit in Honduras, I'm more concerned and more convinced than ever that the current U.S. approach is severely undermining our immediate security interests in Honduras—in fact, in Central America as a whole—and it will significantly impact and have detrimental long-term ramifications for the stability and the security of our hemisphere.

But there is still time to reconsider. There is still time to correct our wrongs and find a way forward, and that can begin with the U.S. Government publicly announcing that it will respect the sovereignty of the free Honduran people and respect what it says in the Honduran Constitution, that the U.S. will support the will of the Honduran people and recognize free, fair, transparent elections in Honduras this November. The future and the will of the Honduran people are far too important to let Manuel Zelaya or his puppeteers run the show any longer.

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The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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## BATTLING BREAST CANCER THROUGH HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Madam Speaker, I would like to offer my sincere thanks

to my colleagues and friends Congresswoman WASSERMAN SCHULTZ and Congresswoman MYRICK for their incredible courage and leadership in fighting for those who are affected by breast cancer.

October, as we know, is National Breast Cancer Awareness Month, and I can think of no better way to honor and support the women living with this disease or to honor the memories of those who have lost their battle with breast cancer than to help raise awareness by sharing some of our own personal stories. Each one of us has a personal story to tell about how breast cancer touched the lives of our families and has changed our lives, and I'm no exception.

My mother is a breast cancer survivor. She beat this disease several years ago, and I'm so proud of her for the strength and the courage that she has shown throughout a very difficult journey. She has served as an inspiration to me to be a voice here in Washington, not just for her, but for the hundreds of thousands of women and men who are diagnosed with breast cancer each year.

For far too long, our Nation was silent about this disease because of a pervasive fear and stigma. Thankfully, education and advocacy efforts over the past several decades have empowered survivors to come out of the shadows and walk down the Halls of Congress to demand action.

It's because of my mother and the Rhode Island advocates who I am so proud to represent that I joined with a strong majority of my colleagues to fight for increased funding for research at the National Institutes of Health and the Department of Defense so that we may continue to advance lifesaving treatments for breast cancer patients everywhere.

However, this is not just about research. We must also ensure that every patient has access to proper medical care. I believe that the only way to do this is through comprehensive health insurance reform.

□ 1900

Madam Speaker, Congress certainly must pass a bill that covers preventative services such as mammograms and MRIs, that eliminates discriminatory exclusions for individuals with preexisting conditions, and ensures gender parity. I strongly believe that access to quality health care should be a fundamental right and not a privilege for the wealthy who can afford it.

I hear stories daily from friends and constituents whose lives are turned upside down due to a cancer diagnosis. Our Nation can and we must do better. Together we can make a difference in the lives of breast cancer patients everywhere.

I would like to once again acknowledge my colleagues here this evening for speaking out in the fight against breast cancer, and I look forward to my continued work with them in the future.

## CONSTITUTIONALITY OF HEALTH CARE REFORM LEGISLATION PENDING CONSIDERATION BY THE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. DEAL) is recognized for 5 minutes.

Mr. DEAL of Georgia. Madam Speaker, I rise tonight to address this body about a document that is sometimes forgotten. A document that gives meaning and purpose to what we do in this body, that in fact is the basis upon which this body actually exists. And that is the Constitution of the United States.

For over two centuries, this document has been the foundation for our free people. It has become the model for other governments who have copied it around the world. And yet too often it appears that the very document that is the core of our liberties, the core of our existence in this representative democracy, is overlooked in this body. It's as if it were treated as a document of antiquity to be given proper respect in the Library of Congress but to be paid no attention to in our deliberations here. I think that is quite ironic.

I had a town hall meeting this weekend, and one of my constituents raised the issue of the constitutionality of one of the bills that are pending before this body. I promised him I would address that issue, and that is what I intend to do very briefly this evening.

When those 56 men met in Philadelphia, they understood the significance of trying to write a document that controlled the actions of legislative and executive bodies. And they did a very good job of it. Over these two centuries plus, there have only been some 27 amendments that have been adopted.

It used to be that when Congress would legislate on an issue that it would preface it with the constitutional basis upon which the legislation would be even authorized to be considered. That practice has, unfortunately, been abandoned. For those who are familiar with our Federal courts, it is not unlike what a party going into that court would be required to do, and that is to specify the basis on which the Federal court has jurisdiction to consider the issue that is presented to the court.

I think we should do the same thing here in this body. We should ask ourselves the question before any piece of legislation is even considered, Upon what basis of the Constitution do we even have a right to consider to legislate on this subject?

Now, this subject is not just something that I want to talk in generalities about. I think we have a concrete example of a piece of legislation where the core issue is that of its constitutionality, and that is the health care reform legislation.

Now, admittedly, Congress has, under the commerce clause of the Constitution, reached into many realms of our activity in this country. But here in this bill there is one central ingredient, and that is the mandate on an individual that they must purchase a health insurance policy. Now, I think that is where the unconstitutionality of that proposition rises to the fore. And I suggest it for this reason:

First of all, it imposes what is presumed to be a tax if you do not comply. I think it is very clear under the interpretations of our Constitution that Congress cannot impose a tax unless it first has the authority under other parts of the Constitution to regulate the activity, namely the commerce clause or some other designated ability to regulate under the enumerated powers of the Constitution. Here there is no such enumeration. And certainly buying a health insurance policy, the requisite of that is not engaging in interstate commerce. Somebody doesn't go to the doctor to engage in interstate commerce; they go for their own health care concerns.

Some would argue, well, we mandate that people have to have automobile liability insurance. I remind them that it is a quid pro quo in which the State issues a driver's license as a condition for requiring the mandate of insurance. We do not issue a license to the citizens of this country to breathe or to exist. Therefore, by what right do we have the ability to impose a personal mandate?

Now, this issue is not new. I want to quote from a report from the Congressional Budget Office back in 1993 when they were considering the Clinton health care proposal, and I quote:

''A mandate requiring all individuals to purchase health insurance would be an unprecedented form of Federal action. The government has never required people to buy any good or service as a condition of lawful residence in the United States.''

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## HATE CRIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. CHU) is recognized for 5 minutes.

Ms. CHU. Madam Speaker, America has made great strides in the last century to provide rights and protections to our most disadvantaged communities. Laws were made that limited the workday and made it illegal for companies to profit from child labor. Women were given the right to vote. The Civil Rights Act codified Martin Luther King's dream by ensuring that all people of color could obtain equal rights.

But the fight is not over. People are still trying to deny Americans equal

protection under the law for being who they are. Yesterday Republicans tried to block an important provision to protect gays, lesbians, transgenders, and bisexuals from being targeted, harassed, injured, or even killed due to acts of bias and hatred. The Matthew Shepherd Hate Crimes Prevention Act would give the LGBT community the same protections already provided to other groups that have been discriminated against in our Nation's history.

Many are familiar with the hatred and bigotry perpetrated against people of different races and religions. Take the case of Kenny Chiu, a 17-year-old Asian American from Orange County, California, who was simply standing in the driveway of his own home when he was grabbed and brutally stabbed 26 times. In the last hour of his life, he was able to identify his killer. It was his 20-year-old next-door neighbor, who was a Neo-Nazi sympathizer and was looking for a minority to kill.

But members of the LGBT community face the same harassment every day just for being who they are. Larry King was a gay eighth-grader from Ventura, California, who used to come to school dressed differently. He was the subject of great harassment. Other boys made fun of him, called him names, and threw wet paper towels at him in the boys' restroom. Then one morning behind the computer lab at his junior high school, a fellow classmate shot him twice in the head. In contrast to the case of Kenny Chiu, Larry King's murder is not covered by our Federal hate crimes law. This must change.

When asked by my constituents why I support this bill, I describe my experience as Chair of the California State Assembly's Select Committee on Hate Crimes, where I held hearings on hate crimes across all the communities of the State. After hearing these horrific stories and listening to their heartbroken families, I know I cannot fight for the civil rights of one group without fighting for the civil rights of the other. Things will not change until people stand up and say we will not tolerate making anybody in America a second-class citizen. As long as intolerance exists, as long as there are people out there that turn a blind eye to hate and bigotry, then we as a human race are doomed to repeat the horrors of the past.

In California what happened to Larry King is considered a hate crime. It is one of only five States in the Nation that include sexual orientation and gender identity in the definition of a hate crime. But in the Nation many are left without such protection because Federal law leaves many States without the resources or expertise to effectively investigate and prosecute bias-motivated violent crimes in the LGBT community. That is why tomorrow we must pass the Matthew Shepherd Hate Crimes Prevention Act so that every teenager who goes to school can be who they are knowing they are protected by the United States of America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## SAVING A MILLION JOBS AT $787,000 PER JOB

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, in a column last month for RealClearMarkets, businessman Bill Frezza took on the idea that the stimulus package had somehow ''saved'' jobs in America. He writes:

''The White House Council of Economic Advisers said Thursday the $787 billion stimulus plan kept 1 million people working who would otherwise not have had jobs.

''You wouldn't let me stand up and make the simplistic claim that these million jobs were saved at a cost of $787,000 per job without challenging the details of my accounting, would you? Surely reality is more complex.

''But when the White House Council of Economic Advisers calculated the number of jobs saved by our government's massive stimulus spending, how is it that they entirely neglected to account for the impact on employment of removing $787 billion from the balance sheet of the private economy?''

He continues by discussing those from the White House Council of Economic Advisers who make these dubious claims about the so-called ''saved'' jobs:

''They never had to meet a payroll,'' Mr. Frezza writes. ''They never had to raise money to fund their businesses from skeptical investors. They never bet their life savings on their own business judgment. They never had to scramble to pay off a banker who called in a loan. They never had to decide whether to take a calculated risk to expand their workforce, hoping to take market share from a fierce competitor. They never had to make a judgment call on whether or not to launch an unproven new product. They never had to manage a new reduction in force, explaining to employees that their jobs have been eliminated because the tax and regulatory burdens imposed by some new law forced them to cut costs.

''They never lost business to a government-subsidized competitor whose cost of capital was vastly lower than theirs. They never had to grease the palms of politicians offering constituent services to resolve a bureaucratic hangup caused by the labyrinthine government approvals these selfsame politicians inflict on many businesses.

''They never had to deal with a missed sales forecast caused by an economy so roiled by capricious and uncertain fiscal policy that frightened customers were holding back orders. They never had to deal with a key supplier that unexpectedly went bankrupt because their source of credit dried up as dollars got sucked out of the commercial economy into government debt. They never had to negotiate with angry landlords after being forced to shut down a business destroyed by spurious mass-manufactured class-action suits. They never had to stand up in front of disappointed investors to explain why they lost money that had been entrusted to them.

''And you can be sure that none of them ever fell on their face and had to pick themselves up, dust themselves off, and decide whether it was worth going through all the joys described above to take another shot at building a business from scratch.''

Then he launches into his final broadside against the assumption of the council's economists:

''All three have Ph.D.s from fancy universities,'' he writes. ''They are prize-winning experts in macroeconomics. To have come this far, you can bet they are ambitious, articulate, well connected, and brilliant. Yet when the Council of Economic Advisers did its calculations to determine the numbers of jobs saved by the stimulus, they shamelessly counted assets and totally ignored liabilities.

''People this smart cannot be easily fooled. People so visibly in the public eye cannot remain willfully blind.

''No, these people and those who appointed them are cunningly smart. It's we who are the fools for listening to them. Long after these experts return to their sinecures in academia to train another generation of economists on the wisdom of central planning and Keynesian pump priming, it's we and our children and our grandchildren who will be paying the price.''

□ 1915

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GRAYSON) is recognized for 5 minutes.

(Mr. GRAYSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. INGLIS) is recognized for 5 minutes.

(Mr. INGLIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## THE MACKAY FAMILY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Utah. Yesterday I came on the floor, and I introduced this body to the Mackay family, a doctor of 30 years, a certified orthopedic surgeon in our community. Dr. Mackay, as has been alleged by the Drug Enforcement Administration, has been giving improper prescriptions to patients in a way that has caused addiction within our community.

Now, the investigation had taken apparently about a year, starting in 2007; but I wanted to pick up the story of this family on June 6 of 2008.

It was on that day that a hard knock came on the door of Dr. Mackay's home. He said it was so loud he thought that had he not answered the door quickly they would have broken the door in, but he did answer the door.

In a rush, 20 agents in full riot gear and armed, they handcuffed Dr. Mackay, took him to the front room, sat him on a chair, and then stuck a gun in his stomach. His wife was also escorted into the front room and held at gunpoint for 4 hours. DEA did not have a search warrant at this time. They said one was coming as they were going through his office at the same time. And sure enough, after the 4-hour ransacking of his home, they finally did show Dr. Mackay and his wife the one-page search warrant.

I suppose he could have objected earlier to that, but usually when a gun is pointed at your stomach, you have a tendency not to be too talkative in those situations.

What they did in his office is take almost two-thirds of his files, hundreds of patients' files. In his personal home, they confiscated all of his personal records, his tax records, his children's personal records. They downloaded his computer, his cell phones; they took his textbooks and medical journals. They also confiscated his savings and checking account and put a hold on his retirement fund. They also took both his car and his truck.

They did not at any of this time charge him with any crime. They didn't arrest him for anything. In fact, if the issue is prescribing improperly prescription drugs, they did not take away his license to be a doctor. He could still function as a doctor, I suppose, if he could walk to work. And he did. The State of Utah never did go after his particular license.

However, with all of his money confiscated, he is relegated to a position of no money for food, which is okay because he has no vehicles to drive to the store if he needed to. For several months his family survived on the food storage that they had put away as a family for an emergency situation. And during this time, once again, there have been no charges, no arrests; but his property has been confiscated.

He was finally able to get enough money together to hire an attorney; and in November of 2008, 5 months after the initial raid, he went to court. And the courts did demand that some of his property be returned to him. He was given his pension fund back. He was allowed his car but not his truck, nor was he allowed access to his personal savings account or to his personal checking account. Nor was he allowed access to his files or to his textbooks. I have a hard time wondering why DEA, the Drug Enforcement Administration, wants his textbooks and his truck; but they kept them.

Everything he has done up until this time is in trying to meagerly pay off defense bills that he is now accumulating to try and clear his name.

Now, I don't want to give an opinion as to the element of what may or may not have been the legal situation here. I can say from my understanding of this family and the situation that is involved that I do not find Dr. Mackay or his family to be a threat to our community. In fact, if one looks at the sworn statements from almost all of the physicians in our area, they do not find Dr. Mackay a threat to our community. If I read the letters to the editor in our local paper, the constituents' mail that I have read, no one still considers his family a threat to the community.

Nevertheless, this family, since June of 2008, has been terrorized, a profession has been destroyed, a reputation has been besmirched, property has been confiscated; and still there are no charges, there are no arrests.

Justice, as I always understood it, is supposed to work in a way in which the bad guys are accused and charged and then go before a judge and a jury of their peers. That has not been the situation.

And with that, Madam Speaker, I appreciate the time here. And what I would like to do is once again come in for installment number three, because this story of the Mackay story is not over, and tell you what has still continued to happen to this family in contradiction of what could be or should be the rule of law.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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## HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Madam Speaker, thank you for this opportunity to once again take a look at some of the very significant questions that face our country this evening in this 1-hour. We're going to be taking a look at the subject of health care in America, something that has absorbed the attention of citizens and political leaders now for a number of months. Something that is, of course, important to every single one of us.

We each have to live inside the bodies that we have, and how health care is run in this country is not only very important from a financial and economic and policy point of view; it's very personal because it's our bodies, after all.

So what we're going to take a look at this evening once again is the question as to what are the reforms that should be made in American health care.

Now, sometimes people when we deal with this want to say that everything is wrong; we need to just burn the entire barn down and start completely over. But of course people from foreign countries that have millions and millions of dollars come to America all the time as their choice for the best health care that they can buy anywhere in this planet.

So, certainly, there are many good aspects to our health system even though it may need some reforms in some areas.

What is being proposed here is not minor. In fact, that's one of the problems with the fact that legislation has not moved in months on the health care subject and that's because what was being attempted is to do a great, great deal. What's being attempted is the government, essentially over time, is going to take over 18 percent of the entire U.S. economy, that is, the government is going to run the health care system.

Now, this is a rather bold proposal. When Lyndon Johnson discovered hunger as an issue, he didn't propose that the government was going to take over all of the grocery stories and farms and all of the trucking in between, but rather that he would propose food stamps. This, instead, is the idea the government is going to take over everything in medicine over a period of time.

So the question is, is this a good thing. Does it really meet the problems, and what are the potential dangers of it.

When the government does too much, we have seen a pattern in the past of things that happen. We have examples of England and Canada where the government is running their health care systems but also examples in our own country of government getting involved in things that it's not very well positioned to do. And we see some inefficient allocation of resources, excessive expenses, degraded quality, and bureaucratic rationing. All of these are part of what can happen if the government does too much.

In fact, it led someone to quip, If you think health care is too expensive now, just wait until it's free.

One of the things that happens when the government does too much is they tend to make things very complicated. This is a chart that we have that tries on one chart to summarize a 1,000-plus-page bill. All of these different groups—the heart, of course, is not really a czar, but it might as well be a czar. It's either a commi-czar—we're very, very fond of czars lately. And commi-czars are I guess a sort of a form of a czar, but it's telling everybody what they're going to do in health care.

But this is an organization chart, and I've often thought we can almost turn this into a maze. And we can put the patients here and the doctors over there, and we can see and give people a crayon and do it as a doily, and they could see if they could get their patient over to the doctor. I am not sure whether it's possible to do that or not, but it would make a good maze.

This is a good chart that we have trying to depict what happens when the government takes over 18 percent of our economy.

Another aspect of that is an objection that the President has tried to respond to.

He says, Here's what you need to know. First, I will not sign a plan that adds one dime to our deficits either now or in the future. Period. Boy, that's reassuring to have the President tell us that he's not going to sign a plan that adds one dime to our deficit either now or in the future. That's reassuring, if it were true.

Well, this is what we've got going so far this year. We've got the Wall Street bailout, that's $350 billion; economic stimulus—I don't think it's really stimulus—but whatever it was, it was mostly just increasing government programs, $787 billion; SCHIP at $6.6 billion. Then there's the appropriations bills at $410 billion; and IMF bailout. And then you've got some taxes, also.

So when you put it all together, we're talking about a total of $3.6 trillion. I don't have a lot of confidence with this level of spending that this idea about one dime, he's not going to add one dime to the deficit when we've got $3.6 trillion that we've already done this year. Somehow this is not reassuring, this promise that he made.

Most of this plan can be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse. Of course, our health care system—I don't know of anything in our budgets that say waste and abuse. So you can just delete a line that says waste and abuse all through it.

But he says this will be paid for by savings within the existing health care system. Well, what is he talking about?

Of course, what he's talking about is taking $500 billion out of Medicare. I don't know if that makes the older people in my district very happy to know that we're going to take all of this money out of Medicare to try to pay for the thing. In fact, what's the track records of these great big socialized programs? You've got Social Security, Medicare, and Medicaid; and if you take a look at the projected trend in these things, by the time you get up here to about 18 or 20 percent, you just can't raise taxes enough to pay for them.

What this chart is saying is when you see the growth of Medicare, Medicaid, and Social Security, they will eventually absorb the entire Federal budget.

So we've got Medicare and Medicaid, government-run socialized-type programs, and they're out of control economically.

And so the President says, Well, don't worry, but this one is not even a dime. I don't know that that really helps a lot.

I am joined by several good friends of mine, one I just found out is a Ph.D., and I didn't realize that we had a Ph.D. joining us.

But I would yield the floor to the good doctor.

Ms. FOXX. Well, I want to thank my colleague from Missouri. It's not important what credentials we have. I think it's important how we feel about serving the people that we serve, and so—if I have any accolades for myself, it's that I want to be known as a Member of Congress who cared for her constituents and worked hard to serve them. But thank you for your recognition.

I just heard tonight on the news about a study that evidently came out last week that somehow or another I missed it. And it fits into what you're talking about there. I am not sure if you've heard about it.

There's a GAO report that came out, I think September 29, and there was an article about it in USA Today: ''Millions in fraud and drug abuse clogs Medicaid.''

Now, I know the President has said that he expects to fund a lot of the health care bill, the government takeover of health care with weeding out waste, fraud, and abuse; but that's never happened in any kind of government plan, as you say. We don't have a line item in the budget that says we're going to reclaim X amount of money from waste, fraud, and abuse and plug that into the system. Perhaps we should do that.

□ 1930

But if we have waste, fraud and abuse now, wouldn't it make sense for us to just go ahead and go after that?

Let me tell you about that. It is a staggering study with staggering results. An audit of the government program Medicaid in five large States found 65,000 instances of beneficiaries improperly obtaining potentially addictive drugs at a cost of about $65 million during 2006 and 2007, including thousands of prescriptions written for dead patients or by people posing as doctors.

You know, we could save millions of dollars and we should be doing that whether there is any health care plan out there or not.

Mr. AKIN. Congresswoman FOXX, how is it that dead people could be eating all of those narcotic drugs? That is kind of an interesting equation, isn't it?

Ms. FOXX. Well, I think what is happening is you have people who are addicted to drugs, and they figure out ways to get prescriptions written. What they did, the GAO looked—well, the program for low income and disabled Americans, run jointly by States and the Federal Government, underwrote, get this figure, more than $23 billion in drug costs last year.

Mr. AKIN. $23 billion in drug costs?

Ms. FOXX. For drugs alone in the Medicaid program.

Mr. AKIN. Drugs in the Medicaid program.

Now, just sort of seeing where you are going, if you allow me, what this makes me think is that the government is running this program now. If the government is so efficient in running this program, what confidence does that give us that the government should take care of your personal and my personal health? Is that the direction you are going in?

Ms. FOXX. Exactly. Here is a program that has been around since 1965, I believe I am right, and yet we have millions, potentially billions of dollars of fraud, and the government hasn't been able to figure out a way to collect that money or to stop it from happening. That is my concern. And it deals only with a rather small segment of our population. Here the government wants to run health care for everybody in this country. Imagine the kind of fraud that we are going to have, because there is no incentive when you have a government-run program to knock out fraud, waste, and abuse.

People in the private sector, people either are punished or rewarded, depending on what direction they go in. That doesn't happen with a government-run program. This is just the tip of the iceberg.

Mr. AKIN. If that happens in a short period of time, what happens when the program gets older and older and gets more encrusted with bureaucracy?

We are joined here by Congressman BISHOP who has shared with us some very good insights in the past.

Mr. BISHOP of Utah. I thank the gentleman from Missouri very much.

The gentlelady from North Carolina may be by her degree and education a good doctor. I at least directed and starred in the play a couple of times, if that helps. That is as close to ''The Good Doctor'' as I can get. And the way I did Neil Simon's play is not a pretty sight.

Mr. AKIN, I just want to add a couple of elements to this. I had a constituent who came into my office today talking about how the Senate intends to pay for this new health care plan to try to reduce it: by adding a fee on medical devices to try and raise $4 billion.

Now I hate to say this, we all know that companies don't pay taxes. They pass on the fees. And I find this somewhat incredible that we are in a situation here, to pay for the Senate health care plan, we are going to add to the cost of those who will be using the Senate health care plan and somehow say that is not an additional cost to anybody.

I find it difficult to figure out how this system has evolved into the way it is, but it seems very clear that we do not have a handle on what this will cost. We now are stretching and scratching and clinging for any kind of straw to try and give some reason to say this can work, when in reality we don't have a system involved that makes it work.

Part of the reason it doesn't work is I think we have missed the focus of the problem and the issue. The issue is not insurance. The issue is the cost of health care. What we should be looking at, which is not allowed to be debated on this floor or in the Senate committees, is how to bring down cost of health care as opposed to how to make sure everyone has some kind of health care coverage.

If you have insurance, the cost is still too much. We should be looking at a different approach than what we are doing, because we are playing game after game after game on this issue.

Mr. AKIN. It strikes me, not dealing with tort reform, you can talk to any physician, that builds a lot of cost into medicine. Although the President made sort of a passing reference to it, there is no genuine interest in dealing with tort reform, which is something that Republicans do support.

We are blessed with a couple of doctors here tonight. Dr. PRICE is also joining us. Let's talk a little bit about the cost of all of these things.

Mr. PRICE of Georgia. Mr. AKIN, I appreciate your leadership on this and always bringing truth to these issues on the floor of the House.

As you mentioned, before I came to Congress, I practiced medicine. I was an orthopedic surgeon and took care of patients for over 20 years. One of the things that I recognize and certainly my patients recognize is that when the government gets involved in the practice of medicine, which is what they do when they stick their fingers in the pot, it confounds things.

You had a chart up earlier on the machinations, the diagram of the plan. There it is. This chart is astounding to me. I have shared this with my town halls back home, any number of them, and what I ask folks to look for on that chart is not whether they can figure out all of the lines and boxes and squares and triangles, but I ask them to concentrate on the colors on the chart, because every single configuration on the chart is a new bureaucrat or new bureaucratic program.

When they recognize that they say, Oh, my goodness, that is not what I want for my health care, because they know that already in place, either through the government or through the insurance companies, the bureaucrats make it incredibly difficult to get the kind of care that they desire.

The good news is we don't have to move in that direction, and I know that we are going to talk about that some tonight, the solutions. There are positive solutions that put patients in charge. I appreciate you bringing that chart because it points out the increase in bureaucracy which will increase cost and decrease the quality of care, just that diagram right there.

Mr. AKIN. Just thinking for a minute, you've grown up in the medical profession. I actually came out of engineering. I used to work for IBM and some businesses, but I have also been a legislator for some number of years. One thing that we all experience as legislators, we have our constituents call us up and they have a problem and they want us to help them fix it.

Now I am picturing to myself, on top of everything else we have got, now we have people calling us and saying, you know, my dad needs a hip replacement and he went to the government bureaucrat and the bureaucrat told him he is too old and he can't get his hip replacement. Also, my mother needs a heart bypass. And, Congressman, won't you go to bat with this bureaucracy and get them to give medical care to my relatives? And we are supposed to take a look at this mess and say somehow we are going to get past all of the rationing for health care and bureaucracy and are supposed to get people the medical care that they need. It is asking too much of people's Congressman. Anybody who sets this system up is just creating a complete disaster.

Mr. PRICE of Georgia. I appreciate that point because we do. We get calls from our constituents all the time to help people work through the morass of government bureaucracy in whatever arena. I get calls about the passport office or the post office or the IRS when they have a challenge with them. We may talk about that in a moment. If you think about just the calls that you get on Medicare and Medicaid and the VA health system itself, and some of our colleagues on the Indian Health Services, it is astounding the challenges people have just to get through, the ability to be able to be seen by a doctor and get the kind of care that they want.

What this administration apparently wants and the Speaker wants is to turn all of us over to a bureaucracy that would increase certainly the number of folks calling our offices and trying to work through that bureaucracy because they will never figure it out because that is not the role of government to help them figure that out.

Mr. AKIN. The thing that scares me to death is my first experience as a State legislator was trying to get a left-turn signal put into a traffic light. Now, there was a lane marked in the pavement. They had a left arrow, but they didn't have a light that had a left arrow. That took me about 4 years and probably over 150 phone calls to the highway department to get them to put that little lens in there with a light that says left turn.

I am thinking, if I have trouble with that, how in the world are we going to make something like this work. This is just bizarre. Then I start to think who in the world would have the faith to want to put this system together. Let's take a look at how well our current different departments are doing.

You have the post office department known for its efficiency.

Then you have an energy department. It was created with the purpose of making sure that we weren't dependent on foreign oil. Oh, that is helpful to know that.

Then you have the people who took care of Hurricane Katrina and our emergency management services there.

Then you have the education department. They set some records, too, because a study was done of the U.S. Education Department and the conclusion was, if a foreign power had done to America what the Department of Education had done, it would be considered an act of war.

Then you have the CIA. Now, there is an interesting operation. In Gulf War I they tell us, well, Iraq is probably 10 years away from making a bomb. We get in there, they are 1 year away. Gulf War II they say they are 1 year away from making a bomb. We get in there and they are not doing it at all.

So we have all of these agencies with a great track record, and now we are saying, yeah, so let's turn our health over to the Federal Government. I mean, this takes a lot more faith.

I would yield to my good friend, Congresswoman FOXX.

Ms. FOXX. Well, I think all of these issues that you and Dr. PRICE, and he is a real doctor, he is an orthopedic surgeon and we are really glad he is around, but all of these things that you have brought up are extraordinarily important. But we might need to bring up another one that is very important, and that is that the American people have become awakened as a result of this issue of health care. I think it is the best thing that has happened to our country perhaps since the founding. People are saying we want to know what is going on and we are voicing our concern. They want to read the bills,

and they are incensed that the bills are not being put online and out there for them to read and for us to read.

Mr. AKIN. Reclaiming my time, there may be some people here that have forgotten, but we took a vote saying that at least you should have a couple of days, especially on a thousand-page bill.

We have heard all kinds of promises about transparency from Speaker PELOSI, and yet the bottom line is it is not transparent at all. We do not have a chance to read bills. The spectacular one was the 300 pages of amendments passed at 3 in the morning and brought out here, and we are debating and voting on a bill on the floor and there wasn't even a copy of the thing here in the Chamber. It is almost laughable it was so silly. And the American public was going, we don't have to be very sophisticated, but we would at least like you to read the bills.

Ms. FOXX. Obviously the majority party hasn't learned any lessons because right now they have no bill in the Senate. They have been dealing with concepts.

Mr. PRICE of Georgia. Wait a minute. Are you telling me that the Senate is about to vote on a health care bill and they don't even have a bill?

Ms. FOXX. That's exactly right. They have no bill, and they are about to vote on it. They have even asked the CBO to score it, and the CBO has scored against an outline of what the Senate says it is dealing with.

Mr. PRICE of Georgia. So the Congressional Budget Office is trying to figure out how much this is going to cost, and they don't even have the text of the bill before them to figure it out; is that correct?

Ms. FOXX. That's exactly right. The American people should be up in arms.

Mr. AKIN. Jumping in here, I didn't realize that the economists who can score outlines are so smart.

□ 1945

I don't even know how I'd start scoring an outline of a bill when you don't have anything that says—that's really an amazing—I wonder if the American public is going to be impressed with the fact that we're scoring an outline of a bill?

Ms. FOXX. Well, I think the attitude of the people in the Senate is, we're smarter than the American public. We know better than the American public. That's really been the attitude of this entire Congress, and this administration, and that is, the American public doesn't need to read these bills. And, in fact, some Senators have said they're not smart enough to read them and understand them. I think even some House Members have said that. They don't expect them to read them and understand them.

But what we need is the transparency that the American people were promised. In the elections in '06 and '08, they were promised by the people in charge of this Congress, and by the administration, that we wouldn't have these kinds of shenanigans anymore, that the bills would be out there, they'd be out there for 72 hours, even 5 days before they'd be voted on. I believe the President promised 5 days after a bill was passed—he wouldn't sign it until 5 days had passed. That's not happened on any significant legislation, maybe no legislation that's passed in this entire House. We have a real need to hold people accountable in this body.

Mr. AKIN. Just reclaiming my time for a minute. You know, what has really encouraged me in the last 3 or 4 months is the American public is really engaged. They're starting to pay attention, and they're starting to make comparisons between claims and what the bill actually says, if they can get copies of it. Here's one. This is kind of an interesting deal. Again our President says, There are also those who claim that our reform effort will insure illegal immigrants. This too is false. The reforms I'm proposing would not apply to those who are here illegally.

So I mean, this is what's being said by the President, and yet the public is starting to say, wait just a minute.

Ms. FOXX. Would the gentleman yield for just a moment?

Mr. AKIN. I do yield, lady.

Ms. FOXX. I see you have a wonderful chart here, and I want to say, isn't it true that the Republicans have put up on the Internet a section-by-section breakdown of H.R. 3200, so the public doesn't have to wonder are we telling the truth, is the President telling the truth? Are the Democrats telling the truth? They can go to the Internet or, in my case, I made these available to the libraries in my district. They can go read for themselves. Isn't that true?

Mr. AKIN. That is correct. People are starting to cross-check Congress, and they know the bills better than some of the Congressmen that are proposing them. And that's exactly what's happened. One of the things, and I don't know if it's quite as easy to catch on the Internet, lady, would be also these amendments. This is the Heller amendment, which was on that very subject of illegal immigrants. What this says: In order to utilize the public health insurance option, an individual must have his or her eligibility determined and approved under the income and eligibility verification system. In other words, what this is saying is, before you come and can get this socialized medicine and everything and tap into that you, first of all, have to prove that you're a citizen.

So this amendment was offered in committee and the amendment failed, which doesn't give us a whole lot of room for confidence that we're really serious about cracking down on illegals who are illegally taking money out of the health care system.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. AKIN. I do yield.

Mr. PRICE of Georgia. Now, this is, again, a very interesting point. So the President is saying that none of the monies in this health care bill will go to cover medical treatment on a nonemergency basis for folks that are here illegally. That's what the President says, right?

Mr. AKIN. That's what he said.

Mr. PRICE of Georgia. And then we have an amendment proposed by Mr. HELLER from Nevada in committee that outlines the process that you'd go through to be able to make certain that that wasn't the case, and the amendment failed. And as I see on your chart there, the vote was taken on July 16. Fifteen Republicans voted in favor of it; 26 Democrats voted no. So 26–15, it failed because the Democrats apparently don't believe that you need to have any process in place to determine whether somebody's here legally. That's the only conclusion I can draw.

Mr. AKIN. That's correct. The bill has something in it that says well, illegals shouldn't access it, but there isn't any protection whatsoever in terms of the mechanics of the bill. So anybody who wants to can just walk right in and help themselves. And this amendment, I don't know if this amendment is available to the American public, but I think this pretty much says, you know, there's a huge difference between the two parties, first of all, and second of all, that this amendment really calls into question what the President is promising. And there's a whole series of other promises that we can talk about as well.

Mr. PRICE of Georgia. If the gentleman will yield, there is a spot where folks can go to look at the amendments that were offered in committee. In fact, I think there were 57 or 58 of them that failed virtually along party lines. It's at the Republican Study Committee Web site if folks were interested in doing that, colleagues were interested in going to the Republican Study Committee Web site and looking up, and there's a document there that has all of the amendments that were offered on the Republican side of the aisle in the three committees of jurisdiction, and the vote that was taken, and in fact what it shows time after time after time, as the gentleman from Missouri so well knows, is that the statements that are made by the President and by Members of the folks in charge here, the Democrat party in charge, so oftentimes are at odds with the policy that they're putting in place.

So they know what they want to tell their constituents, but in fact the policy that they put in place doesn't match what they're saying. And that's why I believe the American people have been so incredibly outraged over the past couple of months, because they don't see Congress doing what they say they're going to do or what they want them to do.

Mr. AKIN. You know, gentleman, that's exactly right. And the thing that I find perhaps encouraging at least, maybe it's a bright side to a dark

cloud, and that is that the public is becoming aware of what's going on, and the mainstream media is putting this out. The President is putting this stuff out. And yet, you take a look at the polling information and the public is starting to pick up on this. And they're realizing that what the media tells them and what the President tells them just isn't true, just isn't true.

And as they start to read it, they start citing sections of the bill. And here's another one. This is perhaps—and I know we have a couple of doctors joining me on the floor here. If there's anything that as a patient is a big deal to me, if you want to boil health care down to one thing, I want the doctor and the patient to be making the decisions. As a Republican, I don't like it when insurance companies stick their big nose into that relationship. The only thing I could think of that's worse than that is some government bureaucrat sticking their big nose in that relationship.

So here's another promise that the President has been saying, and this one too isn't true. First, if you're among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid or VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have. That's wonderful if it were true. But the trouble is, it ain't necessarily so, one more time.

Here's the first. There's a Congressional Research Service. This is an unbiased—it's very professional people that we use, count on them. Hear what they say, okay: Under this bill, this is PELOSI'S bill, under H.R. 3200, a health insurance exchange would begin operation in 2013, would offer a private plan alongside a public option. And it goes on to say, it does not contain any restrictions on noncitizens. Well, this is the one about legal or illegal immigrants.

But here's another amendment that's along the same lines. This is Dr. GINGREY. Nothing in this section shall be construed to allow any Federal employee or political appointee, that means bureaucrat, to dictate how a medical provider practices medicine. This is the heart of what we believe in as Republicans, the doctor-patient relationship. This is an amendment offered. It says no bureaucrat's going to get in the way of your health care.

Mr. PRICE of Georgia. Does the gentleman yield?

Mr. AKIN. I do yield.

Mr. PRICE of Georgia. This is a remarkably important amendment that was offered in committee because, as a physician, my patients would literally bristle at the knowledge that somebody was affecting what I could do for and with them. But this amendment, which was offered in committee, this is not conjecture. This actually happened. Was offered in committee. And it said that nothing in the bill would allow any Federal employee or political appointee, these are nonmedical people, to dictate, that's the language, to dictate how a medical provider practices medicine. And the vote, as I see there, was 23 Republican and one Democrat supported it, so that was 24. And 32 Democrats voted no, which tells me, the only conclusion I can reach from that is that the Democrats want Federal employees and bureaucrats to dictate to doctors how to practice medicine. That's the only conclusion I can draw.

Mr. AKIN. You know, the thing that's scary to me about that is, the way the Federal Government's going to go about that, they're going to start taking a look at your age and how much it costs and everything, and I'm getting to be kind of old. I mean, I just hit 62, and I'm not too encouraged by the idea of some bureaucrat saying, look you old geezer AKIN, you can't have that hip replacement that you need. I've been talking to you, Doctor, about getting some help with that because I've been limping around. We have Dr. BURGESS here, and I would just really appreciate it, as a medical doctor, if you could shed some light on the situation.

Mr. BURGESS. I thank the gentleman for yielding. I thank him for putting this hour together this evening. I think it's terribly important. Rumor mill out there is that we will have this bill next week or the week after on the floor of the House. People do need to be paying attention to this. I am on one of the committees of jurisdiction, on the committee of Energy and Commerce. We had this bill in our committee for a couple of weeks in July. I thought that it would pass along party lines and the Democrats would vote this favorably out of committee. I thought we would have it on the House floor in the month of July, and I thought that the Democratic leadership would force this bill through passage again on a party line vote in July.

It didn't happen that way. I think it's because they pushed the cap-and-trade bill through at the end of June. Many Members went home and were startled by the reactions of their constituents and said, hey, maybe we'd better study about this a little bit before we just go ahead and pass it. As a consequence, we didn't pass the bill on the floor of the House, passed it out of the three committees, and then we hit August. And what happened in August was, the same sort of anxiety that we encountered in July after cap-and-trade came back big-time in the month of August. And little sleepy town halls that I would normally do in August that might command the attention of a dozen people, maybe 50 people if there's something big going on, 2,000 people would show up. They wanted to look—

Mr. AKIN. 2,000 people?

Mr. BURGESS. On a hot Saturday morning in Denton, Texas, we had to call an audible and change it from inside to a parking lot location and, with no thought to my personal safety, I took my jacket off and my tie off, grabbed the microphone, stood under the hot sun and answered questions for an hour, 2 hours, about this bill that we had just passed.

Now, I will admit that I had a little bit of an advantage being on the committee. I could hold a copy of the bill up, because I had a copy of the bill, and say that I can truthfully say I'm one of the Members of Congress who's voted no on this bill because we had it in committee, and that I will likely vote no every time it comes back again. And that seemed to be a reasonable approach for the people in my district.

But I've got to tell you, I was astounded, I was stunned, coming back in September, after all this angst and anxiety we encountered during the month of August, and it was like it never happened. It was like the Democratic leadership assumed that the country was in some sort of fugue state in August and they weren't really serious about the opposition to this bill because we came back to committee in September. We had a few more amendments that they said we could consider after the fact and we did. Many of us brought up the fact that boy, August was a game-changer, and really the American people want us to be more serious about and more thoughtful about our approach to this bill.

And the chairman of the committee said, no. We're not paying any attention to August. August didn't happen. It was a mirage, it was a heat-induced hallucination. It wasn't the American people speaking, it was made up.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. BURGESS. I'll be happy to yield on that point.

Mr. PRICE of Georgia. I appreciate you bringing that up because I was so astounded as well by this incredible outpouring by the American people of their concern and fear about what their government was about to do to them. And then the President seemed to just dismiss it, didn't even recognize that it had happened, and the Members of Congress, including the Speaker of the House and others, seemed to be saying, don't pay any attention to that man behind the curtain. You know, it was like they didn't even acknowledge that, in fact, the American people were concerned, which is—I appreciate you saying that because it's one of the things that has further angered my constituents and the folks that I talk to across this land, who say, is anybody listening there? Is anybody paying attention?

Mr. BURGESS. Reclaiming my time, if the gentleman will continue to yield, the fact is the American people do not trust us to do something this big. They look at this 1,000-page bill, they recognize that it will go to a Federal agency, the interpretation of those thousand pages will lead to 10,000 or 20,000 or 30,000 pages in the Federal Register, years of rulemaking, and years of rules

that will be rained down upon a free society because of the actions taken on the floor of this House within the next couple of weeks.

Mr. AKIN. Well, you know, gentlemen, a number of you have raised the point that there's a whole lot of Americans that are not very thrilled with this approach of government takeover of health care. But let's just think about it for a minute: Why it is that you had that reaction, 2,000 people come out of nowhere, and they're all hotter than hornets about how this is lousy stuff, we don't want some bureaucrat rationing our health care.

Let's talk about who might be against this bill. First of all, if you're an older guy like I am, you're going to be worried, because statistically you're at the point where they're saying it's not worth it for the government to pay for you to get your health care.

□ 2000

So if you're an older person, all they're going to give you is aspirin and some pain pills or something. And so if you're an older person—you're not going to like this—if you're an older person, you're probably also on Medicare. And you want $500 billion taken out of Medicare? I just don't think that's going to be very popular with some of our older voters.

But let's say that you're a different person. Let's say that you have a small business. This bill is going to tax your small business a whole lot. You're saying, I'm already struggling. I'm barely making ends meet. We've got a lot of unemployment in America. If I had some money, I'd be able to add some new machines, get my small business going, and we could help the unemployment. But now you're going to tax me to death on a bunch of this socialized medicine. So the small businessman is not going to like it, the guy who is pro-life is not going to like this.

I yield.

Mr. BURGESS. I thank the gentleman for yielding, because that's a very good point. I had several roundtables with small business in my district over the summer. An 8 percent payroll tax will be the largest single tax ever levied upon small businesses in this country. Think about that for a minute. We just hit, what, 9.6, 9.7 national unemployment.

Mr. AKIN. We've got unemployment that's just running away. The statistic almost everybody knows is that I think it's pretty close to 79 percent of the jobs in America are with companies with 500 or fewer employees. So small business employs almost 80 percent of Americans. And what are we going to do? We're going to slam them with an 8 percent tax on top of things right now with unemployment already at 8 or 9 percent.

Mr. BURGESS. If the gentleman will further yield, all last month I heard from small business people either at home or who came up to Washington to see me. I heard from a lady who has a saddle manufacturing plant in Fort Worth; I heard from cardiologists; I heard from air-conditioner compressor remanufacturers in my district. I heard from literally butchers, bakers, and candlestick makers, all concerned, yeah, the economy may be doing a little bit better in north Texas. Yeah, maybe those aren't wild leaves; maybe those are in fact green shoots.

I said, Well, are you looking to expand business or add any jobs? No, I am not, because I don't know what you're doing to me in health care. I'm scared to death about what you're going to do with this energy bill. I haven't a clue what you might do with this financial service reregulation you're going to do, and it is too uncertain.

When I look across the horizon, all I see is the abyss. I cannot possibly add a job in this environment that Congress is doing. Forget the economy; forget the worldwide situation. It is what Congress is doing; the uncertainty that Congress has now injected into the small business climate, small business environment.

They are holding back on adding jobs in a climate where, otherwise, maybe if I could find a banker to loan me some money to do something, I might do it, but not if I'm going to face an 8 percent payroll tax, not if I'm going to have to pay more for my energy or, by the way, pay some sort of premium in a carbon offset somewhere at some point in the future. And, oh yeah, who knows what this financial regulation is going to do to me if I'm a financial planner.

All kinds of businesses in my district, the multiplier effect of perhaps those one or two jobs in every small business spread out across my district, spread out across my State, spread out across the country; and is it any wonder that our unemployment rate is 9.7 percent?

Mr. AKIN. The sad thing is that, to a large degree, we're doing it to ourselves with this kind of overkill legislation. This almost looks like somebody has got a solution looking for a problem to justify it.

I notice that we're joined by my good friend, Congressman FORTENBERRY. I'd like to yield some time to you so you can be part of our discussion.

I have to say that Congressman FORTENBERRY is highly respected. He is one of these level-headed kind of decent guys. Everybody likes him.

You've got to have some people in your district talking to you about this. What are you hearing, Congressman?

Mr. FORTENBERRY. Well, first of all, thank you for your comments, and it's a pleasure to join you this evening. I didn't have the benefit of the conversation in its fullness before joining you just a moment ago, but I would like to try to make a contribution to what you're saying, if you can yield a few minutes to me.

Mr. AKIN. I yield. We're basically enjoying having a conversation here. A little bit like going to dinner with your Congressman, except the food, you have to provide that for yourself.

Proceed, please

Mr. FORTENBERRY. Thank you. I think, if I could reframe this for just a moment, I think there's a central question we should all be asking ourselves on both sides of the aisle, and including the administration: How do we actually strengthen health care in America? How do we answer a fundamental question as to reducing cost, improving health care for all Americans, and protecting vulnerable people?

If you start to frame how we move forward on appropriate public policies that improve health care, reduce cost, and protect our vulnerable people, you begin to get actually underneath the reasons that we're in a circumstance now where you have a large section of America that is pretty happy with its health care, but generally unhappy with the rising cost. You have another section of America that has real problems with gaps of insurance coverage either because of preexisting conditions or loss of job and an inability to afford a product individually. That's a real problem.

Then you have certain vulnerable populations who, frankly, end up in the emergency room a lot of times; whereas, if there were alternative methods of care, primarily for primary care, that would reduce that cost as well. So how do you begin to answer those questions, I think.

One is—and I think there has been a certain bipartisan focus on this—and that's this positive in this overall debate—but it's the whole issue of health and wellness.

Our total health care bill in this country is about $2.2 trillion. About 75 percent of that is actually due to the onset of chronic disease. A major portion of that could actually be prevented or better managed with significant cost reductions.

For instance, some estimates suggest that 80 percent of cardiovascular disease could actually be prevented or better managed. Can you imagine the hundreds of billions of dollars that we could be saving if we had a cultural shift in the paradigm of health that looked at incentivizing both prevention and wellness? I will give you a few examples.

In Nebraska, we have a rehabilitation hospital called Madonna Rehab Hospital, and we actually held a committee hearing, a public hearing in the field back home on putting the health back in health care. It was a subcommittee of the Agriculture Committee, which we held back in August.

Madonna Rehabilitation Hospital's principal testified they have a 1.7 percent increase in their annual health care bill over the last 5 years. Incredibly low.

Mr. AKIN. Only 1.7, gentleman? That's not very much increase. Most people's insurance jumps 20 percent a year.

Mr. FORTENBERRY. Exactly right. They have a very aggressive, progressive health and wellness program

where you're actually incentivized to watch your health, to take measures to actually engage in preventative care. The largest employer in Nebraska actually has a 50 percent lower increase—it's still increasing—in their own health care cost because they aggressively incentivize prevention as well.

A manufacturing entity in my hometown of Lincoln has a $5,000 per employee cost for their health insurance versus $8,000 dollars in the industry average because, again, a strong focus on health and wellness.

Right now—and, Doc, you might want to add something—we tend to pay the medical establishment, the systems, to fix or cut or prescribe. And if we incentivize wellness for persons who are in insurance plans to actually have incentives to watch their own cost, perhaps through expansion of health savings accounts and other entities that allow for the creative opportunity for families and individuals to better control their own health care as well as companies paying directly for prevention, and then incentivizing the medical establishment to be paid or to be reimbursed basically for that type of care, you'll begin to get to one of the major cost drivers that has left us in this situation. Hundreds of billions of dollars could potentially be saved.

Mr. AKIN. Gentleman, I really appreciate your approach of trying to solve problems. We have focused for some of our discussion this evening on the things that are wrong with basically having the government take the whole thing over and socialize it. But we have also been criticized by the President and others that the Republicans don't have any kind of solutions to health care, which you just showed was a tremendous amount of innovative and very kind of strategic thinking in terms of how do you approach this. I think maybe it would be worthwhile. Doctor, I ask you to join us, please.

Let's just kind of tick off some things that—just think about our Republican colleagues and friends. I'm going to just toss out a few things that I would figure get at least 90 percent, probably 95 percent from our colleagues.

One of them is that the big companies and employees of big companies get to pay for health care with pretax dollars, but the small business guy and the individual has to pay with after-tax dollars. I think most of us would say justice means that people are treated equally before the law, and that if we're going to allow people to buy their medical insurance with pretax dollars, that should be made available to everybody.

Don't you think that we'd get a 95 percent on that, probably?

Mr. FORTENBERRY. If I could speak, Doctor, real quick.

Mr. BURGESS. I think on our side of the aisle, no question, you'd get 95 percent. I can't speak for the whole House.

Mr. AKIN. I'm not speaking for the whole House because they want the government to take things over, apparently. That's just one idea. I toss out another one.

Mr. FORTENBERRY. You've made a very good point that there is an unequal tax treatment based upon your defined status in the Tax Code. And if you're an individual left out there on your own versus a multistate corporation, you have a different incentive, basically, based on the Tax Code structure. I agree with you, it's unfair.

Mr. BURGESS. Further, a multistate corporation actually has the ability to deliver their health care product over State lines. Individuals in the individual market are prohibited from buying insurance across State lines.

Mr. AKIN. Which therefore, Doctor, suggests?

Mr. BURGESS. It would suggest when the President stands up before us and says there's a place in Alabama where there's only one insurance company—sure, insurance companies tend to form natural monopolies. But if you remove the barriers rather than adding another company for competition, which is a government-run option, why not remove the barriers and open it up to the 1,200 or 1,300 companies that might like to compete for that business in Alabama.

Mr. AKIN. Fleshing that idea out a little bit, in the case of Missouri, where I'm from, you've got Kansas City; half of it's in Missouri and half of it's in Kansas. So if somebody in Missouri kind of goes over the line into Kansas and finds out, Hey, I can get a couple hundred bucks less a month on the same health policy, why can't I buy that policy from an insurance company in Kansas?

So what you're saying is, Yeah, that's okay. Allow people to shop for insurance across lines, which then reduces the monopoly problem in the insurance industry. That's something that don't you think most Republicans would support that idea?

Mr. BURGESS. The real tragedy in this debate is we've never really explored those types of ideas. Maybe it doesn't need to be throughout the entire United States. Maybe there could be regions. Maybe there can be reciprocity between States that make that agreement. But we've never even explored that.

One of the things that really concerns a lot of people when they look at this bill is you get 10 years of taxes and 6 years of benefits. Remember, none of these good things that are going to come people's way and lift the burden of health care off their shoulders, none of them happen until after the next Presidential election.

Part of that is to keep the score low on the Congressional Budget Office; part of that is because, again, it's going to take a long time to set up those programs. We don't even have an administrator at the Centers for Medicare and Medicaid Services right now. And that's the individual who's going to be charged with setting up many of these programs.

So, in the meantime, we do need to do something to cover those individuals with preexisting conditions, those individuals who get a tough medical diagnosis, their insurance is rescinded from them. Nothing is more offensive to Americans than to think that someone has played by the rules, written that check every month, they get a tough diagnosis and the insurance company finds a reason to drop them.

If there's been outright fraud in purchasing the policy, maybe so. But in so many of those cases it is really iffy why those policies are dropped. We could fix that.

Mr. AKIN. Which, again, gets to another Republican proposal for portability. I mean, you know something isn't right with the way insurance is written when somebody does all the right things. They run for a number of years, they buy insurance, and all of a sudden their kid gets sick with juvenile diabetes or something very expensive. Then they changes jobs or something and now they're uninsurable. They fall through the cracks.

That's not the way the system should work. That would be a very admirable thing if the House were to just focus on fixing that problem. That would be very good work. No, we have to scrap everything. We've got a hundred million Americans with insurance policies and doctors and doctor-patient relationships, a hundred million of them, and we're going to scrap the whole thing and have the government take it over. That's irrational.

□ 2015

Mr. BURGESS. But even the President himself said here the other night when he addressed the joint session of Congress, because these programs won't be up and running quickly, maybe we should take the JOHN MCCAIN idea of the high-risk pools, the reinsurance and get people some immediate help now.

I would submit to you that if we would work a little harder on that, it may not be necessary to go the full strength of the government program. Why do we have to fix a program that is arguably working well for 60, 70, 80 percent of the population? Why do we have to change it for everyone to capture those 8 to 10 million people who get caught in that cycle of having a preexisting condition?

I yield to my friend from Nebraska.

Mr. FORTENBERRY. This is well stated, doctor, that the injustice of a person who has wrongly had their insurance rescinded has to be addressed by this body, another clear point of bipartisan agreement. Persons who have preexisting conditions through no fault of their own and are caught in a cycle of not being able to find insurance for the type of problem that they're dealing with is another point of real unfairness that I think you could find appropriate solutions for in a bipartisan way and fix.

It leads to my second point that we really ought to focus on creative new

risk pools for insurance affordability and innovation as well as increased access for people out there.

I got a letter from Affiliated Foods in Norfolk, Nebraska, the other day. They are a cooperative. Now in Texas, Missouri and Nebraska we are used to the concept of cooperatives. That's where we leverage our buying power to get agriculture inputs a lot less expensively and sell our grain a lot of times. This is a cooperative grocer who basically uses their group buying power to provide the products for mom-and-pop grocery stores throughout rural Nebraska and other States. They used to be able to buy their insurance through that cooperative, but because of the change of the law a few years ago, they can no longer do so. So it leaves the small business entrepreneur out in the rural community who is struggling to make it, to have to go out on the very expensive individual or small business market instead of using the group buying power.

Now this is a legitimate business. It is a group of people who have bought into a business plan and have ownership in it. They are stakeholders. They're going to be appropriately capitalized. There's no reason that they shouldn't be allowed to use that entity as a creative form of association to leverage group buying power to provide more affordable insurance for themselves.

Mr. AKIN. So what you're talking about now, just to kind of summarize what we have talked about, what you're talking about is what people call in this business associated health plans, the idea that people can create these pools and buy, on a discount rate, their health care. That's a pretty straightforward idea. That's something that Republicans have voted for dozens of times. So we have got associated health plans. We're saying people should have their tax treatment and when they buy health insurance should be the same. We're going to deal with the issue of portability so that when you own a policy you get to keep it and the insurance company can't just dump you.

The other thing we haven't, of course, talked about is tort reform which we have good support for that. That drives health care costs tremendously. And yet we are unwilling to really be serious about it. All of these ideas Republicans are supportive of. So the charge that we're not willing to deal with this debate is not true.

Go ahead, my friend.

Mr. FORTENBERRY. There's another option out there that we should actually have a creative policy discussion about in a bipartisan way which the good doctor just mentioned as well, high-risk pools is another option you have to insure or have the government basically subsidizing a market that does not exist for people who are priced out of because of preexisting conditions or other affordability problems, normal market rates through their business, through their individual policy. You could look at the expansion of those opportunities. We have a fairly good one in Nebraska. It's argued that it's a bit expensive for folks, but that's another way that the government, again, could use public dollars to ensure that people are adequately covered and pay normal rates or provide a reinsurance mechanism, and then as the doctor was saying, you will have gone a long way toward resolving the real difficult problems that exist for about 10 million Americans in providing affordable, good coverage. You'd probably have a bipartisan winner on your hands.

If I could add one more point, there are certain other options, maybe this is a little more controversial, but I think it's worth exploring, in terms of basic public health expansions like community health centers, where you actually help persons who are in more vulnerable situations avoid ending up in the emergency room for primary care treatment.

A combination of this, a focus on health and wellness incentives, new insurance risk pools for affordable innovative options and protecting those who are, because of preexisting conditions or other problems, priced out of those markets with perhaps other types of high-risk pool entities combined with other public health initiatives like that, you would have answered the question I posed initially: How do we improve the health of all America, reduce costs, particularly for families and small businesses, and protect vulnerable persons? We could all applaud and have a big bipartisan agreement and have accomplished, I think, what the people have sent us here to do.

Mr. AKIN. Except instead what we've had is apparently our Speaker has pulled together various people, ignored the recommendations that we had and decided, well, we just know what's best, that is the government is going to run it all, we want this public option, and we're charging down this aisle.

Basically people are wondering, well, why is this health care thing stalled? Well, the reason it's stalled is you don't just take over 18 percent of the economy, take $500 billion out of Medicare, basically allow a program which is going to allow public funding for abortion and illegal immigrants getting access to this money and all that stuff without people having something to say about it.

Mr. BURGESS. And if I may, the taxes and fees that are added on top of medical devices and insurance policies in order to pay for these programs are going to drift down to the middle class. There is no way to avoid taxing the middle class or putting a fee schedule on the middle class with the structure that has been proposed by the Senate Finance Committee.

With the gentleman's indulgence, I would just make a point that if people are interested in this debate, healthcaucus.org has documented the debate that has gone on since January and February of this year. I would just further like to point out, we do hear the complaint that Republicans have not been involved or engaged in this process. I met with the transition team in November and offered my assistance. I was never called back. I met with the chairman of my Committee on Energy and Commerce in January and never received a call back. I submitted 50 amendments to our bill in committee and had several of them accepted toward the end.

Republicans do have ideas. They are reasonable ideas. They deserved a fair hearing and a fair airing in committee. Unfortunately we were denied that opportunity, because as the gentleman correctly points out, as the deputy President has said, ''Never let a good crisis go to waste.'' They were determined to use this economic crisis to expand the reach and grasp of the Federal Government in health care.

Here is the reality: If the President had really wanted to do this, they could have done it in February when the Presidential approval rating was near 80 percent. No one would have been able to stop him. It could have been signed into law before the month was over.

Mr. AKIN. I would like to thank my good friend, Congressman BURGESS and also Congressman FORTENBERRY. Thank you very much.

## BREAST CANCER AWARENESS

The SPEAKER pro tempore (Mr. MCMAHON). Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 60 minutes as the designee of the majority leader.

### GENERAL LEAVE

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this bipartisan Special Order on the subject of breast cancer awareness.

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

There was no objection.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, tonight, like so many times before, I stand with my friends and colleagues on both sides of the aisle to address an issue that is both personal and universal.

As you may know, October is National Breast Cancer Awareness Month. It is a privilege to be with fellow survivors and advocates celebrating 25 years of breast health awareness education and empowerment.

Breast cancer is the leading cause of cancer deaths in women ages 15 to 54 according to the National Cancer Institute. In 2009 alone, the American National Cancer Society estimates that there will be 194,280 new cases of breast

cancer across the nation, and 40,610 of these Americans will die from the disease.

Although these statistics may seem discouraging, we have made significant progress. Steady declines in breast cancer mortality among women since 1990 have been attributed to a combination of early detection and improvements in treatment. When breast cancer is detected at early stages, the survival rate for women is 98 percent. Simply stated, many of these improvements would not have happened without Breast Cancer Awareness Month and its focus on research, education and awareness which increase early diagnoses and save lives.

On a personal level, I know the importance of early detection. Nearly 2 years ago, after I found a lump in my breast while doing a self exam in the shower, my doctor diagnosed me with breast cancer. I had just turned 41. Having been a legislator for more than 17 years and having passed breast cancer legislation, I knew a lot about breast cancer. I knew the importance of early detection, clinical exams every 3 years after age 20, every year after 40, mammograms every year after 40, and yet for all that I knew, I soon realized how much I didn't know. I knew about the BRCA1 and BRCA2 gene mutations, the so-called breast cancer genes, but I didn't know that some women were more likely to have the mutation. I didn't know that even with no immediate family history of breast cancer, as an Ashkenazi Jew I was five times more likely to have the mutation or that I would have up to an 85 percent lifetime chance of getting breast cancer and up to a 60 percent chance of getting ovarian cancer.

I knew that young women can and do get breast cancer. But like a lot of young women, I didn't know just how many of us it touches. And after talking with health care providers, survivors and advocates, it became clear that many other young women did not know these things either. Despite our seeming wealth of knowledge on breast cancer, an astounding 40 percent of young women with breast cancer said that prior to their diagnosis, they did not know that a young woman could get breast cancer.

That's why on March 26, cancer-free and determined to be among the last young women who did not know enough about breast cancer, I introduced H.R. 1740, the Breast Cancer Education and Awareness Requires Learning Young Act, or the EARLY Act. And just this morning, the Energy and Commerce Committee's Health subcommittee held a hearing on this critical legislation as well as several other important breast cancer legislation.

The EARLY Act is designed to educate young women and their physicians about breast health and provide support for young women diagnosed with breast cancer. Young women must learn to be their own voices, to speak up for themselves and know when they need to go to their doctor, because at the end of the day the old saying rings true, ''knowledge is power.'' And when the EARLY Act becomes law, we will fulfill the vital goals of Breast Cancer Awareness Month, increasing education, research and awareness all year long.

However, research, education and awareness are not all that we focus on when it comes to Breast Cancer Awareness Month. We must also take this opportunity to honor and recognize the people close to us who have won their fight against breast cancer, those still fighting, those we have lost, and those who are working hard every day to make sure no one else dies from breast cancer.

We honor the determination of those women and the hope that their courage gives us all. It is an honor to be here tonight, standing together in solidarity as we observe Breast Cancer Awareness Month, wholly committed to increasing early diagnoses, saving more lives and ultimately finding a cure to wipe out this deadly disease. Together, we will save more of our moms, our sisters, our grandmas, our daughters and our loved ones. We can and will empower women to learn the facts, know their bodies, speak up for their health and embrace support.

Mr. Speaker, I am particularly pleased tonight in an environment in which sometimes, in fact too recently, we struggle to do almost anything in a bipartisan fashion, and the intensity and the fervor in which we engage in debate here often prevents us from coming together. The Members of the House of Representatives truly came together today in support and in honor of Breast Cancer Awareness Month. They came together in honor of women who have passed away from breast cancer, in honor of survivors, in honor of women still fighting the disease.

It is my privilege to yield to and introduce my very good friend, fellow breast cancer survivor, someone who has been there for me even before I shared my own story publicly, Congresswoman SUE MYRICK, the gentlelady from North Carolina.

Mrs. MYRICK. Thank you so much. I really appreciate Ms. WASSERMAN SCHULTZ for her efforts in organizing this Special Order tonight. I especially want to commend her for the courage that she had in being willing to share her story, because she won't have any idea of how much this is going to mean to people. There will be people that will be touched by what you did for years to come because you were willing to speak out and to do this legislation. So thank you for introducing the bill as well.

As was noted, October is the 25th anniversary of Breast Cancer Awareness Month. And we have made great strides. Just this week, it was announced that scientists in Canada have, for the first time, decoded all of the 3 billion letters in the DNA sequence of a certain type of tumor. And in the process, they found all the mutations, or the spelling mistakes, that caused the cancer to spread. We know there is a lot to be done in this fight. And I'm also particularly concerned about young women who are diagnosed with aggressive cancers. We've been concerned for some time. That's why we worked with the National Institutes of Health and the environmental people to see if there are links there to figure out why young women in their 20s and 30s are developing breast cancer. It used to be an older person's disease.

□ 2030

So there is a lot of work to be done in that area as we move forward.

But in my city of Charlotte, there was a group of young women in their twenties who were survivors of breast cancer, which they didn't expect. They really just felt so alone, and they formed a group called Breast Friends as a support group. The unfortunate part is this group is growing. It's growing a lot faster than we would like to see it grow. That's one of the challenges we're facing is that so many young women are being diagnosed with this disease. That's the reason I'm pleased to be the lead cosponsor on this bill, the EARLY Act.

Representative WASSERMAN SCHULTZ has done an excellent job, and it does address some of the needs that younger women who are breast cancer patients and survivors have because it's a unique battle. It's different than has been faced in the past when it comes to diagnosis and treatment and decisions that need to be made. It's a lot different than what those of us who are older, who are survivors have had to face and will have to face in the future.

I have always supported breast cancer research funding over these many years, and there is no doubt that it's an important piece of the puzzle, but education efforts like those in the EARLY Act are also an important piece, because most younger women don't think they can get breast cancer and society tends to tell them, Wait until you are older to get a mammogram. Now there is even talk that self-exams aren't really the way to go. Well, I disagree with that. You are a good example of that one.

We all need to help spread the word. We have got a lot of work to do, not only in our districts, but we need to continue this fight to find a cure. So I thank all of the colleagues that have joined us tonight in this Special Order. It means a lot to everyone, and I also know that they're going to go home to their own districts and do all the advocacy work that we all do over a period of time, and hopefully we will find a cure one day.

With that, I yield back.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, the gentlelady from North Carolina (Mrs. MYRICK) has been such a passionate advocate on behalf of all cancer patients. As the co-Chair of the Congressional Cancer Caucus, she has

done an absolutely incredible job at raising awareness not just about breast cancer but about all types of cancer. I think, given how much cancer has touched Americans' lives in a very personal way, it's important that we have local advocates like SUE MYRICK, and it's my privilege to be side by side with you as cosponsors of the EARLY Act. Thank you so much.

It's now my privilege to yield 4 minutes to the gentlelady from California, LOIS CAPPS, who has a health care professional background as an RN, prior to her election to Congress, and has been one of the leading voices in women's health in the House of Representatives.

Mrs. CAPPS. As one of the co-Chairs of the House Cancer Caucus, along with my friend and colleague SUE MYRICK, I am so pleased to join my colleagues here tonight. I applaud you DEBBIE WASSERMAN SCHULTZ and SUE MYRICK for organizing this Special Order, this time together, and for the legislation that you have introduced. I acknowledge my own sister, a breast cancer survivor, and I acknowledge our sisterhood.

There were men and women standing on the Capitol steps today who have worn pink today in recognition. It's a lot deeper than that, but there is a sisterhood of those who have been touched by this disease, and the men who have been touched as well, some with breast cancer, also men who love people with breast cancer and have stood by them and supported them, and that network has really made all the difference.

I applaud the amazing work of the advocacy groups for all that they do on behalf of breast cancer patients and their families. It's because of them that we've really come such a long way in the fight against this disease. And because of them, we've taken this disease out of the closet. The advocates against breast cancer and for understanding it have paved the way for many other disease entities to have survivors, and those touched by it really become vocal and become the strong voices.

When I first became a nurse—and that was many years ago—the word ''cancer'' was hardly ever said out loud in public, and you never said the word ''breast'' in public. But everyone who has worked so tirelessly over all the years to make sure that people understood that these are not words to be embarrassed by or shamed by but, rather, to be empowered by, they encourage us to know how to be more aware of how to take care of our own bodies through prevention and early detection, and that's a lot about what this legislation is about.

So now we've reached an age and a time where more and more women know the importance of self-exams, of learning about family histories and risk factors and taking advantage of early detection mechanisms like mammograms. But far too many women still face barriers. Too many women are discriminated against by insurance companies for having this disease. Whether it's the egregious practice of kicking you out of the hospital too soon after reconstructive surgery or posing barriers to accessing annual mammography, we need to put an end to these practices, and I am proud to be a cosponsor of legislation to do so.

I also applaud efforts to target populations that are still marginalized—minorities and young women. Both of these populations need better access to information and better access to quality care. We need to pass legislation to make information and quality care more accessible.

So I proudly stand with my colleagues who are championing efforts in Congress to improve breast cancer research, awareness, detection, and treatment. I do this on behalf of my constituents, my family, my friends, people who know all too well what it's like to receive the diagnosis of breast cancer.

Ms. WASSERMAN SCHULTZ. Thank you so much. Again, the gentlelady from California, LOIS CAPPS, has been just one of the most outstanding health care advocates in the Congress. I knew about her advocacy and her leadership in health care even before I arrived in Congress in 2004, and it is a privilege to serve with you. It truly is.

It's now my privilege to yield 2 minutes to a woman who has recently joined the Congress, was elected in the class of 2008, worked hard to get here and has been doing a fantastic job, served in the Nevada State Senate as the State Senate minority leader and is a good friend of mine, Congresswoman DINA TITUS from the great State of Nevada.

Ms. TITUS. Thank you so much.

As we begin Breast Cancer Awareness Month, I'm honored to stand here with my colleagues and recognize those women we know who have battled breast cancer. First let me thank DEBBIE WASSERMAN SCHULTZ for her leadership on this issue. Her personal courage and subsequent push for education and early detection are both inspiring and encouraging.

Unfortunately, everyone has a story, one of their own experiences or those of a friend or a family member who has battled cancer. Each year we lose mothers, sisters, daughters, and friends to breast cancer. In Nevada, an estimated 1,270 new cases of invasive breast cancer were diagnosed among women in 2008, and 430 of those women died of the disease. This is a tragedy, and what makes it even more tragic is that many of those deaths could have been prevented if women knew the risk factors and if researchers had what they needed to make breakthroughs in understanding and curing cancer. I believe we must empower every woman with the tools she needs to fight this deadly disease. Women should have access to the latest health information, undergo frequent health screenings, and receive preventive care.

Sadly, Nevada has one of the lowest mammogram screening rates nationally. Recent estimates are that only 54 percent of women over the age of 40 have had a mammogram in the past year. Nevada is currently ranked 48th in the Nation for percentage of women ages 40 to 69 who obtain mammograms annually. This is just unacceptable.

And unfortunately, too many younger women think that breast cancer is something that happens to older women, yet it's the leading cause of cancer deaths in women under the age of 40. So we must redouble our efforts to reach out to young women, to increase awareness of the threats and the warning signs that lead to early diagnosis. That's why I'm proud to also be a cosponsor of the EARLY Act.

Too often, women who have undergone a difficult surgery, both emotionally and physically, find themselves forced by their insurance companies to leave the hospital before they're ready. This, too, is unacceptable. Women must have the adequate support after breast cancer surgery that they need to get them on the road to recovery.

Indeed, we have all been touched by cancer. It can be a devastating disease, and those who have fought and are fighting it demonstrate a remarkable strength every day. They teach us all the lessons of life and living and the importance of family and friends. I believe they are true heroes who are role models for us when it comes to strength and courage.

While breast cancer has affected too many women in Nevada and across the country, there is also an enduring hope that we can join together to search for a cure. Between the strength and determination of breast cancer survivors and the generous spirit of volunteers, I'm optimistic that we can defeat breast cancer if we stand together in this fight.

Ms. WASSERMAN SCHULTZ. Thank you so much, Congresswoman TITUS. Your leadership and the fact that you've joined the Congress added another woman to our ranks. Women's health and making sure that we can focus the attention and the agenda on women's health here in the United States House of Representatives is so incredibly important. We already have a sort of head cheerleader, so to speak, although I don't mean to trivialize her position. But the first woman, Speaker of the House of Representatives, has been a passionate advocate for women's health and has always encouraged making sure that we have more women join our ranks. You've done an incredible job since you've been here. I'm so pleased that you've joined us in the House of Representatives.

Mr. Speaker, I want to spend a couple of minutes just highlighting some unique facts that, really, most people are unaware of when it comes to breast cancer. What I've learned since my own diagnosis and since getting involved in a more personal way in trying to pass the EARLY Act is—we all hear the expression, Everyone knows someone who

has breast cancer. Well, today we really can say that everyone had someone close to them that had breast cancer.

It's just amazing after I shared my own story how many—I was standing there in the well the day that I shared my story with folks, and I can't tell you how many Members came up to me and touched my arm and said, DEBBIE, my daughter had breast cancer, my mother, my sister, my wife. People stopping me on the street, on the airplane, on the ball field with my kids. It's amazing. The outpouring of people reaching out to connect with me has just been absolutely incredible, because breast cancer touches so many people and touches women in a very personal way. But what's really frustrating about breast cancer is how it strikes certain populations in a more deadly way.

Another thing that I realized is that there are higher risk populations that too often are unaware of their risk. Like me, as an Ashkenazi Jewish woman, I was not really aware of my risk of having a greater likelihood of carrying the BRCA1 or BRCA2 gene mutation. Subsequently when I was diagnosed with breast cancer, I did a genetic blood test and found out that I am a carrier of the BRCA2 gene. But in doing research for the EARLY Act, the statistics that I learned about African American women and breast cancer were really startling.

African American women have the highest breast cancer death rate among minority women. It's 34 per 100,000 people in the population, African American women from ages 35 to 44. So younger African American women have a breast cancer death rate more than twice the rate of white women in the same age group, and they are 34 percent more likely to die of cancer than are whites, and more than twice as likely to die of cancer as are Asians or Pacific Islanders, American Indians or Hispanics.

We have got to raise awareness in higher-risk populations and minority populations, and we have to change the disparity, the disparity in the survival rate and the disparity in terms of access to health care for their populations, because we know that early detection is the key.

At this time, to talk some more about that, is a very good friend of mine, another newly elected Member from the great State of Pennsylvania, professionally a dietitian before she was elected to Congress, a small business owner, and most importantly, a mother of five. I now yield 3 minutes to the gentlelady from Pennsylvania, KATHY DAHLKEMPER.

Mrs. DAHLKEMPER. Thank you so much for asking me to join you tonight as we have this very Special Order hour to honor Breast Cancer Awareness Month and to recognize those that battle breast cancer across this country. But more than that, we're here to deliver an important message to the American people tonight.

Not only are we on your side in the fight against breast cancer, but we are one with you in the fight against breast cancer. We are one with you not simply because we believe in your cause and to share your goals, and it's not only because we empathize with your hardship, we are one with you because breast cancer is just as real for us as it is for millions of Americans across the country.

This disease, as it's been said tonight, knows no boundaries, knows no borders. It's blind to race, socioeconomic status, and age, and it certainly does not care whether you are a Member of Congress. All in all, nearly 150,000 women will be diagnosed with breast cancer this year, and more than 40,000 women will, sadly, succumb to the disease.

But what do these numbers really mean? They are certainly alarming and give us pause, but the truth behind these numbers is that 150,000 families will confront a crisis this year; 150,000 families will be subjected to the fear they may lose a mother, a sister, a daughter or a dear friend, and 40,000 families will see that fear become a reality.

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Like so many American women, breast cancer became a real cause of concern for me, but I was one of the lucky ones. When my doctor told me I needed a biopsy to check for breast cancer, I was scared and worried what it would mean for my family. But, thankfully, breast cancer never became a reality for me. My biopsy came back clear.

Other women I know were not as lucky as I. Numerous friends have lost their mothers to breast cancer. Witnessing our loved ones suffer is a pain that cannot be accurately described. And that's why we are here, to honor Breast Cancer Awareness Month and to show our solidarity with the hundreds of thousands of women battling breast cancer now and celebrate the more than 2½ million women who are breast cancer survivors.

I would like to share with you some stories from real women from the Third District of Pennsylvania.

Cindy Hanna of Mercer County was 38 years old when she was diagnosed with breast cancer in 2003. Cindy was one of the lucky ones. She had a mammogram on her doctor's recommendation that caught her cancer early, and she is now a breast cancer survivor.

Cindy shared her experience in the Sharon Herald paper. She quotes: ''I had no symptoms. I wasn't even thinking cancer. My cancer was very close to my spine, and if I had waited until I was 40, like most doctors recommend, who knows what would have happened.'' Cindy is now the coordinator of the Medical Equipment Recycling Program at UPMC Horizon in Farrell. This month she is tying pink ribbons in towns across her county to help raise awareness and encourage women to get mammograms early, like she did.

Sue Kilburn of Meadville, Pennsylvania, was diagnosed with breast cancer when she was in her late 40s after an annual mammogram. Her doctor told her she had to choose between a lumpectomy and a mastectomy to treat the disease. She shared her journal with the Meadville Tribune Newspaper, and she writes:

''The words ring out unlike anything I have ever experienced before. I find no anger, just feel numb, dumbfounded and questioning how? When? It was just a routine mammogram.''

She survived her battle with breast cancer, and now she works as a clinical nurse breast care educator at the Yolanda G. Barco Oncology Institute. The position is funded through a grant from the Susan G. Komen Foundation.

Cindy and Sue are heroes. They are survivors. And they are committed to helping women beat breast cancer. For Cindy and Sue and thousands like them, early detection saved their lives. Because they had regular mammograms, their cancer was detected early. When tumors are detected early, we know they are nearly 100 percent treatable.

This Breast Cancer Awareness Month, let's encourage the women in our lives, our mothers, our sisters, our daughters, and friends, to get a mammogram. Early detection saved Cindy and Sue, and that's why I support the EARLY Act. Let's work together to make their stories the story for every woman diagnosed with breast cancer.

I thank you.

Ms. WASSERMAN SCHULTZ. Thank you so much, Congresswoman DAHLKEMPER. Again, it was a thrill to see you come to the House of Representatives and add your expertise, particularly as a dietician, and thank you for sharing those personal stories from your district in Pennsylvania.

The important thing about Breast Cancer Awareness Month, and when we talk about breast cancer it is putting a face on it, helping people to understand, because so often statistics are really easy to just kind of glaze over and stop paying attention to.

Here tonight to help us continue to raise awareness is the gentlewoman from southern California, SUSAN DAVIS, who has made health care a signature issue during her time in both the California Assembly as well as the United States House of Representatives, a member of the Education and Labor Committee, one of the three committees in the House of Representatives that passed part of the health care reform legislation, and she has also been a leader by pushing for billions of dollars in funding for NIH.

I yield to the gentlewoman from California.

Mrs. DAVIS of California. I am so happy to join my colleagues here this evening, and I want to thank you, Congresswoman WASSERMAN SCHULTZ and Congresswoman MYRICK, for your leadership on this issue.

Some years ago I decided to participate in a 3–Day Breast Cancer Walk in

my hometown of San Diego. I had had a college roommate who, with successful treatment, had survived breast cancer, and I wanted to show my support. Walking would mean being with many women and men across San Diego who, like her, had fought the disease, and I knew I'd also be supporting many organizations that have worked to heal them.

I remember thinking about how I would find the time to train for the walk, because I wanted to be certain that if I took it on that I was going to complete the walk. And with time-management skills and congressional travel schedules, I wasn't sure how that all would work out, but I was really delighted to have signed up.

Breast cancer hadn't really affected me personally. The disease hadn't struck my family. I just felt the need to walk with others.

Soon after I signed up for the event, I was looking forward to joining my sister and her husband for dinner and just catching up on our lives and sharing stories of our children. I was actually really excited to also tell her that I had signed up for the walk. She's a marathon runner, and I thought maybe she wanted to join me since walking for 3 days would probably be really easy for her.

But my sister at that dinner had news of her own to share. She had just had a biopsy and it had come back malignant. Her diagnosis: breast cancer.

Far too many people know what it's like to sit there as I did and hear that news from someone that you love so dearly. And I know my colleagues on the floor today have expressed that as well. At that point my commitment and passion for the walk was only heightened, particularly as I spent the next 6 months or more talking with my sister about her treatment and her progress.

During the 3-day walk, I listened to so many people whose loved ones had been personally affected by breast cancer. As you know, each story is really heartbreaking and inspiring all at one time. I remember all the T-shirts with the pictures, and many of them were of loved ones who had lost their lives to breast cancer.

It's because of my sister and my roommate and my colleagues here that I have heard so much about breast cancer. And I'm so proud to work here in Congress to promote much of the legislation that we have talked about today. Legislation like the Breast Cancer Patient Protection Act, the Breast Cancer Education and Awareness Requires Learning Young Act, the EARLY Act, and other bills on this issue. I also strongly support the Department of Defense Breast Cancer Research Program, which is resulting in exciting advances to find better treatments and eventually a cure. And I know that so much has changed since that 3-day walk I took quite a few years ago.

As everyone has said, at some point in their lives, nearly every American will have a family member or friend who battles breast cancer. We must do more to ensure that women of all ages, including younger women, know how breast cancer can affect them.

My sister was fortunate to have treatment that allowed her to continue her work and take care of her family. And I am so grateful and happy to stand here and say that she has been in remission for more than 6 years.

But I know that everyone's story is not like hers. Many women, and men, lose this battle every year.

I am just proud to join with my colleagues this evening, and I want to thank them again for honoring so many who in their lives have survived breast cancer and remembering those who didn't. We need to continue to support increased education awareness and the momentum that will bring us all to a cure.

Ms. WASSERMAN SCHULTZ. Thank you very much.

It's now my privilege to introduce and yield to a gentleman who is, again, another recent addition to the House of Representatives, elected in November of 2008, someone who I have really seen exercise incredible leadership since his election to the United States Congress, and apparently the token man here tonight. So it's really especially wonderful that he has joined us.

STEVE DRIEHAUS hails from Ohio and is the former minority whip in the Ohio House of Representatives. He is also a former Peace Corps volunteer, which, to me, that kind of altruism and volunteerism is so incredibly admirable. He is the father of three young children, whom I know he is most proud of.

It's my pleasure to yield to him on behalf of Breast Cancer Awareness Month.

Mr. DRIEHAUS. I thank the gentlewoman for yielding. And I want to acknowledge the tremendous work of Congresswoman WASSERMAN SCHULTZ and Congresswoman MYRICK on this issue.

I hail from the great State of Ohio. We looked into the breast cancer statistics in the State of Ohio, and we learned that more than 8,000 new diagnoses occur every year for men and women in the State of Ohio with breast cancer. And nearly 2,000 breast cancer fatalities still occur every year in the State of Ohio.

While this rate has declined in recent years, in part due to the emphasis on early detection and treatment, we all know that it's still way too high.

In Southwest Ohio, we've made progress. We have the Breast Cancer Alliance of Greater Cincinnati, focusing on advocacy, education, and communication. We have the Cris Collinsworth ProScan Fund, promoting breast cancer awareness and education, providing access to early breast cancer detection services, and offering support to breast cancer patients. We've got the Breast Cancer Registry of Greater Cincinnati, housed at the University of Cincinnati College of Medicine, which is designed to obtain information from and about women and men diagnosed with breast cancer, with a purpose to support research about the causes of breast cancer.

But while all of these things lead to greater awareness and greater education around breast cancer, it's interventions like the EARLY Act and the Breast Cancer Awareness Month that help us bring national attention and national focus to young women, older women, young men, and older men about the dangers of breast cancer.

I remember when I was just a little boy my grandma's being diagnosed with breast cancer. I didn't know what it meant at the time. I knew grandma was sick. I knew she was in trouble. She eventually succumbed to cancer. And I think just like every one of us, we have those stories. But back then when I was a little boy, we didn't have this awareness about breast cancer. We didn't have the early diagnosis that we have today. And that's why so many women lost their lives to this dreaded disease.

We are making progress in this country. We are making tremendous progress. And it's through actions like the EARLY Act, it's through actions like Breast Cancer Awareness Month that we make that progress.

So I again want to applaud my colleagues on the floor tonight and lend the voice of the men of America in support of these efforts. I am proud to be a cosponsor of the legislation. I think it's a critically important piece of legislation, and I appreciate your taking the time tonight to again educate the people in America on the issue.

Ms. WASSERMAN SCHULTZ. Thank you so much, Mr. DRIEHAUS. Again, it has absolutely been a privilege to work with you since you joined us in the House of Representatives. You've been really doing an incredible job, and I appreciate especially your taking time out of your evening, especially late in the evening, 9 o'clock at night, to help raise awareness about the importance for women to focus on their breast health and to help women and men be focused on breast cancer awareness in this month of October and all throughout the year.

It's now my privilege to introduce someone whom I have come to know over the last number of years and whose district I have traveled to on a number of occasions and whose leadership I've seen demonstrated both in her hometown of Columbus as well as here on the floor of the House. She served as a former school board member in Franklin County, a former county commissioner in Franklin County, and now serves in the United States House of Representatives with distinction.

I yield to the gentlelady from Ohio, MARY JO KILROY.

Ms. KILROY. I want to say thank you to both of my colleagues, Representative MYRICK, with whom I have the great honor of serving as one of the

co-Chairs of the bipartisan Congressional Cancer Caucus, and of course the gentlewoman from Florida for your strength as cancer survivors and for leadership on this issue.

I am lucky, Representative WASSERMAN SCHULTZ, to have you as a friend, and I appreciate very much the kind comments you made just a few minutes ago about me. You have taught me so much about this Chamber and what it means to serve here as a Member of this House.

□ 2100

Last weekend, we saw some very interesting things happen on the football fields. We heard earlier from Representative CAPPS—and I remember those days when breast cancer was something to be whispered, when my mother and her sisters or my father's sisters would whisper in the other room about somebody who had been diagnosed, and things have changed that way.

And last weekend we saw some very large athletes who are man enough to wear pink. Hundreds of NFL football players shed their dirty cleats for fresh pink and white athletic shoes to show their support for Breast Cancer Awareness Month, to show their support for their mothers or sisters or aunts or grandmothers or for the thousands of women diagnosed with breast cancer in this country.

Awareness is very important. And I think awareness helps lead to action, the kind of action that we've talked about tonight with our sponsorship of the EARLY Act, the kind of action that dedicates resources to research and to access to health care.

The pink wave was a wonderful show of solidarity for cancer survivors and for continued research funding that we in this Chamber have supported. And while professional athletes get a lot of attention, I would like to call your attention to the next generation of athletes, to some women in my district who are also drawing attention to the cause and to the fight for a cure. In fact, they are instead of running for the cure, they are volleying for the cure.

And this week I visited Hilliard Bradley High School and presented each member of the Hilliard Bradley volleyball team with a recognition certificate for their service to the community through the Volley for the Cure event that took place at their high school on September 14. The Hilliard Bradley volleyball team and their coach, RyAnne Ufferman, with the support of small businesses and the community of Hilliard, raised $2,300 for the local affiliate of the Susan G. Komen Race for the Cure. The team had a T-shirt, a bake sale, and a raffle at their match against Fairbanks Local to raise awareness and money for the cause.

It's great that these young women recognize an issue that is facing us as women in this country, the need to raise further awareness and further resources so that we have a cure. And I was so pleased with them for their leadership. This is a new high school. These are not the seniors that are looking for something on their resume. These are freshman, sophomores, and juniors in this new high school on this new team stepping out beyond their comfort zone to go out and knock on doors and ask for money to join us in this cause to find the cause and the cure for breast cancer, a disease that affects in one way or another almost every single American. And it can only be eradicated if we all continue our efforts at the Federal level to support and to fund important research and to continue the grassroots support that we see at important organizations like Susan G. Komen.

I cannot tell you how proud I am of the 25 young women who put this event together, as well as for their four coaches.

These young women and this 25th anniversary of Breast Cancer Awareness Month should serve as a reminder to all of us to take breast cancer screening seriously and to make sure eliminating breast cancer is a priority for our country. We hold the key to this in our incredible doctors, in our scientists; and I hope that they will continue to receive the support they need.

People will learn how to be more aware of breast cancer and the need for examinations and prevention and detection, and we'll continue to work so that all of us, all women, have access to the women's health care that they need.

Thank you very much for this opportunity.

Ms. WASSERMAN SCHULTZ. Thank you so much, Congresswoman KILROY. It is so wonderful to serve in the House of Representatives with you, and as someone who has recently shared her personal health care battle and highlighted the need for health care reform as a reflection of your own personal story, I really just admire your courage. And it's been an incredible privilege to work with you. Thank you so much.

It's now my privilege to introduce not only my friend but my next-door neighbor in Washington, D.C., a woman who has been a passionate advocate, a fighter—really you look in the dictionary and look up the word ''fighter'' and ''passion'' and SHELLEY BERKLEY is right there.

She served prior to her election to Congress in the Nevada State Assembly. And I would like some credit for pronouncing ''Nevada'' correctly. So I want to pat myself on the back for that. Ms. BERKLEY served on the Nevada State Community College Board of Regents as well. She is the mom of two wonderful sons, both of whom I've met and who have done her proud.

And it's my privilege to yield time to her tonight for Breast Cancer Awareness Month.

Ms. BERKLEY. Thank you, Congresswoman.

I would like to thank both Congresswoman DEBBIE WASSERMAN SCHULTZ and my dear friend Congressman SUE MYRICK for leading the charge, and a special thank you to DEBBIE. She did mention that we're next-door neighbors.

And I want to tell you, DEBBIE, I used to—you know, in the morning before I start getting ready to come to work—and I am always at work by 8 o'clock no matter where I have to be; it's usually by 8. And I would be sitting at my dining room table having my cup of coffee and reading the newspaper, and at ungodly hours there was DEBBIE getting into her car, and I couldn't for the life of me figure out where she was going at this hour. I said, Where can this woman be going?

But then by 8 o'clock I would see her at whatever meeting we were at. And I never knew until you made that public disclosure of what you were going through and that you were going through it by yourself, with your loved ones, but not sharing with your colleagues because you wanted to keep this personal and not tell people at that time. And I cannot tell you the admiration I had for you long before that, but particularly afterwards.

And, SUE, same thing. I recall distinctly when you were going through your treatments and how brave you were during that time, and it's an inspiration for all of us.

This is a very important piece of legislation, and that's why I came to the floor at 9 o'clock in the evening. It's particularly personal to me.

There isn't a woman in my family that has not died of cancer, of breast cancer: both my grandmothers, all of my aunts, my mother. The worst day of my life is when my sister, Wendy, 47 at the time, called me up and told me that she had been diagnosed with cancer. Given the background of my family, listening to this my knees buckled because I was so fearful of her fate. But because times have changed and there's early detection and better awareness of this dreaded, horrible disease, horrible disease, she was able to get the treatment that she needed. They practically killed her to cure her, but she's alive today and doing not only very well but she just became a grandmother last Friday. And that could not have happened in my mother's generation or my grandmothers' because they weren't aware of what they needed to do in order to protect themselves.

I am hoping that when we are discussing health care in this country that we are able to change the paradigm of how we deliver health care services to the people that we represent throughout the United States of America. This is a perfect example of legislation that is important because it raises awareness for all women, young and old, but particularly younger women that need to know what to look for, what to expect, what are the signs, and what they can do when they suspect that they have the early signs of cancer.

I think the reality is with early detection, you can prevent these diseases and seek the treatment that you need so that you can go on to lead a long and wonderful life and have children and grandchildren just like my sister Wendy.

Women don't take very good care of ourselves. We're always taking care of everyone else. And the little aches and pains we have we tend to ignore because we're too busy during the day to deal with it. We cannot afford to let that happen because sometimes it's those little pains, those little bumps, those little things that we don't pay attention to that could ultimately lead us down a path that we don't want to go.

If you have a sick mother, you have a sick family because in most cases, the mother is the linchpin of the family. And if you're going to have a women that doesn't take care of herself, doesn't know what the early signs of cancer are, doesn't know what to look for and what to do should they suspect, then they're not going to treat themselves; they're not going to have early detection; they're not going to have prevention of this disease. And the entire family is going to be harmed, and the loss to the family is dramatic.

So I cannot thank you enough for introducing this legislation. I'm a proud cosponsor. I look forward to being on the floor and voting for this and pressing that green button.

And I thank you all, not only on behalf of the women in my family—those that have gone, those that are still here and those that are yet to be born—but for the millions of other American women and families that this legislation is going to help and to save. And I thank you both for that.

Ms. WASSERMAN SCHULTZ. Thank you, Congresswoman BERKLEY for your leadership and for your friendship and for your neighborliness.

At this time I would like to yield to the gentlelady from North Carolina who will yield to some colleagues who have joined us on her side of the aisle.

Mrs. MYRICK. I thank the gentlewoman for yielding.

I wanted to make a couple of points before I do that, and one of them is we can't spend an evening talking about breast cancer without remembering our dear friend JoAnn Davis who was a Member here. And she fought a courageous, courageous battle. She truly did. Unfortunately, she was diagnosed late. She had a very aggressive cancer and she lost that battle a couple of years ago. And it's still hard every time I think of her. She was a tremendous, tremendous person and very valiant.

The other thing I wanted to just mention was when we talk about the awareness that this bill is promoting, women still today don't want to get mammograms simply because they're afraid they will hurt. And you know, I have had so many women say that to me; and then I have other women say, Well, I really don't want to know. And you know, we really need to make women aware that they better find out sooner rather than later. And that's why this legislation is so important.

And men, too. I have two male friends in Charlotte who both have breast cancer and never had any idea—and one of them, unfortunately, because they didn't think he had breast cancer, he isn't with us any longer.

So there is a lot of work to do, and again I commend you for this.

And I have the pleasure of introducing a gentleman who is also new to Congress, and we're delighted he's here, the gentleman from Louisiana (Mr. CAO). I will yield to him 2 minutes.

Mr. CAO. Thank you very much for yielding me time.

Mr. Speaker, I stand here today to support this very important legislation to bring awareness to breast cancer. For many women in my district and all over the United States, breast cancer is a life threatening disease. It is therefore imperative that we as a Nation do all we can to work towards a cure.

The national statistics for breast cancer rates are intimidating. It is the leading cause of death in women ages 50–54. Thus, very few families are left untouched by the pain and suffering it causes.

However, thanks to the efforts of the Susan G. Komen Foundation and other breast cancer awareness groups, breast cancer has the highest survival rate of any cancer that afflicts Americans. In fact, there are 2.5 million survivors that owe their lives to these efforts and to the power of early detection.

My home district, the Second Congressional District of Louisiana, has the highest breast cancer mortality rate of any district in the United States and, unfortunately, the lowest early detection rates.

Thanks to recent medical developments, early detection means more treatment options and higher success rates. It literally saves lives.

As part of Breast Cancer Awareness Month, I want to stress the importance of having regular screenings to guarantee early detection and to improve women's chances for survival.

I would also like to acknowledge a woman from Louisiana who's currently struggling with breast cancer, Mrs. Tara Stoulig Monistere.

Mrs. Monistere is a 34-year-old wife and mother who was diagnosed with stage IV breast cancer shortly after the birth of her daughter. Her situation is unusually difficult in that breast cancer rarely strikes young women and new mothers with such intensity. Every aspect of her life is compounded with greater stress levels and hardships as a result of this disease.

However, she remains an active member of her community, maintains close relationships with family members, and fights her disease with great faith, bravery, and determination.

□ 2115

Mrs. Monistere's personal struggle with breast cancer is one of countless examples that proves that this disease is too common for women of all ages. Breast cancer attacks a new victim every 2 minutes, and an estimated 3 million women are living with it in the United States today. I urge all women in my district and throughout the country to get tested regularly. Through continued awareness and preemptive action, we will proactively fight this disease and save more lives.

Ms. WASSERMAN SCHULTZ. Thank you very much, Mr. CAO, for joining us this evening. Again, this has been a bipartisan Special Order, as well as male, female, a combination of devotion to making sure that the women in our lives and the 1 percent of men that are diagnosed with breast cancer every year are more aware of the importance of focusing on their breast health.

It is now my privilege to yield time to the gentleman from Illinois who is celebrating a birthday today. That is particularly exciting, and we appreciate him coming down to help raise awareness about the importance of breast cancer on his birthday. He is a father of two. Prior to his election to Congress last year to fill an unexpired term of the former Speaker, he was a scientist, a very successful and learned scientist, and has added incredible expertise to the discussion and debate we have here in the House of Representatives, Mr. FOSTER from Illinois.

Mr. FOSTER. Today I rise in support of my sister, Susan Adlai Foster, a survivor of breast cancer; and in remembrance of my grandmother, Nanette Raymond, who was not. Today I also rise in strong support of Breast Cancer Awareness Month to recognize the strength of the women who have endured this terrible disease. This year alone, it is estimated that 192,000 women will be newly diagnosed with breast cancer, and it will claim the lives of over 40,000 women. However, it is a great disservice to these strong, courageous women to reduce them to statistics. They are our mothers, sisters, grandmothers, and our friends.

I lost my grandmother to breast cancer. Thankfully, my sister has survived her battle with this disease. I firmly believe that we must take all steps necessary to promote awareness and research to find a cure so my daughter and her generation do not suffer through this same experience.

It has become obvious that part of breast cancer is environmental, part of it is genetic, and a large part can be mitigated through early detection. We must press ahead on all fronts to mitigate and eventually eliminate this scourge.

I would also like to take this opportunity to applaud the efforts of the Susan G. Komen Foundation that has done so much to advance this cause and to spread the message that early testing saves lives.

I encourage all of my colleagues to cosponsor and vote for H. Res. 708, congratulating Nancy Goodman Brinker, who founded the Susan G. Komen Race for the Cure, for receiving the Presidential Medal of Freedom.

Ms. WASSERMAN SCHULTZ. Thank you so much, and happy birthday.

It is now my privilege in the last couple of minutes before we yield back, in honor of Breast Cancer Awareness Month, to yield time to the gentlewoman from northern California who is a passionate fighter on behalf of the causes that she and her constituents care about, LYNN WOOLSEY.

Ms. WOOLSEY. Mr. Speaker, I rise in support of breast cancer awareness and to honor two very brave congresswomen, Congresswoman WASSERMAN SCHULTZ and Congresswoman MYRICK.

Mr. Speaker, breast cancer is a disease that has touched the lives of far too many people. Young women are especially high risk for breast cancer. In fact, breast cancer is the leading cause of cancer death among women ages 15–45 because breast cancer tends to be more aggressive in younger women due to lack of appropriate screening, diagnostic tools, and inadequate education about the disease among young women and among the medical community.

We must give young women the tools they need to fight this disease by educating them, and we must make sure that they receive early detection, because when breast cancer is detected in the early stages, the survival rate is more than 98 percent. That is why I support H.R. 1740, the Breast Cancer Education and Awareness Requires Learning Young Act of 2009. This bill would increase awareness of risk factors for breast cancers and encourage early detection of the disease among young women through community-centered informational forums, through public service advertisements, and media campaigns.

H.R. 1740 also aims to educate health care professionals about the unique circumstances young women diagnosed with breast cancer face.

In addition to educating women, Mr. Speaker, about the risks of breast cancer, we must expand research into the causes and treatments for breast cancer, especially among young women who are excluded from breast cancer studies. Breast cancer is more difficult to diagnose in young women because screening methods that work on older women are less successful on younger women.

We also need to learn more about the long-term effects cancer treatments have on women of any age. That is why the Annie Fox Act is an act that will help us invest in prevention and in treatment.

Mr. Speaker, I am honored to stand here with my colleague from Florida and my colleague from North Carolina. I commend them both on the strength they have shown during their personal battle with this disease, and I applaud their efforts to help all women fighting breast cancer. I pledge to work with them so we can get this behind us.

Ms. WASSERMAN SCHULTZ. Thank you so much. As Ms. WOOLSEY steps away from the podium, I really want to acknowledge her leadership, particularly on young women breast cancer issues because prior to my introduction of the EARLY Act, she was one of the leading voices on breast cancer in young women, and we can't thank her enough.

Mr. Speaker, as our hour comes to a close, I want to thank Congresswoman MYRICK for her leadership and her friendship. I think the point we want to make tonight is that although Breast Cancer Awareness Month is celebrated throughout the entire month of October, it is important for us to focus on breast cancer awareness and for women to focus on their breast health throughout the year.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today, during breast cancer awareness month, in solidarity with, and through the strength of, thousands of breast cancer survivors and victims throughout these United States.

I stand by my friend and colleague Congresswoman DEBBIE WASSERMAN SCHULTZ whose fight with this disease is an incredible story of will and perseverance;

I stand by many longtime friends in our community who have been affected by this terrible disease;

And I stand by hundreds of thousands of women whom I will never know nor meet, but whose stories we already know all too well.

And though breast cancer affects both genders, it disproportionally targets women, with men being about 100 times less likely to be stricken with the disease.

And as women, our chances of developing invasive breast cancer at some time in our lives is incredibly high, by some counts a 1 in 8 chance.

This makes breast cancer the second most common cancer among women.

Almost everyone in this country unfortunately knows someone who has suffered from breast cancer.

Whether that person is your mother, sister, partner, or friend, the story is always heart wrenching.

Through efforts such as breast cancer awareness month, all of us work to bring about greater breast cancer education, prevention, diagnosis and treatment.

But it is stories of some of the brave women with this terrible disease that I want to share today.

Linda Gayle Burrowes never expected to be a statistic.

But for her 49th birthday she received the gift that would save her life.

A friend of hers insisted on giving Linda a mammogram; and the day after Linda's birthday, she was diagnosed with breast cancer.

She is a survivor because this angel sent gift caught the disease early, and Linda was determined that other women would not be like her, leaving their life up to chance.

Three months after her mastectomy, she started the breast cancer support and educational group "Your Bosom Buddies", which has meetings the 3rd Thursday of each month at the Women's Health Center at Baptist Hospital in my community.

There is also the story of Mary Lamberts, who is a 9-year breast cancer survivor.

Mary has a history of cancers on both sides of her family, so she always prepared for the worst on her check-ups.

But 90% of women diagnosed with breast cancer have no family history of the disease.

The diagnosis came after Mary had a mammogram, followed by an ultrasound that same day after her radiologist saw something suspicious.

During the surgery to follow, her doctor found multiple tumors.

Most of the tumors were removed but she had to undergo over 30 treatments of radiation, and remain on a regimen of powerful drugs for years afterwards.

Thankfully, many men and women do survive this terrible disease.

And no one knows the simple gifts in life like a survivor.

Rosa Andreu Vila was diagnosed with breast cancer 12 years ago and went through a lumpectomy, chemotherapy, and radiation and has mercifully been in remission.

She has told me that in the 12 years since her diagnosis, due to early detection and treatment, she has been able to see both of her sons graduate from college and be married, and is now a proud first-time grandmother.

These are stories of survivors, but new cases of breast cancer happen every day.

Dr. Frank Mave, a local doctor of osteopathy, is one of the newly diagnosed males with breast cancer and just had surgery this month.

He is only just now beginning his "long and winding road" with chemo and radiation, and we pray for him and all others who are on their way to being survivors.

These stories show that there is hope, and people are increasingly surviving breast cancer.

In the United States, breast cancer is becoming one of the most survivable cancers, if the disease is detected early.

And this is the point of breast cancer awareness month.

We must remain vigilant in our efforts to educate and diagnose and treat.

With these three pillars, we can and will save lives.

Let us make sure that we educate one another on the dangers of breast cancer and the need for routine checkups.

In memory of Congresswoman Jo Ann Davis, who passed away at the age of 57 while serving last Congress after a two-year battle with breast cancer;

For all men and women in my community and throughout the United States currently battling this terrible disease;

For my daughters, and my new baby granddaughter Morgan Elizabeth, I thank my friend and colleague Congresswoman DEBBIE WASSERMAN SCHULTZ for her leadership on this issue.

Her story serves as an inspiration to all.

Let us make sure our efforts to defeat this terrible disease continue at full force.

Mrs. LOWEY. Mr. Speaker, I'd like to thank my colleagues, DEBBIE WASSERMAN SCHULTZ and SUE MYRICK for organizing this very important Special Order hour tonight.

Recognizing breast cancer awareness month is about more than issuing a proclamation or delivering a speech. It is about honoring the women who have fought bravely

against breast cancer and committing to finding a cure so that they and other women can live healthy lives.

These women and their families have created a community of hope for those who struggle every day—with courage and dignity—with this terrible disease.

They are mothers, daughters, sisters, friends, and advocates whose strength and tenacity have driven us toward significant progress in treating breast cancer.

Improvements in treatments coupled with advances in early detection and screening methods have increased the survival rates for women to 98 percent when breast cancer is detected in its earliest stages.

But this remarkable achievement can not stop us from ensuring this terrible disease is cured once and for all.

Government can't cure cancer, but it can put the resources in the hands of scientists who will. That's why I have made funding biomedical research at the National Institutes of Health a top priority in Congress.

It is hard to believe, but when I was first appointed to the Appropriations Committee in 1991, the federal government was spending just $133 million on breast cancer each year.

In the last decade, however, that investment has increased dramatically—to more than $1.3 billion between spending at the National Institutes of Health, National Cancer Institute, and Department of Defense.

Furthermore, last year, legislation I authored with Representative SUE MYRICK to study the link between the environment and breast cancer was enacted into law.

In addition to fighting for more research into the causes and best treatments for breast cancer, I have also spearheaded the effort to substantially increase and accelerate research into early detection technologies.

Mammography screenings are a woman's best chance for detecting breast cancer early, and when coupled with new treatment options, can significantly improve a woman's chances of survival.

However, experts and scientists agree that we still have not found the 21st century early detection method we need.

I am pleased that the National Cancer Institute is spending close to $55 million per year to research better screening methods for breast cancer spurred by my legislation, the Better Screening for Women Act.

The federal commitment to cancer research has enabled us to make enormous strides in our understanding of this complex disease.

The investment we make in research and education today will improve care for each and every cancer patient, and move us closer to the day when we eradicate cancer.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am proud to be speaking before you today about the importance of "National Breast Cancer Awareness Month." This campaign goes back a quarter of a century, starting as a weeklong campaign in 1985, by AstraZeneca, a pharmaceutical company; its aim from the start has been to promote mammography as the most effective weapon in the fight against breast cancer. This month and throughout the year, we should all be committed to ongoing education about options for breast health and helping women become more informed so that they can make educated choices about breast health.

Breast cancer is a disease that impacts all Americans, affecting women and men of all backgrounds, races, and incomes. Women in the United States have the highest incidence rates of breast cancer in the world; 141 among white women and 122 among African American women.

Among women in my home state of Texas, breast cancer is the most common cancer, and the second-most common cause of cancer death (after lung cancer). Women in the U.S. have a 1 in 8 (12.5%) lifetime chance of developing invasive breast cancer and a 1 in 35 (3%) chance of breast cancer causing their death. There were 216,000 cases of invasive breast cancer and 40,000 deaths in 2004. In 2007, breast cancer was expected to cause 40,910 deaths in the U.S. (7% of cancer deaths; almost 2% of all deaths).

It is unacceptable enough that so many women today meet such an end. But, worse still, several studies have found that black women in the U.S. are more likely to die from breast cancer even though white women are more likely to be diagnosed with the disease. Even after diagnosis, black women are less likely to get treatment compared to white women. The journal Cancer Causes and Control, for instance, found in their sample that there has been no improvement in mortality from breast cancer for black women in 23 years.

Worldwide, breast cancer is by far the most common cancer amongst women, with an incidence rate more than twice that of colorectal cancer and cervical cancer and about three times that of lung cancer. However breast cancer mortality worldwide is just 25% greater than that of lung cancer in women. In 2004, breast cancer caused 519,000 deaths worldwide (7% of cancer deaths; almost 1% of all deaths). The number of cases worldwide has significantly increased since the 1970s, a phenomenon partly blamed on modern lifestyles in the Western world.

However, research has proven that by making treatment available, we can fight this horrendous disease. In my home city of Houston, the Ben Taub General Hospital and Baylor College of Medicine strive to ensure that the most advanced medical care is available to all the city's residents regardless of wealth or ability to pay. Ben Taub General Hospital is vital in providing care to the over 1.1 million Houston residents without health insurance, and millions more with little or low insurance coverage. For over 100 years, Baylor College of Medicine has firmly committed to caring for patients, regardless of their ability to pay.

That is why we all work to raise awareness and educate our fellow citizens about this horrible disease; that is why we must fight to make sure breast cancer is defeated through early detection and funding for a cure; and that is why, to make sure that women across our nation have the treatment they need to fight this battle, we must pass real health care reform in America.

In closing, Mr. Speaker, I would like to thank everyone here for being part of this fight, and I pledge to remain by your side until breast cancer is defeated, and no American woman ever again has to fear it.

## BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. PAULSEN) is recognized for 5 minutes.

Mr. PAULSEN. Mr. Speaker, I just want to rise in support tonight and commend my colleagues from Florida and North Carolina for their support in this effort and bringing attention to this very important issue.

As I listened to the personal stories tonight, I couldn't help but think about how this has touched so many different people in so many different ways. As the father of four daughters myself, I certainly have the perspective of wanting to focus early prevention and attention on this issue.

I have staff members who have family members who have been afflicted by this terrible disease. I think it is very important to recognize that as we look at October being Breast Cancer Awareness Month, and the efforts that are going on here this evening, the more that we can do as a Congress bipartisanly and across the aisle, especially to drive attention and focus on a disease that is afflicting so many people and is something that is very preventable, as was mentioned. This is the disease that is the most commonly diagnosed cancer among women in the United States after skin cancer, and the second most common cause of cancer death, after lung cancer, among U.S. women.

Twenty-five years ago was the first observance of National Breast Cancer Awareness. We have come a long way since then, but we have a long, long way to go. We must continue to do more to raise awareness of this very serious issue.

That is the reason that I am a cosponsor of the gentlelady's legislation from Florida. It does focus the education on the prevention measures which are so critical. I mention that, having four young daughters myself. That is a bill that has 370 cosponsors. There aren't that many pieces of legislation that garner that type of support. It really is a testimony of not only the issue, but the leadership of the gentlelady from Florida. It is an honor to be part of this effort tonight and to drive focus and attention on this.

This bill really does focus important attention to early detection, which is the key to preventing and curbing this horrible disease. Studies have shown that early detection of breast cancer can and does save lives.

Mammograms performed every 1 or 2 years for women aged 40 years or older can reduce mortality by approximately 20 to 25 percent over 10 years. So it works.

I was proud last night to highlight an example of two young entrepreneurs, enterprising constituents in my district, that began their own efforts to drive attention on this deadly disease. They started their own lawn care business, but on the side they decided to dedicate a portion of their profits toward breast cancer research.

So these two young 15-year-olds have begun one of the most inspiring and philanthropic organizations throughout Minnesota, and now they are trying to drive more attention to this

around the country and throughout Minnesota to raise money to focus attention on breast cancer research. It goes all the way down to the younger and youth that are trying to bring attention to this issue.

I hope this month serves as a reminder of early detection and screening and working towards a cure for breast cancer.

I thank the gentlelady for giving me some time this evening and for her leadership.

## AMERICA'S LONG-TERM STRATEGIC POSITIONING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, I rise tonight to discuss America's dependence on NATO, our relations with Russia, today's threat of radical Islam, and tomorrow's looming threat of an ever-more-powerful Communist China. In other words, tonight we will examine America's long-term strategic positioning in the world.

It is always valuable to look at history as well as the present before considering the future. So let's start with the North Atlantic Treaty Organization. It made sense, NATO made sense when it created it. It made sense to strengthen the NATO alliance during the 1950s while the Soviet Union was forming its Warsaw Pact and while the fall of China to Communist tyranny and the Korean war halted the vision of a peaceful world that we had been dreaming of in the aftermath of World War II. But in the 1950s, that was a threat.

But the 1950s are ancient history. The cold war is over. This is the 21st century. NATO no longer serves its purposes and is, in many ways, counterproductive. Ronald Reagan's visionary leadership, coupled with the unrelenting commitment and courage of the American people, brought an end to the Soviet Union and the Warsaw Pact. The people of Eastern Europe were freed from a hostile occupation and puppet Marxist governments. In the 1990s, the Russians dramatically moved away from domestic tyranny and away from a belligerent foreign policy.

Freed from its Soviet shackles, Russia expected to be embraced. At least if they weren't embraced, they certainly expected to be accepted as the Russians moved their troops out of occupied nations and opened up its political and economic system. It was perhaps the greatest peaceful resolution of a hostile confrontation between major global powers in history. NATO played an important role in bringing us to that point in the late 1980s and early 1990s.

The armed might of NATO deterred aggression and Soviet adventurism that could have resulted in a world conflict. NATO, with American leadership, won for Western civilization a new chance at building a future of progress, freedom, and tranquility on a global scale.

□ 2130

In the last 20 years, there's been a change on a massive scale, most of it for good, in the former Soviet Union. Certainly, elements of this transition have been counterproductive and short of expectations and disappointing to the people of Russia, as well as peace-loving people in the West who had such high expectations. But by and large, enormous positive changes have taken place in Russia over these last 20 years.

It is in vogue now, in some circles, to suggest the current leadership in Russia is similar to the Communist thuggery of those who not so long ago ruled that country with an iron fist and threatened world peace. Let this Cold Warrior shock you by suggesting that the Russian government's flaws, and they have many flaws, do not reflect a fundamental, malicious nature, as was the case under communism. And while there are examples of heavy-handedness, there is ample evidence of freedom of speech, religion and enterprise.

Within this context, the vilification of Russia by old Cold Warriors, my friends, most of them, has been unconscionable and unrelenting. The fall of communism, the restructuring of its society, and Russian forces, of course, withdrawing from Eastern Europe, this was breathtaking. These were breathtaking events. Clearly, the Russian people and the Russian government wanted to be part of the Western community if they were willing to take such dramatic steps. The door was open, and the Russians were not only willing but anxious to leave Cold War hostilities behind. They were naive and so were we about the transition. This historic opportunity has almost totally been squandered.

During the transition, rotten elements in the West allied themselves with nefarious Russian elites, and together they took advantage of their country's weakened and vulnerable condition. Russia was looted, and much of the loot ended up in Western banks. Vast natural resources ended up in the hands of a few power brokers. Billions of dollars of Russian wealth, basically mineral wealth, was transferred to private hands for a pittance.

The Russian people, rejected and isolated when they expected to be partners in building a new world, sunk into despair. Adding to their sense of helplessness, Russia was frozen out of the world market and relegated to the fringe market, like Iran. Let us note that today we are suffering because of that effort to isolate Russia from the global economy. I remember shortly after the Communists fell in Russia, I went to my own aerospace industry leaders and said, We've got to let the Russians compete with us. This is the one area, high technology, where they can compete. And of course, the reaction with our major aerospace companies was, no way.

And for 7 years after the fall of communism, Russia, which had invested enormous resources in rocket technology, was not permitted to sell their launch services to the West. That was the one area they could have really raised some hard currency, and we denied that to them.

While, at the same time, what did our friends in Europe do? Of course, Europe, by its very nature, the European Union is a cartel, excluding other countries like Russia. But instead of utilizing Russian missile and rocket technology to launch satellites, our European allies rushed forwards to spend hundreds, maybe $150 billion, in developing their own launch capabilities. Again, instead of letting Russia be part of the world market, they were frozen out.

And how does this relate to Iran? Their scientists were earning $50 a month, people with Ph.D.'s, the top level of their society, the cream of the scientific crop, starving, seeing their families suffering. They were looking around, so they were relegated to the fringe, and they went to Iran, and Iran agreed to hire them to build a nuclear reactor. I remember this very well. During the Clinton administration, I went to top people in the Clinton administration and explained, This will eventually be a horrible catastrophe, a threat, a huge threat to the United States and the West if we permit this nuclear power plant in Iran to be finished.

I said, but we shouldn't be threatening the Russians, which is what we did. Our government policy was, don't do it, or you're going to suffer, instead of saying, look, we know your people are unemployed. We'll get you a contract, financed by the World Bank. It wouldn't have cost us anything to build two power plants, maybe one in Turkey, maybe one in Malaysia, maybe one in another country that needed electric power. Instead, we just threatened them, and of course they had no other alternative. We didn't give them that alternative. And so now, we face this problem.

By the way, shortly after George W. Bush was elected, I went to see Condoleezza Rice. Made the same argument, We've got to act now—if we act now we can give the Russians an alternative in which they do not have to build this nuclear reactor for the Iranians. But let's give them the alternative.

Again, it was only threats and talk about punitive actions but no willingness to offer the Russians a positive alternative. So, of course they had to get their people employed. We're going to find out a lot about that in the months and years ahead as our own experts find themselves unemployed. And we care about them, just like the Russian people cared about their people. But we did not at that time reach out to help the Russians, and we are paying a price for that now.

It's important to look back at the end of the Cold War, and to recognize

the mistakes that have been made, and it has become clear that there were many, many mistakes that were made, by the Russians, yes, but also by us and our European allies. Now, however, is not the time to just lay blame. I didn't relate that story to blame the Clinton administration or the Bush administration or anyone else. But realizing what that mistake was, we now should move forward to try to see what we can do to make up for that and to try to establish better relations. This is not the time to place blame. Now is the time to set things right.

And as President Obama has said and Secretary of State Clinton has said, this is time to push the reset button with the Russians. And I would add, probably, yes, let's push the reset button with Russia and, at the same time, we should think about pulling the plug on NATO. So let's look at the future. Let's take actions today that will overcome past mistakes and look to a future when Russia and America, which share common challenges and common enemies, will be a source of strength to each other.

We have, over the last decade, inexplicably drifted toward a renewed adversarial relationship. Let us now take a serious look at what happens and recognize Russia to be an invaluable potential ally, an alliance that would be far more significant and viable than our current NATO alliance, which costs us far more than what NATO member states contribute to the international security operations and other type of activities that are vital to our country. Reagan gave us 2 decades of peace and prosperity because he did the right thing. The consequences of our actions since Reagan, however, are becoming more evident and more alarming each passing day.

We must have the wisdom, courage and political will to reconstruct our efforts rather than rely on diplomatic and military structures of the past. And let us note, Ronald Reagan did have the vision. I remember Ronald Reagan, I worked in the White House with Ronald Reagan. I remember him quite often making a stand on missile defense, which he believed in, but making it very clear to people that this wasn't something that should be seen by the Russians as a hostile move. Instead, he said that we should offer, if the Russians were willing to pull back their forces from their forward belligerent positions in Eastern Europe, that we should be willing to have missile defense as a joint project with the Russians. It would save us both money, and it would cover security for both of our countries.

Ronald Reagan believed in that. That was not rhetoric. That was something he thought we could do. Instead, what we have done is move forward with missile defense and put it on Russia's border, not as something in cooperation with the Russians, but instead, something that the Russians naturally view as a hostile act towards them. Now, this is not the way we should go. Ronald Reagan understood that. Ronald Reagan stood firm, but he stood firm with a dictatorship in Russia, not with a Russia that was longing to be part of the Western world as it is today, and at least as it was 10 years ago.

We are confronted today with enormous foreign policy challenges and tasked with prevailing over those forces which will, if they can, destroy America and our way of life and murder our countrymen on a massive scale in the process. 9/11 was only a taste of the potential mayhem radical Islamists can and are willing to commit. By the way, we lost 3,000 civilians on 9/11, 3,000 people slaughtered before our eyes. That wasn't the intent. The intent was to murder everybody in those buildings and perhaps in all of the nearby buildings, as the World Trade Center buildings were going to collapse into a busy New York.

Yes, this was a plot to kill tens of thousands of Americans, and we'd better realize that that is the type of evil force we are up against. The national security threats before us are real and did not materialize out of thin air. But contrary to the dominant paradigm of our era, our ongoing relationship with NATO, since the end of the Cold War, has not worked to our benefit, nor has it made peace, stability, or our Nation's security more likely. NATO has recently engaged in a number of operations around the world, from fighting the Taliban to combating pirates. But whether one views these missions as relatively successful or a failure, one can hardly look at them and not realize that the cost of our continued involvement in NATO certainly outweighs the benefits.

In Afghanistan, the other 27 NATO countries sent a combined force of fewer than 5,000 troops, many in noncombatant positions. These 5,000 troops are there as part of a coalition. While a certain number of these fighters from our NATO partners are heroic, and we salute them and they are helpful, yes, and many of them do take risks, they are dwarfed in comparison to the number of American boots on the ground. 68,000 Americans serve in Afghanistan, and the number is rising. All of our allies in NATO: 5,000. And it has not escaped our attention that many of our NATO partners don't permit their troops to be placed where they might see combat.

So this contribution, while appreciated, in no way justifies the tens of billions of dollars that we pour into the NATO alliance. And now, as NATO expands to such countries as Albania, Croatia and Bulgaria, it raises other serious questions. One of the primary tenets of NATO and a NATO membership is that any member will come to the defense of another member if that member is being attacked. But realistically, is the United States going to come to the aid of these other countries at any time, these slew of small countries, each of whom might have a border dispute with another country? And, is the reverse proposition, the reverse of that proposition worth the cost to us? Do we really need Albania and Croatia to come to our aid if we're attacked?

The answer is obviously, no. NATO's existence may be unnecessary for our interests. Let's also admit that NATO can be counterproductive. It's counterproductive to the peace at times. For example, by convincing the governments of new or potential member countries to aggressively and uncompromisingly deal with territorial disputes, we must realize that those disputes won't be settled by diplomatic negotiation.

The government of Georgia is a perfect example. The United States' discussion about NATO with the government of Georgia made it less willing to make compromises that were absolutely necessary for peace and stability in that region. Not only did Georgia not make the compromises, these talks about NATO emboldened them to take aggressive action. Breaking a 7-year truce with its regional adversaries, the Georgians launched a brash, ill-conceived military attack on the two breakaway provinces of Abkhazia and Ossetia. The Georgians started it. They attacked first. All the while, the people of the United States were told over and over again, using the most sinister words, that Russia was the aggressor. It was the Russians' fault. We heard that over and over again. ''We are all Georgians today,'' Senator MCCAIN proclaimed.

Again and again we were told that Russia was doing something evil and villainous. However, in a detailed second look at what happened in Georgia, a recent NATO report confirmed that it was Georgian troops that broke the truce. It was the Georgian troops that started this fight and brought on the confrontation. The point is that the Georgian government was emboldened by talks with them about NATO.

□ 2145

They were the ones that broke the agreement that had kept the peace in that area after we talked to them about NATO. They invaded those two breakaway regions, which resulted in a considerable loss of life in Osettia and Abkhazia, and it also brought on a counterattack from Russia, who had made agreements to maintain the peace with the people of Osettia and Abkhazia. And the counterattack that was what? A reaction to the Georgian invasion. NATO's role was counterproductive, clearly.

Furthermore, do we believe that the American military forces should have been involved in that distant conflict? Should they have been involved as part of a NATO commitment to Georgia? My goodness, that doesn't make any sense to me. That's all the way across the world. Yes, it's in Russia's backyard so you know that they would be

very involved and interested. But the United States is going to engage in a military confrontation with a power like Russia over a dispute, territorial dispute, between Georgia and some regional governments that don't want to be part of Georgia?

By the way, the people of Georgia, I think they didn't have to be part of the Russian federation. I sympathize with their demand after the end of the Cold War to be an independent country. They have a right to self-determination. But so do the people of Abkhazia and Osettia. These two peoples had never been part of Georgia. Joseph Stalin, in his dictatorship, put them as part of Georgia.

Well, does it make sense for us to use our armed might in an agreement with the Georgian Government to make sure that we enforce their vision of what the world should look like?

It doesn't make sense also to sour a relationship with Russia, which is a country concerned, just as we would be in Mexico or Central America or in Canada. It doesn't make any sense to sour a relationship with Russia by implementing a NATO alliance with little countries all around it. In contrast, treating Russia as a friend would be enormously valuable to the security of both of our countries.

By expanding NATO with tiny countries and, of course, we are; these are countries that are right around Russia. How can that not look like we have a military alliance, which is what NATO is, threatening Russia? Of course, we would think same way.

Instead of an alliance with Russia, we are seeking an alliance with weaklings and Lilliputians rather than forging a strategic relationship with a giant. So if Georgia and the other countries like Albania and Croatia, countries that I'm very sympathetic with—and, as I say, I'm sympathetic with Georgia. I want it to be independent of Russia because that's what they want. But if they want to be in NATO, let's let them in. But if they're getting into NATO, we should be getting out. Because it is not in our interest to commit our military forces to battle all over the world in disputes that have nothing to do with our security or the overall global stability of the world.

I'm not suggesting, however, isolationism. That's what people say: oh, well, you're an isolationist. Nowhere am I suggesting that we should not have bilateral defense-related agreements. I certainly believe in involvement and in bilateral defense agreements as well as bilateral trade agreements.

At the outset of the Cold War we saw a clear and present threat in the Soviet Union, and we went to work strengthening our existing relationships with friendly countries and building new relationships with other countries. Well, we should do that today. We should create alliances, but we need to be realistic and honest in our assessment of the challenges we face and the factors that are in play.

There are serious challenges to be overcome in the world today, and even more serious threats in the future. Radical Islam today, China soon. What we built to deter a Soviet invasion of Western Europe will not meet our needs of today. And I suggest that structure is, in many ways, counterproductive in dealing with today's threats.

In short, an alliance with Russia and a few other powerful nations is in our interest more than a continuance of an obsolete coalition or expanding that coalition to a large number of small countries.

Twenty years ago, I journeyed to Afghanistan. I stood alongside Afghan warriors, the mujahadeen, who were engaged in battle against the Soviet Army, which was then occupying their country. I was personally engaged in combat operations against Soviet troops during the Cold War. Very few people can say that.

My chest swelled with pride every time Ronald Reagan proclaimed our goal to be freedom for all subjugated people, including the Russian people. I was Ronald Reagan's speech writer, one of them, for 7 years. And when the President of the United States, Ronald Reagan, pleaded with Gorbachev to tear down the Wall, I was part of the team that broke through the foreign policy establishment's blockade that would have neutered that great historic statement even before Ronald Reagan gave it. And I cried with joy in retrospect when that wall finally came crashing down, hammered and chiseled down by freedom-loving people on both sides of that grotesquely evil barrier.

I despised the Soviet Union because I loved freedom, freedom for all people, including the Russian people. The Communist government in Russia was our worst enemy. Times have changed. We need the Russians as trusted allies, if not our best friends.

I recently visited Russia, and over dinner with a counterpart I explained, as I just did, that I had been his worst enemy during the Cold War, and he stopped me right in the middle of the sentence. No, no, you weren't the Russian people's worst enemy. You were the enemy of Communist tyranny. And thank God for that. That's what he said.

There are many Russians today that fully understand that they have left Communist tyranny behind, but when they look around them and look forward, they see hostility and they hear Russia vilified for acts of natural self-interest. How many times have we heard Russia vilified for charging the market price for its resources, namely, natural gas? Over and over again, as if charging the world price instead of subsidizing the price for the countries around it was a hostile act.

Would we be expected, our country be expected, to charge well below the market price to other countries for our natural resources? Over and over again, Russia was described as committing a hostile act when it did that. And after all the reform, all the military and strategic withdrawals, that hasn't made any difference to us that Russia has done this.

We have kept them isolated and we have magnified every shortcoming that we could find in the new Russian Government. And all governments have shortcomings. Look, Turkey has human rights and democracy problems on par with Russia. In terms of the actual level of human rights problems, Turkey and Russia are probably at about the same level.

Yes, we should stay vigilant in our insistence on an accounting and correction of violation of human rights. And that's whether it's Russia or Turkey or any other country. But does anyone really want us to treat Turkey as a hostile power, try to make them into an enemy just because they do have imperfections? And are there some examples of heavy-handed use of power and some really questionable incidents there in Turkey? Well, yes, there are.

That doesn't mean we're going to turn them into our enemy and vilify everything they do. The Turkish people are wonderful people. They've been our friends for so long. But so are the Russians. The Russians are wonderful and creative people. They share many personal values with us: their sense of humor, love of children, of fun, of drink, and dance and, yes, their reverence for God and faith that was never beaten out of them by the decades that they suffered under atheistic communism.

There was openness and vulnerability of these people as the Soviet Communist system collapsed. They made mistakes and had societal and governmental problems, no doubt about it. All of those mistakes and all of these problems weren't all corrected. They needed support. They were vulnerable. And even as we applauded the implosion of the Communist Government, we did not do what was right by the Russian people. Even as they chaotically implemented massive changes and reforms, they were forced to, for example, forced to pay off the debt that was built up during the Communist dictatorship.

What country could develop with that huge millstone around their neck? In fact, how ironic it was. We went to the Russians and asked them to forgive the debt of Iraq that Saddam Hussein had run up when that dictatorship controlled Iraq. How ironic we went to the Russians to ask them to do what we had pressured policy not to permit them to do.

With that millstone around their neck of that debt, no wonder there was economic chaos. How could they have pulled together and averted such mass suffering with having to pay the entire debt of a dictatorship they did not vote for?

In the years since, we have been growing apart from Russia, into hostile

camps, even though our cooperation is paramount to the future of both of our countries. As I say, the Russians and the Americans share more than cultural traits. We now share some very real common threats. And those are radical Islam, which is upon us, and a totalitarian China, which is rapidly becoming a negative and tremendously powerful force in the world.

As we have continued to treat Russia as unworthy and with suspicion—even as they have reformed, we have done this—how is it that we have treated China, which has had no political reform, no liberalization, with such generosity?

The totalitarian Government of China is the world's worst human rights abuser. Those Chinese Communists in power in Beijing see us as their natural enemy. They unmistakably are also a threat to Russia. Yet, we still embrace that Chinese Government, the world's worst human rights abuser.

We fueled their economy, the Chinese economy. We have built their manufacturing base. We have enhanced their technological capabilities, even while simultaneously finding ways to continue hostility and noncooperation with Russia with one-way free trade policies with China and credits and investment in technology transfers. We have run up a massive trade deficit with China. A trillion dollars has shifted from the American economy into Chinese coffers, and all this while there hasn't been one opportunity for us to even get done the smallest bit of reform with our economic relationship with Russia. We weren't even able to bring ourselves to officially end the Jackson-Vanik restrictions which were placed on Russia during the Cold War—the Cold War, 30 or 40 years ago.

It is an insult and a sign of our own incompetence that we have not been able to lift the Jackson-Vanik restrictions on Russia, much less giving a reformed Russia a free trade agreement or Most Favored Nation status, which we bestowed upon the world's worst human rights abuser, China. Again, restrictions and hostility on Russia, all of this while we give China every benefit: Most Favored Nation status, tech transfers, capital investments.

Well, this relationship with Russia, as well as our relationship with China, has been wrongheaded, and gravely so. China, in stark contrast to the great changes in Russia, where there's been very visible political reform, where religion is not suppressed, where there are opposition political parties.

And, yes, there are imperfections in Russia and shortcomings and some heavy-handedness. But you go there and you hear talk radio shows complaining about the leadership in Russia. In Russia, you have opposition parties. There were two elections. And even the most critical of people who criticize Russia concede that those two major elections represented the inclination of the Russian people. Others were on the ballot, but they weren't elected. They lost.

□ 2200

Well, there has been reform in Russia. And although it's far from perfect, great progress has been made, and it is evident. Otherwise, I would not suggest drawing closer to that country. There has been reform. That gives us a reason to try to work closer with them rather than holding them off.

But remember, while we hold them off and we treat them in a hostile way, there has been no political liberalization at all in China. We've let them profit from one-way free trade that has drained our financial resources and destroyed our manufacturing base even as we built their manufacturing base.

When President Obama spoke here a short time ago, he noted as of late, we've been losing 750,000 jobs a month. We've been losing 750,000 jobs a month, millions of jobs have been lost, and where did they go? They went to China, which is perfectly understandable when you look at our policies which created that type of outflow of capital and jobs as a small corporate elite—yeah, a very small corporate elite—benefited from this China trade and how it was structured.

But the American people lost, and it's going to get worse. Remember who has been paying for months and years now the price for the crazy policies that were not in the interest of our people in China. How did that come about? I've been in Congress now for 20 years. I was very proud to have led the floor fight with NANCY PELOSI on the other side of the aisle with me, leading the floor fight on that side of the aisle to oppose most favored nation status for China. Look back, find out who was behind most favored nation status for China. Who was it? It was during the Clinton administration that provided China should have permanent most favored nation status, so we didn't even get a chance to vote on it every year.

Now, it was a bipartisan betrayal of American interests here. Who was watching out for the American people? Instead, we established a trading system with China. I can tell you how it works. I represent the Ports of Los Angeles and Long Beach. You go right down there, and you can see it. Of all the containers, the massive numbers of containers that come in every day, tens of thousands, 90 percent are coming in and only 10 percent are going out, and almost all the ones coming in are coming from China.

Well, China is not an economic partner. It's exploited us. It's taken advantage of our weaknesses. It's not a partner for peace nor is it a partner for world stability. China has no reform and has not made reform of its political structure, and it is, unfortunately, our most likely future enemy. Those words are very hard for me to say. They are not our enemy now. They are our adversary. But it is clear that unless there is a significant political reform in China, a liberalization of their system, a recognition of fundamental rights, the dictatorship will continue in power and grow stronger.

America's most likely future enemy we treat with special privileges. The Russians we treat like a pariah, even as they reach out to us even after they have had incredible reforms and restructuring in their country. China is already a deadly economic competitor of our people and is openly hostile to the basic values which make us Americans: a respect for human rights, religious freedom, the environmental stewardship that we have taken upon ourselves in recent years.

Our current relationship with China has resulted in an economic and security disaster for the United States of America. It is time to have the courage to admit this fact, and it is time to reverse poor decisions and bad policies. If the policies that have led us to this point are not reversed, the result will be national and, yes, global catastrophe. A world dominated by an authoritarian-controlled China will be a far different world than the one we live in today.

Again, we are talking about the Government of China, a specific regime, not the Chinese people themselves. The Chinese people are hardworking, family-oriented people. I have tremendous sympathy and respect for them. They are, in fact, freedom's greatest ally, our greatest hope, potentially our greatest friends who can help us avert a conflict between our countries.

The Chinese Government, however, is a loathsome tyranny, a dictatorship, a dictatorial clique that has enslaved their own population, intent not just in controlling China but also in dominating the rest of the planet. It is a government that, as I speak, is shooting down Muslim Uyghurs in East Turkistan, which is in the far regions of western provinces of China. Similarly, they are conducting a slow motion genocide on the people of Tibet. It's a government that arrests and murders Falun Gong religious practitioners.

And who are they? Who are the Falun Gong? Pay attention, America. Who are the Falun Gong? The Falun Gong want nothing more than religious freedom that they hold so dear. They are pacifists. What do they believe in? They believe in yoga and meditation. Yet thousands of them have been picked up by the Chinese Communist dictatorship and thrown into prisons, and oftentimes, they never come out of those prisons. And too often we find that what is coming out of those prisons—the prisons where the Falun Gong members have been deposited—what do we see coming out of those prisons? Body parts. Body parts sold to Americans and other people as organs to be transplanted; kidneys and other organs of the body that have been extracted from people who are put in jail for their religious convictions, and then they were murdered. That is the type

of ghoulish regime that now controls the country of China and the Chinese people.

In China, there are no unions, no workers' rights, no democratically elected environmental standards. There are no concerns about human rights or consideration for the inherent dignity of all humankind. There is no liberty, no independent judiciary, no freedom of the press, no rule of law, no opposition parties, no right to criticize the nature of their government or to criticize the clique that rules their country.

A billion people are being held in bondage so that goods can be manufactured cheaply in China in an unholy relationship between very wealthy American and western capitalists and the ghoulish dictators that control China. And with one-way free trade that we've established, to which we have acquiesced, and the short-term profit desired by America's corporate elite, our country has been a partner.

Considering those factors, our country has been a factor in building the Chinese economy into a monstrous threat while at the same time weakening and destroying our own manufacturing base. Millions of our people are being put out of work. We're going through a huge financial crisis.

One of the major elements that has brought us to this financial crisis has been a one-way free trade policy with Communist China. The fact that they now have $1 trillion worth of our wealth and our manufacturing base has been destroyed should be of no surprise. It was predictable.

Those of us who fought most favored nation status and said we've got to have some political reform, liberalization before we give such enormous economic power to a government, we were just bypassed and treated as if we didn't matter because the business elite of our country wanted to have those massive short-term profits. Then they could give themselves bonuses, and they could retire here, leaving the stockholders and leaving their own employees far worse off in an intolerable situation, and now the whole country is in a horrible situation.

Over the last two decades, we have built China from a relatively backwards economy into a Frankenstein monster. When I say ''we,'' I mean the policies of the United States Government have lifted the economic capabilities of a country that has had no political liberalization, no political reform of their dictatorial system, and a country, yes, that is also engaged in rebuilding its military.

Now this Frankenstein monster is slowly turning on its creator, turning on us. Well, there is a China-related issue that is emerging. Not all bad decisions were made in the past. We're about to make another bad decision by reversing one of the good decisions that we made that has really saved us from an incredible potential harm. The issue that is surfacing in Washington is both symbolic and a very real threat to America's security and our economic viability. What is the issue? It is whether or not America should loosen its controls on the exports of our technology. The issue, which will be determined shortly, deals specifically with U.S. space technology, satellites, and Chinese rocketry.

About 15 years ago, the Clinton administration and American satellite manufacturers were permitted to launch their satellites on Chinese rockets. It was a position that they hadn't been permitted before. At the time, I talked to our aerospace industry. They thought it might be a good idea. This, of course, after being assured by the Clinton administration there would be no possibility of a technology transfer. Controls and security walls, I was promised, would prevent the Chinese from obtaining any space technology that had been paid for by the American taxpayers. Of course, American taxpayers had paid billions of dollars to develop space technology, like gyroscopes on a chip and all kinds of things that permitted rockets to be successful.

□ 2210

Well, I have to admit I accepted the Clinton administration's word. I swallowed it hook, line, and sinker. But within a very short period of time after that policy was opened up, I recognized the horrendous results of permitting that business relationship with Chinese rocket companies, which, I might add, those Chinese rocket companies then and are now owned by the People's Liberation Army. The Long March Rocket Company is a People's Liberation Army company. In short, American aerospace companies ended up perfecting Chinese rockets in order to send up our satellites at a cheaper rate.

By the way, what's the difference between a missile and a rocket? The difference between a missile and a rocket is the color of the paint on the outside of the projectile. So if it's in camouflage, it must be a missile, and if it's white or a different color, it must be a peaceful rocket.

In the end, after we were launching our satellites at that cheaper rate, in the end the viability of our own missile and rocket industry was undermined. Our own aerospace base, the base of our economy, our aerospace jobs and expertise were put in jeopardy. And at the same time we improved the Chinese rockets and missiles, we improved their ability to launch military as well as civilian payloads. Our transfer of technology and know-how thus enabled the People's Liberation Army rockets to carry more than one nuclear warhead. They couldn't do that before. Our technology. Our people went over there, and now they have the technology of having three warheads instead of one warhead, which means obliterating all of southern California instead of one part of southern California. We provided them the ability to MERVE. That's what it's called.

It was insane then, but now the issue is coming back. And without even blushing, the China lobby, the Big Business community that has been making all kinds of money off the China trade even as it has hurt our own economy, are pushing for us to open up the China rocket industry again.

To make this clear, I am part of the team that is trying to move forward legislation to permit our high-tech industries to export to and to cooperate with friendly democratic countries. I believe in free trade between free people. But I have personally insisted on legislation opening up that free trade with free countries, and we have worked with other Members of Congress to ensure that this tech trade legislation will not loosen the restrictions on using Chinese rockets to launch American satellites. We know that launching American satellites on Chinese rockets will result in technology transfer and the upgrading of those Chinese rockets. It happened before; it will happen again. If we open up to the use of Chinese rockets, it helps them and it hurts us.

What will it do to our aerospace industry, like Boeing and Northrop Grumman, who are already hard pressed in the production of their own rockets and missiles? How about Sealaunch, a Boeing partnership with the Ukraine which launches things into space from a floating platform which is based in southern California?

Well, it recently declared bankruptcy, but if we allow the Chinese to undercut everybody's price, it will be permanently out of business. It will be permanently out of business, of course, if the People's Liberation Army is permitted to sell rocket launchers on the cheap until all of our companies go bankrupt. Space X and other entrepreneurial U.S. space transportation companies that have invested hundreds of millions of dollars of private capital in creating a private U.S. launch industry will be mortally wounded if we permit the Chinese to come in with their subsidized system and their controlled economy and undercut the price until our guys go out of business. And then, of course, they'll be in complete control of what gets into space.

The whole debate on this issue and the maneuvering on Capitol Hill reflects an insidious manipulation of our system by a foreign power and, yes, the total absence of any type of moral consideration or patriotic consideration on the part of America's financial and corporate elite. They have had one-way free trade and a multitude of economic building concessions, and it has been American policy to give it to them.

Over the years we have been told over and over again to justify such a power that we were giving this monstrous regime, and we were saying, if we just get involved with them, let's get more involved with these people, let's uplift the economy of the Chinese people, and their government will come around. By making their country more

profitable and making sure their country is more prosperous, we will actually bring forces about that will liberalize that country. That's what we were told all this time. And has that happened? There has been no liberalization in China.

I call this theory that's been foisted upon us by America's economic elite, which are making profit from that thuggery and that dictatorship and the control of the Chinese people—yes, those people gave us that ideal, that if we just keep going, keep making China more prosperous, they will come around and become more peaceful—I call that the ''Hug a Nazi, Make a Liberal'' theory, and obviously it has not worked.

So why have we had this bad policy? I would draw the people's attention to this. They are unapologetically trying to implement the same policy that failed 15 years ago, the same policy that was a tremendous detriment not only to our economy and to our high-tech industry but to the security of our country. These same forces now are trying to make sure that the legislation going through Congress takes out the language that I and other congressmen have put in it to make sure that we do not loosen the restrictions that we have on American satellites being used in Chinese rockets for launch.

By the way, what we see in Washington today is perhaps, as I say, some of the most insidious examples of some of our own weaknesses. What we've got here is tens of millions of dollars being pumped in by China and some very elite financial interests in our country to lobby Congress to try to change the rules of the game so that what was so severely damaging to us 15 years ago, as we improved Chinese rockets, which are now capable of launching nuclear weapons into our cities, because of what we did for them, they want to go back to those policies which nobody can deny will most likely result in even more improving the Chinese rocket system and the destruction of America's own homegrown rocket and missile industry.

Yet our corporate elites have enormous influence on policy. They have hired the best lobbyists in town, former Members of Congress, former Members of the Senate, people who have been inside and outside of government. These people have signed on. One Senator who was high up in the committees overseeing the Department of Defense, overseeing the security of our country, who opposed permitting Chinese rockets to launch American satellites over the years, now has been hired by the Chinese. To do what? To make sure that the rules and the regulations restricting that are lifted so that they can accomplish what he was opposing.

It doesn't get any lower than that, does it? Americans willing to accept large financial gains for themselves even as they put the rest of us and their children's children in jeopardy.

Today this isn't going to be turned around unless we have the courage to make some very strong choices and tough choices. One is to make sure that we call those people to task that are willing to sell out the long-term interests of their country for the almighty buck, and especially when that buck is coming from the world's worst human rights abuser.

□ 2220

And then finally we need the courage to walk away from the past and try to restructure our position in the world. We need to make friends and make sure that Russia is our friend because China and that radical Islam threaten both of us. There are other countries in the world that share our values and share this common threat: Russia, India—and how about Japan? Japan, which has been targeted by China, and they know they're targeted by China.

An alliance between the United States, Russia, India, and Japan would soon be joined by most of the other free countries of the world. This is a type of relationship that will bring about a more peaceful world.

And if we are going to succeed and our country is to be prosperous, if we're going to turn around this economic crisis, we have to have a long-run view, and we can't leave the decisionmaking of policies up to the financial elite in our country that only has short-term profit in mind. That is our biggest vulnerability, and the Chinese have played us like a fiddle. They know that the American corporate leaders have no loyalty to the long-term interests of the United States of America.

We must make the policy, and we cannot let China and this business elite manipulate these votes in the House of Representatives and the Senate of the United States so that policies are put in place that will not serve our interest.

We have not been diligent in the past, and that is why we are suffering today. We are suffering because of bad judgment, but also because the American people expected us to stand up and fight and we did not. We instead let these powerful interests run all over us.

And as I say, this is a bipartisan talk. I remember NANCY PELOSI here, and DANA ROHRABACHER here, I remember BARNEY FRANK there, and Chris Cox over here fighting Most Favored Nation Status for China, saying that we would regret the day when these economic policies come back and hurt our country, and they have come back and hurt us dramatically.

And they are now moving on our satellite and our rocket industry to make us even more vulnerable and to take away even those advantages, that technology advantage that we have.

Mr. Speaker, I would hope that the American people and my colleagues pay close attention to the overwhelmingly financed, heavily financed lobbying campaign that is going to try to change the rules that are now protecting our launch rocket and missile launch industries from being destroyed by cheap Chinese rockets that will in the end destroy our industry. And only then when they have us at their mercy will we feel the repercussions of the decisions we're making and the repercussions of allowing the financial elite with short-term profit in mind to make the policies for the United States of America.

America, we are the only hope in the world. We must stand strong. Democracy works if we work at it. We must stand together, and this has been the way it has been for 250 years. There would be no hope for anyone in the world today or in the past 150 years who longed for freedom, who suffered under tyranny. They would have no hope except for the courage and conviction of the United States of America. We marched out and defeated Japanese militarism and communism. We fought the Nazis.

Well, since the end of the Cold War, we've made some very bad mistakes after the fall of communism. Let's look at our decisions. Let's have the courage to recognize some bad decisions, correct them; and let's create a new alliance in this world that will serve the interest of peace, prosperity, and freedom for our people and all the peoples of the world.

## RESTORING JOB CREATION AND NATIONAL SECURITY

The SPEAKER pro tempore (Mr. FOSTER). Under the Speaker's announced policy of January 6, 2009, the gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes.

Mr. INSLEE. Mr. Speaker, this evening I come to the floor to talk about a very important issue both to our efforts to restore job creation in America and to our national security, and that is the ongoing efforts to replace our air tankers in the U.S. Air Force fleet, which are so vital to our national security, that form the backbone of our Air Force fleet, and everyone knows that our military security depends on our dominant Air Force, air cover for operations. And the ability to have that depends on having a very robust air tanker fleet to provide fuel for our jets in the air.

We now obviously need a new tanker because we relied upon the KC–135 now for decades, and they are now reaching the end of their work life, and we need to replace them for air tankers. But, Mr. Speaker, we have a real problem right now in that the proposal on how to do that is seriously unfair to American workers and seriously jeopardizes our national security interest in maintaining a very strong industrial base to be able to manufacture these aircraft.

What has happened to date is that the U.S. Air Force in its third effort to replace these air tankers with a contract has issued a request asking for proposals to provide air tankers to the

Air Force. And two bidders have expressed an interest. The Boeing consortium domestic company and the Airbus consortium, a largely European content product, are proposed bidders on this contract. There will be rigorous bidding, and there is a very extensive set of rules that the Air Force has set forth on how to run that bidding process so that we can select the most efficient, most effective, and most cost-effective aircraft for the Air Force.

But we are very concerned for two reasons about the current status of that proposal: one, this existing proposal, as the Air Force has proposed to handle the bidding, is extremely unfair to the United States worker and extremely unfair to the United States taxpayer and extremely prejudicial to the United States economy because at the moment, the Air Force has proposed to ignore clearly illegal subsidies that one of the bidders, the Airbus, largely European bidder, has received from the European Union because it is a clear fact that against clear treaties that we have and laws that we have to regulate fair trade, Airbus bidder has received billions of dollars in illegal launch aids. These are subsidies given to the company by the European Union. It is not available to Boeing; it is not available to domestic manufacturers.

Now, this is uncontested. There is no question but that the Airbus Company has received the subsidies. It is called launch aid, and launch aid is, as it would suggest, it is a clear, unbridled, clear on its face subsidy of cash essentially guaranteed by the European government to the Airbus Company.

Now, the problem with that is those subsidies are illegal under our trade agreements. They're illegal because we need trade agreements to allow our economies to act efficiently, which don't happen when their illegal subsidies and these illegal subsidies are against our mutual trade rules.

Nonetheless, the Airbus Company took them. They launched an airframe, the Airbus 330, which is the airframe that is now being suggested for this proposal by the Airbus Company.

And in the bidding process by the Air Force, the Air Force intends at the moment, unless something changes, to ignore these illegal subsidies, to not pay any attention to it whatsoever, to blind their eyes and just act as if these illegal subsidies had never happened.

Now, this is very surprising because the extent and existence of these subsidies are so well known. In fact, there is a preliminary ruling by the World Trade Organization—this is the arbitrary, the referee, if you will, of trade issues—a preliminary ruling that there has been a violation in the billions of dollars—and some have suggested an excess of $5 billion of illegal launch aid—to the Airbus consortium, or the Airbus Company, to launch this particular air tanker. And that ruling could be subject to appeal, but the facts are quite obvious. It's not like there's any mystery that we need fingerprints. The fingerprints are clear.

The European Union governments essentially guaranteed billions of dollars to Airbus, and this contravenes our treaties, and there's been a preliminary finding in that regard.

□ 2230

Nonetheless, the Air Force has proposed to go forward and to ignore this clear fact. This simply will not stand and cannot stand, to ignore this clear violation, for a variety of reasons.

Number one, it clearly violates our international treaties and rights that we have and the law that has now been incorporated into our American domestic law.

Number two, it is hugely damaging to our ability to try to start growing jobs again in this country. All of us know the pain that our fellow Americans are suffering tonight in unemployment. We know how desperate people are in unemployment lines tonight. While we have millions of people unemployed, we can't have one agency of the Federal Government, which is our United States Trade Representative, conclude that Airbus has received illegal subsidies and sued to enforce sanctions against these illegal subsidies, and another agency of the Federal Government, the U.S. Air Force, turn around and give a contract worth billions of dollars for tankers for the next several decades to ship jobs to Europe by the thousands. And it would be in the thousands that would be lost if, in fact, this contract is lost.

So we find it, frankly, incredible that the Federal Government at this moment could contemplate running a procurement process that would ignore the obvious, which is there have been subsidies that have skewed the playing field. We have suggested that this is not only bad for our economy and not only takes jobs away from hard-working Americans, a couple of thousand of whom work in Washington and probably 6,000 of whom work across the country, but it hurts our national security because we have a national security interest in having a strong military infrastructure and ability to produce airplanes.

When we send our ability to produce airplanes over to Europe, our intellectual capital, our engineering ability, our machinists, our tooling, our transportation infrastructure, that is weakened. So for several reasons it is simply wrong for the U.S. Government to contemplate buying a significantly foreign airplane when these illegal subsidies have taken place.

Now we have the ability to make this right in a way that is consistent with our international treaty obligations. We want to follow the laws. We want to have a good relationship with our trading partners. We want to sell some of our products to Europe and around the world, and that is why we don't just allow American bidders, exclusively American bidders, in this contract.

But what we expect is that the rules will be followed and fairness will prevail in this multibillion dollar issue, and right now it is not. So we have the ability and, I believe, the obligation to change this procurement formula so that we take into consideration this massive illegality.

And the way we have suggested of doing it is, rather than to ignore these clearly illegal subsidies, is to take account of these clearly illegal subsidies and adjust the bids of one of the bidders to reflect that illegal subsidy. Frankly, what we should do is use the most astute, the fairest, the most well-respected manner of determining the amount of these illegal subsidies and add it on, adjust it on to the bid of the Airbus consortium, and then consider the bids and let the chips fall where they may.

We have a way actually to do this. We have a process in this country called the countervailing tariff system that operates through the Department of Commerce, and we have a group whose job it is to go out when there is an illegal subsidy and figure out how much that illegal subsidy was.

So we need to get the Department of Commerce to crank up that system, run the process through, adjudicate what that illegal subsidy was, and add that amount to the bid of the Airbus consortium, broken down per plane of the amount those illegal subsidies held.

Now if we do this, we will be fair to the American worker. We will be fair to our need to maintain a national infrastructure. We will be fair to our trading partners, because it is in our treaty rights to act because this is a national security matter. And we will be fair because, frankly, it is consistent with at least a preliminary ruling out of the World Trade Organization.

So given all of these facts, that we have the ability to act because it is in our national security interest under the exemption of the World Trade Organization, given that it is in our ability to act because fixed wing aircraft are actually exempt from the procurement agreements we have with the European Union and other countries, given those facts, we are calling upon a fair bidding process which will take into consideration both bidders, but adjusting the price of one of them to take into account the clear, obviously inarguable fact that subsidies have been received by the Airbus consortium and we will not and should not yield on this point. Too much is at stake. Too many jobs are at stake and too obvious a violation of trade laws have occurred.

We have expressed this to the good people at the Air Force. We hope that they are considering it. We will be calling on the President to act in this regard. It is the right thing to do and we are fully capable of doing it, and we should make sure that it is part of this process.

So I would close, Mr. Speaker, by saying that we will be working—and by

the way, we want to compliment the Air Force personnel who have been working diligently. We have tried to run a bidding process twice. They now have worked and made very significant improvements in the bidding process to make sure both bidders can understand what the rules are. But we think this issue of a subsidy needs an improvement in the process.

There are some other things that we need improvement in the process to take into consideration the true value and price of gasoline because we need to figure that in when we make that procurement, and right now the Air Force, frankly, hasn't, I don't think, looked at the real price of gasoline going forward.

But with these improvements, we look forward to an honest, fair, and robust bidding process. Let the best bidder win. We believe it will be a Boeing product. It is good for America and it is good for the world to follow these rules.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NEUGEBAUER (at the request of Mr. BOEHNER) for today on account of medical reasons.

Mr. CRENSHAW (at the request of Mr. BOEHNER) for today before 2 p.m. on account of a family medical emergency.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. CHU) to revise and extend their remarks and include extraneous material:)

Ms. SUTTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GRAYSON, for 5 minutes, today.

Ms. CHU, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

(The following Members (at the request of Mr. DANIEL E. LUNGREN of California) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, October 14.

Mr. POSEY, for 5 minutes, October 8.

Mr. JONES, for 5 minutes, October 14.

Mr. DEAL of Georgia, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today and October 14.

Mr. INGLIS, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. PENCE, for 5 minutes, October 8.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. INGLIS, for 5 minutes, October 13.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. PAULSEN, for 5 minutes, today.

## SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 45. Concurrent resolution encouraging the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families in the United States as soon as possible; to the Committee on Foreign Affairs.

## BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on October 7, 2009 she presented to the President of the United States, for his approval, the following bills.

H.R. 3663. To amend title XVIII of the Social Security Act to delay the date on which the accreditation requirement under the Medicare Program applies to suppliers of durable medical equipment that are pharmacies.

H.R. 2498. To designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the ''William O. Lipinski Federal Building.''

H.R. 2913. To designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse.''

H.R. 2053. To designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse.''

H.R. 2121. To authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.

H.R. 1687. To designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the ''Ralph Regula Federal Building and United States Courthouse.''

## ADJOURNMENT

Mr. INSLEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Thursday, October 8, 2009, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3992. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final ''Major'' rule — Livestock Forage Disaster Program and Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish; Supplemental Agricultural Disaster Assistance (RIN: 0560-AH94) received September 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3993. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Thiamethoxam; Pesticide Tolerances [EPA-HQ-OPP-2008-0814; FRL-8436-5] received September 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3994. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Halosulfuron-methyl; Pesticide Tolerances [EPA-HQ-OPP-2009-0003; FRL-8436-7] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3995. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metolachlor, S-Metolachlor, Bifenazate, Buprofezin, and 2,4-D; Tolerance Actions [EPA-HQ-OPP-2009-0239; FRL-8438-9] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3996. A letter from the General Counsel, Department of the Defense, transmitting proposal for Congress to implement provisions of the Roadmap Agreement between the United States Government and the Government of Japan to establish a Special Purpose Entity to support utilities necessary for the realignment of approximately 8,000 Marine Corps personnel and their associated dependents from Okinawa to Guam; to the Committee on Armed Services.

3997. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Missouri; Update to Materials Incorporated by Reference [FRL 8952-8] received September 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3998. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Revised Format for Materials Being Incorporated by Referance for New Hampshire [NH-041-7013a; A-1-FRL-8955-9] received September 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3999. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final ''Major'' rule — Mandatory Reporting of Greenhouse Gases [EPA-HQ-OAR-2008-0508; FRL-8963-5] (RIN: 2060-A079) received September 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4000. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions [EPA-HQ-OAR-2004-0014; FRL-8937-8] received September 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4001. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Lead (Pb) Maintenace Plan Update for Marion County [EPA-R05-OAR-2009-0293; FRL-8961-6] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Approval and Promulgation of Implementation Plans; Revisions to the Alabama State Implementation Plan;

Birmingham and Jackson County; Correction Notice [EPA-R04-OAR-2007-0359-200915(c); FRL-8960-1] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4003. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM2.5); Final Rule to Stay the Grandfathering Provision for PM2.5 [EPA-HQ-OAR-2003-0062: FRL-8961-5] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 47 [EPA-HQ-SFUND-2008-0547, EPA-HQ-SFUND-2009-0071, EPA-HQ-SFUND-2009-0074, EPA-HQ-SFUND-2009-0075, EPA-HQ-SFUND-2009-0068, EPA-HQ-SFUND-2009-0069, EPA-HQ-SFUND-2008-0579, EPA-HQ-SFUND-2009-0072, EPA-HQ-SFUND-2009-0064, EPA-HQ-SFUND-2009-0073, EPA-HQ-SFUND-1997-0009; FRL-8961-3] (RIN: 2050-AD75) received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4005. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standard of Performance for New Stationary Sources and Emissions Guidelines for Exisiting Sources: Hospital/Medical/Infectious Waste Incinerators [EPA-HQ-OAR-2006-0534; FRL-8959-9] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4006. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's assessment of Demand Response and Advance Metering, pursuant to Section 1252 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

4007. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's report describing the progress made in licensing and constructing the Alaska natural gas pipeline and describing any issue impeding that progress; to the Committee on Energy and Commerce.

4008. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Department of the Army's proposed extension of a lease of defense articles to the Government of Canada (Transmittal No. 04-09); to the Committee on Foreign Affairs.

4009. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Department of the Army's proposed extension of a lease of defense articles to the Government of Canada (Transmittal No. 03-09); to the Committee on Foreign Affairs.

4010. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize the transfer of naval vessels by grant and by sale to certain foreign countries; to the Committee on Foreign Affairs.

4011. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the President's bimonthly report on progress toward a negotiated solution of the Cyprus question covering the period June 1, 2009 through July 31, 2009, pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended and in accordance with Section 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

4012. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Foreign Affairs.

4013. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses as required by section 1705(e)(6) of the Cuban Democracy Act of 1992, as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, 22 U.S.C. 6004(e)(6), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

4014. A letter from the Director, International Cooperation, Office of the Under Secretary Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 11-09 informing of an intent to sign a Project Arrangement; to the Committee on Foreign Affairs.

4015. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Letter Report: Responses to Questions Regarding the Ballpark Revenue Fund'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4016. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Letter Report: Responses to Specific Questions Regarding the Department of Housing and Community Development's Home Purchase Assistance Program'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4017. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Audit of Advisory Neighborhood Commission 8C for Fiscal Years 2007 Through 2009, as of March 31, 2009'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4018. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Audit of Advisory Neighborhood Commission 7E for Fiscal Years 2007 Through 2009, as of March 31, 2009'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4019. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Audit of Advisory Neighborhood Commission 8E for Fiscal Years 2007 Through 2009, as of March 31, 2009'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4020. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Audit of Advisory Neighborhood Commission 2A for Fiscal Years 2007 Through 2009, as of March 31, 2009'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4021. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Audit of Advisory Neighborhood Commission 3F for Fiscal Years 2007 Through 2009, as of March 31, 2009'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4022. A letter from the Director, Executive Office Of The President Office of National Drug Control Policy, transmitting final addendum to the Fiscal Year 2008 Performance Summary Report transmitted in April 2009, pursuant to Public Law 105-277, Div. C-Title VII, section 705(d); to the Committee on Oversight and Government Reform.

4023. A letter from the Chairman and CEO, Farm Credit Administration, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Administration's inventory of commerical activities for calendar year 2009; to the Committee on Oversight and Government Reform.

4024. A letter from the Acting Senior Procurement Excutive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-36; Small Entity Compliance Guide [Docket FAR 2009-0002, Sequence 7] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4025. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2007-002, Cost Accounting Standards (CAS) Administration and Associated Federal Acquisition Regulation Clauses [FAC 2005-36; FAR Case 2007-002; Item IV; Docket 2008-0001, Sequence 22] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4026. A letter from the Inspector General, Nuclear Regulatory Commission, transmitting the Commission's Fiscal Year 2008 Commercial and Inherently Governmental Activities Inventories the Commission's Fiscal Year 2009 Commercial and Inherently Governmental Activities Inventories, pursuant to Federal Activities Inventory Reform Act of 1988; to the Committee on Oversight and Government Reform.

4027. A letter from the Assistant Attorney General, Office of Legislative Affairs Department of Justice, transmitting the activites of the Department of Justice regarding prison rape abatement for the preceding year, pursuant to 42 U.S.C. 15604 Public Law 108-79, section 5(b)(1); to the Committee on the Judiciary.

4028. A letter from the Assistant Attorney General, Office of Legislative Affairs Department of Justice, transmitting Prison Rape Elimination Act (PREA) Data Collection Activities, 2009, pursuant to Public Law 108-79, section 4(c)(1) (117 Stat. 977); to the Committee on the Judiciary.

4029. A letter from the Assistant Attorney General, Office of Legislative Affairs Department of Justice, transmitting the semi-annual report of the Attorney General concerning enforcement actions taken by the Department under the Lobbying Disclosure Act, Public Law 104-65, as amended by Public Law 110-81, codified at 2 U.S.C. Sec. 1605(b)(1) for the semi-annual period beginning on July 1, 2008, pursuant to 2 U.S.C. section 1605(b)(1); to the Committee on the Judiciary.

4030. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the National Transportation Safety Board's response to OMB's request for views on H.R. 3371, the ''Airline Safety and Pilot Training Improvement Act of 2009''; to the

Committee on Transportation and Infrastructure.

4031. A letter from the Acting Administrator, Transportation Security Administration Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at 7 Montana airports will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920(d); to the Committee on Homeland Security.

4032. A letter from the Director, Executive Office Of The President Office Of National Drug Control Policy, transmitting a response to GAO-09-339R Counterdrug Technology Assessment Center, pursuant to 31 U.S.C. 270; jointly to the Committees on Energy and Commerce and Oversight and Government Reform.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SKELTON: Committee of Conference. Conference report on H.R. 2647. A bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes (Rept. 111–288). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA:

H.R. 3736. A bill to reform the Minerals Management Service by establishing it as an independent Federal agency; to the Committee on Natural Resources.

By Mr. ELLSWORTH:

H.R. 3737. A bill to amend the Small Business Act to improve the Microloan Program, and for other purposes; to the Committee on Small Business.

By Mr. NYE:

H.R. 3738. A bill to amend the Small Business Investment Act of 1958 to establish a program for the Small Business Administration to provide financing to support early-stage small businesses in targeted industries, and for other purposes; to the Committee on Small Business.

By Mr. BUCHANAN:

H.R. 3739. A bill to amend title V of the Small Business Investment Act of 1958 to provide for improved long-term financing to small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. LUETKEMEYER:

H.R. 3740. A bill to amend the Small Business Investment Act of 1958 with respect to small business investment companies, and for other purposes; to the Committee on Small Business.

By Mr. HOEKSTRA:

H.R. 3741. A bill to provide Federal matching funding for State insurance expenditures for high risk pools; to the Committee on Energy and Commerce.

By Mr. KILDEE:

H.R. 3742. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. GRIFFITH:

H.R. 3743. A bill to amend the Small Business Act to improve the disaster relief programs of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. ARCURI (for himself and Mr. LEE of New York):

H.R. 3744. A bill to amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A nonimmigrants employed as dairy workers and sheepherders, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN:

H.R. 3745. A bill to amend the Communications Act of 1934 to provide for carriage and display of public, educational, and government channels in a manner consistent with commercial channels, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BERKLEY (for herself and Ms. TITUS):

H.R. 3746. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for making homes more water-efficient, for building new water-efficient homes, for public water conservation, and for other purposes; to the Committee on Ways and Means.

By Ms. BERKLEY (for herself and Ms. TITUS):

H.R. 3747. A bill to promote water efficiency, conservation, and adaptation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY (for herself and Ms. TITUS):

H.R. 3748. A bill to establish loan guarantee programs to develop biochar technology using excess plant biomass, to establish biochar demonstration projects on public land, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOREN (for himself, Mr. RYAN of Wisconsin, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. CASSIDY, Mrs. DAHLKEMPER, Mr. ELLSWORTH, Mr. KIND, Mr. KISSELL, Mr. KLINE of Minnesota, Mr. MANZULLO, Mr. MCCOTTER, Mr. MILLER of Florida, Mr. PERRIELLO, Mr. RODRIGUEZ, Mr. ROGERS of Alabama, Mr. SENSENBRENNER, Mr. SHULER, Mr. WAMP, Mr. SHUSTER, Mr. SIMPSON, Mr. DINGELL, Mr. ROSS, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 3749. A bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public lands and ensure continued opportunities for these activities; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTA (for himself and Mr. CARDOZA):

H.R. 3750. A bill to authorize certain transfers of water in the Central Valley Project, and for other purposes; to the Committee on Natural Resources.

By Mr. DELAHUNT:

H.R. 3751. A bill to authorize the Administrator of General Services to convey a parcel of real property to the town of Nantucket, Massachusetts, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FORBES:

H.R. 3752. A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIJALVA (for himself, Mr. HONDA, Mr. MCGOVERN, Mr. HINOJOSA, and Ms. CLARKE):

H.R. 3753. A bill to establish dual-language education programs in low-income communities; to the Committee on Education and Labor.

By Mrs. MCCARTHY of New York:

H.R. 3754. A bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MORAN of Kansas:

H.R. 3755. A bill to amend the National Trails System Act to designate the route of the Smoky Hill Trail, an overland trail across the Great Plains during pioneer days in Kansas and Colorado, for study for potential addition to the national trails system; to the Committee on Natural Resources.

By Mr. WELCH (for himself, Mr. PERRIELLO, Mr. LOEBSACK, and Mr. HODES):

H.R. 3756. A bill to amend the Supplemental Appropriations Act, 2008 to provide for additional weeks of emergency unemployment benefits; to the Committee on Ways and Means.

By Mr. WOLF:

H.R. 3757. A bill to authorize the Secretary of the Interior to conduct a special resource study of the General of the Army George Catlett Marshall National Historic Site at Dodona Manor in Leesburg, Virginia, and for other purposes; to the Committee on Natural Resources.

By Mr. FILNER:

H. Res. 804. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 1016, with amendment; to the Committee on Rules.

By Mr. CARTER:

H. Res. 805. A resolution raising a question of the privileges of the House; to the Committee on Standards of Official Conduct.

By Mr. GRIJALVA:

H. Res. 806. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 1035, with an amendment; considered and agreed to. considered and agreed to.

By Mr. PENCE:

H. Res. 807. A resolution electing a minority member to a standing committee; considered and agreed to. considered and agreed to.

By Mr. OLSON:

H. Res. 809. A resolution honoring the fact-finding reporting done by Hannah Giles and James O'Keefe III in their investigation in the fraudulent and illegal practices and misuse of taxpayer dollars by the Association of Community Organization for Reform Now (ACORN); to the Committee on Oversight and Government Reform.

By Mr. BURTON of Indiana (for himself, Mr. WEXLER, Mr. MANZULLO, Mr. CROWLEY, Mr. INGLIS, Mr. PRICE of

North Carolina, Mr. SIRES, Mr. HONDA, Mr. WILSON of South Carolina, and Ms. SPEIER):

H. Res. 810. A resolution expressing condolences to the citizens of Indonesia and support for the Government of Indonesia in the aftermath of the devastating earthquake that struck the island of Sumatra; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California (for herself, Mr. PLATTS, Ms. BORDALLO, Mr. FILNER, Ms. HIRONO, Ms. MATSUI, and Mr. GRIJALVA):

H. Res. 811. A resolution expressing support for designation of October 2009 as ''National Principals Month''; to the Committee on Education and Labor.

By Mr. LANCE (for himself, Mr. ABERCROMBIE, Mr. BACA, Mrs. BLACKBURN, Ms. BORDALLO, Mr. BROWN of South Carolina, Mr. BUTTERFIELD, Mr. CASTLE, Ms. GIFFORDS, Mr. HALL of New York, Mr. HOLDEN, Mr. JONES, Mr. KINGSTON, Mr. LOBIONDO, Mr. MILLER of Florida, Mr. NYE, Mr. ORTIZ, Mr. PASCRELL, Mr. RODRIGUEZ, Mr. SMITH of New Jersey, Mr. WHITFIELD, and Mr. WILSON of South Carolina):

H. Res. 812. A resolution recognizing the significant contributions of the Military Working Dog (MWD) Program to the United States Armed Forces; to the Committee on Armed Services.

By Mr. SESTAK (for himself and Ms. WATSON):

H. Res. 813. A resolution expressing support for designation of the month of October as Project Management Month; to the Committee on Oversight and Government Reform.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. ELLISON.
H.R. 270: Ms. FUDGE.
H.R. 303: Ms. FUDGE.
H.R. 305: Mr. BROWN of South Carolina.
H.R. 321: Mr. PITTS.
H.R. 333: Ms. FUDGE.
H.R. 413: Mr. CHANDLER, Mr. LARSON of Connecticut, Ms. MOORE of Wisconsin, Mr. CONYERS, Ms. SPEIER, Mr. BISHOP of New York, Ms. BERKLEY, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 484: Ms. FUDGE.
H.R. 557: Mr. KLINE of Minnesota, Mrs. MCMORRIS RODGERS, and Mr. FORBES.
H.R. 676: Mr. BACA.
H.R. 731: Mr. COLE.
H.R. 734: Mr. DANIEL E. LUNGREN of California, Mr. MICA, Mr. KRATOVIL, and Ms. SUTTON.
H.R. 745: Mr. KIRK.
H.R. 816: Mr. POSEY, Mr. THOMPSON of California, Mr. CUMMINGS, Mr. LINCOLN DIAZ-BALART of Florida, Ms. FUDGE, and Mr. SCHOCK.
H.R. 868: Mr. ROTHMAN of New Jersey.
H.R. 877: Ms. ESHOO and Mr. MANZULLO.
H.R. 953: Mr. PUTNAM.
H.R. 1020: Mr. VISCLOSKY.
H.R. 1054: Mr. COFFMAN of Colorado.
H.R. 1064: Ms. CHU.
H.R. 1142: Mr. MORAN of Virginia.
H.R. 1147: Mr. REYES, Mrs. CHRISTENSEN, and Ms. SLAUGHTER.
H.R. 1168: Mrs. BLACKBURN.
H.R. 1177: Mr. CAO.
H.R. 1182: Ms. JENKINS, Mr. COURTNEY, Mr. GORDON of Tennessee, Mr. BOYD, Mr. MURPHY of Connecticut, and Ms. FUDGE.
H.R. 1193: Mr. SESTAK.
H.R. 1208: Mr. HARPER, Mr. MORAN of Kansas, and Mr. FORBES.
H.R. 1229: Mr. GARRETT of New Jersey.
H.R. 1230: Mr. SNYDER.
H.R. 1237: Mr. FRANK of Massachusetts.
H.R. 1245: Mr. UPTON.
H.R. 1303: Mr. TOWNS and Mr. CARSON of Indiana.
H.R. 1361: Mrs. LOWEY.
H.R. 1402: Mr. LANCE.
H.R. 1427: Ms. KAPTUR.
H.R. 1443: Mrs. CAPPS.
H.R. 1475: Mr. HONDA.
H.R. 1545: Mr. RYAN of Ohio.
H.R. 1547: Mr. CANTOR.
H.R. 1548: Mr. MORAN of Virginia.
H.R. 1585: Mr. CLAY.
H.R. 1712: Mr. WITTMAN.
H.R. 1763: Mr. CALVERT.
H.R. 1831: Mr. TURNER, Mr. SHERMAN, Mr. COHEN, Mr. MCHENRY, and Mr. PAYNE.
H.R. 1844: Ms. SLAUGHTER.
H.R. 1866: Mr. DEFAZIO.
H.R. 1956: Mr. TOWNS.
H.R. 1977: Mr. AL GREEN of Texas and Mr. MEEKS of New York.
H.R. 1993: Mr. HARE.
H.R. 2016: Mr. MCMAHON and Mr. ELLISON.
H.R. 2017: Mr. DEFAZIO.
H.R. 2136: Mr. COHEN, Mr. RUPPERSBERGER, Mr. PERRIELLO, Mr. JACKSON of Illinois, and Ms. RICHARDSON.
H.R. 2138: Mr. SABLAN.
H.R. 2156: Mr. CARNAHAN.
H.R. 2160: Mrs. MILLER of Michigan.
H.R. 2194: Mr. TEAGUE, Mr. GRIJALVA, and Mr. TOWNS.
H.R. 2246: Mr. AL GREEN of Texas.
H.R. 2254: Ms. ROYBAL-ALLARD, Ms. DELAURO, Mr. SIRES, Mr. MOORE of Kansas, and Mr. ELLSWORTH.
H.R. 2269: Ms. KILPATRICK of Michigan.
H.R. 2296: Ms. MARKEY of Colorado.
H.R. 2349: Ms. SCHAKOWSKY.
H.R. 2373: Mr. PITTS and Ms. BALDWIN.
H.R. 2408: Mr. ROTHMAN of New Jersey.
H.R. 2413: Mr. BERRY, Mr. ETHERIDGE, Mr. SHERMAN, and Ms. WATERS.
H.R. 2452: Mr. MILLER of North Carolina and Mr. GARRETT of New Jersey.
H.R. 2478: Ms. WOOLSEY.
H.R. 2499: Mrs. CAPPS and Ms. SLAUGHTER.
H.R. 2502: Mr. MEEKS of New York, Mr. COSTA, and Mrs. CHRISTENSEN.
H.R. 2507: Ms. HIRONO.
H.R. 2523: Ms. HIRONO.
H.R. 2546: Mr. MASSA, Mr. BURTON of Indiana, and Mr. TONKO.
H.R. 2554: Mr. TIAHRT.
H.R. 2555: Mr. CUMMINGS.
H.R. 2556: Mr. PENCE and Mr. FLEMING.
H.R. 2563: Mr. BOYD.
H.R. 2565: Mr. DICKS and Mr. PRICE of North Carolina.
H.R. 2573: Mr. FATTAH and Mr. LÚJAN.
H.R. 2593: Mr. DICKS and Ms. JENKINS.
H.R. 2662: Mr. POLIS of Colorado.
H.R. 2691: Mr. GENE GREEN of Texas.
H.R. 2692: Ms. JENKINS.
H.R. 2702: Mr. WITTMAN.
H.R. 2737: Mr. BAIRD and Ms. SPEIER.
H.R. 2777: Mr. JACKSON of Illinois.
H.R. 2807: Mr. PASCRELL, Mr. ROTHMAN of New Jersey, and Mr. WALZ.
H.R. 2817: Mr. AL GREEN of Texas.
H.R. 2868: Mrs. MALONEY.
H.R. 2888: Mr. JACKSON of Illinois, Mr. QUIGLEY, and Mr. DOGGETT.
H.R. 2931: Mr. HALL of New York, Mr. PERRIELLO, and Mr. RODRIGUEZ.
H.R. 2935: Ms. GINNY BROWN-WAITE of Florida.
H.R. 3017: Mrs. CHRISTENSEN, Mr. PERLMUTTER, and Mr. HOLDEN.
H.R. 3048: Mr. CAPUANO.
H.R. 3097: Mr. KILDEE.
H.R. 3101: Mr. GRIJALVA, Mr. HONDA, and Mr. MORAN of Virginia.
H.R. 3116: Mr. TAYLOR.
H.R. 3226: Mr. KIRK.
H.R. 3240: Mr. MASSA and Mr. WITTMAN.
H.R. 3320: Mr. CLAY, Ms. WOOLSEY, and Mr. RUSH.
H.R. 3339: Mr. REHBERG.
H.R. 3381: Ms. BERKLEY, Mr. FATTAH, Ms. CHU, and Ms. KILROY.
H.R. 3409: Mr. GRAYSON.
H.R. 3427: Mr. TEAGUE and Mr. HARE.
H.R. 3448: Mr. ALTMIRE.
H.R. 3457: Mr. YOUNG of Alaska.
H.R. 3465: Mr. HOLT and Mr. SHULER.
H.R. 3496: Ms. KAPTUR.
H.R. 3503: Mr. MOORE of Kansas and Mr. ROTHMAN of New Jersey.
H.R. 3508: Mr. CALVERT.
H.R. 3524: Mr. PAUL, Mr. PERRIELLO, Mr. INGLIS, Mr. DAVIS of Alabama, Mr. RADANOVICH, Mr. MASSA, Ms. HERSETH SANDLIN, and Mrs. CAPPS.
H.R. 3525: Mrs. BONO MACK.
H.R. 3553: Mr. TEAGUE.
H.R. 3554: Mr. SHULER, Mr. ALEXANDER, and Ms. FUDGE.
H.R. 3590: Mr. MINNICK.
H.R. 3597: Mr. RYAN of Ohio.
H.R. 3606: Mr. SKELTON and Mr. LEE of New York.
H.R. 3610: Mr. COFFMAN of Colorado.
H.R. 3611: Mr. BARRETT of South Carolina.
H.R. 3612: Mr. LATTA.
H.R. 3633: Ms. ESHOO, Mr. STUPAK, Mr. DINGELL, Mrs. CHRISTENSEN, and Mr. ROGERS of Alabama.
H.R. 3636: Mr. CUMMINGS.
H.R. 3639: Mr. CUMMINGS, Mr. ELLISON, Mr. MAFFEI, Mr. ACKERMAN, Ms. PINGREE of Maine, Ms. LEE of California, and Ms. MARKEY of Colorado.
H.R. 3641: Mr. MASSA, Mr. MINNICK, and Ms. CHU.
H.R. 3650: Mr. HOLT.
H.R. 3672: Mr. ROTHMAN of New Jersey, Mr. ENGEL, and Mr. COURTNEY.
H.R. 3674: Mr. HODES.
H.R. 3682: Mr. MORAN of Kansas, Mr. VAN HOLLEN, and Ms. JENKINS.
H.R. 3691: Mr. POSEY.
H.R. 3692: Mr. REYES, Ms. KOSMAS, and Mr. WEINER.
H.R. 3695: Mr. MINNICK.
H.R. 3698: Ms. JENKINS.
H.R. 3700: Mr. LINDER, Mr. BROWN of South Carolina, Mr. COLE, Mr. MARCHANT, Mr. SCHOCK, and Mr. PITTS.
H.R. 3703: Mrs. MILLER of Michigan.
H.R. 3711: Mr. WEINER.
H.R. 3712: Mr. LATTA, Mr. MCCOTTER, and Mr. MARKEY of Massachusetts.
H.R. 3715: Mr. VAN HOLLEN, Mr. MURPHY of Connecticut, Ms. RICHARDSON, and Mr. PLATTS.
H.R. 3728: Mrs. CHRISTENSEN.
H.R. 3731: Mr. GENE GREEN of Texas.
H.R. 3734: Mr. SCOTT of Virginia and Mr. CLEAVER.
H. Con. Res. 144: Mr. HIMES.
H. Con. Res. 158: Mr. MCNERNEY.
H. Con. Res. 169: Mr. TURNER.
H. Con. Res. 185: Mr. BUYER, Mr. HOEKSTRA, Mr. HUNTER, Mr. LATHAM, Mr. ROHRABACHER, Mr. GALLEGLY, Mr. PETRI, Mr. MORAN of Kansas, Mr. MANZULLO, Ms. ROS-LEHTINEN, Mr. KING of New York, and Mr. CANTOR.
H. Res. 111: Ms. DELAURO.
H. Res. 150: Mr. DRIEHAUS and Mr. MEEKS of New York.
H. Res. 159: Mr. BUTTERFIELD.
H. Res. 185: Mr. HASTINGS of Florida.
H. Res. 554: Mr. MANZULLO, Mr. GALLEGLY, Mr. HILL, and Mr. FRANKS of Arizona.
H. Res. 558: Ms. KILROY.
H. Res. 568: Mr. AL GREEN of Texas and Ms. JENKINS.
H. Res. 582: Mr. WAXMAN.
H. Res. 603: Ms. WATSON.
H. Res. 613: Mr. SHUSTER, Mr. KIND, Mr. ISSA, and Mr. SALAZAR.
H. Res. 660: Mr. SCOTT of Virginia.

H. Res. 704: Mr. MCGOVERN, Mr. FATTAH, Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, and Mr. BURGESS.

H. Res. 708: Mr. RUSH, Mr. FOSTER, Ms. WASSERMAN SCHULTZ, Mr. GUTHRIE, Mr. ISRAEL, Mr. DINGELL, Ms. ROS-LEHTINEN, Mr. DOGGETT, Mr. WESTMORELAND, Mr. MARCHANT, and Mr. CONNOLLY of Virginia.

H. Res. 711: Mr. CUMMINGS, Mr. MCMAHON, and Mr. PRICE of North Carolina.

H. Res. 715: Mr. PITTS, Mr. TIM MURPHY of Pennsylvania, and Mr. MCMAHON.

H. Res. 716: Ms. ZOE LOFGREN of California.

H. Res. 727: Mr. JACKSON of Illinois and Mr. TERRY.

H. Res. 729: Mr. MILLER of Florida, Mr. BARTLETT, Mrs. CAPITO, Ms. FALLIN, Mr. JORDAN of Ohio, Mr. MCHENRY, Mr. GENE GREEN of Texas, Mr. KRATOVIL, Mr. PAULSEN, Ms. WASSERMAN SCHULTZ, Mr. CHAFFETZ, Mr. CARTER, Mr. THORNBERRY, Ms. GRANGER, Mr. CULBERSON, Mr. WESTMORELAND, Mr. DEAL of Georgia, Mr. GINGREY of Georgia, Mr. BROUN of Georgia, Mr. FORTENBERRY, Mr. WELCH, Mr. AL GREEN of Texas, Mr. PASCRELL, and Mrs. CHRISTENSEN.

H. Res. 736: Mr. MANZULLO, Mr. DENT, Mr. HINCHEY, Mr. LATOURETTE, Mr. UPTON, Mr. CASTLE, and Mr. PETRI.

H. Res. 740: Mrs. MILLER of Michigan.

H. Res. 759: Mr. GINGREY of Georgia.

H. Res. 764: Mr. INGLIS and Mr. WOLF.

H. Res. 773: Ms. BORDALLO, Mr. SKELTON, Mr. WILSON of South Carolina, Mr. CALVERT, Mr. CRENSHAW, Mr. CUELLAR, and Mr. ROONEY.

H. Res. 780: Mr. AL GREEN of Texas and Mr. FALEOMAVAEGA.

H. Res. 781: Mr. LAMBORN.

H. Res. 783: Mr. WITTMAN, Mr. PRICE of North Carolina, Mr. BURGESS, Mr. REICHERT, and Ms. RICHARDSON.

H. Res. 786: Mr. GOODLATTE, Mr. SMITH of Nebraska, Mr. CARNAHAN, Mr. BOOZMAN, Ms. LEE of California, Ms. ROS-LEHTINEN, and Mr. ELLISON.

H. Res. 787: Mr. SCHAUER, Mr. GENE GREEN of Texas, Mr. DELAHUNT, Mr. CASTLE, Mr. GERLACH, Mr. HUNTER, Mrs. CHRISTENSEN, Mr. MEEKS of New York, Mr. DOYLE, Mr. BERMAN, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, and Mr. PETERSON.

H. Res. 789: Mr. PUTNAM, Mr. BOUSTANY, Mr. FRELINGHUYSEN, Mr. LANCE, Mrs. CAPITO, Mr. KIRK, Mr. DENT, Mr. ROSKAM, Mr. INGLIS, Mr. BURTON of Indiana, Mr. PAULSEN, Mr. PLATTS, and Ms. BEAN.

H. Res. 790: Mr. RAHALL, Mr. BERRY, Mr. LUJÁN, Mr. SIRES, Mr. CARNAHAN, Ms. MARKEY of Colorado, Mr. BAIRD, Ms. SHEA-PORTER, Mr. MOORE of Kansas, Mr. GORDON of Tennessee, Mr. MOLLOHAN, Mr. DOYLE, Mr. PETERSON, Mr. MATHESON, Mr. COURTNEY, Ms. SUTTON, Mr. ABERCROMBIE, Mr. ALTMIRE, Mr. MELANCON, Mr. CHANDLER, Mr. BOREN, Ms. DEGETTE, Mrs. DAVIS of California, Mr. SNYDER, Mr. SCOTT of Georgia, Mr. FOSTER, Mr. COOPER, Mr. DICKS, Mr. SHULER, and Mr COHEN.

H. Res. 793: Mr. BOOZMAN, Ms. KOSMAS, Mr. DAVIS of Illinois, Mr. SMITH of Texas, Mr. MCNERNEY, Mr. SAM JOHNSON of Texas, Mr. PAUL, Mr. SIRES, Mr. TONKO, and Mr. TEAGUE.

H. Res. 796: Mr. BROUN of Georgia, Mr. DAVIS of Kentucky, Mr. ISSA, Mr. PRICE of Georgia, Mr. LAMBORN, Mr. AKIN, Mr. JORDAN of Ohio, Mr. MCKEON, Mr. GOODLATTE, Mr. COLE, Mr. POSEY, Mr. PITTS, and Mr. GARRETT of New Jersey.

H. Res. 800: Mr. MCNERNEY, Ms. ZOE LOFGREN of California, Mr. WILSON of South Carolina, Mr. FORTENBERRY, Mr. COHEN, Mr. INSLEE, Mr. PERLMUTTER, Mr. BERRY, Mr. FOSTER, and Mr. TONKO.

H. Res. 801: Ms. LEE of California, Mr. JACKSON of Illinois, and Mr. DELAHUNT.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 701: Mr. BOREN.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, OCTOBER 7, 2009 No. 144

# Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

## PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign Lord of history, as good and faithful people serve and struggle for the path of justice and peace, give them light for the way and strength for the day. Defend them against any deterrent to responsible statesmanship, any compromise that sacrifices principle or violates conscience.

Lord, infuse them with a grace and wisdom that will measure personal conviction in the light of truth and courage. May each Senator act consistent with enlightened conscience however costly to personal ambition.

In disagreement, give our lawmakers the wisdom to respect opposing views and a willingness to be flexible when the good of the people and the ripeness of the issues become clear. Shine Your hope into their lives to brighten the darkness of discouragement as You remind our Senators that their times are in Your hands.

We pray in Your holy Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, October 7, 2009.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for 1 hour, with Senators allowed to speak for up to 10 minutes each. The majority will control the first 30 minutes, and the Republicans will control the second 30 minutes.

Following morning business, the Senate will resume consideration of the Commerce-Justice-Science appropriations bill. Senators will be notified when votes are scheduled during today's session.

## SENATE TRADITION OF RECITING THE PLEDGE OF ALLEGIANCE

Mr. REID. Mr. President, the Senate is nothing if not a temple to tradition. We debate and we deliberate according to the same rules where Daniel Webster, Henry Clay, and John C. Calhoun considered the future of this young Nation. We vote without the help of modern electronics, as the first Senators did. We refer to each other in the third person during even the most heated discussions.

Senators take pride in the desks they occupy. Senator Ted Kennedy surrendered his rights as a senior member of the body at one time to move closer to the front so he could share the same desk in which his two brothers' names are inscribed.

On the top of those desks, we still keep the same inkwell. Mine has paper clips in it now. But this is an inkwell. It has been there since we moved to this Chamber and even before.

Also, we have something from the past. There is a spittoon. Most all Senators chewed tobacco and did a lot of spitting. But we still have these here. I use mine to throw a few pieces of wastepaper in it. But it is traditional. That is the Senate.

There are other things that can be referred to if Senator BYRD were here. He is an expert. In fact, he is the custodian of Senate traditions. He can add countless more examples. I could add a few more, but Senator BYRD could add an endless list.

Last week, the Republican leader and I spoke here about the Pledge of Allegiance to our flag. When we first came to the Senate—Senator MCCONNELL and this Senator—there was no Pledge of Allegiance before we started our sessions.

So today I will speak of one of our new traditions which we have observed daily for more than a decade and, again, just a few minutes ago when we recited the pledge. It has not always been this way.

The sentence itself, barely more than 30 words long, is not even 120 years old. The pledge was born like many American rituals, out of capitalism. It was written by a children's magazine trying to sell American flags on the 400th anniversary of Columbus's arrival in the Americas.

The magazine sought to sell flags to every school in the country, and a minister and author named Francis Bellamy penned the pledge to promote unity among schoolchildren as the Nation reeled from the recent Civil War.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Almost a half century later, at the end of World War II, Congress formerly recognized the pledge, but it was not yet a Senate staple, not until 10 years ago, when a New Hampshire schoolgirl wrote to Senator Bob Smith of New Hampshire and asked why the Senate did not recite the pledge every morning. She noted the House of Representatives recited it and her school did but not the Senate. Francis Bellamy would have been proud. The line he wrote to instill allegiance in schoolchildren ultimately became part of the Senate procedure at the behest of a student from New Hampshire.

We now recite the Pledge of Allegiance before any Senate business begins, and we are reminded of our common procedures and our shared loyalty, despite our often opposing outlooks politically.

The first day the pledge was recited in public schools across the country was Columbus Day in 1892. So ahead of this Columbus Day, which will fall this coming Monday, I take a brief moment to remind my fellow Senators and all those who are watching and listening to the Senate of one of our newest and proudest traditions, the salute to our flag.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Washington State is recognized.

## HEALTH CARE

Mrs. MURRAY. Mr. President, I have been troubled recently by some of the claims I have heard about health insurance reform legislation that we have been working on in the Senate. When I spoke on the floor earlier this July, I said all you had to do was look at a newspaper, turn on cable news to see that the rhetoric on health insurance reform was heating up.

Unfortunately, as is often the case, the debate has not gotten any better, but it certainly has gotten louder. I know there is a lot of concern out there, and there is a lot of bad information going around.

The latest outrageous claim about reform is it would hurt America's seniors. I am here to tell our seniors and their families: That claim is false. I wish to make this perfectly clear: We are not proposing, here in the Senate, to cut Medicare benefits or to do anything to negatively affect the health of those who are receiving Medicare.

When you hear rumors about how reform will affect seniors, consider the source. Listen to some of the inflammatory quotes. A Republican Member of the House of Representatives said: ''Let me tell you here and now, it is socialized medicine.''

Another Republican Congressman said: ''We cannot stand idly by now as the Nation is urged to embark on an ill-conceived adventure in government medicine, the end of which no one can see, and from which the patient is certain to be the ultimate sufferer.''

Those are not quotes about the current health insurance reform effort. Those statements were made in 1965, when Republicans were opposing the establishment of Medicare. Their position has not changed. Republicans have voted against Medicare almost 60 times in the last 10 years. Now, all of a sudden, Republicans are claiming Democrats support cutting Medicare benefits.

That is why last Sunday the New York Times said Republicans are: ''Obscuring and twisting the facts and spreading unwarranted fear.'' Scoring cheap political points does not do anything at all to help Americans get affordable health insurance. Our families, and especially our seniors, deserve better.

You do not have to go back too far to find a perfect example of this Senate's history on that subject. Just last year, Democrats overcame a Republican filibuster and a veto by then-President Bush to pass the Medicare Improvements for Patients and Providers Act. That bill prevented physicians from suffering cuts in the rate at which Medicare reimburses them for providing care to seniors.

If those cuts had happened, many doctors would have been forced to stop treating patients with Medicare, severely limiting seniors' access to health care. Democrats wanted to make sure there were enough doctors to go around, and we did.

That bill also made commonsense fixes to Medicare, including requiring that Medicare cover cardiac and pulmonary rehabilitation programs, lowering seniors' copayments for mental health services, and preventing cuts to vital oxygen equipment and wheelchairs.

That bill should not have been controversial. It was vetoed by President Bush. When the Senate had a chance to pass the bill over that veto, it was only the Republicans, almost 60 percent of those in the Senate, who sided with President Bush and said no to our seniors.

Actions speak louder than words. So do not be fooled when Republicans tell you Democrats do not want to protect Medicare or that health insurance reform will not be good for seniors.

The truth is, the Democratic proposal will help our seniors get the care and coverage they need and have earned. This should come as no surprise to anyone. After all, Democrats have had a long history of working to improve the health and general well-being of seniors. Democrats created Medicare over the objections of Republicans because we recognized that no American should go without health care, especially once they reach retirement age.

The American people know it has been Democrats who have been protecting Medicare for seniors since we created the program 44 years ago. Nothing has changed. Today, it is still Democrats who are fighting for better, more affordable health care for everyone, especially our seniors. Specifically, our plan moves toward closing that doughnut hole in prescription drug coverage and provides access to more affordable generic drugs. If you have Medicare, our plan makes recommended preventative services such as colonoscopies and mammograms free.

It will ensure that if you have Medicare you get a free physical every year, not just when you enroll in the program. Our plan will aggressively attack the fraud and abuse that raises Medicare costs for seniors and for all of us as taxpayers.

One thing that has been too often missing from this discussion is what will happen to Medicare if there is no reform. It is now projected that as early as 2017, if we do not make changes, the money Medicare spends on benefits and services will be greater than its income. At that point, seniors would have to pay a greater portion of their health care costs or receive fewer Medicare benefits. That is unacceptable.

Our current system is unsustainable. That is one of the reasons the nonpartisan AARP supports reform this year. They know, like we do, that we must protect Medicare for our seniors over both the short term and the long term. Our plan will prevent cost increases and overpayments to insurance companies in order to keep Medicare out of the red. Now is the time to act on health care. Let me be clear. Under the Republican plan, insurance companies can dump you for preexisting conditions because you are a woman, because you are getting older, because you get sick, and Medicare will face bankruptcy.

Under our plan, if you like what you have, you keep it. If you don't we will provide affordable choices for you. We are going to protect Medicare. We will not raise taxes on the middle class, and we will not add a dime to the deficit.

Every day 14,000 more Americans lose their health insurance. That has to stop. This is not only about those who don't have coverage. The cost of treatment for the uninsured is passed on to every taxpayer. It is estimated that a family of four pays a hidden tax of

$1,000 every year in premiums to help pay for those who don't have coverage. We will help remove that burden from all working families. We will provide stability and choice to families and businesses. We will return health care decisions back where they belong, in the hands of patients and doctors, not insurance company bureaucrats. Rumors and misinformation and scare tactics about Medicare should not prevent us from passing meaningful health insurance reform legislation this year.

I yield the floor.

## RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

## THE DEMOCRATIC PLAN

Mr. MCCONNELL. Mr. President, the latest trillion-dollar, 1,000-page Democrat plan raises some questions—questions such as: What happens to Medicare?

Tens of millions of American seniors want to know.

Here is what we can say for sure.

The Democrat plan is a trillion-dollar experiment that cuts Medicare, raises taxes, and threatens the health care choices that millions of Americans now enjoy.

We know the Democrat plan will make massive cuts to Medicare—$500 billion worth—to fund more government spending.

We know Medicare Advantage benefits will be slashed almost in half, causing many of the 11 million seniors enrolled in it to lose benefits, such as hearing aid coverage and dental care.

We know it contains nearly $120 billion in cuts to hospitals that care for seniors, more than $40 billion from home health agencies, and nearly $8 billion from hospices.

And we know this: Medicare is already on the path to bankruptcy. Yet instead of trying to fix it, the Democrat plan is to use it as a piggy bank to pay for new government-run health care programs.

Republicans have tried to protect Medicare throughout this debate. Our amendments to do so were rejected in committee. We proposed an amendment to prevent cuts to skilled nursing facilities, long-term care hospitals, inpatient rehabilitation, hospice care and home health care. They rejected it. We offered an amendment to strike cuts that wouldn't improve Medicare. They rejected it. We offered an amendment to eliminate an unaccountable commission that would have the power to decide payments to Medicare providers. They rejected it. This isn't reform, and America's seniors know it.

Americans are demanding that their voices are heard in this debate. They want their questions answered, particularly when it comes to Medicare. They don't want the status quo. But they don't want what Democrats are pushing either: a trillion-dollar experiment that cuts Medicare, raises taxes, limits choices, and makes health care more expensive. Americans have questions. They are not getting the answers they deserve.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, will the minority leader yield for a question?

Mr. MCCONNELL. I say to my friend from Illinois, I have an appointment in my office. I am happy to yield the floor.

Mr. DURBIN. I was going to ask the minority leader for the Republican plan for health care reform. Unfortunately, there is not a Republican plan for health care reform. What we have is a litany of criticism, a litany of complaint. That is what we have received during the course of this debate.

Senator MAX BAUCUS, chairman of the Finance Committee, took three of the most likely Republicans—Senators GRASSLEY, ENZI, and SNOWE—sat with them literally for months saying: Let's do this on a bipartisan basis. Meanwhile, the rest of us were a little frustrated, if not upset. We wanted to get moving, get into the debate. Let's get into this. It is a big issue. Health care reform is important. But Senator BAUCUS said: I have to try everything I can to make this a bipartisan effort. And he did. He spent months at it, day after day after day. What does he have to show for it? In the end, two of the Republican Senators walked out saying: We are not interested. The other said: I will wait and see.

So when they come to the floor critical of this debate on health care reform, the obvious question I would ask the Republican leader is: What is your plan? The status quo? You want to continue health care as we have it in America today? Do you want to try to defend what is happening to the cost of health care?

I was with a businessman from Chicago last week, a good, conscientious businessman, a young man, a principled man who has made money in his life but understands that he owes at least the people around him and his employees to give back. He said: Do you know what is going to happen to health insurance premiums for my employees? They go up 18 percent in 1 year, 18 percent. He said: I don't know if I can keep doing this. Guess what? His situation is being repeated over and over again. Businesses across America are dropping health care coverage for their employees because they can't afford it. The cost is out of hand.

Did we hear one word from the Republican leader about dealing with this cost escalation? No. The Republicans have no plan to deal with this. We are trying. It isn't easy. This is one-sixth of the economy. I love it when Senators come to the floor and call this a $1 trillion experiment. Let's put it in perspective. A trillion dollars is an enormous, almost unimaginable sum of money. But what will the cost of America's health care system be, for all of our health care, over the next 10 years? It will be $35 trillion. So $1 trillion in reform over 10 years represents less than 3 percent of the amount we are going to already be spending if we don't change the health care system and make it better. One trillion out of thirty-five million dollars? In perspective, we understand that if we are going to bring about real reform, we do have to invest in it.

Where will the trillion dollars go? The trillion dollars will go to help businesses with tax breaks to pay for health insurance for their employees. It will go to lower income working families so they can afford to buy health insurance. That is where the money will go.

Ultimately, do you know where it goes? It means that more and more Americans have health insurance coverage. Today, this day, and every day in America, 14,000 people will lose health insurance coverage. Imagine waking up this morning, heading off to work and learning during the course of the day that you have lost your job. It is happening. But you are not only losing your job, you are losing your health insurance. You go home at night and say to your spouse: Bad news. I just got the pink slip. I will be laid off in 2 weeks. But even worse news, our sick child with diabetes is no longer going to have health insurance coverage.

That is the reality for 14,000 families a day. When I hear the Republican leader criticize our effort to expand coverage of health insurance to the millions of Americans who are unprotected, to slow down this cancellation of health insurance for 14,000 Americans a day, my obvious question to him is: What is your alternative? What do you want to do? The answer is, nothing. Nothing except criticize.

There is nothing wrong with being critical. That is what this Chamber is all about. Ideas are up for debate. People will disagree. They will come up with their own point of view. That is good. A good healthy debate is what our government is about, what our Nation is about, and what can generate in the end a solution to our problems. But when I hear some of the things that have just been said: a 1,000-page bill. Does that bring you up short? Can't breathe? Your heart skips a beat, 1,000 pages? What if I told you this bill is addressing our health care system which consumes $1 out of every $6 in the American economy? One sixth of our gross domestic product deals with health care. Would it take 1,000 pages to address this in a responsible way? I am surprised it didn't take more. And how are we going to measure a bill in terms of its value? That bill is just too long. It is 1,000 pages long. I am sorry, maybe God got it right with the Ten Commandments and their brevity, but

for most of the rest of us, we struggle to make sure we get it right. And to make certain we get it right, we have to add some provisions to cover options and contingencies. It is 1,000 pages? So what. If it were 100 pages or 2,000 pages, would that make it any worse or any better? I don't get it.

Let me also talk about Medicare. Medicare was a creation in the 1960s of President Lyndon Johnson and a Democratic Congress, and by and large it was opposed by the Republican Party. The Republican Party in some of their criticisms will sound familiar. They argued that Medicare was socialized medicine. Medicare was a government health insurance plan and the government was going to get it wrong. In the end, they argued it would cost too much money, and it wouldn't provide good health care. Turns out, after 45 years, we can say conclusively they were wrong. For the 40 million Americans protected by Medicare, the results have been spectacular.

Look at one basic yardstick. Senior citizens in America are living longer. That is a good thing. Life expectancy rates are better for seniors today. Does it have anything to do with Medicare? I think it does, because seniors have access to quality medical care. It gives to those at age 65 the peace of mind of knowing that an accident that occurs this afternoon or a diagnosis that occurs tomorrow morning won't wipe out their life savings. If you are not lucky enough to have good health insurance at age 65, Medicare is there to protect you, your health, and your life savings in the process. Those who called it socialized medicine, as they are calling health care reform now, mainly came from the other side of the aisle. That is why when I hear them saying they are going to defend Medicare today, I am glad they have converted to our side. It is a late-in-life conversion, but some of those work too.

Then listen to how they explain it. The Senator from Kentucky slipped up and used the term Medicare Advantage. That is what this is all about. Let me explain what Medicare Advantage is. Private health companies came to Republicans years ago and said: The government has it all wrong in Medicare. They are not handling it well. They are not administering it well. It costs too much money. Let us show you that if we use the private sector health insurance companies, we can provide Medicare benefits at a lower cost than the government and do a better job.

They were given a chance to do it. They did it under the title Medicare Advantage, private health insurance companies competing with the government to provide Medicare benefits to prove they could do better and more cheaply. Some did, but most did not. At the end of this experiment, we find it is going to cost 14 percent more for the private health insurance companies to provide the same benefits the government is already providing. What it means is, we are subsidizing insurance companies to provide the same benefits the government already provides.

People across America under Medicare Advantage plans say: I kind of like this. Well, it turns out that the government is subsidizing more than Medicare. Who pays for the subsidy? Ultimately, the taxpayers but, in particular, the Medicare system. The money is taken out of the Medicare system to provide a subsidy to health insurance companies that failed to prove they could do this more economically.

This subsidy is something I think should end. I am prepared to phase it out in a reasonable way, but it should end. The private health insurance companies are being subsidized by our government to provide Medicare benefits which we can already provide at a lower cost. They have come to the floor criticizing this attempt to end the sweetheart deal with these private health insurance companies.

Make no mistake, the 800-pound gorilla in the room in this debate is the private health insurance companies. They don't want to see this change.

I quote my friend Dale Bumpers, a former Senator from Arkansas, who used to come to the floor and use this figure of speech. He said: They hate this like the devil hates holy water. They hate the idea of health care reform, health insurance companies do, because they are extremely profitable, when many other companies in America are failing. They do not want to rock the boat with anything like a not-for-profit health insurance plan that gives consumers a choice to leave private health insurance, if they personally choose. They do not want that to happen.

They certainly do not want to end this $170 billion subsidy of private health insurance companies under the Medicare Advantage Program. They do not want us to tell them they have to change their ways and their practices, that they can no longer cut off people from coverage just because of a preexisting condition, which they dream up or find buried in some application of 10 years ago.

We do not want them to be able to walk away from you when you need them, when somebody in your family is sick and needs care. We want them to be able to treat people fairly. We have to end this battle between doctors and insurance company clerks as to whether you are going to be hospitalized or receive a procedure.

These are things that go on every day. The health insurance companies hate these reforms that are part of this bill. The critics of the bill will not come to the floor and say this. They will talk about eviscerating Medicare.

Earlier, the Senator from Kentucky said we were going to cut $120 billion from hospitals. Do you know what? We spend more money on health care in America by a factor of two than any other country on Earth. Hospital administrators, such as in my own hometown of Springfield, IL, have said to me: Senator, if you can create a plan that provides everybody health insurance, and we don't have to provide charity care for people who come in without health insurance, that is going to dramatically cut our costs.

So can we save $120 billion in the hospitals across America over the next 10 years if more Americans have health insurance? Yes, without compromising the revenues for the hospitals or the quality of care. That is obvious. So when the Senator comes to the floor and says: They are going to take $120 billion from hospitals, he does not tell you the whole story. The rest of the story is: But if those 40 million Americans have health insurance, and the hospitals are getting paid through the health insurance, it is good for everyone. It is good for the people who are protected, it is good for the hospitals, and it is good for the rest of us who have health insurance and indirectly subsidize the care of the uninsured.

He talks about cuts—$40 billion—in home health care. I refer the Senator to an article which I have quoted on the floor before. It is an article entitled ''The Cost Conundrum,'' written by a surgeon in Boston, MA, named Atul Gawande, in the June 1 edition of The New Yorker. Please read it. Most Senators have. The President has. Most Members of the House have read it. It talks about McAllen, TX, where the cost of treating Medicare patients is one of the highest numbers in the Nation: $15,000 a year.

Why? What about McAllen, TX, makes it so expensive? It turns out it is so expensive because, unfortunately, many of the providers there are heaping on the procedures and heaping on the costs because they take a profit from it. It does not have anything to do with the older folks in McAllen, TX, being sicker or needing special care. It is overutilization, overuse of the system, and one of the areas is home health care.

Read this article about what is happening with much of—at least in that area of the country—home health care services. There is collusion between doctors and these home health care agencies. It is nothing short of an abuse of Medicare. It does not provide quality care. It just takes more money out of the system for care that is duplicative or unnecessary.

How is that good for America? How can we defend that? Can we do better there? Yes. Can we do better to the tune of $40 billion over 10 years? I think so. To argue this is somehow insidious and wrong is to ignore the obvious. We can find savings within the system that do not compromise quality.

Let me also say this. This notion that Medicare is, as the Senator said, our piggy bank that we are going to use to pay for health care reform is just plain wrong. We know we can save money through eliminating the subsidy to Medicare Advantage, phasing it out,

reducing it. But we also know we have a solemn obligation to those seniors on Medicare. They paid into it all their lives. They are counting on it. And they are counting on us.

The Democratic Party has been there for Medicare from its creation. We are not going to let seniors down. We are going to provide for them the basic care promised, and we hope more. I think, with a modest effort, we could close the doughnut hole in the prescription drug program under Medicare, and we should. That was something that never made any sense and creates a real disadvantage for seniors on limited income. I think we should close that. I also think preventive care for seniors makes sense—regular physical checkups, things that can enhance their lives and let them live independently as long as they want to and can, with our help.

I will tell you, this debate will continue. Now it gets into the part where the bill comes to the floor within the next week or so. We will entertain amendments from both sides. I hope, from the other side of the aisle, we have more than criticism. If they would step up and say: Here is our plan, it would be a much better debate. But so far they have not. They have decided to step to the sidelines and be critical of the game that is being played. That is their right to do under this democratic form of government, but it is a question of credibility.

If they are defending the status quo, if they want to continue with what we have in America, if they want to ignore the escalation in the cost of health care for businesses and individuals, families and governments, if they want to ignore the fact that 40 million Americans do not have health insurance, that 14,000 will lose their health insurance today, if they want to ignore the reality of all these people without insurance and the abuses heaped on them by health insurance companies for those who have insurance, then, frankly, that is not a constructive position in this debate.

We need to work together. We have tried to work together. We have invited the Republicans to come join us in this effort. But, unfortunately, they have taken the side of the insurance companies. They have taken the side of the status quo. They have not joined us.

I do not want to put people's insurance at risk by allowing insurance companies to continue to drop insurance when people need it the most. I do not think we should be in a position where we allow this to continue.

I hope, as part of health care reform, we can make a significant effort to change this, to bring real change to America. I am glad President Obama is leading us that way. I think together we can reach that goal. I know a lot of people are confused across this country trying to understand exactly what is going on in this debate. But a lot of people in good faith are trying to solve one of the biggest problems we have ever faced. I hope my friends on the Republican side of the aisle will do more than criticize. I hope they will join us in an effort to make a difference.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

## HEALTH CARE REFORM

Mr. ALEXANDER. Mr. President, it is always a privilege to hear the assistant Democratic leader, who is one of the most skillful orators in the Senate. In this case, he needs to be because he is put in the awkward position of having to defend, as I heard him, 1,000-page bills and Medicare cuts, which is an awkward place for the assistant Democratic leader to be.

As far as the Republican plan, he has heard our plan many times. We want to reduce costs. Instead of 1,000-page bills and changing the whole system and adding to the debt and cutting Medicare and raising premiums for millions of Americans, we would like to say our goal is to reduce costs—costs to you when you buy your health insurance and the cost of your government. We would like to go step by step in the right direction, which we say is reducing costs and re-earning the trust of the American people, and then we can take some more steps. We have offered a number of proposals to do that, none of which have been seriously considered.

For example, small businesses should be able to pool their resources the way big businesses can. If they could, they could afford to offer insurance—it has been estimated by the Congressional Budget Office—to millions more Americans. We should make a serious effort to eliminate junk lawsuits against doctors, which everyone agrees adds costs to the insurance premiums we buy and to the cost of health care.

We could allow Americans to purchase insurance across State lines. We could create health insurance exchanges so if you are buying an individual policy, you could buy that more easily. We can go across party lines to encourage the use of more technology. Almost all Republicans and I imagine some Democrats would like to change the incentives behind health spending, so we take the money we are using to subsidize health insurance now and spread it more equitably among all the people and allow them to buy more of their own insurance.

Those are five or six steps we could take in the direction of cutting costs. Instead, what we are presented with is, yes, another 1,000-page bill. We have some questions about the bill because it appears—we know it will cut your Medicare, and I want to go back to that in a moment—half the bill will be paid for by Medicare cuts. Forty million seniors depend on Medicare. Are we going to cut grandma's Medicare? We are not even going to spend it on grandma. We are going to spend it on a new program, at a time when the trustees of the Medicare Program have told us Medicare is going to go broke between 2015 and 2017. We are going to raise your taxes.

That is what the bill coming toward us would be. We are going to make it hard for your States to support colleges and education or raise your State taxes because we are sending the bill to them for a large Medicaid expansion. For millions of Americans, we are going to increase your premiums. We are going to make it more expensive for you to buy the same kind of policy you already have because the government is going to tell you exactly what kind of policy you should have. We are going to increase your Federal debt because the plan, as we hear about it, does not have any provision for paying doctors serving Medicare more over the next 10 years—which we always do—so that is another $285 billion on your debt, just if we pay doctors 10 years from now what we pay them today for the government-run programs. We are going to spend another $1 trillion. And, yes, it is a 1,000-page bill.

So we what we are saying is, we have had before this Senate for a long time a number of proposals we could use to reduce your cost when you buy health insurance and reduce the cost of your Federal Government, which is going broke because of health care expenses, but they are not being seriously considered. So we are saying, at least if you are going to come up with these 1,000-page bills to change our entire system, we want to read it and we want to know what it costs. Even the President has said we cannot add one dime to the deficit. How can we know we are not adding one dime to the deficit if we cannot read the bill and we do not know what it costs?

Senator BUNNING of Kentucky brought up that in the Finance Committee the other day, and the Democrats voted it down. They said you cannot even put the bill up for 72 hours—this 1,000-page bill—so we can find out if it cuts your Medicare, if it raises your taxes, if it bankrupts your State, if it increases your premium, if it increases the Federal debt. We cannot even find that out. They said: No, not even 72 hours.

Well, some Democratic Senators have taken a look at that and said—the Democrats who voted that down; and every vote against the 72-hour provision was a Democratic vote—they said: We do not agree with that. Eight Democrats have written Senator REID, and they said: The legislative text and the complete Congressional Budget Office scores of the health care legislation, as amended, should be made available to the public for 72 hours prior to the vote on the final passage of the bill in the Senate. Further, the legislative text of all amendments filed and offered for debate should be posted on a public Web site prior to beginning debate on the amendment on the Senate floor. The conference report ought to be as well.

I think what that means, in plain English, is that once the Finance Committee bill—which is not a bill now; it is just concepts—goes into Majority Leader REID's office, and he puts it together with the HELP Committee bill, which will be turned into legislative text, we would like for that to be on the Internet for 72 hours so we in the Senate and our staffs and the American people can read it.

Second, we want to make sure the Congressional Budget Office has a chance to read the entire bill so some staff member does not change it in the middle of the night, as they apparently did with the HELP Committee bill, and we can know exactly how much each of the provisions cost, and then we can start voting, then we can offer our amendments. As the Republican leader was saying today, some of our amendments are going to have to do with Medicare, the program that 40 million seniors depend on.

Let's be clear about this. Some things are facts. Half the bill is going to be paid for by Medicare cuts. Half the bill is going to be paid for by Medicare cuts. You can call them anything you want to, but they are Medicare cuts.

The second thing about it is, it may be grandma's Medicare we are cutting, but we are going to spend it on somebody other than grandma. We are going to take that money out of the Medicare Program, which is a $38 trillion unfunded liability and which the trustees say is going to go broke in 2017 and which 40 million Americans depend on, and we are going to take those savings and we are not going to spend it to make Medicare stronger; we are going to spend grandma's Medicare benefits on somebody else. We are going to cut her benefits and spend it on you. Does that make sense? We don't think so. We don't think so. We don't think we should be paying for this new $1 trillion bill by writing a check, as the Senator from Kansas has said, on an overdrawn bank account and buying a new car, which is what that turns out to be.

The Republican leader talked about what the cuts are to Medicare Advantage: $140 million. One-fourth of seniors on Medicare have Medicare Advantage accounts. Cuts include $150 billion for hospitals that care for seniors; $40 billion, home health agencies; $8 billion, hospices—all from Medicare to be spent on something else.

The President said people who are currently signed up for Medicare Advantage are going to have Medicare at the same level of benefits. Well, we want to read the bill and know what it costs because that is not what the Congressional Budget Office Director said. He testified that seniors under Medicare Advantage would have benefits that disappear under the bill that is coming out of the Finance Committee. He said those changes would reduce extra benefits such as dental, vision, and hearing coverage that currently are made available to beneficiaries.

We want to read the bill. We want to know what it costs. We want to know why we are cutting Medicare by $½ trillion—that is the first question—and the second question is, Why are we spending that money on something else when it ought to be spent on making Medicare stronger? The bill has $½ trillion in savings from Medicare. At least they could take that money and use it toward the money we pay to physicians. I mentioned it a little earlier, but every year physicians say: The government-run program of Medicare only pays us 80 percent of what private insurance plans pay us, and you are about to cut that. So we almost always, on a bipartisan basis, put it back up. That is not in the bill. We don't even include that. We don't take that into account. So that is going to add to the debt.

Then there are other questions we have in addition to the Medicare cuts. What about the elegantly called ''doc fix'' that will add to the debt? It is the Medicaid Program. To some people, that may get a little confusing. Medicare is for seniors. Medicaid is the program that usually has a different name in most States. It is a program that started years ago, and the Federal Government pays 40, 45 percent of it and the States pay the rest. It has been going straight to the Moon. According to the New York Times, costs are rising in Medicaid this year at record rates—7.9 percent.

I know as a former Governor, here is what really happens. You sit there making up your budgets, and you do the part for prisons and you do the part for kindergarten through the 12th grade and the part for highways and the part for State parks, and then the rest of the money is usually split between higher education and Medicaid. Guess what is happening. Medicaid goes up and higher education doesn't get the money. Then what happens? College tuition goes up because colleges such as the University of Tennessee and Texas and New Mexico and Colorado are underfunded today primarily because of increasing Medicaid costs.

What this bill does is dump a lot more low-income Americans into that Medicaid Program and send a lot of the bill to the States. The Governor of Tennessee, a Democrat, said in the morning paper that it is going to cost us $735 million at least—maybe over $1 billion—over the next 5 years. Tennessee can't afford that. Tennessee is a conservative, well-managed State. Governor Schwarzenegger has said that in California it could be up to $8 billion. California is already nearly bankrupt. The Democratic Governor of Michigan has said he doesn't see how they can pay for this. The Governors of every State have said to us: Mr. Senator, Mr. Congressman, if you want to expand Medicaid, if you want to expand Medicaid, pay for it; pay for it in Washington, don't send it to us.

So we are looking forward to reading this bill. We are looking forward to knowing what it costs. We have our proposals. I will be glad to spend some time on the floor with the assistant Democratic leader and talk with him about the Republican proposals to take us step by step toward reducing health care costs, first for you and your premiums and next for your government, and why we are skeptical of this 1,000-page bill. But we at least want to know what it costs. We at least want to know why it is cutting Medicare by half-trillion-dollar, and if it is being cut, why is grandma's Medicare cut being spent on some new program. We would like to know how much does it raise your taxes. We would like to be able to tell you what it is going to do to your State's education system and to your State taxes. We would like to be able to tell millions of Americans: Will this really raise your premiums instead of lowering them and will it really increase your Federal debt?

So we are grateful eight Democratic Senators have joined us in saying to the majority leader: Let's make sure this bill is finally a bill that will give us all the language before us, that it is on the Internet for 72 hours, and that we know exactly what the provisions cost—all of that before we have our first vote.

I thank the President, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I wish to thank my colleague from Tennessee for speaking so eloquently and raising the issues that are on the minds not just of Senators who are going to have to vote on this legislation but our constituents all across America—people who will be directly affected by what we do here on health care reform.

Yesterday, I came to the floor and I asked the question: Will we have a transparent debate? This morning, when I got up and checked my e-mail, I was delighted to see that eight Democratic Senators have written to the majority leader, Senator REID, and said they wanted to have bill language posted on the Internet and a score or cost by the Congressional Budget Office at least 72 hours before we are required to vote on the bill. That is exactly what we had requested in the Finance Committee, which we lost strictly on a party-line vote, an amendment that would have made that part of the bill. So I consider that progress. I am delighted that these eight Democratic Senators have asked the majority leader for that. I think that is a minimum we should expect in terms of transparency.

Today, I have a new question, and that is whether seniors will get to keep the Medicare benefits they currently have. Will seniors be able to keep the Medicare benefits they currently have? The President has made this a consistent theme, that if you like what you have, you are going to be able to keep it. He said in August that if you

like your health care plan, you can keep your health care plan. It seems pretty straightforward and unambiguous.

Last month, he was more specific about one part of Medicare. He said:

> People currently signed up for Medicare Advantage are going to have Medicare and the same level of benefits . . . These folks will be able to get Medicare just as good and provide the same benefits.

Some of these programs get a little confusing, but let me explain that Medicare Advantage is a private sector competitor to Medicare fee-for-service, where you just—it basically provides people with an array of coverages, and I think Senator ALEXANDER mentioned vision and dental care and prescription drug coverage and the like.

I believe allowing seniors to keep the benefits they currently have under Medicare Advantage—and there are some 11 million of them—is a goal Republicans share with the President. So if the President is sincere when he says that Medicare—and particularly Medicare Advantage—beneficiaries can keep what they have, we would like to help him keep that promise. Medicare Advantage is working for about 11 million seniors to give them a choice with their health benefits, and half a million of those are in Texas. Half a million Medicare Advantage beneficiaries are in Texas.

As we have heard, Medicare fee-for-service, which is the government-run plan, pays doctors about 20 percent less than employer-sponsored insurance for reimbursements for services. That is why in my State, about 42 percent of doctors will not see a new Medicare patient under a fee-for-service arrangement, because the fees are so low that the doctors can't provide the service at that price and still stay in business. So what happens is that 89 percent of seniors have supplemental coverage. My mother, who passed away this last spring, bought supplemental coverage to try to make up for the difference where Medicare fee-for-service left that gap. Of course, many low-income Americans depend on Medicare Advantage as their supplemental coverage.

Some have claimed that Medicare Advantage provides extra payments, and they want to cut Medicare Advantage because they say it will reduce insurance company profits and not harm coverage. But under Federal law, that is simply not the case. Under Federal law, the fact is that 75 percent of those payments to Medicare Advantage over and above what Medicare fee-for-service pays go directly to better benefits for seniors, under current law. That is why we hear they get vision coverage, dental coverage, prescription drug coverage; they get better benefits because we as a Congress say 75 percent of those so-called extra payments go to provide better benefits. Unfortunately, the Finance Committee bill will take those benefits away from seniors enrolled in Medicare Advantage. In other words, if we were to call up this Finance Committee bill today and to pass it, it would violate the President's promise, that the 11 million people on Medicare Advantage would not see a cut in their benefits.

There are various numbers floating around. That is why we need what Senator ALEXANDER said: the numbers from the Congressional Budget Office. But the Finance Committee proposal cuts nearly $113 billion from the Medicare Advantage Program. Common sense tells us you can't do that without having a negative impact on Medicare Advantage for those 11 million seniors, 500,000 of them in Texas, as I said.

The Congressional Budget Office agrees with that sort of intuitive or commonsense conclusion. They estimate that the Finance Committee bill will cut benefits by more than half to Medicare Advantage seniors. During the Finance Committee markup, the Congressional Budget Office Director, Dr. Doug Elmendorf, told us that approximately half of the Medicare Advantage benefits will be cut for those seniors enrolled in Medicare Advantage.

So just as yesterday when my question was, will this debate be transparent, my question for today is, will seniors get to keep the Medicare benefits they currently have? I think that should be a focus. I know it will be a focus for the 11 million who are on Medicare Advantage. But for all seniors who are seeing a proposed cut of $½ trillion in Medicare in order to pay for a new government program while Medicare itself is on the brink of bankruptcy and has tens of trillions of dollars of unfunded liabilities, this is a question a lot of my constituents in Texas and a lot of seniors across the country are asking: Will seniors get to keep the Medicare benefits they currently have? That is what the President promised. We need to make sure this bill keeps that promise.

In the coming days, I will come back to the floor and ask more questions about these extraordinarily complex proposals we have seen, including the bills that have come out of the HELP Committee, the Finance Committee, and out of the House of Representatives, because I think we need to break it down into smaller pieces and ask these discrete questions so the American people can judge for themselves whether these bills do what the President has promised.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, do I have 10 minutes allocated?

The ACTING PRESIDENT pro tempore. There is 9 minutes remaining.

Mr. CORKER. It sounds as if I have 9 minutes.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. CORKER. Thank you, Mr. President.

I also rise today to speak about the debate before the Congress right now, which is health care reform.

I believe we need health reform in this country and health insurance reform in this country. I would love to see us embark on a set of time-tested, budget-neutral principles. I absolutely believe we ought to address the issue of preexisting conditions. I absolutely believe we ought to look at exchanges where citizens all across this country have access to the same kinds of choices I have as a Senator. I hope we will address the issue of cross-state competition where people in States are not just stuck with the choices that exist because of the monopolies that occur within their State boundaries. So I would love to see some cross-state competition.

I absolutely believe we ought to have Tax Code changes. I think we ought to limit the amount of tax-free benefits individuals can receive from their employers. I will just throw out a number. If that number was established at $17,000, for instance, about $450 billion would be generated over a 10-year period that could be used as a voucher or refundable tax credit to enable 15 to 20 million Americans to be able to access private, affordable, quality insurance.

I think we ought to address tort reform. We know there is so much in the way of medical procedures that are done, in essence, for defensive medicine so that they are not sued or the victims of junk lawsuits.

I am one of those people who absolutely believes it is time in this country that we had certain health reforms and health insurance reform. I think now is the time to debate and put into place those sensible, time-tested reforms. My guess is, if we sat down in a bipartisan way, which I know is not occurring at this moment, we could go 50 yards down the field in a way to create access for Americans in our country that all of us want to see and, again, do so in a way that doesn't push off costs into future generations.

I have serious problems with what is being discussed in the Finance Committee today as far as how we are going to pay for the many reforms that go beyond what I just discussed. In many cases, it is very unnecessary. Let me go over a couple of those.

No. 1, I think most people are aware by now that the Senate Finance Committee mark is basically causing States to have an unfunded liability. The Governor of our State, who is on the other side of the aisle, just sent me a letter yesterday and told me he expects the revenues in the State of Tennessee to be at 2008 levels in the year 2013. In other words, there has been a tremendous decrease in revenues for State government. Yet per the mark before the Finance Committee today, they are pushing off on the citizens of our State a $735 million unfunded liability. That doesn't sound like a lot of money in Washington, but I can assure you it is a lot of money for the State of Tennessee. As you can imagine, as the years go out that number increases tremendously.

It is my belief there are States all across this country that are going to be coming to us asking why we are pushing off an issue to the State. I think that is incredibly irresponsible. I think we need to ensure that does not occur.

I have to tell you, an issue I have an even greater problem with is the fact that we all know we have a $40 trillion unfunded liability as it relates to Medicare. Two or three years ago, there was a broad consensus, on a bipartisan basis, that we needed to address the unfunded liability that threatens our country under the entitlement programs—mostly Medicare, which is $40 trillion. This bill takes $400 billion to $500 billion from Medicare and uses it to create a whole new entitlement. Instead of doing those things that would strengthen Medicare, which the trustees have said is going to be insolvent in 2017—instead of doing that, which is the responsible thing for us to focus on today, this Finance Committee mark would take money from a program that is insolvent and use it to leverage a new entitlement program. I think that is the most irresponsible, shortsighted thing this Congress can do.

In addition to that, it doesn't even deal with the issue of the doc fix. We all know physicians and providers who serve seniors today, to make the same money in 10 years they are making today, would cost $285 billion. Instead of dealing with that issue, the can is being kicked down the road, and we are not dealing with that.

I think the American people respect—and I respect—the people who came before us who are called the ''greatest generation.'' Sometimes they are called the ''greatest generation'' because of their sacrifices and their military efforts overseas. Sometimes it is because they saved and made the tough choices that have helped make this country great. But I believe if this Congress acts to take money from Medicare, which is insolvent, and doesn't use those cost savings to make Medicare more solvent, we will be contributing to the fact—and there is no doubt in my mind that the political leadership that exists today in this country is undoubtedly the most selfish that this country has ever seen. We are witnessing that today. We are a part of that today.

It is my belief if we continue to throw future generations under the bus, which is what we are doing with legislation like is being proposed today—we are throwing future generations under the bus to score a political victory that we all know is not paid for—the wrath of the American people is going to come upon us, and it should.

Mr. President, I have a letter from our Governor. I ask unanimous consent to have this letter printed in the RECORD. It talks about the costs this program will put on the State of Tennessee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF TENNESSEE,
*Nashville, TN, October 5, 2009.*

Hon. BOB CORKER,
*U.S. Senate,*
*Washington, DC.*
Hon. BART GORDON,
*House of Representatives,*
*Washington, DC.*

DEAR BOB AND BART: The following information is in response to my telephone conversation with Bob last week, and represents our best snapshot of where we are as of Sunday evening the 4th. I hardly need to tell you that these numbers represent a difficult problem for our state.

PROJECTED TENNESSEE NET NEW COSTS OF SENATE FINANCE REFORM 2014–2019

[$ millions]

| | Best estimate | Optimistic | Pessimistic |
|---|---|---|---|
| New Medicaid Members: | | | |
| Newly Eligible Members | $175 | 434 | 175 |
| Already Eligible Not Enrolled | 911 | 488 | 1,361 |
| Total New Membership | 1,086 | 922 | 1,537 |
| Cost Savings Offsets: | | | |
| Elimination of Optional Groups >133% | (78) | (78) | (78) |
| Additional Drug Rebates (net) | (191) | (191) | (191) |
| TN-CoverTN Elimination | (91) | (91) | (91) |
| TN-Access TN Savings | (31) | (31) | (31) |
| TN-CoverRx Savings | (6) | (6) | (6) |
| | (397) | (397) | (397) |
| Additional Costs: | | | |
| Mandated Pharmacy Extensions | 30 | 30 | 30 |
| Presumptive Eligibility Net Costs | 16 | 16 | 16 |
| | 46 | 46 | 46 |
| Total State Costs of Reform | 735 | 571 | 1,186 |

We've maintained good lists of assumptions and sources behind each of these numbers, and if you or your staff would like to review them, we'll certainly make them available to you.

The ''Best Estimate'' column is neutral to possibly slightly optimistic; the line for ''Elimination of 'Optional' Groups'' in particular will be difficult, although it has been made clear to us that we are expected to do so. Some of these cuts would be unpleasant (e.g. complete transfer to the Exchange of women with breast or cervical cancer, or institutionalized patients) and will require the specific approval of CMS, which has historically been difficult. I want to acknowledge that the White House, and Nancy Ann DeParle in particular, have been very helpful in facilitating our getting the best information available.

I would also point out two areas that are potential problems that are not incorporated in the table:

1. *Broader Pharmacy Benefits ($1.07 billion exposure).* The Baucus bill contains a provision that *Exchange* plans are required to have no lifetime or annual limits on ''any benefits'' and that the pharmacy benefit design be at least as good as Medicare Part D. We have (as do many states) a much more limited pharmacy benefit than this for Medicaid and I can't imagine that there won't be pressure to extend the Exchange mandated benefit to Medicaid as well. It would cost the state about a billion dollars over the period to do this, and of course there are many subareas of restrictions and controls such as mandates in the areas of preferred drug lists, prior authorization criteria, quantity limits, or additional drug rebate limitations (all of which are present in Part D) that would drive costs up substantially as well.

The fear is that new requirements here would not occur as a single action to be teed-up and discussed in the Congress, but quietly and state-by-state in the ongoing process of renewing waivers, approving state plans, and the like. It is right now the stated intention of Senate Finance to leave the Medicaid pharmacy benefit design alone; it would be of enormous relief to us to get that clearly written into the law.

2.– *Provider Payment Rates ($2.1 billion exposure).* Our analysis is based on an assumption that we will not be required as either a matter of law or practicality to increase provider rates to maintain an adequate provider network with the influx of new patients (and in the environment of federal cuts to Medicare rates). We currently pay on the average at 85% of Medicare (the national average is 72%), but separately from reform have budgeted to reduce these to the equivalent of 79% of Medicare in the next fiscal year as the stimulus money runs out. The cost of increasing provider payments from 79% to 100% of Medicare it $2.1 billion over the 5½ year period being considered. (Furthermore, in several states where provider payments have been recently reduced in response to budget needs, providers have filed suit in federal court seeking to prevent them, and in at least two states (California and Washington) have been successful. If this were to happen in Tennessee it would represent a further immediate unbudgeted cost of approximately $113 million annually, or an additional $1.2-1.4 billion over the ten year period.)

Bob and Bart, the problem that we're facing is simple: by 2013, we expect to have returned to our 2008 levels of revenue and will have already cut programs dramatically—over a billion dollars. At that point, we have to start digging out—we will have not given raises to state employees or teachers for five years, our pension plans will need shoring

up, our cash reserves (''rainy day fund'') will have been considerably depleted and in need of restoration, and we will not have made any substantial new investments for years. There will have been major cuts to areas such as Children's Services that we really need to restore. On top of these, there are all the usual obligations that need to be met—Medicaid, for example, will continue to grow at rates in excess of the economy and our tax revenues. It's going to take at least a full decade to dig our way out and back to where we were prior to the recession.

In this environment, for the Congress to also send along a mandatory bill for three quarters of a billion dollars for the health reform they've designed is very difficult. These are hard dollars—we can't borrow them—and make the management of our finances post-recession even more daunting than it already is. We keep a running budgetary estimate for my own use of what we project in the years ahead, and I've attached the current version of it to give you a sense of what we are facing.

I would point out that the problem is entirely recession-related. If our revenues had grown from the 2008 base at the normal average rates we have experienced over the years—good times and bad—we would have well over $2 billion of additional revenue in 2019 (and smaller obligations in the pension area) and would definitely be prepared to accommodate reform.

I very much want to support the President, and Lord knows that we have plenty of people in Tennessee who need help with health insurance. But this is an extraordinary time for us (and we are better off than many other states) and I will appreciate any way in which you can help us manage through this.

Warmest regards,

PHIL BREDESEN,
*Governor*.

Attachment.

State of Tennessee
10-Year Budget Projection as of 10/4/09
Cumulative Change from Base of 2008 in Millions - Increase / (Decrease)

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **I. Available Revenue Growth:** | | | | | | | | | | | |
| State Revenue ($10,257 M Base) | $ (1,172) | $ (965) | $ (587) | $ (93) | $ 445 | $1,011 | $1,452 | $1,910 | $2,385 | $ 2,878 | $ 3,389 |
| Base Budget Reductions | 177 | 940 | 1,420 | 1,430 | 1,440 | 1,450 | 1,460 | 1,470 | 1,480 | 1,490 | 1,500 |
| Federal Stimulus Revenue | 420 | 1,055 | 659 | - | - | - | - | - | - | - | - |
| **Total Available Revenue** | **$ (575)** | **$1,030** | **$1,492** | **$1,337** | **$1,885** | **$2,461** | **$2,912** | **$3,380** | **$3,865** | **$ 4,368** | **$ 4,889** |
| **II. Absolute Requirements** | | | | | | | | | | | |
| Base BEP (PK-12 Education) | $ 93 | $ 378 | $ 443 | $ 269 | $ 325 | $ 381 | $ 437 | $ 493 | $ 549 | $ 605 | $ 661 |
| TennCare (current) @ 6.7% | 15 | 182 | 331 | 345 | 525 | 715 | 925 | 1,145 | 1,375 | 1,625 | 1,895 |
| Actuarial Increase in Pension Contr | - | - | 150 | 150 | 250 | 250 | 300 | 300 | 350 | 350 | 400 |
| Employee Health Insurance Rate Inc | 17 | 46 | 114 | 188 | 268 | 355 | 450 | 553 | 665 | 787 | 920 |
| **Subtotal Absolute** | **$ 125** | **$ 606** | **$1,038** | **$ 952** | **$1,368** | **$1,701** | **$2,112** | **$2,491** | **$2,939** | **$ 3,367** | **$ 3,876** |
| Remaining $ | $ (700) | $ 424 | $ 454 | $ 385 | $ 517 | $ 760 | $ 800 | $ 889 | $ 926 | $ 1,001 | $ 1,013 |
| **III. Base Requirements** | | | | | | | | | | | |
| Emp Raises restart 2014 | $ - | $ 2 | $ 2 | $ 7 | $ 12 | $ 174 | $ 341 | $ 513 | $ 690 | $ 872 | $ 1,059 |
| Prisons | 20 | 110 | 84 | 83 | 133 | 143 | 153 | 163 | 213 | 223 | 233 |
| Higher Education | 83 | 166 | 166 | 1 | 51 | 101 | 151 | 201 | 251 | 301 | 351 |
| Health and Social Services | 4 | 75 | 33 | 51 | 70 | 90 | 110 | 130 | 150 | 170 | 190 |
| Other Programs | 382 | 503 | 292 | 229 | 364 | 425 | 448 | 491 | 557 | 601 | 645 |
| **Subtotal Base Rqmts** | **$489** | **$856** | **$577** | **$371** | **$630** | **$933** | **$1,203** | **$1,498** | **$1,861** | **$2,167** | **$2,478** |
| Remaining $ | $ (1,189) | $ (432) | $ (123) | $ 14 | $ (113) | $ (173) | $ (403) | $ (609) | $ (935) | $ (1,166) | $ (1,465) |
| **IV. Baucus/Senate Finance Bill** | $ - | $ - | $ - | $ - | $ - | $ 66 | $ 117 | $ 116 | $ 130 | $ 145 | $ 161 |

Mr. CORKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2847, which the clerk will report.

The assistant bill clerk read as follows:

A bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

Ms. MIKULSKI. Mr. President, I am very pleased to be joined today by my distinguished colleague from Alabama, Senator RICHARD SHELBY. We wish to present the Commerce-Justice appropriations bill to the Senate. What I wish to say to my colleagues is that as we do this, everyone should know this bill is a product of bipartisan cooperation. At times, when one views the Senate through the lens of the media, one would think that everything we do here is very prickly and very partisan. But that is not true, certainly of the Commerce-Justice-Science appropriations.

Senator SHELBY and I worked together on this bill. Yes, I do chair it, but it has been with maximum consultation with others on the other side of the aisle. It was the same way when Senator SHELBY chaired this committee.

We are pleased to present to the Senate the fiscal year 2010 bill to fund the Departments of Commerce and Justice and air science agencies. I thank Majority Leader REID and Minority Leader MCCONNELL for allowing to us to bring the CJS bill to the floor.

The CJS bill is a product of cooperation between Senator SHELBY and me and our excellent staff. We have worked hand in hand. I thank Senators INOUYE and Ranking Member COCHRAN for their allocation.

We were able to write a very good bill, but the stringent budget environment required the subcommittee to make difficult decisions. The CJS bill totals $64.9 billion in discretionary spending, consistent with the subcommittee's 302(b) allocation. So any amendments to the bill will need to be offset.

The purpose of the CJS bill is to fund the Department of Commerce and its bureaus and administration. Many people do not know what the Department of Commerce truly does. It is an array of complex agencies that is important to our economy: The Bureau of Industry and Security gives licenses for exports; the Economic Development Administration creates economic growth in our communities, particularly midsized to small towns; the Census Bureau, preparing now, somewhat unevenly, for the 2010 census; the Patent and Trade Office which protects our intellectual property; along with the International Trade Administration which enforces our trade laws.

We are particularly proud of the Commerce Department, of the National Institutes for Standards and Technology. It sets the standards for technology which allows our country and our companies to be able to compete in the global marketplace.

This subcommittee also funds the Department of Justice which keeps us safe from violent crime and terrorism. It prosecutes criminals of all kind—white collar, blue collar or no collar. It also has a vigorous approach to the despicable practice of being a sexual predator.

This subcommittee through the Department of Justice funds our State and local police departments which are so important as well from not only the enforcement end but the prosecution end through the U.S. Attorney's Office.

NASA is also funded through this subcommittee. It explores our planets and our universe and inspires our Nation and next generation to be scientists and engineers.

We also fund the National Oceanic and Atmospheric Administration, protecting our marine resources and the jobs that depend on them.

It also protects our weather to save lives. Many people don't realize that the wonderful weather reports they get in their communities comes because of the NOAA weather administration. They think it comes from the Weather Channel. We all love the Weather Channel, but the Weather Channel depends on NOAA.

The National Science Foundation is also funded, providing basic research at our universities to advance science and support teacher training and development.

We also fund several independent commissions and agencies, including the Commission on Civil Rights, the EEOC, the Legal Services Commission, the International Trade Commission, and the U.S. Trade Representative.

Senator SHELBY's and my No. 1 priority is making sure that 300 million Americans who work hard and play by the rules are safe from terrorism and violent crime. We also want to protect jobs in our country. So we are the basic investors in innovation through education and through promoting an innovation-friendly government, making strategic investments in research and education in science and technology, keeping America No. 1 in science and also No. 1 in the space exploration program.

We want to create jobs in America that will stay in America. However, we, too, are fiscal stewards of the public purse and, therefore, accountability has been a hallmark of our bipartisan relationship. We do stand sentry against waste, fraud, and abuse with strong fiscal accountability and stewardship of hard-earned taxpayers' dollars.

I wish to take a few minutes to talk about keeping America safe. The CJS bill provides $27.4 billion for the Justice Department. We actually went above the President's request by $300 million because we wanted to make an extra effort to protect our homeland and protect our hometowns.

This bill is one of the most important sources of Federal funds for State and local law enforcement, for our frontline men and women of our State and local police forces. It is the cops on the beat who protect our families and at the same time they are asked to do more.

We are providing $3.2 billion to support that thin blue line to make sure the police are safe with equipment they need, such as bulletproof vests and also new technologies.

''CSI'' is not only a great TV show, but we think CSI should be funded in the Federal budget to use the best of science to catch the worst of the criminals.

We also fund Byrne formula grants, and this bill will provide $510 million for State and local police operations to do their job.

We are funding important programs in juvenile justice, which are very key programs of intervention and mentoring, but also very strong programs for antigang efforts—$407 million.

We also want to prevent, protect, and prosecute when it comes to violence against women, whether it is domestic violence, sexual assault, rape, or stalking—over $435 million—the highest level of funding ever.

We also have very important Federal law enforcement. All of us know and love the FBI. This bill will provide $7.9 billion to keep us safe from violent crime and also white collar crime, investigating financial and mortgage fraud.

I want to acknowledge the role of Senator SHELBY, who is an authorizer on the Banking Committee and a member of this Appropriations Committee. He has taken on the issue of mortgage fraud and wanted it to be thoroughly investigated. We have done that through the FBI.

Many people don't realize, though, that after 9/11, when everyone was clamoring for something like the MI–5, such as the British have, we said: Three cheers for the British way, but we want a USA way, so we created an agency within an agency where the FBI is part of our most significant fight against terrorism.

We also fund the Drug Enforcement Agency to fight international narco-terrorists and drug kingpins. This bill provides $2 billion to do it.

I am very proud of the FBI because in the last few weeks their work has led to the arrest of two terrorism suspects who planned to blow up buildings in Texas and in Illinois. While they were working hard, the efforts of the DEA led to the arrest of drug kingpins who were shipping 95 kilograms into New York City.

We also have the Bureau of Alcohol, Tobacco, and Firearms and the Marshals Service, each of which has been funded at $1 billion-plus.

Our U.S. attorneys, who are the prosecutors of Federal crimes, have been provided $1.9 billion, a significant increase.

Once we catch and prosecute these criminals, there has to be Federal prisons, and we want to make sure our communities are secure and our prison guards are safe. This is one of the tattered areas of neglect, and we are very concerned about the safety of our prison guards. This bill provides $6.1 billion to upgrade, where necessary, the protective devices to ensure criminals are held securely—acknowledging their rights, but also the rights of those who guard them need to be kept too. Their first right is the right to security, guaranteed by their own government.

We look to protecting our children and our communities, and when it comes to protecting our children, crimes have gotten more sophisticated in terms of the Internet and other things that are used to lure children into terrible criminal situations. We have provided over $265 billion to deal with the issue of sexual predators, and we will continue that fight.

While we are busy fighting crime and protecting our children, we also need to protect America's jobs, and this is where science and innovation come in with an amazing race to keep America competitive.

This bill provides $880 million for the National Institute of Standards and Technology and, particularly, $70 million for the new Technology Innovation Program and $125 million for the Manufacturing Extension Partnership, so that we can keep manufacturing in our country. We also want to do the basic research that is needed for the new ideas that will come up with the new products for the new jobs.

This bill provides $6.9 billion for the National Science Foundation, and for NOAA we provide $4.7 billion, including $980 million for our weather service and $870 million for our fisheries.

This bill also funds our space program: $18.7 billion for NASA. In the space program, we don't agree with the House strategy; we agree with the White House strategy. The House strategy includes $500 million for the NASA exploration program. We believe we need to meet our obligations to fully fund the space shuttle and the space station. For the space shuttle, we need to make sure we keep our astronauts safe and our space station is able to continue the work we have begun. We also need to invest in the next generation of space vehicles at $3.6 billion.

It is very important we meet our obligations, our international obligations, as well as our obligations to our astronauts and to our Earth-bound scientists. However, if you meet those scientists, they are not bound by Earth very much. They are continually breaking barriers.

We know the House withheld money while waiting for the Augustine report. Well, we have the Augustine report. We know where the President wants to go. We know what the key advisers in the astronaut community have recommended to us—the gallant leaders from the past, such as Buzz Aldrin and John Glenn, to the most contemporary right now. I might add we have a space Senator in Senator BILL NELSON, one of our authorizers. So we have worked hand-in-hand with our authorizers.

We are also working very hard in terms of protecting our intellectual property. We have been concerned through the Bush administration—well, the Clinton administration, the Bush administration, and now we want to deal with this during the Barack Obama administration—that we have too many backlogs at our Patent and Trademark Office. We want to reduce those. American ingenuity should not have to stand in long lines to get their patents to protect their intellectual property and to come up with the products that will go into the global marketplace and at the same time create jobs here.

We are also very proud of what we do to protect our planet, and what we have done through NASA Earth science—$1.4 billion—and also what we are doing in weather satellites—$1.2 billion—which are very important global warming tools. If we can better protect and warn, we can save lives and save money.

The CJS bill ensures our constitutional obligation to do the 2010 census. We provide $7 billion to the Census. We are working hand-in-glove with Secretary Locke to make sure the Census Bureau is well organized to be able to do this very important job.

There are many more things we can talk about, but I know my colleague, Senator SHELBY, wants to discuss the bill, and our good friend from Arizona has an amendment. So, Mr. President, I will amplify these other parts of the bill as we move forward.

I know Senator SHELBY will return in a moment or two, so with deference and the usual courtesy and comity, if the Senator from Arizona wishes to offer his amendment, and then when Senator SHELBY returns he can make his statement, we will just keep the business of the Senate moving as promptly and as well as we can.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 2629

Mr. MCCAIN. Mr. President, I have an amendment at the desk and ask for its immediate consideration—amendment No. 2629.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 2629.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds appropriated under this Act for the purpose of preventing individuals, wholesalers, or pharmacists from importing certain prescription drugs)

On page 202, between lines 15 and 16, insert the following:

SEC. 530A. None of the funds made available in this Act for the Department of Justice may be used to investigate or enforce Federal laws related to the importation of prescription drugs by individuals for personal use, by pharmacists, or by wholesalers or to bring an action against such individuals, pharmacists, or wholesalers related to such importation: *Provided*, That the Department of Justice or its subagencies do not have a reasonable belief that the prescription drug at issue violates the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.): *Provided further*, That the prescription drug at issue is not a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802), or a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

Mr. MCCAIN. Mr. President, I say to the distinguished manager, the Senator from Maryland, that I will be glad to interrupt my amendment upon the return of the Senator from Alabama, if he wishes to speak, and then I will continue after that. I thank the Senator from Maryland for her hard work and excellent explanation of the legislation before the Senate.

This amendment would lower health care costs for Americans immediately. It would provide access to safe, less expensive imported prescription drugs. For far too long, powerful lobbyists from the pharmaceutical industry have stood in the way of Americans' access to affordable imported drugs. Their enormous political campaign contributions made in return for political support of their agenda and their secret unsavory deal with the White House in exchange for their support of the health care reform have further contributed to the American people being prevented from accessing cheaper prescription drugs.

Instead, Americans continue to pay 60 percent or higher for the same prescription drugs that are sold in Canada. This amendment is necessary because Americans need access to lower cost drugs now. They need it now due to these difficult economic times. We all know about unemployment. Americans' salaries are being cut, household budgets are slim, and millions of Americans are struggling to make their

monthly mortgage payments. For these reasons, and so many more, Americans should not be forced to wait another day to purchase safe and affordable prescription drugs from outside the United States. While Americans all over the country are having to choose between their next meal and their necessary prescriptions, the large pharmaceutical companies continue to pressure Congress to delay consideration of any legislation to allow the importation of safe and lower priced prescription drugs.

I would like to also point out this is legislation on an appropriations bill, something I have long opposed, and still oppose. But there has been an unusual process taking place, and that process is one which has forced me to come to this situation. On two separate occasions the majority leader of the Senate assured me that legislation would be taken up before the Senate, and both times he has changed his mind. The majority leader resisted consideration of an amendment to allow for the importation of prescription drugs during debate on the Family Smoking Prevention and Tobacco Control Act.

At the time, the majority leader said on the Senate floor:

> This is something that should have been done, I am sorry to say, years ago, not weeks ago.

This issue is important legislation. If it should have been done years ago, then why wasn't it brought up for consideration immediately after the tobacco bill in June? While the standalone bill to allow importation—S. 1232—was placed on the Senate's calendar on June 11, 2009, there has been no further effort by the majority leader to call it up for consideration. Instead, he sent me a letter stating:

> I committed to take up legislation that would permit the safe importation of lower-cost prescription drugs as soon as practicable.

The practicable time was back in June. There is no practical reason to prevent the majority leader from calling up this bill for a vote at any time.

I was told verbally by the majority leader as short a time as 3 weeks ago that upon the completion of consideration of the Defense appropriations bill that this legislation would be brought to the floor of the Senate. Then a week later I was told, no; that is not going to be the case. So I have been waiting for ''as soon as practicable,'' and so have millions of Americans who are looking for cheaper alternatives to the high-priced prescription drugs.

The majority leader also stated in his letter:

> If this issue is not addressed during the full Senate's consideration of comprehensive health reform, I guarantee that I will move to proceed to S. 1232 before the end of the year.

The majority leader of the Senate assured me it would be taken up after completion of the Department of Defense appropriations bill, which we have completed. Given the fact that it is possible that the health care reform bill will be brought up under a truncated pressure timeline, I have little faith that real, in-depth consideration of prescription drug import legislation will come about; therefore, I have no choice but to bring this issue up today as an amendment to this appropriations bill.

In the 2008 election cycle, pharmaceutical companies gave almost $30 million in campaign contributions to Members of Congress. Just this year, according to an article published in The Hill, the prescription drug industry has given more than $1 million to Republicans and Democrats, and the companies whip up their protector in Congress each time we bring forward legislation to help Americans get the imported prescription drugs they need.

Earlier this year, I read an e-mail sent by the top lobbyist for Pharmaceutical Research and Manufacturers of America, known as PhRMA—this was back in June—which stated:

> The Senate is on the bill today. Unless we get some significant movement, the full blown Dorgan or Vitter bill will pass. We are trying to get Senator DORGAN to back down, calling the White House, and Senator REID. Our understanding is that Senator MCCAIN has said he will offer regardless. Please make sure your staff is fully engaged in this process. This is real.

That was an e-mail from a lobbyist of PhRMA, which has given millions and millions in campaign contributions.

Guess what. In the immortal words of Jack Nicholson: I'm back. I am back on the Senate floor, trying to help millions of Americans who have lost their jobs, struggling to put food on the table, by giving them the opportunity to save on their prescription drugs immediately.

Recently, the White House struck a deal with a pharmaceutical company to further protect its profits. The deal was bragged about by the head of the company's trade association, who cashed in for millions of dollars once he wrote the Medicare prescription drug benefit legislation as a Congressman. He was quoted in an article in the New York Times, published August 6, 2009, stating that the White House ''wanted a big player to come in and set the bar for everybody else.''

The same article stated:

> Mr. Tauzin said the White House had tracked the negotiations throughout, assenting to decisions to move away from ideas like the government negotiation of prices or the importation of cheaper drugs from Canada. The $80 billion in savings would be over a 10-year period.

Analyze that comment by the head lobbyist of one of the most powerful lobbies in Washington. He is saying the White House agreed to move away from—in other words, not support—ideas such as government negotiation of prices. Government negotiation of prices is absolutely necessary. We did it in the prescription drug bill, and it has reduced costs. In other words, the pharmaceutical companies would have to compete for Medicare contracts. One would think that is an obvious solution to bringing down costs.

The second, of course, is the importation of cheaper drugs from Canada. Here everybody is talking about reducing health care costs. We know that importation of less expensive drugs would save health care costs for the American consumer. But the White House apparently, according to Mr. Tauzin, agreed they would not support importation of less expensive drugs from Canada—a remarkable comment. You know, people wonder why the tea parties are going on, why the approval rating of Congress is so low—amazing. The Fraser Institute found in 2008 that Canadians paid on average 53 percent less than Americans for identical brand-name drugs. Specifically, the institute found that the most commonly prescribed brand-name drug, Lipitor, is 40 percent less in Canada, Crestor is 57 percent less in Canada, and the popular arthritis drug Celebrex is 62 percent less expense in Canada. Americans would love a 60-percent-off coupon for prescription drugs and deserve such a discount now more than ever.

I have been working on this issue for many years, and I will continue to do so. Americans should not have to wait a day longer for relief from higher prices for drugs. Inexplicably, the majority leader keeps delaying consideration of this needed legislation, which has now forced me to offer an amendment on the current appropriations bill. However, I believe it is necessary to protect all Americans' interests in obtaining affordable prescription drugs. The amendment states that no funds can be used to prosecute those who seek to import prescription drugs that have been approved by the FDA. If the big drug companies are getting an $80 billion savings, shouldn't we give a savings to American consumers? Why not now?

Again, I want to say there is going to be a point of order raised on this bill, and with righteous indignation people will say it doesn't belong on an appropriations bill. We just finished a Defense appropriations bill loaded—and I will have a list of them—with unauthorized appropriations on that bill. Every appropriations bill we take up has unauthorized appropriations, ranging from $300,000 for a museum in Nebraska to the addition of C–17s for $2.5 billion. The argument that somehow we should not be taking up this legislation on this bill flies in the face of what has been common practice around here, even though I do not agree with it.

Let me say this, too. If I had full and complete confidence that this amendment would get a full and complete airing as an amendment on the health care bill, I would be glad to withdraw this amendment. I will be glad to withdraw this amendment if we have assurance this amendment will be taken up on the health care bill. There are all kinds of things that are going to be

done in passage of the health care reform legislation—so-called—on the floor of the Senate.

I see my friend from North Dakota here. I have appreciated his efforts for a long time. He and I have been working on this for a long time. It is a fact that I received the word of the majority leader that this bill would be taken up and that has not happened. That has happened twice. I must say it has never happened to me before in the years I have been a Member of the Senate.

I ask unanimous consent to have printed in the RECORD the New York Times article of August 6, 2009, ''White House Affirms Deal on Drug Costs.''

I also ask unanimous consent to have printed in the RECORD the letter from Senator REID to Senator SNOWE, Senator DORGAN, and to me.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 6, 2009]

WHITE HOUSE AFFIRMS DEAL ON DRUG COST

(By David Kirkpatrick)

WASHINGTON.—Pressed by industry lobbyists, White House officials on Wednesday assured drug makers that the administration stood by a behind-the-scenes deal to block any Congressional effort to extract cost savings from them beyond an agreed-upon $8o billion.

Drug industry lobbyists reacted with alarm this week to a House health care overhaul measure that would allow the government to negotiate drug prices and demand additional rebates from drug manufacturers.

In response, the industry successfully demanded that the White House explicitly acknowledge for the first time that it had committed to protect drug makers from bearing further costs in the overhaul. The Obama administration had never spelled out the details of the agreement.

''We were assured: 'We need somebody to come in first. If you come in first, you will have a rock-solid deal,''' Billy Tauzin, the former Republican House member from Louisiana who now leads the pharmaceutical trade group, said Wednesday. ''Who is ever going to go into a deal with the White House again if they don't keep their word? You are just going to duke it out instead.''

A deputy White House chief of staff, Jim Messina, confirmed Mr. Tauzin's account of the deal in an e-mail message on Wednesday night.

''The president encouraged this approach,'' Mr. Messina wrote. ''He wanted to bring all the parties to the table to discuss health insurance reform.''

The new attention to the agreement could prove embarrassing to the White House, which has sought to keep lobbyists at a distance, including by refusing to hire them to work in the administration.

The White House commitment to the deal with the drug industry may also irk some of the administration's Congressional allies who have an eye on drug companies' profits as they search for ways to pay for the $i trillion cost of the health legislation.

But failing to publicly confirm Mr. Tauzin's descriptions of the deal risked alienating a powerful industry ally currently helping to bankroll millions in television commercials in favor of Mr. Obama's reforms.

The pressure from Mr. Tauzin to affirm the deal offers a window on the secretive and potentially risky game the Obama administration has played as it tries to line up support from industry groups typically hostile to government health care initiatives, even as their lobbyists pushed to influence the health measure for their benefit.

In an interview on Wednesday, Representative Raúl M. Grijalva, the Arizona Democrat who is co-chairman of the House progressive caucus, called Mr. Tauzin's comments ''disturbing.''

''We have all been focused on the debate in Congress, but perhaps the deal has already been cut,'' Mr. Grijalva said. ''That would put us in the untenable position of trying to scuttle it.''

He added: ''It is a pivotal issue not just about health care. Are industry groups going to be the ones at the table who get the first big piece of the pie and we just fight over the crust?''

The Obama administration has hailed its agreements with health care groups as evidence of broad support for the overhaul among industry ''stakeholders,'' including doctors, hospitals and insurers as well as drug companies.

But as the debate has heated up over the last two weeks, Mr. Obama and Congressional Democrats have signaled that they value some of its industry enemies-turned-friends more than others. Drug makers have been elevated to a seat of honor at the negotiating table, while insurers have been pushed away.

''To their credit, the pharmaceutical companies have already agreed to put up $80 billion'' in pledged cost reductions, Mr. Obama reminded his listeners at a recent town-hall-style meeting in Bristol, Va. But the health insurance companies ''need to be held accountable,'' he said.

''We have a system that works well for the insurance industry, but it doesn't always work for its customers,'' he added, repeating a new refrain.

Administration officials and Democratic lawmakers say the growing divergence in tone toward the two groups reflects a combination of policy priorities and political calculus.

With polls showing that public doubts about the overhaul are mounting, Democrats are pointedly reminding voters what they may not like about their existing health coverage to help convince skeptics that they have something to gain.

''You don't need a poll to tell you that people are paying more and more out of pocket and, if they have some serious illness, more than they can afford,'' said David Axelrod, Mr. Obama's senior adviser.

The insurers, however, have also stopped short of the drug makers in their willingness to cut a firm deal. The health insurers shook hands with Mr. Obama at the White House in March over their own package of concessions, including ending the exclusion of coverage for pre-existing ailments.

But unlike the drug companies, the insurers have not pledged specific cost cuts. And insurers have also steadfastly vowed to block Mr. Obama's proposed government-sponsored insurance plan—the biggest sticking point in the Congressional negotiations.

The drug industry trade group, the Pharmaceutical Research and Manufacturers of America, also opposes a public insurance plan. But its lobbyists acknowledge privately that they have no intention of fighting it, in part because their agreement with the White House provides them other safeguards.

Mr. Tauzin said the administration had approached him to negotiate. ''They wanted a big player to come in and set the bar for everybody else,'' he said. He said the White House had directed him to negotiate with Senator Max Baucus, the business-friendly Montana Democrat who leads the Senate Finance Committee.

Mr. Tauzin said the White House had tracked the negotiations throughout, assenting to decisions to move away from ideas like the government negotiation of prices or the importation of cheaper drugs from Canada. The $80 billion in savings would be over a 10-year period. ''80 billion is the max, no more or less,'' he said. ''Adding other stuff changes the deal.''

After reaching an agreement with Mr. Baucus, Mr. Tauzin said, he met twice at the White House with Rahm Emanuel, the White House chief of staff; Mr. Messina, his deputy; and Nancy-Ann DeParle, the aide overseeing the health care overhaul, to confirm the administration's support for the terms.

''They blessed the deal,'' Mr. Tauzin said. Speaker Nancy Pelosi said the House was not bound by any industry deals with the Senate or the White House.

But, Mr. Tauzin said, ''as far as we are concerned, that is a done deal.'' He said, ''It's up to the White House and Senator Baucus to follow through.''

As for the administration's recent break with the insurance industry, Mr. Tauzin said, ''The insurers never made any deal.''

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U.S. SENATE,
*Washington, DC, September 22, 2009.*

Senator OLYMPIA J. SNOWE,
*Russell Senate Office Building,*
*Washington, DC.*

Senator BYRON L. DORGAN,
*Hart Senate Office Building,*
*Washington, DC.*

Senator JOHN MCCAIN,
*Russell Senate Office Building,*
*Washington, DC.*

DEAR SENATORS: During consideration of H.R. 1256, the Family Smoking Prevention and Tobacco Control Act, I committed to take up legislation that would permit the safe importation of lower-cost prescription drugs as soon as practicable. Shortly after making that commitment, Senator Dorgan and I began the Rule XIV process on S. 1232, the Pharmaceutical Market Access and Drug Safety Act of 2009.

Unfortunately since taking that step, the Senate has experienced an extremely full legislative agenda that has not permitted me to turn to this important legislation as quickly as I would have liked. In light of the approaching new fiscal year, we have dedicated considerable time to appropriations matters. (On March 24, I received a letter signed by all Senate Republicans telling me it was critical that the Senate dedicate an ''appropriate amount of time'' to pass the twelve appropriations bills.) We have also completed action on the FY2010 National Defense Authorization Act, a bill to extend the solvency of the Highway Trust Fund and the unemployment insurance program, as well as a number of executive nominations.

Passing S. 1232 in the Senate will not be easy. Senate action on many legislative items has taken significantly longer than one would expect, even for measures that ultimately pass by a broad bipartisan vote. Numerous objections by Senate Republicans have forced the Senate to jump through procedural hoops that accomplish little more than delaying Senate action. Actions that have been taken by consent with little or no debate now take many days. Further complicating passage of this legislation is the fact that during its markup of comprehensive health reform the HELP Committee considered and defeated an effort to attach importation language to the underlying bill.

Notwithstanding these obstacles, I stand by my earlier commitment to make sure the Senate considers S. 1232 as soon as practicable. If this issue is not addressed during the full Senate's consideration of comprehensive health reform, I guarantee that I

will move to proceed to S. 1232 before the end of the year.

Sincerely,

HARRY REID,
*Majority Leader.*

Mr. MCCAIN. Mr. President, I wish to say again that we have been told time after time that this legislation would come before the Senate. It has not. I do not know what process the majority leader will use—reconciliation, fill up the tree, vote on cloture, make this amendment nongermane. I have no confidence. If I had the confidence that this amendment would be taken up in a regular order fashion and that the full Senate would vote on it on the health reform bill, I would have some confidence we could get it done. In the absence of that, I will seek a vote on this amendment.

If there is a budget point of order on this amendment, let no one be fooled: It is not because they do not want to violate the budget rules of the Senate, because they violated them in every possible way in previous appropriations bills, to the tune of billions of dollars.

I yield the floor.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, let me spend a few moments talking about this issue of reimportation of prescription drugs and the history of it and the work many of us have done together, a large group of Members of the Senate, including Senator MCCAIN, working on this issue.

Senator MCCAIN has offered an amendment, No. 2629, which he has just finished discussing. As I understand the amendment, it would prohibit the use of funds appropriated under the act for preventing individuals, wholesalers, or pharmacists from importing certain prescription drugs. That is in the title. It does have, as I think Senator MCCAIN suggested, perhaps a point of order against it. I do not know whether it is because it would be legislating on an appropriations bill. In any event, whatever the circumstances with this amendment, I was a bit surprised to see this amendment on this bill, but everybody has a right to offer amendments.

Let me say that Senator MCCAIN is a part of a group of us who have worked together. We have worked on a piece of legislation called the Dorgan-Snowe legislation. Senator SNOWE, as the major cosponsor, and many others, including Senator MCCAIN as a cosponsor, have worked on this issue for a long time. The fact is, the appropriate place to address this, in my judgment, is in the health care bill that is going to come to the floor in the next couple of weeks. I have said previously that I fully intend to offer this bipartisan bill as an amendment. We have over 30 cosponsors in the Senate, Republicans and Democrats. It ranges from the late Senator Ted Kennedy, to JOHN MCCAIN and a wide range of Senators on both sides of the political aisle. That has been the support for legislation that I think addresses a very important issue.

Let me describe the issue, if I might. I have in my desk in the Senate two bottles that contain medicine. Actually, these are empty bottles. This is Lipitor. The medicine that would be contained in these bottles is made in Ireland by a company that produces Lipitor. It is the most popular cholesterol-lowering drug in America by far. It is made in Ireland, in a plant that is inspected by the FDA, and the medicine is then sent all around the world. These two bottles, as you can see, are identical. These two bottles contained identical tablets, 20 milligrams of Lipitor made in the same place, so it is the same manufacturing, the same pill, put in the same bottle, made by the same company. The difference? One is shipped to Canada, one is shipped to the United States. Difference? Price. Here is the one that was shipped to Canada; this is $1.83 per tablet. This was sent to the United States, $4.48 per tablet. The only difference is price. Why is that the case? Because the American people are charged the highest prices for brand-name prescription drugs in the world, the highest prices in the world for brand-name drugs. In this case, we paid $4.48 per tablet; someone else paid $1.83. It doesn't matter whether it is Canada. It could be England, Italy, France, Germany, Spain—we pay the highest prices in the world, and it is unfair.

The question is not, Is there a problem? Of course there is a problem. We have a whole lot of folks in this country who cannot figure out how they are going to afford to pay for their groceries and their medicine, so they go get their medicine first at the pharmacy in the grocery store and figure out how much they can eat later. Of course this is a problem.

I have described the guy who sat on a straw bale once at a farm a while back, 80 years old, who told me in a little meeting we had in a farmyard: My wife has fought breast cancer for 3 years. She is in her seventies. And we have spent all of those 3 years driving to Canada to try to buy Tamoxifen where it is sold for 80 percent less—an 80 percent lower price in Canada for the identical prescription drug. So my wife and I are trying to drive up and get Tamoxifen in Canada.

The reason they can do that is, apparently at the border, a small amount of personal use, up to 30 days or 60 or 90 days personal use of prescription drugs will be allowed to be brought over without a hassle.

But the question is what about the rest of the American people who cannot drive to the border or go to another country and access the same prescription drugs, same pill put in the same bottle by the same company who decided to charge the American people the highest prices in the world? What about those people?

My point is this: We are going to have a big health care bill on the floor of the Senate sometime in the next few weeks. Oh, it has been through this committee and that committee. It has been on a long, tortured trail. Lord knows every single day in the press we read the next little news item about who said what about this.

One way or another we are going to have some kind of health care reform on the floor of the Senate. Will it pass? Will it be omnibus? Will it be comprehensive? I do not know any of those things. I do know this: that the Gang of 6 and the gang in the Finance Committee or the gang in the HELP Committee are going to become a Gang of 100 or 100 gangs of 1 when it gets to the floor of the Senate. Everybody is going to have their amendments because most Members of the Senate have not had an opportunity to weigh in on health care at this point with their own views and their own amendments. They are not on the committee, not part of a small gang. Let me say, on behalf of myself and I think Senator SNOWE, it is the Snowe-Dorgan legislation with respect to prescription drug reimportation, which includes Senator MCCAIN as a cosponsor, that when health care comes to the floor of this Senate, you can count on it, that there is going to be an amendment and there is going to be a vote on the issue of the prices of prescription drugs.

Perhaps there are some people who do not want it. I understand they do not want to have a vote on it. But in my judgment, there cannot be credible efforts to address health care if you do not address the issue of health care costs, the relentless rising cost of health care.

Part of that, not an insignificant part, relates to the question of the relentless runup of prescription drug costs every single year. Take a look at the increased prices for prescription drugs every year and then think about the people out there who are trying to figure out: How do I pay for this?

I understand senior citizens have the opportunity, under Part D of Medicare, to have some drug coverage. I understand there is a problem with that, there is what is called a doughnut hole in the Washington lexicon. I also understand that someone made a deal with the pharmaceutical industry for $80 billion over 10 years, which is a relatively small part of their gross revenues, in order to fill part of the doughnut hole with 50 percent off on brand-name drugs.

I understand all that. I was not a part of it, nor was anybody I know of in this Chamber. The question is, What about all the rest of the American people and the fact that they are now charged the highest prices in the world for brand-name prescription drugs? Is it fair? I say no.

We will offer an amendment. My colleague says he was promised and he was concerned about that. I understand all that. All I am saying is, we are going to have this debate, this amendment, and this vote. It is going to be on health care. That is where it ought to be. It ought to be on the health care bill.

I know that when we have this discussion, we are going to have people say: If you do not allow the prescription drug folks, the pharmaceutical industry, to charge these prices in our country, they will do less research into finding cures for these deadly diseases.

You know what, the fact is they spend more money on promotion, marketing, and advertising than they do on research. That is a fact. I mean you get up in the morning and turn the television set on, perhaps while you are brushing your teeth or something, and then listen to the ads. The ads push at you every single day: Go ask your doctor today. It is Wednesday. Ask your doctor, is the purple pill right for you?

I do not know what the purple pill is, but it makes you feel like you should go ask somebody if I should be taking the purple pill.

Go ask your doctor whether you might need Flomax. Go ask your doctor what you ought to be getting, what you ought to be taking that you now do not know about or are not taking.

All these things are pushed at consumers in circumstances where the only person who can prescribe that prescription drug is a doctor who has decided you need it for your health. Yet every single day, relentlessly across this country on television, in the journals and newspapers and publications it says: Go check with your doctor. Ask your doctor if you should be taking this medicine.

What about cutting back on some of that and reducing the price of prescription drugs? What about that? Let me make one other point, if I might. My colleague indicated he has offered this, which is a funding limitation on prescription drugs. The fact is, this has been a long and difficult trail to pass legislation.

I understand. Were I working for the pharmaceutical industry, I would understand why you want to retain this little piece in Federal law that says: The only entity that can reimport or import drugs into this country is the company that manufacturers them. I understand why they want that to be the case. Because it allows them to price, in this country, however they want to price.

But we are told constantly this is a new economy, a global economy. If it is a global economy, then what about allowing the American people the freedom to access that global economy to find the identical FDA-approved prescription drug where it is sold for half the price?

They say: Yes, but you know what, if we do that, we are going to open it up to counterfeit drugs and so on. Guess what. Europe has been doing this for 20 years. It is something called parallel trading. In Europe, if you are in Germany and want to buy a prescription drug from France, if you are in Spain and want to buy a prescription drug from England, that is not a problem. They have a plan that is called parallel trading. It has been going on for 20 years, and there are no counterfeit issues of any significance at all.

Europe can do it and we cannot? We cannot keep track of this? The legislation that I and Senator SNOWE and many others, including Senator MCCAIN, have put together carefully has all kinds of safety measures that will dramatically improve the safety of the prescription drugs that are now sold.

It requires pedigrees be established on batch lots so you can track everything back. Everything. The only proposal we are suggesting the American people be given the freedom to do is to access that FDA-approved drug—yes, only FDA-approved drugs—only from countries in which the chain of custody is identical to ours and as safe as ours is. That is all we are talking about.

But that does it the right way. That says: Here is a plan. It funds the FDA to make certain that the drug supplies are safe and so on. This is the right way to do this. That is why we have taken a long time to put this together. It is a piece of legislation that has all the elements you would want to have that gives the American people the freedom to get lower priced drugs, FDA-approved drugs where they are sold and, at the same time, because they would have that freedom, would put downward pressure on drug prices in this country because the pharmaceutical industry would be required to reprice their drugs in the United States.

Let me say, as I always have to say, I do not have a grief against the pharmaceutical industry. I think it is a great industry. I think it produces wonderful, miracle prescription drugs that if taken can keep you out of an acute care hospital bed, which would be far more expensive. Prescription drugs, if taken, in many cases, can manage a disease that otherwise would have you in a debilitated condition.

I appreciate the research they do. I appreciate the new drugs they develop. Let me say this, that a substantial amount of work, with respect to the development of new drugs, is done with public funding, taxpayer dollars, through the National Institutes of Health, the knowledge from which then goes to the pharmaceutical industry to be able to use to create these drugs. That is a part of it.

Another part of it is the research they do themselves. Good for you, I say. My grief is not against an industry. I do not want to tarnish this industry. All I want to say is: We deserve fair prices. This country and the consumers in this country deserve fair prices.

We have been trying for 10 years to get this done. If we bring health care reform to the floor of the Senate and say: We are going to do something about health care costs and prices and fail to do something about prescription drug costs, in which the American people are required to pay the highest prices for brand-name drugs, then, in my judgment, we will have failed miserably.

It is my full intention that when we have health care on the floor, which I expect to be within a week or 2 weeks or whenever it comes, but it is coming for sure, I will be here, and I will fully expect and demand the opportunity to offer this amendment because there are 30 Members of the Senate, Republicans and Democrats alike, who have done the work to put together the bill that has all the safeguards and, finally, at long last, will give the American people what they deserve; that is, fair pricing on prescription drugs.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. DORGAN. Of course, I will yield.

Mr. MCCAIN. I am very grateful for the leadership Senator DORGAN has shown on this issue for many years and it has been a pleasure and an honor to work with him on that and many other issues.

I ask my colleague, does the letter that was sent by the majority leader to you and to me and to the Senator from Maine, Ms. SNOWE—I know you have read it—does it concern you that the last paragraph of the letter says:

> Not withstanding these obstacles, I stand by my earlier commitment to make sure the Senate considers S. 1232 as soon as practicable.

And then this is the question I have for the Senator from North Dakota.

> If this issue is not addressed during the full Senate's consideration of comprehensive health reform, I guarantee that I will move to proceed to S. 1232 before the end of the year.

My question to the Senator from North Dakota is: Why would there be any question in the majority leader's mind that you or I and Senator SNOWE would let a health reform bill go to the floor and be voted on without it being passed? It seems to me, and may I say, because I have been told twice by the majority leader we would take it up—and those commitments have been reversed—would it not concern you a little bit when it says: '' . . . if this issue is not addressed during the full Senate's consideration of comprehensive health reform . . .''

That is my question. That is what I am concerned about, that parliamentary procedures would be used. You and I have seen it before. The tree filled up. Cloture invoked, et cetera, where there have not been amendments that were clearly important to that legislation, not allowed to be considered.

That is my question to my friend from North Dakota.

Mr. DORGAN. Let me say to Senator MCCAIN that I expect the job of majority leader is a pretty tough job. I have watched from Bob Dole on, Tom Daschle, and so many majority leaders and minority leaders try to run this place. It is pretty hard to run. Trying to figure out a schedule is pretty difficult. So I respect the difficulties of juggling all these things.

With respect to the specific letter Senator MCCAIN referred to, Senator MCCAIN, I, and Senator SNOWE all talked to the majority leader about this issue when the tobacco bill was on the floor of the Senate because we were fully intending to offer our prescription drug reimportation bill.

The majority leader did say to us, and then put it in writing, did say to us: I will guarantee you that you will get that up on the floor of the Senate. So that was a commitment by the majority leader. And he understands that commitment.

When I saw the letter he wrote, I went to him immediately, and he and I talked about that. Because I indicated to the majority leader: You have indicated that as soon as practicable, or perhaps at the end of the year.

I said to the majority leader: You should understand that if it is not up before health care, it has to be offered on health care. Because that is exactly where it fits. Nobody can come to the floor and say: We have to do health care. We have to try and control costs and put some downward pressure on prices. But, by the way, you cannot offer a piece of legislation that would put downward pressure on prescription drug prices. I said: That cannot be the case.

He understood and said: I understand that. That is going to be at the front end of this debate on health care. Based on that representation, I feel confident, I would say to Senator MCCAIN, I understand the confusion in the reading of the letter, the writing of the letter, but I feel confident, having talked to Senator REID, that we are going to have ample opportunity, right at the front end of this debate about health care, to have a full debate, to have a vote up or down, which is what we need to do, obviously. I think everyone in this Chamber, every Republican, every Democrat, needs to be on record: How do they feel about their consumers paying the highest prices for prescription drugs in the world? How do they feel about a bill we put together that has pedigrees and batch lots, all the safety so our consumers can have the freedom to access these lower priced drugs?

I think we can do that.

Mr. MCCAIN. Would you not feel better if the letter said—I know I would feel better if the letter said: I expect this issue to be brought up in the health reform bill.

Instead, there is a loophole, with all due respect, that if it isn't addressed during the full Senate's consideration, ''I guarantee I will move to it before the end of the year.'' Each day going by, seniors and, in fact, all citizens are paying a higher price for prescription drugs. Frankly, we should never have made that agreement when the tobacco bill was taken up because we could have passed it. Today seniors could be paying as much as 60 percent less for their prescription drugs. But we know what happened. The pharmaceutical companies weighed in with all of their clout. I urge the Senator from North Dakota to go back and get this language changed. The majority leader looked me in the eye and said: We will take this up after we finish the Department of Defense appropriations bill. And then decided not to do it. Maybe the Senator from North Dakota understands why I am skeptical about the interpretation of a letter that could be interpreted so that we don't take it up in the health care reform bill.

Mr. DORGAN. Mr. President, I understand the anxious state of all of us to do what we have worked on for so long. I understand. I also understand that the letter probably could have been more artfully drawn. I understand from my conversations with Senator REID, the majority leader, that he fully understands and expects us to be planted on the floor when health care comes here and to offer our amendment and have a full debate and vote. If there is an attempt when we debate health care to decide that 30 of us Republicans and Democrats somehow don't have the opportunity we have been promised on the issue of prescription drug prices, in my judgment they are going to have an awful time getting any health care bill through this place. Because you can't say to me or to anybody else: We will do the bill we want to do and, by the way, prescription drug prices that are going up by double digits, we are not going to give you a shot at that.

Let me make one final representation. I said when I started, it is hard to schedule this place. I understand that. The Senator from Arizona knows we have had noncontroversial bills where we couldn't even get past a motion to proceed without having a filibuster to something that is noncontroversial. If I am majority leader, I am thinking this is not easy to do. I am sympathetic to the job he has to try to do all these things. I am convinced Senator REID will keep the commitment he made to us. I am convinced that commitment will be kept when we get health care on the floor. I don't want it to be in the middle or toward the end. I want to be here front and center at the front end because the bill we have put together is a strong bill dealing with a very important issue.

Mr. MCCAIN. If the Senator will yield further for one final question.

Mr. DORGAN. I am happy to yield.

Mr. MCCAIN. I have great sympathy for attempting to schedule legislation in this body. I think our friend Trent Lott maybe didn't invent it, but he used to say that it is like herding cats, conducting business in the Senate. I agree with that.

I know the Senator from North Dakota is aware that no matter what the problems are, if the majority leader says: I will take up this bill, then you have to take his word. My question to the Senator from North Dakota is, can we get a commitment from the majority leader that parliamentary procedures will not be used to block consideration of the issue of importation of pharmaceutical drugs?

Mr. DORGAN. Mr. President, I believe that commitment has already been made by the majority leader.

Mr. MCCAIN. The letter is ambivalent.

Mr. DORGAN. I understand that. That is why I said I think the letter perhaps is not artfully drafted with respect to that last paragraph. I believe that commitment has been made to me because I went to the majority leader following the release of that letter. I have found over a long period that when the majority leader gives me a commitment, I believe he will keep the commitment.

Mr. MCCAIN. I have not had that experience.

Mr. DORGAN. I understand, but I believe the Senator will have that experience when health care comes to the floor and he and I are on the floor with our colleague Senator SNOWE and others pushing for a solid piece of legislation that has broad bipartisan support. The Senator then will understand the commitment was made and the commitment was kept. I believe that will be the case.

Mr. MCCAIN. All I can say to my friend is, if we can get a commitment that parliamentary procedures will not be used to block consideration of an amendment concerning importation of prescription drugs, I will withdraw this amendment from this bill.

Mr. DORGAN. I believe that commitment has been made to me. In any event, we are here on the floor on a Wednesday talking about something I believe is very important, and we have worked on this for a long time. We have spent a lot of time working on it. I don't intend to decide: OK, somebody is going to put up some barriers and that is OK with me. That is all right. And I don't think Senator REID is going to do that. He has made a commitment to me that will not be the case. I am convinced that Senator MCCAIN and I and others who have put this legislation together will have our day, and everybody else will have to stand up and say yes or no. I hope when the roll is called, we have sufficient numbers, finally, at long last, to pass legislation that should have been passed 8 years ago. Again, I appreciate the comments Senator MCCAIN has made this morning. I will have further visits with him.

I know Senator MIKULSKI has a bill on the floor she wishes to manage, and we don't want to be in the way of that.

My view is that we are going to have our bill on this floor with a full debate and an up-or-down vote, and that will come as a result of Senator REID keeping his commitment. I am convinced of that.

I yield the floor.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Arizona.

Mr. MCCAIN. Very briefly, I say to Senator DORGAN, I appreciate his efforts, his leadership. I appreciate everything he has done. We have had the privilege of working together on many issues over the years. I wish to be sure that when the health reform bill comes up, there will not be parliamentary obstacles from that happening. I have seen the will of the majority thwarted on the floor of the Senate by certain parliamentary maneuvers—filling up the tree, for example. The Senator from North Dakota is as familiar as I am with some parliamentary procedures which can be employed by the majority and have been employed when both parties have been in the majority to thwart the ability of Senators to have their issues considered. That is what I want to see, is to make sure that when the health reform bill is before us, we will take it up.

But the sentence reads:

If this issue is not addressed during the full Senate's consideration of comprehensive reform . . .

My question is, why wouldn't it? Why is that sentence necessary? All I can say is that I hope we can get that assurance. If we do, I will withdraw the amendment and allow this appropriations bill to receive full consideration and be passed by the Senate.

Mr. DORGAN. Mr. President, I intend to offer several amendments to the health care bill. I have not had a chance. I am not part of a gang of anything. I wasn't part of the Gang of 6. I am not part of the Finance or HELP Committees. This is my first opportunity. I have some things I think can improve it. If a bill comes to the floor with procedures—and it will not happen—that lock this up and we can't offer amendments, I wouldn't stand for that. I am not going to be a part of that process. My expectation and the representation made to me with respect to this amendment is when that bill comes to the floor, we will have an opportunity to offer amendments. I don't know how you would get health care through the Senate if the proposition would be that somebody says: The Gang of 6, they had their 6 months or 3 months, whatever they did. And the two committees had their opportunity. But the rest of you, sorry, can't do that. In that circumstance, health care would not be passed through the Senate. Perhaps we have tortured this subject to death.

Mr. MCCAIN. We have probably tortured it to death. Considering the fact that reconciliation continues to be held out there as an option by the majority is also a factor about which I have been concerned. All we need is a clarification to make sure there will be no parliamentary obstacles to consideration of the amendment of the Senator from North Dakota, an effort joined by me and Senator SNOWE and others, to allow prescription drugs to be imported into the United States.

I yield the floor.

Mr. DORGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURRIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. BURRIS. Mr. President, my brief remarks this morning are going to be on the cost of our broken health care system.

There have been times throughout our Nation's history when the American people have called upon our elected leaders to make very difficult decisions. This is one of those moments.

The debate over health reform has taken hold of this country and this Congress. We need a public option as part of any reform legislation, and we need it now. But the debate goes on. In House and Senate committee hearings, in townhall meetings, and at dining room tables across America, people are talking about the cost of health care reform. But they are not just talking about dollars and cents. Sometimes Washington forgets that. We worry about taxes, the deficit, and the need to keep Federal spending in check. We are right to debate these issues. But in the swirl of numbers and the cold analysis of insurance profits, we must not forget the extraordinary human cost of our broken health care system.

Nearly 45,000 Americans die every year because they do not have insurance coverage and cannot get quality care. That is one death every 12 minutes. This simply cannot stand in the United States of America. As Members of the Senate, as Americans, and as human beings, we cannot allow this to continue. It is time to take bold action. We must not delay any longer. The American people are waiting—people such as Deborah, a mother from Illinois, who works for a social service agency. Her employer had to cancel health care benefits and cut salaries more than a year ago because the expenses were too high. Deborah had a heart attack in April. Her resulting hospital bills total almost $16,000. She cannot afford the medicine her doctors have prescribed for her. And now she is having trouble paying bills. Her gas and electricity have already been cut off in her home. Next it is going to be the water.

Thankfully, Deborah's children and foster children have health insurance provided under an Illinois program called All Kids. But what if she suffers further complications or another heart attack? What if she loses her home or her job? What will happen to Deborah and her family?

If this Congress does not pass meaningful health care reform, their future is uncertain at best. But if we do act, we can bring Deborah and her family back from the brink of ruin. If we pass health care reform with a public option, Deborah and millions like her will be able to get the quality care they need at a price they can afford.

Under a public plan, health care costs will come down. Perhaps Deborah's employer will be able to restore her insurance coverage. But if not, she will be able to get individual coverage by choosing between an affordable private or public plan. Competition will drive premiums down across the board, making insurance more affordable for every single American. This means even with a preexisting condition, Deborah will not have to worry about finding good coverage at a fair price. She will be able to pay her bills again. In case she needs further treatment down the road, she will not be forced to choose between keeping food on the table or seeking the quality care she deserves. That is what health care reform is with a public option, and that is what could help Deborah.

These reforms would also help working folks such as Scott and Cindy, a self-employed couple from Oak Park, IL. Scott is a carpenter, and Cindy is a freelance writer and editor. They have a combined income that ranges from $50,000 to $120,000 per year, depending on the economy. But Scott has a preexisting condition.

Unlike many people in similar situations, they were fortunate enough to find an insurance company that would cover them. But the costs are extremely high. Premiums run more than $500 a month. Scott is covered by one plan, and Cindy and the kids are on a separate plan, and each one has a deductible of about $5,200 a year. That is the deductible.

That is why Scott and Cindy were so worried when their son broke his arm last summer. It was a bad break, but it is the kind of injury that is common to an active 15-year-old kid. It was not catastrophic, it was not unusual, and no one's life was at stake. But the medical bills totaled about $4,000. Even though Scott and Cindy have insurance, they had to pay every cent of this out of their pockets.

They are underinsured, and they know it. That is why they ration their own health care. I will repeat that: That is why they ration their own health care. Whenever they can skip a doctor's visit, or a checkup, or a minor procedure, they will do so in the interest of saving money. Of course, when their kids need treatment, they make it a priority.

But Scott and Cindy know they will not be able to afford it if either of them gets sick. What will happen to this family if they experience a catastrophic illness? What will happen if their coverage gets dropped, or if the costs continue to go up?

With health care reform, private insurers could no longer discriminate

against Scott's family because of his condition. If they are unhappy with the private insurance, they will have the choice to purchase high-quality public insurance for the whole family. Regardless, their deductible and monthly premiums will be much lower. For the first time, they will not have to worry about Scott's preexisting condition, and they can stop rationing their health care. They will be able to take advantage of preventive care so they can catch potential problems earlier and minimize their chances of getting really sick.

This is what reform with a public option would mean for Scott and Cindy, and for millions of Americans just like them in Illinois and across the country. That is why I will not compromise on the public option. I will repeat that: I will not compromise on the public option because Deborah, Scott, and Cindy need our help. That is why I will not settle for anything less than the real reform the American people deserve. The human cost is too high.

As we move forward, it is important to consider all sides of this contentious debate. But this debate has been going on for nearly a century. Since the days of Teddy Roosevelt, we have been trying to come together and solve this problem. The time for debate is drawing to a close. The time for bold action is upon us now, and our path is clear. The only way to achieve meaningful health care reform and bring costs down is through a public option that creates real competition in the system.

Let me be clear on this—I will be very clear—I will not vote for any health care bill that does not include a public option. I urge my colleagues to join with me, to stand on the side of the American people, and to fight for ordinary folks such as Deborah, Scott, and Cindy, and their families.

We must not delay. We must not let them down.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

Mr. KAUFMAN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFGHANISTAN POLICY

Mr. KAUFMAN. Mr. President, I rise today to support the comprehensive review of our Afghanistan policy being conducted by the Obama administration. This is the right time for such a review because conditions have changed since the President's strategy was announced on March 27. I have traveled to the region twice since then—first in April and again last month—and can confirm the recent observations of General McChrystal that the Taliban has made inroads in Afghanistan and the situation is deteriorating and serious. At the same time, political dynamics have changed in the region. There have been flawed elections in Afghanistan, and an emboldened Pakistani military has taken actions against elements in the Taliban in Pakistan. In light of these developments, we must give the President the time he needs to review the strategy and reevaluate the mission.

Today marks 8 years since the U.S. military entered Afghanistan, but if there is one message I hope to convey to the American people today, it is that we have not been there in earnest since 2003. After launching a successful NATO campaign against al-Qaida and the Taliban-led government that sheltered it, resources were diverted to Iraq in 2003 before the job was finished. We essentially left Afghanistan to invade Iraq, and the result in Afghanistan was a resurgent Taliban and failure to capture Osama bin Laden.

This was not the first time we left Afghanistan. After resourcing the Afghans throughout the 1980s in their efforts to beat the Soviets, we abruptly ended our support in 1989 after Soviet troops withdrew. We were then absent for 12 years until 9/11.

Historically, and especially since 2003, our commitment to Afghanistan has been wavering and halfhearted. This has created a deficit of trust in the minds of the Afghans, especially among those who have allied with us and faced the prospect of life or death in our absence. I wish to repeat that. This has created a deficit of trust in the minds of Afghans, especially among those who have allied with us and faced the prospect of life or death in our absence.

As we enter the ninth year of the war, it is critical to reassess our strategy so we can get it right. This is why the President's review must be complete and must be comprehensive. It is not just about combat troops or the McChrystal report. Troops are just one part of the puzzle and the report submitted by General McChrystal is just one input. The President must consider multiple perspectives on the political and regional situation from U.S. Ambassador to Afghanistan Karl Eikenberry, U.S. Ambassador to Pakistan Anne Patterson, and the Special Representative for Afghanistan and Pakistan, Richard Holbrooke. He must also weigh broader concerns from the Department of Defense, including overall force structure and other global military requirements. The review will take time. There are many complex issues to deal with in Afghanistan which closely relate to our policy in Pakistan.

The President will present his plan to the American people when he has made his decision. At that time, Congress will be an important part of the process and will hold hearings on the President's plan, as it did with the President's plans in Iraq. Then each Member of Congress will cast the most important vote for any Member of this body: whether to send additional troops abroad and how to protect them. That debate should not be about politics.

I believe we must look at this challenge as a sum of the parts, and I wish to raise two primary questions. The first is about our mission and our objectives, which have been complicated by changes on the ground since March. The second is about waging an effective counterinsurgency strategy and what it would take to meet those requirements in Afghanistan. After we review our mission strategy in Afghanistan, we must also review how it correlates to our strategy in Pakistan. I will take each one of these questions in turn, both to give an indication of the complexity of the decisionmaking process and to share my observations on each subsidiary question.

First, the President must ask: What are our missions and objectives? In March, he presented his mission statement:

> To dismantle, disrupt, and defeat al-Qaida and its safe havens in Pakistan, and to prevent the return to Pakistan or Afghanistan.

He also laid out key objectives: promoting a more capable, accountable, and effective government in Afghanistan, developing increasingly self-reliant Afghan security forces that can take the lead in counterinsurgency and counterterrorism, and assisting efforts to enhance civilian control and stable government in Pakistan.

As I have said, since March there have been at least three specific changes to the situation.

First, there were flawed Presidential elections in August which have further eroded confidence between the Afghan people and the government.

When I was in Afghanistan in April, there was hope—real hope—that these elections would lead to real change and progress. Unfortunately, the outcome has been a worst-case scenario, validating the fears of those who view the Afghan Government as plagued by corruption. As each day passes, the steady stream of election fraud revealed in the media further undermines trust in the Karzai government. This is especially harmful to our overall counterinsurgency strategy because the goal is to build support among the Afghan people for their government. Remember, this is not—not—between us and the Taliban, it is between the Afghans and the Taliban, and the perception of government corruption only strengthens the Taliban.

Second, we must review the challenges of training the Afghan national security forces.

While the Afghan National Army has demonstrated an ability to fight, there are serious questions about its size and effectiveness, and problems are even

worse among the Afghan National Police. Recruitment has been slow, attrition has been high, there are no noncommissioned officers, and many among the ranks are illiterate.

To build the ANA and ANP, we need to overcome limiting factors in the dearth of leadership development, qualified recruits, infrastructure, trainers, and equipment. During my trip to Helmand Province last month, I was struck by the side-by-side image of the Afghan Army troops in Toyota pickup trucks and U.S. troops in Mine Resistant Ambush Protected Vehicles, or MRAPS.

There is widespread recognition that there is a long way to go before the Afghan security forces can be self-sufficient and that the training plan requires adjustments.

We are now embedding American trainers with Afghan battalions to enhance leadership development, but we continue to do this better, which is why I strongly support Senator LEVIN's plan to prioritize and focus on training the Afghan Army and police. Specifically, I agree that we must expedite the training, equipping, and support for the army and police so they can double in size to 240,000 for the army and 160,000 for the police, not by 2013 but by 2012, and hopefully by the end of 2011. Based on my September trip to Afghanistan with Senators LEVIN and REED, I believe this training can be expedited with the necessary focus and resources. This must—I say, must—be a top priority because our overall goal is not nation building in Afghanistan; it is self-sufficiency for the Afghans so they can provide for their own security, much like what has happened in Iraq.

The third changed condition we must consider is recent developments in Pakistan. When I traveled there in April, the situation was grave. The tension between the Pakistani Government and the Taliban was mounting. The deal that was cut with the Taliban to relinquish control over Swat Valley was unraveling, the Frontier Corps did not have the capacity to ''clear and hold'' in the tribal areas and border region, and I walked away very concerned about the overall political situation.

Immediately after the trip, the Pakistani military took decisive action against the Taliban in Swat Valley and has since regained control of the area. With our help, the Frontier Corps is building its capacity, and we just passed the Kerry-Lugar legislation, which would triple economic aid to Pakistan.

On my most recent trip in September, it was clear the political security environment had improved, but I still remain concerned about al-Qaida and its allies continuing to use Pakistan as a safe haven.

As we review our mission—taking into account these three developments and changing conditions—we must also consider the strategy used to meet our objectives. In March, the President announced ''an integrated civilian-military counterinsurgency strategy'' for Afghanistan. Partnering with the population and training local security forces has proven to be the best way to defeat insurgencies over time. Let me repeat: Partnering with the population and training local security forces has proven to be the best way to defeat insurgencies over time. Therefore, the second principal question we must ask is, Do we have the requirements necessary for waging an effective counterinsurgency strategy in Afghanistan?

Before I address these questions, let me say that I am struck—truly struck—by how quickly the military has adapted to counterinsurgency and how, from the bottom up, it has been adopted. Since General Petraeus wrote the U.S. Army/Marine Corps Counterinsurgency Manual in 2006, counterinsurgency has become fundamental to our military doctrine.

As long as we maintain the strength of our conventional forces, it is increasingly unlikely anyone will take on the U.S. military through conventional means. Let me repeat that. As long as we maintain the strength of our conventional forces, it is increasingly unlikely anyone will take on the U.S. military through conventional means. We must, therefore, prepare to fight future wars against insurgencies, nonstate actors, and asymmetrical forces. As such, the military, under the leadership of Secretary Gates, is rebalancing its budget and making other fundamental changes.

This is remarkable to me because any large organization, especially one as large as the U.S. military, is like a supertanker: it just does not turn easily. Through an incredible organizational effort, however, this supertanker has changed course, and I am truly impressed by the extent to which DOD and the U.S. military have accomplished this and have embraced counterinsurgency, from the privates to the four-star generals.

Counterinsurgency is a four-step process: First, shape a strategy; second, clear the area of insurgents; third, hold the area; and fourth, build through governance, essential services, and economic ability. It is important to note that troops are just one part of a counterinsurgency strategy. Equally important is training the indigenous security forces, providing essential services, promoting economic development, and strengthening systems of governance.

General McChrystal has recommended a full counterinsurgency approach in Afghanistan. As he mentions in his report, we should not resource the mission without reconsidering the strategy, and focusing on troop levels or resources alone ''misses the point entirely.'' Therefore, I ask again, do we have the requirements for an effective counterinsurgency strategy in Afghanistan? In order to explore this question, we must look at three key areas—governance, training, and the civilian role—and ask the following questions: First, can the Afghan Government offer a winning alternative to the Taliban? Second, can we train enough Afghan troops and police to meet the required number of counterinsurgents? Third, do we have enough civilians? Finally, we must also consider how to develop an effective strategy for reintegrating low-level insurgents.

Counterinsurgency is about trust building between the local population, the security forces, and the government. Without trust, we cannot expect sustainable progress, and that is why I am particularly concerned about allegations of fraud in the Afghan elections.

If this were a political campaign, there would be no need to run negative ads against the Taliban. According to the polls, the Taliban has only 6 percent support among the Afghan population. This is the good news. The bad news is that in the absence of jobs, credible governance, and essential services, this does not translate into support for the Afghan Government by the Afghan people. This is why we cannot just target the Taliban or insurgents. We must help the government develop a capacity to provide for its people so it can be viewed as credible and effective.

This is why the outcome of the recent election must be resolved in a clear manner so that whatever trust remains between the Afghan people and the government is not further diminished. We must ask—can we succeed in a counterinsurgency with a Karzai government tainted by allegations of fraud and corruption? How do we recalibrate our strategy in light of the recent flawed elections?

The second question I would like to raise is about the amount of counterinsurgents we need to succeed. Counterinsurgency doctrine tells us that troop size is not determined by the size of the enemy, but rather, by the size of the population. As such, we need a ratio of one counterinsurgent for every 50 citizens. The latest CIA World Factbook estimates the population of Afghanistan at 28 million, which means that we need roughly 560,000 ''boots on the ground'' which includes Afghans, NATO troops, and Americans.

During our visit, we learned that there have been 94,000 Afghan National Army and 82,000 Afghan National Police trained as of August. This brings the total number of trained Afghans to slightly less than 200,000. Combine this with 68,000 U.S. troops by the end of the year, and 38,000 NATO forces, and we have reached nearly 300,000. This is slightly more than half of the requisite number of troops, and is overly-generous in assuming that all trained Afghan security forces are combat ready and effective. Just by comparison, in Iraq, a country of two-thirds the size, there are already more than 600,000 trained security forces.

No one is suggesting we fill this enormous vacuum with American troops,

which is why we must focus on expediting training for the Afghans. And this is what Senators LEVIN, REED, and I heard was wanted and needed by the Afghans themselves during our recent visit.

In the Garmsir District of Helmand Province, we met with more than one hundred local Afghans and tribal elders who insisted they want to independently secure their own population. They realize the need for U.S. troops to help to train and equip the Afghan National Security Forces, and recognized that American assistance is needed to accomplish this mission. But once the Afghans are able to provide security for themselves, they will be ready for us to end our military presence. In the words of the elders—once the Afghan security forces are trained, we will be welcome simply as ''guests.'' In the meantime, we have to find a way to prioritize training, so Afghans can eventually fill the security vacuums with minimal American assistance.

The third question regarding an effective counterinsurgency strategy is: do we have enough civilians to implement counterinsurgency in Afghanistan, and how can we expedite the deployment and training of civilians?

According to counterinsurgency strategy, once the troops have cleared and held an area with the support of Afghan Security Forces, civilians must partner with Afghans to build. And we need hundreds of additional civilians on the ground to fulfill a wide range of non-military requirements including improvements in agriculture, economic development, essential services, and governance.

We have heard lots of talk in Washington about the need for a ''civilian surge'' to complement the additional troops President Obama has pledged for Afghanistan this year. Many of those civilians have been hired, and the State Department expects to have nearly 1,000 civilians on the ground in Afghanistan by the end of this year. I support these efforts, but still believe that more must be done to build a stronger civilian capacity in Afghanistan.

During a visit to Camp Atterbury in Indiana last week, I met with 38 civilians deploying to Afghanistan. At Atterbury, civilians train with the military to cultivate an integrated approach and greater unity of mission. Like our soldiers, these civilians volunteer to leave their families behind and put themselves in harm's way to better the future of Afghanistan. We owe them and their families a debt of gratitude for their service, and we must ensure they have the tools, support, and training they need to succeed.

Civilians serving in Afghanistan from across the interagency are sharing trir expertise in everything from agriculture to governance, counter-narcotics, accounting, energy, development, and education. The role of the military and civilians are complementary—one cannot succeed without the other. This is why military officials including Secretary Gates and General McChrystal are some of the strongest advocates for a deepened civilian commitment to Afghanistan. To succeed in counterinsurgency, we must do everything we can to expedite and increase the recruitment and deployment of qualified civilians.

Finally, when formulating an effective counterinsurgency strategy, we must ask if we have developed a plan for reintegrating low- and mid-level Taliban. I am not suggesting we speak with Mullah Omar or other members of the Taliban leadership, but we must recognize there are many Afghans working with the Taliban for purely economic reasons. One of the striking observations on my two trips was the fact that a primary concern of Afghans is jobs, just like Americans. And if we can offer economic incentives and alternative sources of livelihood—especially with regard to the drug trade—I am hopeful that we can reintegrate some insurgents ready to disavow violence. This will not be quick or easy, but the good news is that reintegration is possible, based largely on the model we successfully used for the Sons of Iraq.

You can see the complexities of determining our mission and objectives are great, and multiple questions remain in developing an effective counterinsurgency strategy for Afghanistan. But these considerations are only half the story.

Once we have reviewed the strategy and mission, we must also consider how our policy in Afghanistan impacts Pakistan. As the President announced on March 27, ''the ability of extremists in Pakistan to undermine Afghanistan is proven, while insurgency in Afghanistan feeds instability in Pakistan.'' The relationship is clear and U.S. interests are inextricably linked, which is why the President adopted the regional approach coined ''Af-Pak.''

In my view, there are four primary challenges in Pakistan that we must consider when formulating our strategy in Afghanistan.

First, Pakistan is a vital security interest because it has become a safe haven for al-Qaida, which has continued to train there and plan for future attacks on Americans. We know this based on the arrest less than three weeks ago of Najibullah Zazi, an Afghan planning a large-scale attack in New York, who is believed to have trained with al-Qaida in Pakistan.

Second, Pakistan has nuclear weapons and the delivery vehicles to use them. Therefore, political instability in Pakistan is not only a regional threat, but a larger global security interest. If Pakistan was destabilized or if control over its nuclear arsenal was compromised, it would pose severe security repercussions. It would be a nightmare scenario to have Pakistan ruled by fundamentalist religious fanatics with ''loose nukes'' in the hands of al-Qaida or other extremists.

Third, Pakistan's ongoing tension with India has limited its ability to respond fully to internal threats, such as the Taliban. The Pakistani military continues to see India as its number one threat, and has therefore hesitated to shift its focus from its eastern border to the west. This has improved in recent months since the Pakistani military went into Swat, but any U.S. policy must take into account Pakistani concerns about India.

Fourth, elements of the Pakistani intelligence service, or ISI, have at times allied with the Afghan Taliban. On the one hand, they want to hedge against a total U.S. total withdrawal from Afghanistan, as we did in 1989, or a limited withdrawal as we did in 2003. On the other hand, many in Pakistan worry that an increase of U.S. forces in Afghanistan may push extremists further into Pakistan.

This view was expressed today by the Pakistani Foreign Minister in the Washington Post. Quoted in an editorial, Foreign Minister Qureshi stated, ''If the likes of Mullah Omar take over in Afghanistan, it will have serious repercussions for Pakistan . . .'' He went on to say that the Taliban's actions in Afghanistan ''. . . will have implications on Pakistan and it will have implications on the region.''

All of these considerations indicate the need for a sustained U.S. commitment to Pakistan, which is why Congress just passed the Kerry-Lugar bill and economic assistance package. This is a $7.5 billion vote of confidence in the Pakistani people, meant to demonstrate that our commitment to Pakistan is strong and enduring. It is also meant to demonstrate that our interests are not just limited to the border with Afghanistan.

In conclusion, as one can see in the detail and number of questions that I have raised, this reassessment of our Af-Pak strategy is about much more than sending additional U.S. combat troops into Afghanistan. As Senator LEVIN has pointed out, talking about troop levels in Afghanistan is similar to talking about the public option in health care reform. Just as the public option is only one element of the health care debate, U.S. troop levels are just one element of a much broader set of issues in Afghanistan.

The White House is now engaged in the necessary process of evaluating realities on the ground and questioning underlying assumptions. I fully support this process. The questions I raise today are intended to contribute to this ongoing review, so that we may find the right solution.

The stakes are too high for us to carry on business as usual or to ignore the changing dynamics in Afghanistan and Pakistan. This is why the President should weigh all perspectives about conditions on the ground and the region, our counterinsurgency strategy, and the way forward in our mission. I fully support the President's comprehensive approach, and I agree it

is needed because we have to get this right. We owe it to ourselves, we owe it to the American people, and we owe it to the brave men and women who continue to serve with great courage, honor and sacrifice in Afghanistan.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

AMENDMENT NO. 2629 WITHDRAWN

Mr. MCCAIN. Mr. President, I have received assurances that there will be no blocks or impediments to consideration of the prescription drug importation issue, which I and a number of us have been seeking a vote on for a number of years. I have been given assurances that there will be no impediments to bringing that issue up when health reform is before the Senate. Therefore, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MCCAIN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2644

Mr. VITTER. Mr. President, I ask unanimous consent to set aside the pending amendment and to call up Vitter amendment No. 2644.

The PRESIDING OFFICER. There is no amendment currently pending, so the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER], for himself and Mr. BENNETT, proposes an amendment numbered 2644.

Mr. VITTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that none of the funds made available in this Act may be used for collection of census data that does not include a question regarding status of United States citizenship)

On page 110, line 7, strike ''activities.'' and insert ''activities: *Provided further,* That none of the funds provided in this Act or any other act for any fiscal year may be used for collection of census data that does not include questions regarding United States citizenship and immigration status.''

Mr. VITTER. Mr. President, I present this amendment on behalf of myself and my distinguished colleague from Utah, Mr. BENNETT, who will speak after me. It is a very simple but, I believe, a very important amendment. It says we are not going to do a census that doesn't ask some basic questions about citizenship and immigration status.

Specifically, the amendment reads:

None of the funds provided in this act or any other act for any fiscal year may be used for collection of census data that does not include questions regarding United States citizenship and immigration status.

I believe this is a vital amendment for two reasons. If we don't adopt this amendment or other legislation, the census will move forward and will not distinguish in any way between citizens and folks in this country legally and noncitizens. That, in my opinion, is absolutely crazy, again, for two reasons.

No. 1, the census is done every 10 years to give Congress an important tool in terms of many things that Congress and other bodies of government do: funding, public policy, different programs. Clearly, we need accurate, specific information about the illegal alien question in this country. I assume we will all agree, however we come down on the issue, that illegal immigration is a big issue and a big problem. We debate that issue, we try to solve that issue in different ways all the time in this body. Yet we would do a census, we would spend tens of billions of dollars on a census, and we wouldn't ask the question: Are you a citizen and, if not, are you in this country legally or illegally? That is absolutely crazy. The census does ask those questions in the long form. They are able to get the long form completed. They are able to compile information, but that is not the full census; that is a tiny percentage of the full population.

So if we are going to spend tens of billions of dollars every 10 years to do a major census, it seems absolutely a no-brainer that we would get full and accurate information about the number of illegals in this country.

Secondly, and perhaps even more importantly, the single most important thing we use the decennial census for is to reapportion the House of Representatives, to decide how many House Members each State gets. Under the Federal plan, the way the census is designed, the House would be reapportioned counting illegal aliens. States that have large populations of illegals would be rewarded for that. Other States, including my home State of Louisiana, would be penalized.

I believe it is very clear that when the Founders set up our representative democracy, they didn't think of the basic fundamental institutions of our government as representing folks who come into the country breaking the law, staying here illegally. I think it is shocking to most Americans when they hear we would even consider reapportioning the House of Representatives counting illegals, but that is exactly the plan now. Of course, we would have no opportunity to debate that or to adopt a new plan unless the census distinguishes between citizens and legals and illegals, which my amendment would demand we do.

This isn't some theoretical issue. This is a very concrete issue, a very meaningful issue about how much representation each State has in the House of Representatives. There are many States that will lose representation from what they would otherwise have if illegal aliens are counted in congressional reapportionment. Specifically, the States of Indiana, Iowa, Louisiana, Michigan, Mississippi, North Carolina, Oregon, Pennsylvania, and South Carolina would lose out. So I wish to specifically speak to my colleagues in this body—Republicans and Democrats alike—from those States: Please support the Vitter and Bennett amendment No. 2644. It has a direct impact on whether you are going to have less representation in the House of Representatives or more. Let me be even more blunt. If you vote against this amendment, you are voting against the interests of your State. If you vote against this amendment, you are voting for your State having less representation in the House of Representatives than they would if illegals are not counted in reapportionment. Again, with that in mind, I wish to repeat the list: Indiana, Iowa, Louisiana, Michigan, Mississippi, North Carolina, Oregon, Pennsylvania, and South Carolina. For Senators from those States, it is a vote directly about their State's own interests and their State's representation in the House of Representatives.

More broadly speaking, I think the huge majority of Americans would certainly take the view I am suggesting, which is we should not apportion Members of the House based, in part, on illegals. We should not reward States for having large illegal populations and penalize States that do not. I think that is on a different planet from where our Founding Fathers were in setting up the basic Democratic institutions of our country, and there is no more basic and no more Democratic institution than the House of Representatives.

With that, I urge all my colleagues, Democrats and Republicans, to support this amendment.

I yield time to my distinguished colleague from Utah, Mr. BENNETT.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I thank Senator VITTER for proposing this amendment. It follows the idea of the bill I introduced a few weeks ago that is now S. 1688, the Fairness in Representation Act.

My bill, obviously, will not pass before we get so far down the road to deal with this issue. So it is appropriate for the amendment to be offered, and we can accomplish the same thing with the amendment that would happen if my bill were to pass.

Since my bill was introduced, I have had three primary objections to it. I

wish to deal with each of those, because they would probably be raised with respect to this amendment as well.

No. 1, you cannot ask somebody who is an illegal alien to identify himself or admit that he is here illegally when you are doing the census calculation. Well, it may surprise some people to know that the Census Bureau already asks for this information. It collects it on the ongoing American community survey. That is not as comprehensive as the entire census. If it were, we wouldn't need to do it here. But the Census Bureau already has a track record of asking this question without running into that particular difficulty. The information collected by the census is 100 percent confidential under penalty of law, and the census takers can make that clear to any individual who might be concerned about that. So that is not a major problem.

No. 2, people say, well, since the census data is used to determine funding levels for a variety of programs, and since the illegal aliens get involved in the funding, if you do this, you will be cutting funding for State programs that service the illegal aliens, and that is not fair. The reality is that this amendment, and my bill, do not cut funding. There is nothing in the bill that would say that funding formulas would change. This is an attempt to find out how many illegal aliens we have in this country and where they live—the statistical information, which we do not fully have now, as a result of the American community survey. We have a hint at it in the American community survey, but we are extrapolating for that and making a guess.

Since the census is a once-every-10-year attempt to discover what America is like, who the Americans are, and where they live, it seems to me very logical that the census should add this particular piece of information to it.

Well, after these two arguments have been made and dismissed, the third argument—and we get this most strongly from the people at the Census Bureau—is that it is too late, too bad; you should have brought it up earlier, Senator BENNETT, but we started to print our surveys already and we cannot reprint them; it is too late.

I wonder if they have ever thought of printing an extra sheet or extra card. You don't have to reprint the whole survey if you have one additional question you want answered. I have seen books where there have been errors in the book that have come out after the book is published with an errata sheet—that on page so-and-so this particular entry is not correct. It is not that big a deal for the Census Bureau to do some kind of addendum that could be printed and made available so we could solve this particular problem.

All right. Aside from knowing, what do we intend to do with this data if we get it? Senator VITTER made reference to this in his discussion of the amendment. I want to use it today to deal with the question of the apportionment of the voting powers in the House of Representatives. If we go back in history, we find there was no more controversial issue in the writing of the Constitution than the question of representation in Congress. Small States wanted it by State. Large States wanted it by population. The great compromise came along that created this body and said that membership in the Senate would come by State, and membership in the House of Representatives would come by population. But it was left up to the State legislatures to determine how that population would be apportioned. Each State was given a number of representatives based on the population. But the State legislatures could determine where the lines were drawn and how the districts would be created. We had a situation develop over time where States would draw a line and simply leave it. People would move from one congressional district to the other, but the line would not be changed. There was a situation where there were many congressional districts whose representation, numerically, was substantially less than that of some other congressional districts in the same State.

This brought about a lawsuit that went before the U.S. Supreme Court. In the decision in the case of Reynolds v. Symms, issued in 1964, the Supreme Court gave us the one man, one vote rule, which said that the districts should be close enough in population that, in effect, every voter had the same weight of representation in the House of Representatives.

If we have this tremendous number of illegal aliens concentrated in a few States, we have an impact of changing the one man, one vote dictum of the Supreme Court; that is, a State with a large number of illegal immigrants will see to it that its voters have greater representation than voters where the illegal immigrants are not.

All we ask in this amendment and in the bill I proposed is that the Census Bureau be instructed to ignore the presence of illegal aliens when allocating the number of representatives in a State. As I say, it has nothing to do with the funding of programs, because the programs have to be funded where the people are, and we understand that. I believe it is entirely constitutional that the allocation of the congressional seats can be done on the basis of those who are here in a legal circumstance.

As the Senator from Louisiana has pointed out, this is not a trivial matter. There will be eight States that will lose representation to four States if this is not done. Four States' voters will be overrepresented in the House of Representatives because of the large population of illegal immigrants in those four States, and nine States will be underrepresented because of the fact that their voters do not happen to live in a State where there is a large population of illegal aliens.

I am happy to join my colleague from Louisiana in cosponsoring this amendment. I hope our colleagues in the Senate will see fit to support it.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, this is a new amendment for us. We had not anticipated that this amendment—that a debate on immigration and the value of one person over another was going to become a subject of discussion in an appropriations bill. We would hope this type of conversation would be taken up on comprehensive immigration. I know my colleague from Utah, who is on the Appropriations Committee—and both are important to me, that he is from Utah and that he is on the Appropriations Committee—has thought this through greatly. He raises some very important points. I have discussed this amendment with my leadership. I know they want to take a more careful look at this and also consult on its full ramifications.

We are now talking about questions being asked through the census and the objective to be accomplished for that, which the census was originally for counting people for tax purposes, ironically. This is an apportionment question. So what we would like to do is go into a quorum while we look at how we may proceed on this amendment.

Having said that, I want to reiterate the importance of the census being taken every 10 years. The census must be taken for the reasons that our colleague from Utah outlined. No. 1, it determines the use of Federal funds, and that is why we count persons, because regardless of your status, you are a user of services—in some instances, maybe even more than a user of services. The second thing is with apportionment. I think that is a delicate matter that the Senator from Utah is raising. This gets us into constitutional questions. I am apprehensive about it. Again, we are going to consult with the leadership.

Also, as we move forward on the issue of the census, we have to make sure we do have a head count. The Census Department itself, right now, is under very serious duress. They were late getting started on some of their issues. There has been an enormous technological boondoggle with the hand-held technology, the enumerator, with which I believe the Senator from Utah is familiar. We have been working with the previous administration, this administration, and the Secretary of Commerce to get the census straightened out. My colleague said: Why don't they just print one more piece of paper? One more piece of paper sounds

simple. But everything we do that affects the census at this point presents a logistical and financial challenge that borders on a challenge to a nightmare. Again, we have calls in to the census that say, what will it take to do it?

I have reservations about adding this question, because I believe it will add to the logistics and costs. And No. 2, it could be a deterrent to people answering those questions because of who else is in their household. The other thing is that we have many people in our country who are green card people, who are here absolutely legally and justifiably. Some are in our own community at some of our community hospitals and are working as nurses. And asking this question and that question—I don't want to raise the issue of a deterrence and the ability to cooperate.

I want to take a closer look at this amendment. While we do that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I know we are debating here the nature of the questions that should be asked on the census. Our colleague, Senator CARPER of Delaware, in a matter of minutes is holding a hearing on the census. At that hearing, he is going to seek some clarification on this and report back to us.

As we continue the debate on that amendment, I also want to bring to the attention of the Senate some of the very important things that are in this bill. We want to move this bill forward. I want to move this bill forward. We will dispose of, in an orderly, civil, rational way, the pending amendment of Senators VITTER and BENNETT on the census. But we also want to move this bill forward. We want to do everything we can so that this bill passes by the end of this week so we can go to conference and be ready to move very important funding forward, particularly in the area of law enforcement.

This is absolutely a very compelling need. When we think about law enforcement, yes, we can think about law enforcement with illegal aliens. Yes, we can also think about law enforcement with violent criminals. We do deal with that in our bill. But we are also very much focused on white-collar crime. One of the areas on which we have worked on a bipartisan basis on this bill is the issue of mortgage and financial fraud. So, as we are debating amendments that are controversial, I want the people of America to know we are on their side and we can do it on a bipartisan basis.

One of the great pleasures of being on the committee is my ranking member—or the vice chairman, some people might call him—Senator SHELBY is the ranking member on the Banking Committee. We put our heads together on how we can fight mortgage and financial fraud. He brought great expertise from his work on the Banking Committee. We now are looking at what we can do, by putting the money in the Federal checkbook, to go after those engaged in predatory practices, deceptive marketing and lending schemes.

Mr. President, you know from your background as a legislator and community leader that where there is need, there is often greed and often scams and scum doing it. We see it in the mortgage business. There are so many unsuspecting people who want just a piece of the American dream who were lured into some of the most deceptive practices that we have not seen in our country for several decades. They do have names. They are antiseptic names, but they mean a lot: predatory practices, deceptive marketing, lending schemes, flipping. The consequences have been enormous. During the past year, financial institutions have written off $500 billion in losses because of fraud in the subprime mortgage industry—$500 billion in losses. That is a lot when you think about what we have had to do to try to stabilize housing, to try to stabilize our mortgage industry. Numerous publicly traded financial institutions have declared bankruptcy or have been taken over by the Federal Government. I don't mean to imply that being taken over by the Feds was all due to the fact that they had been involved in fraudulent schemes, but it is time to say: No more.

What we want to be able to do is to go after the scammers who caused Americans to lose their homes, their life savings, and their dignity. Yes, I worry about the financial institutions, but I worry about people who put their money in the bank or took these loans that caused them, through balloon payments, excessive interest rates, two, three, four, five mortgages, all of which were unable to be sustained, to lose their homes. We on this committee say and we want our Senate colleagues to say: No more scamming and scheming. No more preying on hard-working American families.

What did the Commerce, Justice, Science Subcommittee do? Senator MIKULSKI, you don't have to use a lot of rhetoric, but will it take a lot of money? We are going to do it. We are going to put $437 million in the Justice Department to combat financial fraud and be able to do what we need to do. This is a $63 million increase over fiscal year 2009. We are going to hire new agents, new attorneys, and new special support staff—people who will be skilled in an exciting new field called forensic accounting.

Our FBI is going to play a major role in this. I talked personally with Director Miller about it, as has Senator SHELBY. We have gotten the FBI's commitment to really beef this up. In our own hometown of Baltimore, the U.S. attorney has put together a special task force to be able to deal with this.

What does it mean? First of all, in the Federal checkbook, we put in $75 million. This is going to increase the number of these mortgage fraud task forces around the country. We have a very excellent one under Rod Rosenstein, working in Baltimore, in our State, right this minute. But we also wanted to be able to go into States with large rural populations and others that right now do not have them.

Specifically, the funding will be used for the FBI to hire, as I said, new agents and forensic accountants. This is highly specialized, but there are people with backgrounds in accounting with special training in forensics. It is like the CSI not only says ''hi'' to a test tube but says ''hi'' to the kind of accounting that will go after these crooks. It is amazing how they can look at the books and know how people have been cheating.

We want the agents to be able to detect and investigate and capture these white-collar criminals, but we also want our U.S. attorneys to prosecute complex financial fraud. We want to be able to increase prosecutions by adding U.S. attorneys. We are adding several U.S. attorneys and support staff around the country to be able to establish the task force and work in the task force. We are very proud of our U.S. attorneys, and I believe our Attorney General, Eric Holder, is helping to restore the integrity of our U.S. attorneys around the country.

We believe in Maryland we have a very high-value functioning U.S. Attorney's Office, but they are swamped. They are going after everything from drug dealers to other violent criminals, and we also want them to have the resources to go after the white-collar crime. This is a crime. It is not as if just because it is white collar we often don't equate it as a crime, but for the Criminal Division at Justice, we are also encouraging them to step up their activity. Again, we are adding attorneys and support staff and putting the money behind it to be able to do it.

We are also doing increased work in the Civil Division to fund initiatives and to also litigate these cases and make sure we not only detect them, we not only prosecute them, but we have the lawyers and the support staff to do it. Support staff are paralegals, clerical people. But again, it is a unique kind of crime. You have to come with multiple skills. You have to come being a great lawyer or a great person who is part of the legal team. You have to have strong litigating skills, but you also have to be well versed in financial services and accounting practices. So we want to be able to bring them on and be able to keep them as we go through many of these other cases.

These are the kinds of skills we need to not only go after white-collar crime but also violent crime. Remember, we got Al Capone, not in the act of robbing a bank but cheating on his taxes.

It was that brilliant FBI generation where you had to be either a lawyer or accountant to work for the FBI. Now, again, lawyers and accountants are welcome at the FBI. But they caught Al Capone cheating on his income tax. It was one of the ways we could nail him.

I am not saying we are going to be nailing people for cheating on their income tax, but we are going to nail people who cheated and schemed and gouged against innocent people who wanted to buy a home—through acting like loan sharks, having phony ads, having fine print so that you bought a home in the large print and you lost it in the fine print. We want to make sure those people know how to read the fine print and know what it means.

While we are debating this bill and we are looking at those things that are going to focus on topics outside the scope of this bill, we want people to know we are on their side. For everybody who is stretched very thin financially, trying to keep their head above water, and trying to buy their home, we want them, at least when they go to get a loan or to refinance it, to be dealing with honest, reputable dealers. Let's foreclose on the bad guys and stop the foreclosure on homes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

HEALTH INSURANCE

Mr. BROWN. I appreciate the comments of the senior Senator from Maryland—the junior Senator from Maryland is presiding—and especially their work jointly on housing issues and how important that is.

I come to the floor pretty regularly to share letters from people in my State, in Ohio, letters about health care. These are typically people who had health insurance with which they were satisfied and who thought they had good health insurance policies, were maybe concerned about job loss—certainly because that is too common in our country now—but were generally satisfied with their health insurance until someone in their family got very sick and they lost their insurance or it got so expensive that they declared bankruptcy or all kinds of problems that happen too often in our health care system. I would like to read four or five letters, if a could for a moment.

I ask unanimous consent to address the Chamber as in morning business.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

Mr. BROWN. David from Cuyhoga County, Cleveland, northeast Ohio:

> My family's health care costs have tripled in five years. I have a generous employer-provided plan and my employer has done what it can to use its purchasing power to buy competitive coverage. But the co-pays and deductibles go up astronomically each year while covering fewer services. We need to cover everyone and find ways to reduce costs across the system to promote a sustainable health care system in America.

One of the things this legislation will do is bring more competition into the system. One of the choices, according to the Health, Education, Labor, and Pensions Committee bill and three bills that have passed the House of Representatives, until we come forward in final passage, and passed the committee in the House of Representatives, includes—the menu of choices people have for insurance will include a public option. So people will be able to choose Aetna or CIGNA or, if they are in Ohio, Medical Mutual, a not-for-profit medical mutual insurance company, or they will be able to choose the public option.

Having the public option there will, No. 1, keep the insurance industry honest and make sure some of the gaming of the system and throwing people off insurance and disqualification because of preexisting condition or discrimination based on age or gender—those things won't happen because the public option will be an option and will give people more choice in competing with the insurance industry to keep costs down.

Mike from Richland County, where I grew up, the Mansfield area:

> My mother-in-law has worked hard all her life. But today, she can't afford her medication, which she takes only when she can afford them. She cuts them in half and takes them every other day. I have coworkers and friends with their own stories. They have worked hard all their lives and paid their taxes, but are worried what happens when they get sick or if they'll have enough savings to retire.

As we have discussed, the whole point of the public option is to keep prices down. The whole point of the public option is to compete so that insurance companies no longer game the system.

We know that the insurance system without the public option doesn't have the kind of competitiveness it needs to keep the insurance companies honest, to give people full choice, and to keep prices in check and keep quality of the insurance coverage better.

I hear people all over—not just from Mansfield, but I hear people all over our State—complaining and asking for the public option because it gives people that ability to compete. It makes the insurance companies better, it keeps prices in check, and it will mean more competition in those parts of Ohio. In Cincinnati, only 2 companies have 85 percent of the market. I know those same kinds of things happen in the State of the Presiding Officer, in Oregon, where the public option will mean more competition, better choice, keeping prices down. That will matter for all of us whether we choose the public option or whether we choose to go into a private insurance plan.

Betsy from Lake County writes:

> I never thought in a million years that health care reform was necessary for me. Our family was covered and thought that was enough. But recently my 5-year-old daughter got sick with cancer. Over two years, she was hospitalized 37 times and treated with chemotherapy and countless medications.
>
> At the time, my husband worked at a small, struggling business. He was essentially tied to a job that didn't pay our bills, but we needed [his] insurance.
>
> After each hospital visit, the insurance company would send us a letter denying a portion of the stay unless a doctor could justify the hospitalization.
>
> In addition, at the end of every quarter, the insurance company raised the premium for each worker in my husband's business.
>
> Finally, my husband took what little savings we had and started his own business—only to be told my daughter was uninsurable because of her preexisting conditions. She finally got insurance through the State.

I am guessing it was the SCHIP plan we passed 2 years ago that President Bush vetoed; then we passed it again this year, and it was signed into law by President Obama.

She finally got insurance through the State. But Betsy from Lake County is asking: How is it possible in America that a now 8-year-old girl is branded as uninsurable. This speaks to all the problems that have happened in your health care system. Some 3 or 4 years ago, Betsy thought she had no problems with health insurance. Her husband was employed in a decent job that sounded like he had health care insurance. They were covered. They had a small child.

But when their child got sick, they found out their insurance was not nearly as good as they thought it was. It is an old story and a way too common story in our great country that the fine print of an insurance policy so often ends up denying people care. So often they have to take huge expenses out of pocket. Betsy did. So often they raised the premium every quarter for everyone else in the small business.

If you are in a small business and you have 20 employees and one of those employees gets sick, as Betsy's daughter did, then everybody's premium goes up to the point that the company can no longer afford insurance or sometimes the insurance is actually canceled for all the employees.

Then last, this little girl, this 8-year-old, was uninsurable when Betsy's husband changed jobs and became self-employed. She could not get insurance. The family could not get insurance because of the daughter's preexisting condition. That is what this health care bill is all about. That is what the public option is all about.

The health care bill will simply allow small businesses to go into the health insurance exchange so they can spread out in a much larger insurance pool, so one person, very sick and getting a very costly illness, will not blow a hole in the insurance coverage.

Our legislation will eliminate the denial of care for preexisting conditions. No more raising premiums indiscriminately the way they do. Having the public option will exert that discipline on the private insurance companies that they are going to have to compete. They cannot indiscriminately raise premiums on worker after worker, on employer after employer, on small business after small business after small business.

In Betsy's case, as sad as it is, as tragic as it is, although she is now getting insurance through the State health insurance program, it sounds like, as much anxiety as she must have faced in the last 3 years as her daughter got so sick as a 5-year-old, and at the same time, while combatting her daughter's illnesses and going into the hospital 37 times, as she points out, she had the anxiety, this family always had the anxiety in back of their minds that they were going to lose their insurance and what were they going to do to take care of their daughter.

That is why the public option is so important to people; that security and that understanding that they are, in fact, protected, that their insurance cannot be taken away from them, that their insurance company cannot deny this little girl the care and coverage because she has this ''preexisting condition,'' a term I hope will not be in the American vocabulary, in the English vocabulary, come this time next year.

Marti, from Franklin County, central Ohio, Columbus area, writes:

I am writing to urge you to support health care reform that would reduce costs, would offer choice, including a public option, and would provide quality care. My wife and I have coverage, but our daughter is one of the millions of uninsured. After college she could not find a job with health benefits. She incurred considerable debt paying for out-of-pocket doctors visits and prescriptions. We need health reform that will benefit American families.

Marti, from Franklin County, asks for choice, including a public option. She understands, as the majority of Ohioans do and a majority of people in this body understand, that the public option gives people one more choice: Do they want to go with CIGNA? Do they want to go with Aetna? Do they want to go with Blue Cross? Do they want to go with Medical Mutual Ohio? Do they want to go with the public option? Give them that additional choice.

That is what Marti is asking for herself, for her daughter, and for her neighbors. But Marti also pointed out that her college graduate daughter lost her insurance. One of the things our legislation does is it says to an insurance company: You cannot drop a college student after college. They can stay in the plan until they are 26.

So we understood, as we wrote this bill, that the junior Senator from Oregon helped write in the HELP Committee, that there are an awful lot of young people, the pages sitting in front of us may face this—they are not going to face it because we are going to fix it. But they would have faced that, their older brothers and sisters might, when they join the Army, leave home or finish college. At 22 or 23 or 24 years old, so many people lose their insurance, sons and daughters of people who have insurance.

Under our bill, the company must keep you on the policy, if you so choose and if your parents so choose, until your 26th birthday. As I said, Marti understands the importance of a public option there. So when their daughter does, under our bill, when their daughter does turn 26, she will then be faced with, if she does not have employer insurance, she will then be faced with does she want to go into a private plan or does she want to look at the public option. She will have the choice.

The choices will be much better because we have changed the rules. No more preexisting condition denial of care, no more annual caps on benefits. So if you get sick, and it is expensive, you will lose your insurance. No more of that. No more discrimination based on disability or age or gender or geography. The public option will make sure the insurance companies do not game the system.

The last letter comes from Jason from Cuyahoga County. Jason says:

I sand and refinish hardwood floors for a living. I work for a small business with only four employees. Unfortunately, my boss cannot get a group discount for health insurance because there is not enough of us to qualify for one. I am 24. I make $1,500 a month depending on how much work we have. I live on my own. I cannot afford health insurance on my income. I am in good health, but that can change in the blink of an eye with the work I do. If or when I get hurt while at work, I will not be able to make any more money and will have to drain my savings to get well enough to work again. Please vote yes on health care reform with a public option.

Jason, in the Cleveland area, sums it up here. A young man who is working hard, four of them starting a business. They have jobs. They are creating jobs. They are the kind of people we want to help. People working hard, playing by the rules, saving some money. Even at his relatively low income, he is saving some money. But he is praying every day he does not get hurt in a job that workplace injuries are not all that unusual.

Are we going to turn our back on someone such as Jason in Cuyahoga County or are we going to say: Well, tough luck. We hope you do not get hurt. If you do, then we hope you get well soon.

But a guy such as Jason, he loses his job, he gets sick or he gets injured on the job, he is out of work. He may be able to get disability for a little bit. He might be able to get unemployment benefits for a little bit, maybe. But probably not if it is an injury on the job or if he is sick.

But what do we have for him to help him get through the day? He cannot afford insurance because there are only four of them. They pay exorbitantly high rates. What our legislation would do is give Jason several choices.

It would mean Jason could, with his small business of four people, go into a public option or get private insurance but go into a larger pool of workers so the costs would be shared and the price would be much less. We know insurance for one person or five people is much more expensive per person than insurance at a big corporation, where they can spread the cost around among dozens or hundreds or thousands or tens of thousands of people.

Second, our bill will provide a tax credit for small businesses to insure their employees, so they will get some help that way.

Third, where Jason can decide instead to go directly into the insurance exchange we set up in the HELP Committee in our legislation. The insurance exchange will give him the opportunity, give him a choice, a full choice: Do you want a private plan? Do you want Aetna? CIGNA? Medical Mutual? Or do you want the public option? We know that choice will be less expensive. We know that choice, because of the public option, will stop the insurance companies from denying Jason or one of his coworkers coverage because of a preexisting condition. We know the public option will stop the insurance companies from discriminating against people based on gender, disability or geography or age.

We know the public option will enforce all these rules on the insurance companies and help to keep prices down because of the competition. The whole idea of the public option is about choice. It is about keeping prices down. It is about making this insurance bill cost significantly less because people will have that choice and that competition we inject into the system.

Last, as I have said, the public option will help to make sure that even though we have passed these new rules to keep the insurance companies from gaming the system, the public option will help us enforce those rules so the company cannot game the system the way they have too many times in the past.

As we move forward in the next few weeks, we know that four committees in the Congress, three in the House of Representatives, the Education and Labor Committee, the Ways and Means Committee, and the Energy and Commerce Committee, plus the HELP Committee in the Senate on which the Presiding Officer sits, that those four committee have all passed a good health care bill, very important assistance to small business, wellness and prevention programs, and a strong public option.

Only one of the five committees has not passed the public option. We know that. We know, second, the public option will help us keep costs in check. That is what is so important about it. We also know an overwhelming majority of the public, something like 2 to 1, support the public option and would like to see the public option as part of this legislation.

We know in a recent doctors' survey, a Robert Wood Johnson survey, that more than 70 percent of this Nation's doctors support the public option. Why? Because they have been used to dealing with insurance companies that deny care, that pay them late, that hassle them on bill after bill after bill. The doctors in this country, the real

frontline doctors and nurses and physical therapists and speech and hearing therapists, they understand that in overwhelming numbers a public option will be good for them and more importantly good for their patients and good for this country.

It is pretty clear an overwhelming number of people in this country, an overwhelming number of people in both Houses support the public option. I am confident it will be part of the bill. It is important that it is, because it will make this health care legislation, already a pretty good bill, significantly better.

I yield the floor.

Ms. MIKULSKI. Sorry I cannot stand. As the Senator from Ohio knows, of course, from the chair I am sitting in I have become an expert on health care from the wheelchair up. I broke my ankle coming out of church a couple weeks ago.

But I would like to ask the Senator from Ohio to yield for a few questions. I was taken by the three vignettes he just told. They are fairly representative of what I get from Maryland. I would like to talk about the young girl who had graduated and was deluged now with the debt of medical bills and the public option.

Is the Senator familiar with the fact that there are 47 million uninsured in our country? Does the Senator from Ohio know how many of those are between the ages of 18 and 30?

Mr. BROWN. I do not know the precise number. But I know it is millions of them are that age who lose their insurance and do not get insurance and hope they do not get sick.

Ms. MIKULSKI. Well, again, for background in continuing the discussion. That is 35 percent of the uninsured. So is the Senator aware that if we followed through with the HELP Committee bill and the public option and also private sector competing with the public option offer, a reasonably no frills, reasonable cost health insurance bill for young people, especially young people's benefit, that we would cover 35 percent of the uninsured?

Mr. BROWN. I think that is right. As the Senator knows as a senior member of the HELP Committee who wrote some major part of this bill, we are not only going help those 25-, 28-year-olds buy insurance through the public option or through private insurance, as the Senator suggests, we also, if they are low or moderate income, give them assistance to be able to afford these plans.

We are not going to say: Go out and buy insurance. We are going to keep the cost down through competition but also help them with some kind of subsidies to help them buy that insurance.

Ms. MIKULSKI. Can I go to the man who sands floors for a living, the small businessperson whom we worry about who is a self-employed person. Under the Senator's concept of a public option, is it true then that whether it is he or a florist, maybe a real estate agent, that one of the reasons they could afford it is they could go into the health exchange or the public option—would the public option not only offer insurance but offer bargaining power for better prices on insurance? They could bargain for better prices from hospitals, doctors, and pharmaceuticals?

Mr. BROWN. That is exactly right.

Ms. MIKULSKI. In other words, why would a little guy or gal not only want to be able to buy in, not only would the price be exorbitant, or is it that it would be an Uncle Sam's club that is buying things at bulk rate that enables them to afford the services?

Mr. BROWN. The Senator makes a terrific point. The man she talked about, Jason from Cleveland, who sands and refinishes hardwood floors, he was only in a group of four. You can't get good prices in a group of four. He would be joining a group of millions, whether he chooses a private company or especially the public option. The Senator knows, from her work with the number of Federal employees she has in the Washington, DC, area and the suburbs of Maryland that the Veterans' Administration is able to negotiate for prescription drugs. The VA pays probably no more than half as much for prescription drugs as any of us going to the drugstore would pay. The public option will work the same way. They will use the size. The larger pool of employees will be able to get much less expensive hospital, doctor, and prescription drug costs.

Ms. MIKULSKI. I thank the Senator.

Mr. BROWN. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

USA PATRIOT ACT SUNSET EXTENSION ACT

Mr. HATCH. Mr. President, today I rise to express my concerns about the PATRIOT Act Sunset Extension Act. This bill, which is currently before the Senate Judiciary Committee, could have dire consequences on intelligence collection and investigations. While I have several concerns about the provisions in this bill and how they will adversely affect the intelligence community, particular attention should be given to what our intelligence professionals have said about this bill.

Stakeholders in the intelligence community and the FBI have expressed concern that this bill will have serious consequences on the tools those agencies rely on to carry out intelligence investigations, identify operatives, and prevent future attacks. These tools are critical for detecting and disrupting terrorist plots in the United States before they become imminent threats to our safety.

As we have seen in the past few weeks, investigations in Texas, Illinois, Colorado, and New York confirm what we already know: there are people in this country who want to and intend to harm us. The only way to stop these terrorist operatives is to give our counterterrorism specialists the tools they depend on to detect these plots, thwart attacks, and, if possible, arrest the persons planning these operations.

I am troubled by the fact that we are rushing this bill through committee without taking the time to consider the concerns of those charged with detecting terrorist plots. I urge my colleagues who are ready to stand up and say this bill will not adversely affect current and future investigations to stop for a moment and listen to the professionals who use and need these tools on a daily basis. Do not just hear their concerns, really listen to them. Many of these professionals were around before September 11, and they remember how difficult it was to act quickly to collect basic information about terrorists.

Three provisions of the PATRIOT Act are set to expire on December 31, 2009. These are roving wiretaps; business records access, also referred to as section 215 business records; and the lone wolf provision. At this time, the lone wolf provision has yet to be used. It was created in response to the Moussaoui case. The provision amended FISA's definition of an ''agent of a foreign power'' to include any person, other than a U.S. person, who ''engages in international terrorism or activities in preparation therefore.''

The expanded definition allows the government to obtain a FISA, Foreign Intelligence Surveillance Act, court order to surveil a non-U.S. person who has no known ties to a group or entity. Congress passed this lone wolf provision because it was concerned that previous FISA definitions did not cover unaffiliated individuals—or those for whom no affiliation can be established—who, nonetheless, engage or are preparing to engage in international terrorism.

FBI Director Mueller has asked specifically that this authority be extended so if the FBI comes across another ''Moussaoui,'' there will be no doubt that the FBI can intercept that target's communications. This seems reasonable to me. We would not tell a police officer he had to give up his gun simply because he has not used it yet, would we?

The other two provisions set to expire are roving wiretaps and business records searches. These tools are extremely important in the FBI's investigative work, and the FBI has a solid track record of using them too. From 2004 through 2008, the FBI has obtained 236 orders from the FISA court to produce business records. The business records authority has been exceptionally useful in many types of national security investigations. It routinely gives the intelligence community important information that can be used

to build the case for FISA searches or surveillances of terror suspects.

Roving wiretap authority has similarly increased the FBI's efficiency in critical investigations. The FBI has obtained roving wiretap authority an average of 22 times per year. During the Senate Judiciary Committee's oversight hearing of the FBI, I asked Director Mueller if he supported the reauthorization of these tools. He told me these tools are extremely important to investigations, and he hoped the tools would be extended. Director Mueller has repeatedly expressed his support of these tools to other Senators and committees.

In September, Director Mueller appeared before the Senate Homeland Security and Governmental Affairs Committee. Chairman LIEBERMAN asked the Director if there was one thing that the Bureau needed that would assist in its counterterrorism mission. Director Mueller responded by saying:

> I'll leap into the fray and say yes, the PATRIOT Act is going to be debated. I know these provisions are essential to us, particularly the first two which relate to business records and secondly the roving wiretaps. And third, while it has not been used, the lone wolf will be and is important if we get a similar situation that we had with Moussaoui in 2001. So I would urge the reenactment of those provisions.

In his response to Chairman LIEBERMAN, Director Mueller also endorsed National Security Letters as a vital tool in gathering information. He further stated that NSLs contribute to the success of investigations through ''information we can gather, not of substantive conversations but of tag data or the telephone toll data that we can obtain by reason of National Security Letters. So it is retaining these capabilities that is important.

National Security Letters have come under fire from some on the left, and the substitute takes aim at them as well. Currently, NSLs cannot be used to wiretap citizens, scan e-mails, or conduct any kind of intrusive surveillance. NSLs simply allow the government to retrieve the sort of transactional records that are extremely useful in uncovering terrorist activities.

NSLs are the most effective method of obtaining this routine data that is critical to detecting, monitoring, and undermining terrorist activities. They are also regularly used to rule out individuals as terror suspects. Intelligence investigations are a mosaic. Each bit of information is laid out and compared to other data. When these records are compared to other facts or information, they become the tiles that compose the picture and provide investigators with the identities of confederates and operatives.

The Supreme Court has clearly stated the fourth amendment is not implicated when these types of records, held by third parties, are shared with the government. The High Court has reasoned that citizens hold no expectation of privacy when such records are created through business transactions or otherwise.

The same records and data are just as easily obtained by investigators in criminal cases when they seek this information through an administrative or grand jury subpoena. This information is routinely obtained with little oversight in criminal investigations. NSLs are narrow in scope and already have multiple layers of oversight and built in protections for privacy.

Some on the left have maligned NSLs as a sinister and baleful device from George Orwell's ''1984.'' The source of this accusation is clear: these critics have misread the findings outlined in the DOJ inspector general reviews of the FBI's use of National Security Letters.

In March 2007, the inspector general released its first report in which it criticized aspects of the FBI's use and record keeping of NSLs. I have reviewed the full report and it is clear to me that the errors identified by the IG with respect to NSLs are largely administrative in nature. Some critics have been quick to point to the IG's criticism of the FBI's use of what are called ''exigent letters'' as a reason to clamp down on the use of NSLs. But this is simply not supported by the evidence. Exigent letters are not—I repeat not—national security letters and the IG's findings should have no impact on whether current NSL authorities remain intact.

In March 2008, the IG issued a second report that reviewed the corrective measures as a result of the first report. The IG found that the FBI and DOJ were committed to correcting and improving the earlier identified administrative problems with NSLs. The report also stated that the FBI has made significant progress in addressing compliance issues and implementing recommendations.

Under the leadership of Director Mueller, the FBI has made great strides in correcting previous errors associated with NSLs. For example, they have revised and clarified policies and increased training on the proper issuance and handling of NSLs. They created the Office of Integrity and Compliance to ensure that the FBI continues to comply with applicable statutes, guidelines, and policies.

Most significantly, the FBI mandated the use of a Web-based, automated NSL creation system that prompts the drafter to enter all information necessary to create an NSL. This system supplies the appropriate statutory language and ensures that the NSL and the supporting memorandum are internally consistent. An NSL can be issued from this system only after all the required officials have approved it within the system. This system will go a long way toward curing the administrative errors identified by the IG.

Although both reports show that the FBI has sometimes struggled to measure up to its own internal standards in using NSLs, they also reveal that incidents of misuse were infrequent and unintentional. In short, there were no abuses of NSLs as we have so often been led to believe. It is my opinion—and many in the FBI and Congress share this opinion—that the administrative errors identified by the IG could be solved easily if the FBI had a national security administrative subpoena—one type of subpoena for all national security records—just as the FBI, DEA, postal inspector, and a host of other agencies have in other types of criminal and administrative matters.

Those on the left who would prefer that the FBI not have NSL authority ignore the many investigative successes attributed to this basic tool outlined in the IG reports. For example, NSLs have provided information identifying terrorist financiers, revealed key information regarding pre-attack behavior, and detected an attempted espionage plot by a government contractor. The reports are unequivocal: NSLs are indispensable tools to national security investigations. Unfortunately, certain provisions in the S. 1692 substitute will undoubtedly have a negative effect on their operational efficaciousness.

But NSLs aren't the only tool that will suffer under this substitute. New and, frankly, unprecedented minimization requirements would wreak havoc on ordinary pen registers; unreasonable and confusing standards of proof will delay, and even prevent, usage of basic tools; new reporting requirements could compromise sources and methods; and sneak-and-peek search warrants have been rendered useless. My greatest fear is that this bill will reduce our terrorist detention capability to the standard we possessed in the days preceding the horrific attacks of September 11, 2001.

I have a profound respect for the fine men and women who serve our country in our law enforcement and intelligence communities. Their focus, vigilance, and attention to detail are critical in intelligence collection, analysis, and detection of terrorist plots. Only occasionally, as in the past few weeks, does the American public hear about the successes that their tireless efforts and these basic tools bring about. But here in Congress, we know the truth and we should do all in our power to help these professionals do their jobs. I am reminded of the quote attributed to British Prime Minister Winston Churchill, who said:

> We sleep sound in our beds because rough men stand ready in the night to visit violence on those who would do us harm.

We should never lose sight of the fact that we are at war. One of our greatest assets in this war is the ability to detect, investigate, and disrupt terrorist plots, the purpose of which is to harm our citizens on our own soil.

Neither this substitute nor its original bill is an improvement to the PATRIOT Act. I believe firmly that this bill could reduce our intelligence collection capability to the level that existed before the attacks of 9/11. I urge

my colleagues to take careful notice of the operational disadvantages in this substitute. The best path forward is clear. Congress should simply vote to extend the sunsets on the three expiring PATRIOT Act provisions and reject any measure that would tie the hands of those charged with safekeeping and safeguarding our great Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I thank Chairman MIKULSKI and Ranking Member SHELBY for their work on this bill. I rise today to speak about the importance of strengthening the Federal Government's ability to investigate and prosecute the kinds of financial crimes that have contributed to our financial crisis. I am pleased this appropriations bill adds significant resources for fraud enforcement, thanks to Chairwoman MIKULSKI and her committee and their attention to this critical issue.

In May, Congress passed the Fraud Enforcement and Recovery Act or FERA. In the aftermath of September 11, Federal law enforcement resources were shifted dramatically, and understandably, to counterterrorism.

One of the central features of FERA was to authorize the appropriation of substantial resources to rebuild our capacity to attack mortgage fraud and other white-collar crime. FERA was passed with overwhelming bipartisan support. The vote was 92 to 4 in the Senate, demonstrating our shared commitment to this effort.

Today's economic crisis has many causes, from serious regulatory failures to recklessness and greed. While we still have much to learn about what happened, one thing is absolutely certain: We need law enforcement investigators and prosecutors with ample resources and training to drill down now. Only a targeted and thorough investigation can find out the extent to which financial fraud contributed to the crisis and identify the individuals involved who should be held responsible.

We need to look at the mortgage brokers who engaged in systemic fraud. But we must also examine the financial institutions that pooled subprime mortgages and sold them with knowledge that they were toxic, the credit rating agencies that failed due to conflicts of interest to grade the assets properly, and the investment banks that failed to disclose the fair value of the toxic assets on their books.

In order to restore the public's faith in our financial markets and in the rule of law, we must identify, prosecute, and send to prison those individuals who broke the law. If we do less than that, we will fail to serve the American public and we will risk history repeating itself. But these cases are extremely complex. In this area, the bad guys have substantial resources at their disposal to fend off investigations. We need to remain vigilant in ensuring that our investigators and prosecutors are not overmatched.

That is why I am pleased to see the substantial resources devoted to fraud enforcement in this bill. The bill appropriates over $500 million for fraud enforcement, a 10-percent increase over last year. At the FBI, it adds funding for 50 new agents, 61 new forensic accountants, and 32 professional support staff, all devoted to investigating financial fraud. As a result of this increase and other resource allocation decisions by the FBI, we now will have investigative resources approaching those devoted to the savings and loan crisis. The bill also adds funding for 155 new lawyers and 49 support staff in the Department of Justice and U.S. Attorneys offices, all dedicated to financial fraud enforcement.

I was proud to join with Chairman LEAHY and Senator GRASSLEY in sponsoring the Fraud Enforcement and Recovery Act. I look forward to working with them and our colleagues on the Judiciary Committee to make sure these significant new resources are used wisely and effectively.

In closing, I thank Chairman INOUYE as well as, again, Chairwoman MIKULSKI and Ranking Member SHELBY for making funding for financial fraud enforcement a high priority of this bill. I look forward to working together going forward to make sure that as the economy recovers, we do not lose sight of the importance of fully funding enforcement efforts, not only to uncover and prosecute financial crimes that have already been committed but also to defer future crimes. Prosecuting bad people won't put an end to bad behavior, but it will have an impact on those people in the mortgage industry, on the trading desks, and in the boardrooms who might be tempted to put greed ahead of the law.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING EARL AND WANDA BARRS

Mr. CHAMBLISS. Mr. President, I rise today to recognize two of my constituents, Earl and Wanda Barrs from Cochran, GA. Last Wednesday, the American Tree Farm System named Earl and Wanda as its 2009 National Outstanding Tree Farmers of the Year. This award is presented by the American Forest Foundation through its ATFS program and recognizes outstanding sustainable forest management on family-owned woodlands.

I have known Earl and Wanda since my early days in the House and have always valued their advice and friendship. They have been involved in forestry for over 30 years and have owned and operated Gully Branch Farm since 1987 when they purchased the initial acreage.

This land is very special to the Barrs and they have a long family history connected to it. Earl's great-grandfather and grandfather sharecropped the land for years and, as a teenager, he spent countless hours hunting and fishing there.

Wanda has used her background in education to create an outdoor environmental classroom at the farm. Students, teachers, and forestry professionals from all over Georgia visit their farm to learn about the benefits and science of sustainable forestry. They are then able to take that knowledge back to their respective communities and teach others about the importance of forest stewardship. Every April, the Bleckley County Schools bring thousands of students to Gulley Branch farm to have fun and participate in educational activities. Students enjoy wagon rides and learn about the different aspects of sustainable forest management.

This is not the first time Earl and Wanda have been recognized for their achievements in forestry. They were named the 2008 Georgia Tree Farmers of the Year and the 2009 Southern Regional Tree Farmers of the Year. In 2006, they received the Outstanding Achievements in Sustainable Forestry Award, and Wanda has been named the Georgia Project Learning Tree Educator of the Year in both 1990 and 1995, as well as the National Outstanding Educator of the Year in 1996.

I am proud to see the National Tree Farm of the Year award brought to Georgia and look forward to continuing to work with Earl and Wanda to develop policies that will promote sustainable forestry management for generations to come.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I ask unanimous consent to be recognized as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR EDWARD M. KENNEDY

Mr. INHOFE. Madam President, it was called to my attention a few minutes ago that our deadline for comments about Ted Kennedy is coming up tomorrow. I wanted to beat the deadline. I always wait until the last minute, it seems. One of the reasons I did is because there are so many things

people are not aware of, so I took the time to send to places such as Western Sahara and elsewhere to get documents that better explained a little bit more about who Ted Kennedy was than has already been stated on the floor of the Senate.

I have a good friend whose name is Mouloud Said. He is the Ambassador at Large of Western Sahara. He and I worked together for many years trying to bring some sanity into what has happened over the last 35 years in Western Sahara.

For the record, since people are not aware of this conflict that took place, back in 1975, the Moroccans invaded what was then called Spanish Sahara, later called Western Sahara. There were a lot of people chased out at that time. They fled. War ensued between 1975 and 1991. It continued during that time. When Morocco invaded that area that was later called Western Sahara, the refugees, the people who were living there who rightfully should be in that area, who should be living there today, were chased into Algeria. Tindouf is an area I have been to a couple times. The refugee camps there are so large. There are actually 175,000 refugees who were chased out of Western Sahara and have been wanting to be repatriated ever since then.

One of the former Secretaries of State, James Baker, was a hero in this area. He did the best he could to see that repatriation would take place. It seemed like every time they got close to working out something with Morocco, they would get right up to the altar and then they would cut it off. They would agree something should be done, but as they would come to agreement and get together, Morocco would back down. That took place for a long period of time.

You cannot be empathetic with the people who are there until you have walked through the little alleys and the stucco houses in Tindouf and see how these people are living, hearing their chants, their cries for freedom. Three generations now have been trying to escape, to be repatriated, and it hasn't worked.

I have a letter—I will read part of it—that ties Senator Kennedy and me to this issue. This is from Mouloud Said, who is Ambassador at Large of Western Sahara:

> Indeed, this was precisely the case when Senator James Inhofe and the late Senator Edward Kennedy reached across the political aisle to jointly promote the cause of justice and freedom in the Western Sahara, and respect for human rights of the Sahrawi people. As recognized by the United Nations Charter, the African Union, and the American Constitution, all people have the inalienable right to freedom and self-determination, and the Sahrawi people will be forever indebted to these great Senators for their principled and bipartisan stand on behalf of the Sahrawi's fundamental rights.

That is what it is all about. We would see these people out there, and they had no one to take care of them. The Moroccans, they have friends. I have to say this: I testified probably 2 or 3 years ago at a House committee hearing. At that time, we made a list of all the lobbyists Morocco had hired. They had everybody. The money was all on one side, and only the Lord and a few people who were sympathetic to them were on the side of those people who have been living on the Algerian border for the last 35 years. That is what they are going through at this time. It is very sad.

I want to mention, talking about Ted Kennedy, how persistent he was. This goes all the way back to his involvement, back to the time when the war was still taking place. I have statements I am going to enter into the RECORD. They are not long. One goes back to October 1, 1992, a ''Statement by Senator Edward M. Kennedy at Senate Foreign Relations Africa Subcommittee Hearing on the Western Sahara.'' He goes through and tells the story of what he has attempted to do, and he had not been able to successfully get it done. The same as with James Baker and myself.

January of 1994, ''Statement by Edward M. Kennedy in Support of Amendment Promoting Implementation of Peace Plan in Western Sahara.'' January of 1994, we thought at that time we had it done. Again, an arrangement was made. It was agreed to by all parties until they got together.

June 23, 1999, ''Senator Kennedy Calls for Greater Progress in the Western Sahara Referendum.'' A referendum is all they want. They want self-determination. They want to be able to vote as to whether they want to be repatriated, which is something we in America would assume everybody has that right. But that is not the situation.

Senator Kennedy, again, went to battle to help them in June 23, 1999, and was not able to get it done.

Then, again, in 2000, he actually offered amendments for holding referendums in Western Sahara.

Later in that same year, he appealed to King Mohammed VI of Morocco to give these people a chance, at least, of self-determination. He was unable to get that done.

I ask unanimous consent to have printed in the RECORD these documents.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR EDWARD M. KENNEDY AT SENATE FOREIGN RELATIONS AFRICA SUBCOMMITTEE HEARING ON THE WESTERN SAHARA

I want to thank Senator Simon, the Subcommittee Chairman, for holding this important hearing today.

The ongoing crisis in the Western Sahara raises serious questions regarding the Government of Morocco's willingness to honor its international commitment to a free and fair referendum in that territory. It also brings into question the credibility of the United Nations in administering the Western Saharan peace plan, and our own government's commitment to the principles of sovereignty and self-determination.

Barring immediate and dramatic progress, the peace plan for the Western Sahara is destined to fail. If the peace plan is to succeed, the United States must do more to make clear—through deed as well as word—its commitment to a free and fair referendum for the indigenous Saharawi people.

The Western Sahara is the last vestige of colonialism in Africa. The U.N. Decolonization Committee called for decolonization in 1966, while it was still under Spanish rule. In 1973, the General Assembly called for a referendum on self-determination by the Saharawi, Spain agreed to hold a referendum and took a census to provide a voting list.

Shortly thereafter, Morocco and Mauritania, seeking access to the territory's valuable natural resources, laid claim to the Western Sahara. In an effort to strengthen its claim to the territory, Morocco requested an advisory opinion from the International Court of Justice on its legal status. The Court found that neither Morocco nor Mauritania had ties to the Western Sahara sufficient for claims of territorial sovereignty. Like the United Nations, The Court supported ''self-determination and genuine expression of the will of the peoples'' to determine the territory's legal status.

Rather than accept that decision, King Hassan II sent Moroccan troops into the Western Sahara. Clashes ensued between Moroccan forces and the Polisario, the armed resistance of the Saharawi. Invading troops ''disappeared'' thousands of Saharawi civilians, most of whom were killed. Hundreds of others were detained without charge—and remain imprisoned today.

The Moroccan invasion touched off an exodus of refugees from the Western Sahara into Algeria. Seventeen years later, tens of thousands of these refugees continue to subsist in emergency relief tents with minimal food and water under extremely oppressive desert conditions including violent sandstorms and blistering heat exceeding 160 degrees.

In what became known as the ''Green March,'' King Hassan then sent 350,000 Moroccan civilians into the territory to strengthen his claim. Within months of the Moroccan influx Spain withdrew, granting Morocco and Mauritania ''temporary authority'' to administer the territory until a referendum could be held.

Neither Morocco nor Mauritania granted the Saharawi the right to self-determination, and their war against the Polisario steadily escalated. The Polisario's use of land rovers and quick strike tactics, however, achieved surprising successes against Moroccan and Mauritanian forces, and in 1979 Mauritania renounced its claims to the territory.

Finally, after over a decade of war, the Government of Morocco agreed to a U.N.-sponsored peace plan leading to a referendum, under which the Saharawi would vote for independence or integration with Morocco. In 1990, the Security Council adopted resolutions approving the plan and establishing the United Nations Mission for the Referendum in Western Sahara (MINURSO).

Under the plan, a cease-fire was to go into effect on September 6, 1991, and the referendum was to be held in early 1992. The parties agreed to use the 1974 Spanish census, which recorded approximately 74,000 Saharawis, to establish a voting list for the referendum.

Yet, only days before the cease-fire was to go into effect, Morocco bombed a compound that the Saharawi had constructed to house MINURSO personnel.

Inexplicably, the United States was the sole country on the U.N. Security Council which failed to condemn this outrageous action.

After the cease-fire went into effect, King Hassan changed his position on the voting list. After vmg agreed to base the list upon the 1974 census, he presented the U.N. with a list of 120,000 additional voters from Morocco whom he claimed were Saharawi and should also be permitted to vote. These individuals were transported into the Western Sahara in violation of the peace plan, which forbids the unilateral transfer of populations into the territory without identification at the border by U.N. personnel.

Under the peace plan, MINURSO observers are to implement and monitor the cease-fire, oversee the release of POWs, identify and register voters, and organize the referendum. Fully employed, MINURSO was to consist of 1,695 military and civilian personnel.

Yet as of today, nine months after the referendum was to have been held, fewer than 400 MINURSO personnel are in the Western Sahara. With severely limited equipment and personnel, these observers have been forced to restrict their focus to monitoring the cease-fire. Due to serious violations of the peace plan by the Government of Morocco, the observers have been prevented from fostering an atmosphere of confidence and stability conducive to holding a free and fair referendum.

These violations include preventing critical supplies for U.N. personnel from reaching the field; denying U.N. observers access to military areas; threatening to shoot U.N. personnel; intercepting and blocking U.N. patrols and sideswiping U.N. vehicles; refusing to identify land mines to U.N. observers, resulting in the loss of three U.N. vehicles and serious injury to U.N. personnel; banning access to the territory by international observers, reporters, and human rights organizations; refusing to withdraw any of its 130,000 troops; and declining to provide figures on the strength and deployment of its armed forces, despite written instructions to do so from the U.N. Secretary General.

Last month, in the most serious violation of the peace process, King Hassan announced his intention to hold his own elections in the territory, independently of the United Nations—thereby wholly undermining the U.N. effort.

Ironically, U.N. observers have also been severely hampered by lack of material and political support from the U.N. in New York, which has routinely ignored Moroccan violations of the peace plan. The Secretary General has failed to respond politically to MINURSO's reports of cease-fire violations—including 178 confirmed violations of the cease-fire, the transfer of thousands of Moroccan citizens to the territory prior to their identification by the U.N., and continuous misbehavior with respect to MINURSO.

Accordingly, MINURSO personnel in the field today are attempting to carry out their duties without the cooperation of the Government of Morocco and without the political backing of the U.N.

Despite Morocco's flagrant violations of the peace plan, the Bush Administration has failed to press King Hassan in any significant manner with respect to the Western Sahara. To the contrary, the Administration has requested that $40 million in military aid and $12 million in Economic Support Funds be earmarked for Morocco for FY '93. This is particularly perplexing, inasmuch as no funds were earmarked for Morocco during FY '92.

I hope that the witnesses for the Administration will make clear today why the U.S. is not condemning Morocco for its violations of the peace plan. The Administration should also explain why it is unwilling to urge the United Nations to do more to defend this important peace initiative.

Failure of the U.N. peace plan will have serious consequences for the stability of North Africa. Unless the Administration makes clear to the Government of Morocco its commitment to a free and fair referendum for the Saharawi, fighting in the Western Sahara may soon be renewed. That is a result none of us wants, and now is the time to prevent it from happening.

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STATEMENT BY SENATOR EDWARD M. KENNEDY IN SUPPORT OF AMENDMENT PROMOTING IMPLEMENTATION OF PEACE PLAN IN THE WESTERN SAHARA

I am introducing today, on behalf of myself and Senators Pell, Kassebaum, and Simon an amendment to support the indigenous people of the Western Sahara in their long and arduous struggle for self-determination.

As U.S. citizens, we are fortunate to live in a country founded on human rights principles and the right to a government of our own choosing. Our democratic ideals have inspired peoples in all hemispheres around the world. Elections during the past twelve months in Russia, Burundi, Cambodia, Paraguay, and Yemen are examples of the worldwide trend away from authoritarianism and toward representative government.

Sadly, this trend has not yet reached all regions of the world. The indigenous Saharawi people in the Western Sahara have waited more than 18 years to regain their right to self-determination. Hopefully, that right will soon be restored to them.

Since Morocco's invasion of the Western Sahara in 1975, King Hassan II has staged a long and costly war against the Saharawi people to obtain permanent access to that territory's valuable natural resources.

For years, Morocco ignored proposals by the U.N. General Assembly calling for a referendum on self-determination by the Saharawi. When Morocco took its claim over the territory before the International Court of Justice, the Court found that Morocco did not have ties sufficient for claims of territorial sovereignty. Like the United Nations, the Court supported ''self-determination and genuine expression of the will of the peoples'' to determine the territory's legal status.

Rather than accept that decision, King Hassan sent Moroccan troops into the territory who killed and ''disappeared'' thousands of Saharawi who were unwilling to recognize Moroccan sovereignty. Then, in what became known as the ''Green March,'' King Hassan sent 350,000 Moroccan citizens into the Western Sahara to strengthen his claim to it.

Finally, after over a decade of war, the Government of Morocco agreed to a U.N.-sponsored peace plan leading up to a referendum under which the Saharawi would vote for independence or integration with Morocco. Under this plan, a ceasefire was to go into effect on September 6, 1991, and the referendum was to be held in early 1992. The parties agreed to use a 1974 census, which recorded approximately 74,000 Saharawis, to establish a voting list for the referendum.

Yet, only days before the cease-fire was to go into effect, Morocco bombed a compound the Saharawi had constructed to house U.N. personnel. In addition, King Hassan changed his position on the voter list.

After having previously agreed to base the list upon the 1974 census, he presented the U.N. with a list of 170,000 Moroccans whom he claimed should also be permitted to vote. These individuals were moved into the Western Sahara in violation of the peace plan, which forbids the unilateral transfer of population into the territory without prior identification by U.N. personnel.

U.N. observers have also expressed concern regarding other violations of the peace plan by the Government of Morocco. These violations have prevented the observers from fostering an atmosphere of confidence and stability conducive to holding a free and fair referendum.

The violations include preventing critical supplies for U.N. personnel from reaching the field; denying U.N. observers access to military areas; threatening to shoot U.N. personnel; intercepting and blocking U.N. patrols and sideswiping U.N. vehicles; refusing to identify land mines to U.N. observers, resulting in the loss of three U.N. vehicles and serious injury to U.N. personnel; banning access to the territory by international observers, reporters, and human rights organizations; refusing to withdraw its troops; and declining to provide figures on the strength and deployment of its armed forces, despite written instructions to do so from the U.N. Secretary General.

In one of the most serious violations of the peace process, King Hassan held his own elections in the territory in June—thereby directly undermining the U.N. effort.

U.N. officials nonetheless remain hopeful of holding the referendum this year. For the referendum to be free and fair, the U.N. must disqualify Moroccan settlers from eligibility to vote in the referendum.

Failure of the U.N. peace plan is likely to have serious consequences for the stability of North Africa. If the Government of Morocco continues to obstruct the peace process, fighting in the Western Sahara may well be renewed.

At this critical stage in the peace process the United States must do more to make clear—through deed as well as word—our commitment to a free and fair referendum for the Saharawi people.

The amendment we are introducing today:

(1) Commends the President for his commitment within the United Nations and in bilateral relations to a free and fair referendum on self-determination in the Western Sahara;

(2) Supports the United Nations' commitment to holding a free and fair referendum, and commends the Secretary General for intensifying his efforts towards that end;

(3) Commends the Administration for undertaking new policy initiatives with regard to the Western Sahara, including the opening of contacts with the Polisario Front at the Saharawi refugee camp in Tindouf, Algeria;

(4) Calls upon Morocco and the Polisario Front to comply strictly with the terms of the peace plan as accepted by the parties and approved by the United Nations Security Council;

(5) Calls upon Morocco to put an end to the transfer of population not properly identified by the United Nations as eligible voters in the referendum from Morocco into the Western Sahara, and to return to Morocco all such individuals currently in the Western Sahara;

(6) Calls upon Morocco and the Polisario Front to continue the direct dialogue they begun under the auspices of the United Nations in July 1993 with the goal of furthering the peace process;

(7) Calls upon Morocco and the Polisario Front to allow international human rights organizations to enter Morocco, the Western Sahara, and refugee camps under their control to assess the human rights situation; and

(8) Calls upon the President to:

Strongly advocate within the United Nations and in bilateral relations the implementation of the peace plan as accepted by the Polisario Front and Morocco and approved by the U.N. Security Council;

Urge all parties concerned to take all steps necessary to begin voter registration, starting with the updated lists of the 1974 Spanish census, and to overcome their differences regarding the interpretation and application of the criteria for voter eligibility;

Institute regular contact at all levels in Washington with representatives of the Polisario Front, in order to strengthen the United States' evenhanded position with respect to the Western Sahara; and

Encourage the parties to allow independent international observers, including human rights organizations, to monitor the situation in the territory and observe the referendum process.

The ongoing crisis in the Western Sahara raises serious questions regarding the Government of Morocco's willingness to honor its international commitment to a free and fair referendum in the Western Sahara. This amendment would make clear our government's support for the U.N. peace process and America's commitment to the principles of sovereignty and self-determination.

I urge my colleagues to join us in enacting this timely and important measure.

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SENATOR KENNEDY CALLS FOR GREATER PROGRESS ON WESTERN SAHARA REFERENDUM

Senator Edward M. Kennedy today praised the Senate for calling for greater progress on a long-stalled referendum on self-determination for the people of the Western Sahara.

Since 1988, the United Nations has sought to organize a free, fair, and open referendum in the Western Sahara, the former Spanish colony that Morocco has illegally occupied since 1975.

Kennedy said, ''A solution to the conflict over the Western Sahara will enhance security and stability in Northern Africa. After more than ten years of delay, the people of the Western Sahara should be permitted to determine for themselves who will govern them.''

Kennedy, Republican Senator Gordon Smith, and Democratic Senator Patrick Leahy sponsored an amendment accepted by the Senate on the State Department Reauthorization Bill to require the State Department to report on progress on the referendum. The bill, including the Western Sahara amendment, was passed by the Senate yesterday.

The International Court of Justice, the Organization of African Unity, the United States, and many other nations throughout the world have not recognized Morocco's claim to the Western Sahara, but Morocco's occupation continues. Tens of thousands of the Sahrawi people languish in refugee camps in southern Algeria and have been denied the opportunity to determine their own future.

A UN referendum was originally scheduled for 1992. It has since been delayed many times, primarily due to the resistance of the Government of Morocco. The referendum is now scheduled for July 2000.

In the 1997 Houston Accords, achieved under the leadership of former Secretary of State James Baker, and in a UN plan last December, the international community called for the conclusion of the voter registration process and a referendum. Morocco subsequently agreed to allow the referendum to occur by July 2000.

Senator Kennedy praised the Administration's efforts to resolve this longstanding dispute. He urged the State Department to make it clear to both parties to this dispute that the United States expects the people of the Western Sahara to be allowed to exercise their right to self-determination in a free, fair, and open referendum by July 2,000.

''Morocco has been a faithful ally of the United States for more than 200 years,'' said Kennedy, ''but its refusal to allow the people of the Western Sahara to determine their own political future undercuts America's efforts to promote democracy worldwide.''

The Kennedy-Smith-Leahy amendment requires the State Department to report on January 1, 2000 and again on June 1—2000 on specific steps being taken by the Government of Morocco and by the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO) to ensure a free, fair, and open referendum by July 2000 for the people of the Western Sahara to choose between independence and integration with Morocco.

The State Department reports will include a description of preparations for the referendum and the extent to which free access to the territory will be guaranteed for independent and international organizations, including election observers and international media. Human rights organizations and other international organizations must also be permitted to observe the referendum.

In addition, the reports will include a description of current efforts by the Department of State to ensure that the referendum will be held, and an assessment of the likelihood that the July 2000 date will be met.

The reports will also include a description of obstacles, if any, to the voter registration process and other preparations for the referendum and efforts being made: by the parties and the United States Government to overcome those obstacles. Finally, the reports will include an assessment of progress being made in the repatriation process.

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(Purpose: To require reports with respect to the holding of a referendum on Western Sahara)

On page 115; after line 18, add the following new section:

**SEC. __. REPORTS WITH RESPECT TO A REFERENDUM ON WESTERN SAHARA.**

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than each of the dates specified in paragraph (2)1 the Secretary of State shall submit a report to the appropriate Congressional committees describing specific steps being taken by the Government of Morocco and by the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLIS—RIO) to ensure that a referendum in which the people of the Western Sahara will choose between independence and integration with Morocco will be held by March 2000.

(2) DEADLINES FOR SUBMISSION OF REPORTS.—The dates referred to in paragraph (1) are November 1, 1999, and February 1, 2000.

(b) REPORT ELEMENTS.—The report shall include—

(1) a description of preparations for the referendum,

(2) a description of current efforts by the Department of State to ensure that a referendum will be held by March 2000;

(3) an assessment of the likelihood that the March 2000 date will be met,

(4) a description of obstacles, if any, to the voter-registration process and other preparations for the referendum, and efforts being made by the parties and the United States Government to overcome those obstacles;

(5) an assessment of progress being made in the repatriation process; and

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STATEMENT OF SENATOR EDWARD M. KENNEDY ON IDS MEETING WITH KING MOHAMMED VI OF MOROCCO

I welcome this opportunity to meet with the King. I have great respect for his leadership, and I wished him well in his important responsibilities, and in maintaining close ties between our nations.

A particular issue I discussed with the King was the United Nations referendum on the Western Sahara.

Morocco gained the respect of the international community when it agreed in 1991 and again in 1997 to allow a referendum on the future of the Western Sahara. These actions demonstrated an impressive commitment to the right of self-determination for the people of the Western Sahara.

The referendum is an important part of the peace process, and I hope that it will take place as soon as possible.

Mr. INHOFE. Madam President, let me conclude by saying that other things were happening too. When you think about countries, I often said Africa is the forgotten continent. I can remember so well back when they were talking about taking our troops into Bosnia and then later Kosovo, the excuse they were using—this is back in the Clinton administration—they were saying it was ethnic cleansing taking place there. I said on the Senate floor standing at this podium—this is way back in the late nineties—I said for every person who has been ethnically cleansed in Bosnia, there are hundreds on any given day in any Western Africa country. But people did not care about it. Senator Kennedy did.

I know this is a little bit sensitive subject, but even to this day, right now, every other week, there is a group of people, staff people, who get together. They have nothing in common except a heart for Africa. There are liberal Democrats and conservative Republicans. They meet every other week, in Senator Kennedy's office and then in my office, and they pray for Africa. This is something about Senator Kennedy people did not know. That is something that takes place even to this date.

I have a letter written recently by Lindsey Gilchrist of Senator Kennedy's office:

I know Senator Kennedy and Senator Inhofe had always been thought of as the bipartisan leaders on this issue. The Africa prayer group was not something Senator Kennedy was directly involved in [or Senator Inhofe]—

But they have stimulated and motivated us to do this very thing. That was one of the things that occupied 20 years of Senator Kennedy's time. I feel committed to continuing to work with the people of Western Sahara to try to make that a reality. When that happens, we are going to be able to say—he will be watching down: All right, we finally did it.

Let me share a couple personal experiences I had with Senator Kennedy. One is a little bit humorous. In 2005, the Republicans were in the majority. I was chairman of the Environment and Public Works Committee. We did the 2005 transportation reauthorization bill. It was a huge thing. I am a conservative, but this is something we need to be doing in this country, something about infrastructure.

As is always the custom of the Senate, as the Chair is well aware, when we pass a big bill, we stand on the floor and thank all the staff people and talk about the significance of it and how important it is.

We had just passed the bill when I was getting ready to make my speech about what a great job we did when the

bells went off. They said: Bomb threat, bomb threat; evacuate, evacuate. Everybody started running. I had not made my speech yet, so I stood up. It is kind of eerie when you are the only person in the Capitol and giving a speech. Of course, there was nobody here, and the cameras were still going.

I remember, after finishing my speech, I looked down at the bottom of the stairs and saw a very large man walking out. I went down and I said: Ted, we better get out; this place might blow up.

He said: Well, JIM, these old legs don't work like they used to.

I said: Let me help you. It happened, by the way, this was right after the American Conservative Union came out with the ratings where I was the No. 1 most conservative Member of the Senate and he was the second from the most liberal Member of the Senate. I said: Let me help you. I put my arm around his waist and he put his arm around my arm. Someone took a picture. It ended up on the front page of a magazine. The caption was: ''Who Says Conservatives are Not Compassionate?'' That is the kind of relationship we had. I will always remember this.

He did things that people are not expected to do. There was a show—they don't have it on television anymore—called ''Crossfire.'' Some might remember that. It was an aggressive program, where you get two people debating each other on an issue. The issue that particular day—this was back in 2000—was Vieques. Vieques is an island off Puerto Rico. They were trying to shut it down. They were successful. I don't blame it on the Democrats or Republicans. President Bush went along with Al Gore and closed down the live range at Vieques, which was the only place the Navy and marines could do integrated training.

I was actually debating Bobby Kennedy—he was his nephew—on the ''Crossfire'' show. It was one of these things where I really knew the issue. I knew I had him on this debate. It came down to the end, and I could have put the knife in at that time. I didn't have the heart to do it.

I was sitting, Madam President, where you are sitting the next day, presiding over the Senate, and Ted Kennedy came up. He said: Well, JIM, I came up to say thank you.

Thank you for what?

He said: I was watching this debate you had last night, and I knew what you were thinking and I knew that you had won this thing and right at the last you could have inflicted great harm to Bobby. You elected not to do it. I want to tell you I appreciate it very much.

That was Senator Kennedy.

There are things still going on today to which he committed his life. We are going to win some of those, and we are going to rejoice when that happens. He will be right here with us.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CBO SCORES

Mr. BAUCUS. Madam President, the Congressional Budget Office has issued its report on the Finance Committee legislation. That bill was sent over to the Congressional Budget Office a couple days ago. The report is quite promising. The report is good news.

Our balanced approach in the Finance Committee to health reform has paid off once again. Today, the Congressional Budget Office confirmed that America's Healthy Future Act—that is the legislation in the Finance Committee—remains fully paid for and reduces the Federal deficit. In fact, it reduces the deficit by $81 billion in the first 10 years.

CBO also says in its report that the legislation continues to reduce the deficit in the second 10 years; that is, it bends the cost curve in the second 10 years as well.

More important, it improves and expands health care coverage for tens of millions of American families. That is done by raising the coverage rate of 83 percent to 94 percent. In fact, that might be a slight increase from what we earlier anticipated in the committee bill.

This legislation, I believe, is a smart investment on the Federal balance sheet. It is an even smarter investment for American families, businesses, and our economy. Health reform will modernize the health care system for America for the 21st century. It is about time we got to that point.

The bill also reduces inefficiencies and focuses on quality and ensures we are getting the best bang for our health care buck.

Health care reform should be fiscally responsible as it expands and improves coverage. CBO confirms the legislation does that.

I am very pleased with that report. It will help us move toward the next steps in merging the bill with the HELP Committee bill.

Madam President, I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, may I ask the Chair what is the pending amendment?

The PRESIDING OFFICER. The pending amendment is the amendment offered by Senator VITTER, No. 2644.

Mr. COBURN. I thank the Chair.

Madam President, I just walked out of a hearing on the census, and the Vitter amendment applies to that. It is interesting. We send a million forms out a year called the American Community Survey, and in that survey we ask people whether they are citizens of the United States. And you know what, they answer it. They give an answer to that. And that is a million of those we send out every year.

We are about to conduct a census that ignores the Constitution and will, in fact, disrupt the true allocation of apportionment in this country because the census we are getting ready to ask will ignore whether you are a true citizen of this country. Legal or otherwise, it will ignore that. It will ignore whether you have voting rights, whether you are here properly, whether you have broken our laws and are here improperly, and we will see a maldistribution to the tune of 10 seats in States that shouldn't have them and States that should have 10 more seats won't have them. And that is based on the Census data this year.

So what Senator VITTER is offering is a response to following the Constitution and also recognizing that we are getting ready to do a census next year that is going to get it wrong. My hope is that my colleagues will consider very carefully that they took an oath to defend the Constitution, and that Constitution speaks very clearly—in this little book—about what the enumeration is supposed to be. It is about citizens of the United States, not residents of the United States. If, in fact, we do this the way it looks like we are going to, what we will be doing is changing our Constitution. What we are actually going to do is we are just going to throw our Constitution down and step on it.

So he is not asking anything from a racial standpoint or anything other than for a fair enumeration by which the Census agrees that if they were to do it properly, they would need to ask that question. They have printed 100 million forms already, and the question is, Do we want to waste that money and throw those forms out? Well, there is an answer to that. All you have to do is put in an insert, and here is question No. 11. That will cost very little money and then we will actually have a true census based on what the Constitution says, not on what we think might politically benefit one State over another.

Madam President, I know the chairman of the Finance Committee is here and would like to make a unanimous consent request, and I will yield to him at this time.

The PRESIDING OFFICER. The Senator from Montana.

UNANIMOUS CONSENT REQUEST—H.R. 3631

Mr. BAUCUS. Madam President, unless the Senate acts soon, millions of seniors and disabled individuals will face sharply higher Medicare premiums next year. In this great recession, we

must act quickly to ensure we do not allow a formulated quirk to punish our seniors on fixed incomes in our financially strapped States.

Many seniors have their Medicare Part B premiums deducted from their monthly Social Security checks. Normally, the Social Security cost-of-living adjustment is greater than the increase in the Part B premium for that year. As a result, the beneficiaries' monthly checks in the new year are greater than their monthly checks were in the last year. But next year there is not likely to be an upward cost-of-living adjustment in Social Security checks. When that happens, most Medicare beneficiaries are held harmless against reductions in their Social Security checks. The Part B premium is reduced so that their monthly Social Security checks in the new year are not less than they were in the prior year.

However, 27 percent of Medicare enrollees do not benefit from hold harmless. The absence of a cost-of-living adjustment will expose these seniors to big premium increases next year. Under current law, these enrollees not only have to pay their own premiums, but they must make up the premiums by the 73 percent of beneficiaries we hold harmless. These 27 percent of Medicare recipients will be forced to shoulder the full load of next year's premium increases. This will mean an increase in premiums up from $96 to $120 a month next year. Who are these recipients? They include low-income beneficiaries who participate in both Medicare and Medicaid. They include new enrollees in Medicare Part B. They also include Medicare Part B enrollees who don't receive Social Security, such as some Federal retirees. They include higher income enrollees who already pay higher premiums.

This burden will hit Medicare beneficiaries hard, but financially strapped States will also feel the effect because State Medicaid Programs pick up the cost of Part B premiums for Medicare beneficiaries who are also eligible for Medicaid. The premium hike would also hit State budgets because of that reason. States all across the Nation are facing huge deficits and difficult choices, and we should not allow this quirk in the law to add to their burden.

The Medicare Premium Fairness Act would correct this. It would ensure that these 27 percent of Medicare beneficiaries would not have to shoulder any additional burden. No Medicare Part B enrollee would face a higher premium next year over this year. The bill would provide security to seniors on fixed incomes. To prevent Federal cost shift to States, the bill would pay for and would tap into the Medicare Improvement Fund, which was created to solve problems such as this.

Inaction on this bill is not an option for seniors and States, and I hope the bill will have broad bipartisan support.

Madam President, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 3631, the Medicare Premium Fairness Act, and the Senate proceed to its immediate consideration; further, that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object, I ask unanimous consent to be recognized for 3 or 4 minutes as I respond to this, if the Senator from Montana does not have any objection.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. None.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, America has to ask itself a question right now. This bill costs $2.8 billion, and 95 percent of the people will not feel anything if we don't do this. But 5 percent will, and I readily admit that. We are going to take $2.8 billion from our kids or from future Medicare payments—one way or the other, we are going to steal it from our kids—to fix a problem for 5 percent of the people who are on Medicare or will be on Medicare.

This is exactly the kind of problem that the Congress ducks. We are ducking it. We are kicking the can down the road because we are afraid to do the right best thing for America.

Let me give a breakdown. First, I will just say I appreciate the leadership of the Senator from Montana on the Finance Committee.

The Social Security Act holds three-quarters of the beneficiaries harmless for increases in the Medicare Part B premium during the years in which there is no COLA, as the chairman just stated. But for the other one-fourth of the beneficiaries not held harmless, little impact will be felt. According to the Congressional Research Service, the majority of this group is comprised of Medicaid, as the chairman just stated, the vast majority of them, which covers their premiums anyway. So if there is a cost transfer, it will be cost-transferred back to the Federal Government anyway because we pay 67 percent of all the Medicaid costs anyway. Finally, the remainder of those not held harmless—high-income individuals making over $85,000 a year as an individual or $170,000 as a couple and new beneficiaries during their first year, for which they will receive Medicare, Social Security, or Medicare Part B benefits—the vast majority of all these people have a supplemental policy, so they won't feel anything.

So what are we doing? We are taking $2.8 billion—and we may be taking it from the Medicare Improvement Fund, which ultimately takes it out of Medicare, or we are going to take it from our grandkids, and we are not going to say that we can't do this. There was no inflation except in health care. And when you look at it, there is actually a negative number, negative inflation. There was actually deflation. Things roughly cost six-tenths of 1 percent less this year than last, and those are the basic necessities of life. And because we don't have the courage to face the situations in front of us, we are just going to kick it down the road. That is what is wrong. That is why we find ourselves with $12 trillion worth of debt, almost now $100 trillion in unfunded liabilities. That is why we find that a child born today has $400,000 in unfunded liabilities, and by the time they are 20 years of age they will be responsible for $800,000 worth of debt on them that they incurred for us.

So I will make two final points. The heritage of this country is for one generation to sacrifice for the next. This generation in this body has turned that upside down, and we are saying to the next two generations: You sacrifice for us because we don't have the courage to make the hard choices. And the hard choices have to be made. We are on an absolutely unsustainable course in this country financially. Read the papers. The dollar is under assault. We are dependent on foreign countries to finance our debt. Our debt will double in the next 5 years and triple in the next 10. And now we are playing the political game of not having a small percentage of seniors having an increase in cost, and mainly those who can afford it.

So the question is, take $2.8 billion from our grandkids, one way or the other, and protect that 5 percent of the seniors, including Bill Gates and every other very rich person in this country, or do as the Honorable STENY HOYER said, the majority leader for the Democrats in the House:

> I don't know how many of you can go to sleep at night worried about whether Ross Perot can pay his premium, but this will freeze Ross Perot's basic premium from going up. I think that as well meaning as this legislation is, it's not about poor seniors, it's about politics.

I recognize this can come back and we will do it, but at this time, for the good of our country, to restore the heritage of our country, Madam President, I have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. BAUCUS. Madam President, I regret that the Senator from Oklahoma feels constrained to object. I will continue to work to see that Medicare beneficiaries are not unfairly harmed. I must also say that this is not for the Ross Perots of the world. There are due eligibles—there are many people who are very poor who will be harmed unless this legislation is passed. I might also say that this bill is paid for, despite the implications to the contrary. It is paid for with funds already set aside at an earlier date in the Medicare Improvement Fund—a fund that was set up for just such purposes. So despite the implications about the future children and grandchildren, the fact is, this is already paid for in funds previously set aside.

Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Madam President, Hippocrates once said: ''A wise man should consider that health is the greatest of human blessings.''

Every day we see the real-world consequences for Americans who have been deprived of that blessing. A Harvard study found that every year in America, lack of health coverage leads to 45,000 deaths. People without health insurance have a 40 percent higher risk of death than those with private health insurance. No one should die because they cannot afford health care.

Every 30 seconds another American files for bankruptcy after a serious health problem—every 30 seconds. Every year, about 1.5 million families lose their homes to foreclosure. Why? Because of unaffordable medical costs. No one should go bankrupt because they get sick. A Kaiser Family Foundation survey found that health care coverage for the average family now costs more than $13,000 a year. If current trends continue, by the year 2019, 10 years from now, the average family plan will cost more than $30,000 a year.

No one should have to live in fear of financial ruin from crushing insurance premiums. Americans are looking for commonsense solutions to these problems. Americans want a balanced plan that takes the best ideas from both sides. Americans want their leaders to work together to craft a health care package that will get 60 votes it needs to pass.

The Congressional Budget Office has just given us their analysis of legislation we put together in the Finance Committee and it shows that our bill reduces the deficit by $81 billion over 10 years. That is a reduction in the Federal deficit of $81 billion. CBO also says the legislation out of the Finance Committee continues to reduce the deficit in the outyears; that is, the years after 10 years, the second 10 years, and the legislation increases coverage from 83 percent to 94 percent, so 94 percent of Americans will have health insurance.

For 2 years now, that is exactly what we have been doing in the Finance Committee—working to get that result. Over the last 2 years, the Finance Committee has held 20 hearings on health care reform. Last June we held a health care summit at the Library of Congress. The committee held three roundtable discussions with experts on each side of the area, especially on the three major areas of reform. We held roundtables on how health care is delivered, on coverage—that is insurance coverage—and on how to pay for health care. In connection with each roundtable—we had experts around the table, asked lots of questions, the experts just balanced—experts were not chosen for a certain point of view but just to get the facts. The committee put out a detailed option paper after those roundtables and we then held three walk-throughs to hash out those options—walk-throughs to see what might make sense after those walk-throughs.

Six members of the Finance Committee—three Republicans and three Democrats—then had meetings. They held 31 meetings to try to come to a consensus. We held exhaustive meetings and met for more than 61 hours. We went the extra mile.

I might say if a fly on the wall were to watch those six meet, three Republicans and three Democrats, I think Americans would be very proud. This was hard work. It was not ideologically driven. It was based on the facts. We asked questions of experts, actuaries were objective—of the Congressional Budget Office, the Joint Committee on Tax—a very solid effort to try to find out how the various parts would be put together in a balanced and fair way.

I can say the Finance Committee has held the most open and exhaustive consideration of this health care proposal. I put out the starting point and posted it on the Web on September 16. That was nearly a week before we started our markups, a full week notice before we started our markup.

In a first for the committee, we posted every amendment, all 564 of them, on the Web. We had never done that before, all posted, all available to the world. The committee has held a thorough markup, and I know the present occupant of the chair can attest to that. When the committee reconvenes to report the bill, the committee will have met for 8 days. Many of those were long days, often running past 10 o'clock at night. In fact, last Thursday we worked until 2 o'clock in the morning. It has been more than 22 years since the Finance Committee met for 8 days on a single bill. In the committee's consideration, Senators offered and the committee considered about 135 amendments. The committee conducted 79 rollcall votes and the committee adopted 41 amendments.

The result is a balanced, commonsense plan that takes the best ideas from both sides. It is a plan that essentially implements President Obama's vision to improve America's health care and it is a plan designed to get the 60 votes it needs to pass. We have just received from the Congressional Budget Office the numbers that we need to have to proceed to the next step. The CBO says we reduce the deficit by $81 billion in the first 10 years and the legislation that will be reported out of the committee soon will reduce the deficit further in the next 10 years, and it increases coverage to 94 percent.

I am confident that after Senators have had a opportunity to review the CBO numbers the Finance Committee will report the bill. Then we on the Finance Committee expect to work together with the HELP Committee to meld our two bills together. Our colleagues on the HELP Committee have done some wonderful things, especially in the area of prevention, workforce, and quality. We look forward to bringing together the best of both bills.

Then the majority leader will offer the combined bill as an amendment on the floor and I expect we will have a full and vigorous debate here in the Senate. I am proud of our work.

All Americans should have access to affordable, quality health care coverage. Our bill would raise the share of Americans with insurance coverage from about 83 percent currently to 94 percent, and our bill would deliver coverage to millions through new insurance exchanges and to millions more through Medicaid—that is the Finance Committee bill I am discussing.

Our bill would dramatically increase prevention and wellness, will begin shifting health care delivery to the quality of care provided—not the quantity of services rendered but the quality of care provided. It is so important. This is transformative. This is game changing. When we look back several years from now we are going to see this is probably one of the more important items in this legislation because it will begin American health care to focus on where it should be, on quality and teamwork and the patient, more than today, where it is focused on quantity under the fee-for-service system. This is clearly the major, most important part, I think, when we look back at this bill 5, 6, 8, 10 years from now.

The bill also will lower prescription drug costs dramatically for seniors—no small point.

Our bill would reform the insurance market. It would protect those with preexisting conditions. It would prevent insurance companies from discriminating and capping coverage. And it would require insurance companies to renew policies as long as policyholders pay their premiums. No longer would insurance companies be able to drop coverage when people get sick. These reforms would give Americans real savings.

Under the Finance Committee bill, everyone making less than 133 percent of poverty would receive health coverage through Medicaid. Our plan will provide tax credits to help low-and middle-income families buy private insurance coverage. These tax credits would mean that our bill would deliver tax cuts for those whom it affects. Overall taxes would go down for people affected by this bill. These tax credits would help make insurance more affordable.

Some have made some pretty outrageous claims about our bill. Some folks frankly have said some whoppers. Let me take a few minutes to bust some of those myths.

Myth No. 1. Some say our bill cuts benefits for seniors. That is false. Nobody cares more about maintaining Medicare than I do. Medicare benefits will not be reduced under our bill. Seniors will get the same level of benefits they receive today. In fact, seniors have a lot to gain from health care reform by lower prescription drug costs

and more free preventive care such as mammograms and colonoscopies. Plus our bill takes the long view to help preserve the life of the Medicare Program. Our bill puts the Medicare Program on sounder financial footing. Our bill will remove from a system that pays for volume to one that pays for value. It would improve Medicare solvency by reforming the way Medicare delivers health care.

Don't just take my word for it. Don't just take President Obama's word for it. Go to the AARP Web site and see what they say. AARP is probably one of the greatest advocates for seniors. This is what AARP says:

> Myth: Health care reform will hurt Medicare.
>
> Fact: None of the health care reform proposals being considered by Congress would cut Medicare benefits or increase your out-of-pocket costs for Medicare services.

That is the conclusion of AARP in their letter to seniors.

Myth No. 2. Some say our bill will lead to rationing because we encourage comparative research. That, too, is false. The Institute of Medicine—MedPAC, that is the bipartisan group, nonpartisan group that advises Congress on Medicare payments—and former CMS administrators have all recommended that Congress invest in research to compare what works and what doesn't work in medicine. Groups such as the American Medical Association and the American Health Association support this idea.

Our bill would set up a nonprofit institute to provide for this ''comparative effectiveness research.'' The goal is better evidence, unbiased information that doctors and patients can use to make better health care decisions. Comparative effectiveness research is about giving doctors and patients the best information available on what works so they can decide, the doctors can decide in consultation with their patients, as to what procedure, what drug, makes most sense and what doesn't.

If one treatment works far better than another, then doctors and patients have a right to know. That is what our bill tries to do, it tries to foster the kind of commonsense research that can get better information in the hands of doctors and patients.

Nothing in our bill would ration care—nothing. The new institute could not make coverage decisions or issue medical guidelines. And our bill would prevent the HHS Secretary from using the research to ration care in any way. The Secretary could never use the evidence to discriminate against individuals based on age, disability, terminal illness, or their preferences between length of life and quality of life.

Calling this rationing only supports a delivery system that is pro-waste and antipatient education. That is what opponents will end up doing. That is the effect of it. That is not the type of care people deserve. They deserve the information that comparative effectiveness research produces to help them make informed health care decisions.

Myth No. 3. Some say our bill will cause premiums to go up. That, too, is false. There are a lot of things in our bill that would cause premiums to go down. Our bill would cut out fraud, waste, and abuse in our health care system. That is going to help. Our bill would spread insurance risk through a much broader population, including younger, healthier people. That would clearly help. And our bill would help to eliminate the cost of uncompensated care, which results in more than $1,000 in additional premium costs each year for American families. The effects of open competition in our new insurance exchange should bring premiums down as well.

CBO has said there are a lot of factors in whether premiums go up or down and, frankly, they punted on a lot of those factors. But in the one part of premium costs about which they did make a projection, CBO said that premiums would go down. In a September 22 letter CBO said:

> CBO currently estimates that about 23 percent of premiums for policies that are purchased in nongroup market under current law go toward administrative costs and overhead.

About 23 percent of premiums for policies goes toward administrative costs and overhead. CBO goes on to say:

> Under the proposal, that share would be reduced to 4 or 5 percentage points.

So if 23 percent of costs are administrative overhead under the legislation the committee reported out, that should be reduced by 4 or 5 percentage points. That is lower costs, administrative costs, which should result in lower premiums.

Myth No. 4. Some say you will not be able to keep your insurance. That, too, is false. Nothing in our bill would take people's insurance away from them. No one would be forced into a particular plan. This is the central feature of the way we have gone about health care reform. We have not tried to change the employer-based system, a system Americans know and understand. We improve upon it, make it work a lot better. We have not tried to fix something that is not broken. We have an employer-based system and it is very important we improve upon it, not eliminate it.

Some who do not share our best interests assert that cuts to Medicare Advantage will cause some plans no longer to be offered. We do bring the government's subsidies to Medicare Advantage more in line with the government's own commitment to Medicare, but our bill would not cut benefits under Medicare Advantage. Rather, it would cut out waste in the system to ensure that Medicare is sustainable for years to come.

Even after the cost of marketing and delivering benefits and after making a profit, insurance companies are paid about 14 percent more, on average, under Medicare Advantage than under traditional Medicare. Insurance companies pad their pocket with those subsidies. Our bill would end those subsidies for insurance companies.

If insurance plans want to pass cuts along to seniors instead of reducing their huge profits, that is up to them. In a competitive market, it will be hard for plans that do that to keep their customers.

Yes, under our bill Medicare Advantage plans will have to compete in the free market. But that has been true of insurance companies generally for as long as there has been insurance. It is true that we in our bill do not guarantee that the government will keep each and every insurance company in business. We should not and we do not, in our bill, guarantee that each and every insurance plan will continue to be offered. Those are business decisions. Those are decisions for the private sector. And that is where we leave it.

It is absurd to say that people will not be able to keep their insurance because the government is going to trim back wasteful subsidies. That is a pretty absurd statement.

Myth No. 5. Some stated our bill will raise taxes. That is false. In fact, our bill is a tax cut. Our bill will cut taxes for millions of Americans. When fully phased in, our bill will cut taxes by tens of billions of dollars every year. Let me restate that. When fully phased in, our bill will cut taxes by tens of billions of dollars every year. And millions of Americans will be able to use those tax cuts to buy health insurance coverage.

Myth No. 6. Some say that a high-cost premium excise tax will raise taxes on working families. That too is false. The bill levies the high-cost premium excise tax on the insurance companies. It will put downward pressure on insurance company profits. And it will put pressure on insurance companies to offer more efficient insurance plans.

In fact, the Joint Committee on Taxation tells us that much of the revenue that the high-cost premium excise tax brings in is because employers will give workers raises. People will avoid insurance plans with high-cost premiums, and as a result employers will raise workers' salaries with the money they save. That is what the Joint Committee on Taxation predicts will happen. That is what they say over and over again in publicly given testimony.

Finally, the biggest myth of all, myth No. 7. Some say our bill is a government takeover of health care. That is so false. We have built our plan on the exchange marketplace that allows choice among private health insurance company products, choice among private health insurance products.

People will be able to choose their own plan. They can choose their own plans among private options. Our bill does not include a public option. We did not include an employer mandate.

And we pay for every cent. This is a uniquely American solution. We are not Canada. We are not Britain. We are America. This is a balance. We have a tradition of balance between public and private. This legislation accomplished that.

We do not buy into government-only solutions in America, but we do believe in rules of the road. Our bill provides a balanced solution. And CBO says we do so in a balanced way.

Soon it will come down to the Senate. My colleagues, this will be our opportunity to make history. Think of it. Our actions here will determine whether we will extend the blessings of better health care to more Americans.

Ours is a balanced plan that can pass the Senate. Our bill should win the support of Republicans and Democrats alike. Now the choice is up to Senators.

Hippocrates said that ''health is the greatest of human blessings.'' But too many Americans are being deprived of that blessing. Let us enact this balanced, commonsense plan to improve health care. Let us reform the health care system to control costs and premiums. And let us extend the blessings of health care coverage to all Americans.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Florida.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHANNS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2393

Mr. JOHANNS. Mr. President, I ask unanimous consent that the pending amendment be set aside and that we call up amendment No. 2393.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. JOHANNS] proposes an amendment numbered 2393.

Mr. JOHANNS. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Prohibiting use of funds to fund the Association of Community Organizations for Reform Now (ACORN))

On page 203, between lines 23 and 24, insert the following:

SEC. 5____. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

Mr. JOHANNS. I rise to talk about an amendment that should come as no surprise to my colleagues. The amendment is simple and straightforward. It is an amendment I have offered on a number of occasions that has been approved by this body. It prohibits any Federal funds from going to ACORN or any of its subsidiaries.

This amendment I have offered today was offered on three prior appropriations bills. Each time my amendment has gained significant bipartisan support: 83 votes the first time, 85 votes the second time, and by voice vote a third time. It is important we continue to take this action to prohibit funding in each of the remaining appropriations bills because ACORN is still eligible to receive Federal dollars from many other sources.

For any of my colleagues who might put forward the argument that ACORN typically does not get funding from the CJS appropriations bill, we can't be so sure. The fact is, ACORN has the opportunity to get money from various Federal pots that we could never have envisioned. For example, a public notice was sent out by the Department of Homeland Security on October 2 of this year announcing that ACORN was the recipient of an almost $1 million grant for funds typically reserved for fire departments. Remarkable. Who knew that ACORN specialized in firefighting? I never would have thought ACORN could win a grant designed for fire safety and prevention. But, lo and behold, that is what happened only a few days ago. This happened after the Senate took several stands against providing Federal funds to this group and after House action.

Until a full government investigation is launched and completed into ACORN, no taxpayer money should be used to fund their activities. I urge all colleagues to once again support my amendment. The identical amendment has passed twice on strong bipartisan votes with over 80 Senators voting in favor, and the third time it passed by a voice vote. Where Senators stand on this issue is now well known.

For the record, I respectfully suggest that we can agree upon this amendment by voice vote at the appropriate time.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2630

Mr. VITTER. I ask unanimous consent to set aside the pending amendment and call up Vitter amendment No. 2630.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 2630.

Mr. VITTER. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996)

At the appropriate place, insert the following:

SEC. ____. None of the amounts made available in this title under the heading ''COMMUNITY ORIENTED POLICING SERVICES'' may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

Mr. VITTER. Mr. President, I will read the amendment to explain what it is about:

None of the amounts made available in this title under the heading ''COMMUNITY ORIENTED POLICING SERVICES'' may be used in contravention of section 6429(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

That is the entire amendment. What does that mean? That Illegal Immigration Reform Act is about the mandate that local government has to fully cooperate with Federal immigration officials with regard to immigration enforcement. It doesn't mean that local governments become immigration agents, that they have the affirmative responsibility to do all of that work for the proper Federal authorities. It does mean that when they come across illegal immigrants and arrest them, for instance, for local law violations, they are dutybound under Federal law to properly inform Federal authorities.

The problem is, in several select jurisdictions, so-called sanctuary cities, they have made the affirmative public statement and decision that they are not going to do that. They will not comply with Federal law. They are going to ignore Federal immigration law, and they are not going to cooperate in any way with Federal immigration enforcement authorities.

We can debate whether that is good policy or bad, but we don't really need to get to that level of debate because it is present Federal law that cooperation must be extended by local police agencies and local governments. These sanctuary cities—it is beyond debate—are violating current Federal law. They are taking Federal law and saying: Too bad. We are not going to have anything to do with it. We will violate Federal law. We will not cooperate in any way with Federal immigration enforcement.

My amendment says if you violate Federal law, you will have to live by some consequences. Specifically, you will lose COPS funding for your specific jurisdiction. If you want to do that, if you want to flaunt the law, there is going to be a meaningful consequence. You will lose community policing grants.

I believe this is reasonable and necessary because there are a number of sanctuary cities that have made the affirmative decision that they are going

to flaunt and ignore and violate Federal law, have nothing to do with proper enforcement of Federal immigration law and the necessary cooperation between those Federal agencies and local law enforcement.

Nobody wants to make local law enforcement immigration enforcement. Nobody wants to place on them some affirmative duty to do the work of Federal immigration offices, which is significant. We are not trying to place that additional burden or some unfunded mandate on them. But existing Federal law does say they need to cooperate with Federal immigration enforcement. They can't have an affirmative policy that when they arrest, for a local charge, somebody who is in the country illegally, they forget about that, turn their eye to it, and never notify Federal authorities.

Tragically, this bad sanctuary city policy has had tragic results. I will mention one such instance. This involved an illegal alien, Edwin Ramos, who is currently being charged with three counts of murder in San Francisco. That is because he shot and killed Tony Bologna, 48, and his two sons—Michael, 20, and Matthew, 16—after they were driving home from a family picnic last June. Apparently, this dispute started after Tony Bologna blocked the gunman's car from completing a left turn. That was enough to merit getting out of the car and unloading a semiautomatic weapon on Bologna's vehicle, killing him and both of his sons.

Ramos is a native of El Salvador. He was in the country illegally. He is a reputed member of the gang MS–13, and had previously been found guilty of two felonies as a juvenile; not exactly misdemeanors either, a gang-related assault and the attempted robbery of a pregnant woman. Ramos had been arrested at least three times before this triple murder. He was living illegally in the United States. There was no documentation of legal status, no temporary visa status.

So why wasn't he deported when he was arrested, particularly on violent charges? Because San Francisco is a sanctuary city. They have made the affirmative determination that established a policy of breaking Federal law and not having anything to do with immigration enforcement. That led directly to a triple murder of three innocent American citizens. This is one tragic story. There are others.

The bottom line is, we have a Federal law that should prevent that. We need that law enforced and lived by, by all local jurisdictions. The Vitter amendment will put some reasonable teeth behind enforcement and some meaningful consequence when local authorities choose to completely ignore and violate Federal law.

I urge my colleagues to support this commonsense, reasonable amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUNNING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2653

Mr. BUNNING. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 2653.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. BUNNING], for himself, Mr. JOHANNS, Mr. CORNYN, Mr. DEMINT, Mr. ROBERTS, Mr. WICKER, Mr. ENSIGN, and Mr. BARRASSO, proposes an amendment numbered 2653.

Mr. BUNNING. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate)

At the appropriate place, insert the following:

SEC. _____. (a) COMMITTEES.—Rule XXVI of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''14. (a) It shall not be in order in a subcommittee or committee to proceed to any legislative matter unless the legislative matter and a final budget scoring by the Congressional Budget Office for the legislative matter has been publically available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

''(b) With respect to the requirements of subparagraph (a)—

''(1) the legislative matter shall be available on the official website of the committee; and

''(2) the final score shall be available on the official website of the Congressional Budget Office.

''(c) This paragraph may be waived or suspended in the subcommittee or committee only by an affirmative vote of ⅔ of the Members of the subcommittee or committee. An affirmative vote of ⅔ of the Members of the subcommittee or committee shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

''(d)(1) It shall not be in order in the Senate to proceed to a legislative matter if the legislative matter was proceeded to in a subcommittee or committee in violation of this paragraph.

''(2) This subparagraph may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this subparagraph.

''(e) In this paragraph, the term 'legislative matter' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment but does not include perfecting amendments.''.

(b) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''6. (a) It shall not be in order in the Senate to proceed to any legislative matter unless the legislative matter and a final budget scoring by the Congressional Budget Office for the legislative matter has been publically available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

''(b) With respect to the requirements of subparagraph (a)—

''(1) the legislative matter shall be available on the official website of the committee with jurisdiction over the subject matter of the legislative matter; and

''(2) the final score shall be available on the official website of the Congressional Budget Office.

''(c) This paragraph may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

''(d) In this paragraph, the term 'legislative matter' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment but does not include perfecting amendments.''.

(c) PROTECTION OF CLASSIFIED INFORMATION.—Nothing in this section or any amendment made by it shall be interpreted to require or permit the declassification or posting on the Internet of classified information in the custody of the Senate. Such classified information shall be made available to Members in a timely manner as appropriate under existing laws and rules.

Mr. BUNNING. Mr. President, I will speak more on this amendment at a later time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, NASA is at a very difficult crossroads right now in determining the future of human space flight, and I would like to talk about that.

NASA is in the process of deciding where to put its full support and funds—whether it should be behind the current Constellation Program or whether it should change course and go in another direction.

The Augustine Commission has announced some recommendations and described them both but leaves it up to NASA to make the decision as to where it will go. I am very concerned NASA will agree with those recommendations that will relate to access to the International Space Station and will affect low-Earth orbit in these difficult budgetary times.

We have just finished the space station. So the time comes now to decide how to use it to its greatest advantage. The space station was built with the shuttle program, and it has always

been understood that the space shuttle will be retired next year. After that happens, we will be relying upon Russia to get our astronauts into space.

The original plan was that once the shuttle was retired, the next vehicle to get us into space would be the Ares I. That is the pivotal point where the decision has to be made: Shall we go ahead with Ares I?

I am very concerned that NASA may want to divert precious resources from the Ares I program in the hope that the commercial space industry can fill the void. Well, it is disconcerting to me because we have a successful track record of the Ares program but a less than desirable record of the commercial space industry. We have invested over 4 years and $6 billion in the Ares I and Orion programs, and it is on track.

Just last month, we had a successful ground test of the new Ares I rocket in Utah. Later this month, NASA will conduct the first flight test—on track to deliver a safe, reliable rocket.

Changes in NASA's plan should only be made if alternatives are available to provide significant advantages in cost, schedule, performance, and safety. The program that is working should not be dropped unless those advantages are very clear, and as of now there are no credible alternatives. To me, it makes sense to stay committed to a program we have already invested billions of dollars in and which has met its significant benchmarks.

Right now, the Ares I is the only credible solution we have for getting crew and cargo services into space once the shuttle is retired. The Ares I system came out of the Gehman report that followed the Columbia accident, recommending that the shuttle be replaced with a launch system that would maximize crew safety. Aries will achieve those standards.

The system builds on an existing manufacturing infrastructure that builds on our strengths. We already have the industrial base to go ahead with Ares. We do not have to invent anything new. We paid for the research. Why would we forego years of successful research and billions of dollars in the promise of an untested method of getting into space? Why would we take the gamble? If it turns out the hope that the commercial people could fill the void is wrong, we will have lost the industrial base that preserves our existing alternative to the commercial system.

What will NASA do then, if that which they might place their hopes in turns out to fail, and they have dismantled the program we now know works? How much money would we save if we were confronted with that situation a few years down the road? We risk losing the industrial base that is paramount to American competitiveness.

I know I will be accused of being parochial because a good portion of that industrial base is in my home State of Utah, but that does not lessen its significance or its competence.

The Ares program takes advantage of facilities and an already-trained workforce that has made the most reliable rockets in the world, having flown and tested over 200 of these solid rocket motors. We are already seeing reductions in our manufacturing base in this circumstance in Utah. Just this last week, 550 more people who would be critical to NASA in maintaining that base have lost their jobs, and if we abandon the Ares program, we could lose thousands more. Yes, I am interested because it is important to my State, but I am equally, if not more, interested because I think it is important to the Nation not to take this kind of gamble.

I seriously urge the administration to take a look at the bird they have in their hand, the bird that has flown over 200 times successfully, and not be too excited about the bird that may lie waiting for them somewhere in the bush.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I wish to thank the Senator from Utah for his remarks. We have essentially three space Senators on the floor—the distinguished Senator from Florida, our Presiding Officer, who has actually been an astronaut, and you can ask him if he wants to go into space with the lowest bidder. I think there are certain things that one can't pick who the lowest bidder will be.

I think there is much to be debated. We have the Augustine report, on which there has been a hearing, and our bill, the CJS bill, we fully fund the reliable transportation system that would be developed by our government. If the President were to change that, that would be a new direction and a new appropriation on which there would be tremendous debate and discussion.

So I wish to assure the Senator from Utah and the Presiding Officer, who often speaks for the brave men and women who go into space, that what the CJS bill does is fully fund, No. 1, what we need now to make sure our space shuttle is safe and fit for duty as it comes to the end in this decade of its usable service. Our No. 1 priority will always be the safety of the astronauts, not the bottom line.

The second thing is that in our appropriations we disagreed with the House. We actually put money in the Federal checkbook to develop the new programs, the new technologies for the next generation of reliable space transportation vehicles, and it follows very much the framework that the Senator from Utah has outlined.

So we look forward, once again, to working on our space program in a bipartisan way. One of the joys of chairing this committee is that when it comes to our National Space and Aeronautics Agency, we work on a bipartisan basis.

The Senator from Utah might be interested to know, when I first came to the Senate and went on the then VA-HUD Committee that funded NASA, the ranking member was Jake Garn, your colleague. As we all recall with fondness, Senator Garn was himself also a Senator astronaut. I must say it was Senator Garn who—I was a Goddard gal; Goddard is in Maryland. But space is about space, not about an individual State. Through his excellent workmanship, his patience, his guidance, I came to know the space program. Within 2 years, I happened to, with the retirement of Senator Proxmire, take over the committee. I could not have been an effective Senator had it not been for the wise guidance I received from Jake Garn. We did it because we worked together.

So this Senator has a real fondness for the Senator from Utah speaking about the space program. But I only want to reiterate how, when we work together, it is bipartisan, it is in the interests of our country, it is about the stars and the galaxies and the planets, but it is also about developing that new technology that creates the new jobs.

I am here sitting in a wheelchair wearing a space boot. I look like I am Sally Ride's advance woman. But it is a special device. Many materials were developed through our space program. It is an innovative technology, where you go beyond the outdated casts that neither expanded nor contracted during the day that this one can do. So this technology externally protects me from, quite frankly, anybody treading on me, if you can believe it, but it protects me. Internally, it has the genius devices that can deal with either the contraction or the expansion of your leg in the course of a day. All of that came out of our space program. So it is not only about Senator BARBARA MIKULSKI and her space boot but all over we have been able to develop new medical devices because of our space program: digital mammography, saving the lives of women; a space boot that makes sure that after you have had the services of a talented and gifted surgeon, your leg is also protected. So you better believe I am going to protect the space program as much as the space program helped protect my leg today. So I wanted to let the Senator know that.

We are going to be voting in about 5 minutes on a Vitter amendment. I know there is another one that the Senator from Utah has cosponsored, which is going to be tomorrow. Right now, we are going to vote in a few minutes on sanctuary cities. I am going to yield the floor to the Senator from New Jersey, who is very knowledgeable on this topic.

I yield to Senator MENENDEZ.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I thank the distinguished Senator from Maryland for yielding.

AMENDMENT NO. 2630

Mr. President, I ask unanimous consent that the time until 5:55 p.m. be for

debate prior to a vote in relation to the Vitter amendment No. 2630, with the time equally divided and controlled in the usual form, and that at 5:55 p.m. the Senate proceed to vote in relation to the Vitter amendment No. 2630, with no amendment in order to the amendment prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I rise to speak against the Vitter amendment. This amendment is downright dangerous. It is dangerous to threaten policing funds to cities such as New York, San Francisco, Los Angeles, Chicago, Washington, DC, and smaller towns across America that have chosen to encourage their community members to report crime.

The Senate tabled this same amendment last year. The reason this body was wise enough to defeat it last year was because we understood that some of the toughest law enforcement officials in our country, from sheriffs to prosecutors, and a whole host of law enforcement officials in between, understand the cooperation of the communities essential in fighting crime. Senator VITTER's amendment would deny moneys to at least 50 cities in a whole host of States represented by Members on both sides of the aisle.

I want to solve the crime. I want to get the perpetrator. I want to convict the person and put them in jail. I don't want the opportunity to go to waste because of some political statement having nothing to do with the core issue of security in our communities. Do we want witnesses to be able to come forward and provide essential, crucial eye witness testimony about the crime or do we want them to hide in the darkness and not talk to police because they are afraid of their immigration status? I want to make sure a witness comes forth and testifies against a perpetrator and has no fear to do so. That is why local police oppose this amendment.

The unwillingness of that person to come forward because of a fear may lead to other crimes being committed by that same individual in the same community; perhaps to a child who might be molested, to a person who might be assaulted, to a family who might get robbed.

So instead of catching the perpetrator, we prefer to deny moneys to communities that have a view that community policing is in their best interests and that means bringing the community in as part of that effort. These cities have made decisions across the landscape of this country—urban, suburban, and rural—to say we care more about prosecuting the crime and finding the criminal and having the witness come forward to tell us all about that crime so we can stop that person from continuing to perpetrate crimes against other people in our communities than we care about the person's status. These cities have decided they do not want a chilling effect to prevent people from reporting crime.

That is what tough law enforcement will tell you. Sheriffs will tell you, prosecutors will tell you, police chiefs will tell you, and they will tell you they want the community to participate in fighting crime. That is why we should vote to table the Vitter amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Under the previous order, the question is on agreeing to amendment No. 2630.

Mr. MENENDEZ. Mr. President, I move to table, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—61

| | | |
|---|---|---|
| Akaka | Hagan | Nelson (FL) |
| Baucus | Harkin | Pryor |
| Bayh | Inouye | Reed |
| Begich | Johnson | Reid |
| Bennet | Kaufman | Rockefeller |
| Bingaman | Kerry | Sanders |
| Boxer | Kirk | Schumer |
| Brown | Klobuchar | Shaheen |
| Burris | Kohl | Snowe |
| Cantwell | Lautenberg | Specter |
| Cardin | Leahy | Stabenow |
| Carper | Levin | Tester |
| Casey | Lieberman | Udall (CO) |
| Conrad | Lincoln | Udall (NM) |
| Dodd | McCaskill | Voinovich |
| Dorgan | Menendez | Warner |
| Durbin | Merkley | Webb |
| Feingold | Mikulski | Whitehouse |
| Feinstein | Murkowski | Wyden |
| Franken | Murray | |
| Gillibrand | Nelson (NE) | |

NAYS—38

| | | |
|---|---|---|
| Alexander | Crapo | Landrieu |
| Barrasso | DeMint | LeMieux |
| Bennett | Ensign | Lugar |
| Bond | Enzi | McCain |
| Brownback | Graham | McConnell |
| Bunning | Grassley | Risch |
| Burr | Gregg | Roberts |
| Chambliss | Hatch | Sessions |
| Coburn | Hutchison | Shelby |
| Cochran | Inhofe | Thune |
| Collins | Isakson | Vitter |
| Corker | Johanns | Wicker |
| Cornyn | Kyl | |

NOT VOTING—1

Byrd

The motion was agreed to.

Mr. MENENDEZ. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 2627

Mr. LEVIN. Mr. President, I ask unanimous consent that the pending amendment be laid aside so that I may call up, on behalf of myself and Senator COBURN, amendment No. 2627.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. COBURN, proposes an amendment numbered 2627.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure adequate resources for resolving thousands of offshore tax cases involving hidden accounts at offshore financial institutions)

At the appropriate place, insert the following:

SEC. _____. (a) IN GENERAL.—The Attorney General shall direct sufficient funds to the Tax Division, including for hiring additional personnel, to ensure that the thousands of civil and criminal cases pending or referred during the 2010 fiscal year to the Tax Division or to an Office of a United States Attorney related to a United States person who owes taxes, interest, or penalties in connection with a foreign financial account at an offshore financial institution or who assisted in the establishment or administration of such an account are—

(1) acted on in a prompt fashion by a Federal prosecutor or attorney;

(2) resolved within a reasonable time period; and

(3) not allowed to accumulate into a backlog of inactive cases due to insufficient resources.

(b) REPROGRAMMING.—If necessary to carry out this section, the Attorney General shall submit a request during the fiscal year 2010 to reprogram funds necessary for the processing of such civil and criminal cases.

Mr. LEVIN. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2647, AS MODIFIED

Mr. DURBIN. Mr. President, I ask unanimous consent that the pending amendment be set aside and I be allowed to offer an amendment to the pending legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I send an amendment to the desk and ask the clerk report the amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 2647, as modified.

Mr. DURBIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: To require the Comptroller General to review and audit Federal funds received by ACORN)

On page 203, between lines 23 and 24, insert the following:

**SEC. 533. REVIEW AND AUDIT OF ACORN FEDERAL FUNDING.**

(a) REVIEW AND AUDIT.—The Comptroller General of the United States shall conduct a review and audit of Federal funds received by the Association of Community Organizations for Reform Now (referred to in this section as ''ACORN'') or any subsidiary or affiliate of ACORN to determine—

(1) whether any Federal funds were misused and, if so, the total amount of Federal funds involved and how such funds were misused;

(2) what steps, if any, have been taken to recover any Federal funds that were misused;

(3) what steps should be taken to prevent the misuse of any Federal funds; and

(4) whether all necessary steps have been taken to prevent the misuse of any Federal funds.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the audit required under subsection (a), along with recommendations for Federal agency reforms.

Mr. DURBIN. Mr. President, this amendment relates to an organization that is controversial—an organization known as ACORN. We have seen videos in which the employees of ACORN were alleged to have said despicable things, and in fact, on those tapes, did say despicable things. The employees in question have been fired by their organization, and ACORN is being investigated by several State and Federal agencies because of their misconduct and potential misuse of government funds.

I am also troubled by the discoveries of voter registration fraud, and I am glad that ACORN reported those incidents to authorities. The employees involved have also been fired by ACORN. The actions by those employees were not tolerated, and should not be tolerated. They were inexcusable. Anyone who has broken the law should be held accountable and, if necessary, prosecuted.

ACORN deserves much of the criticism it has received for allowing this type of behavior to happen. However, although ACORN was clearly wrong, we are seeing in Congress an effort to punish ACORN that goes beyond any experience I can recall in the time I have been on Capitol Hill. We have put ourselves—with some of the pending amendments—in the position of prosecutor, judge, and jury.

Mr. President, I went to one of these old-fashioned law schools. We believed that first you have the trial, then you have the hanging. But, unfortunately, when it comes to this organization, there has been a summary execution order issued before the trial. I think that is wrong. In America, you have a trial before a hanging, no matter how guilty the party may appear. And you don't necessarily penalize an entire organization because of the sins or crimes of a limited number of employees. First, we should find out the facts.

I know ACORN is unpopular right now, and much of that scorn they deserve, but ACORN has a number of affiliated organizations. Incidentally, they are not in Illinois. They do not operate in my State. It is my understanding they have been gone for several years. But they have a number of affiliated organizations that would be affected by the approach which has been suggested, by an amendment which is pending on this legislation.

To my knowledge, we have not yet seen any review or analysis of whether the misconduct was the work of a few employees or whether the entire organization and all of its affiliates should be held responsible. There may well be entities affiliated with ACORN that are not at fault and that provide essential services to low-income communities.

Let's get to the bottom line. Why has this organization been treated differently than others? Why has it been the focus of attention? This organization focuses on poor people in America. They have registered over 1 million voters, and I am sure most people believe those voters are going to vote in a certain political way. Folks on the other side of the political equation don't care for that—1 million voters voting against them. So they have been inspiring this effort against ACORN.

Also, over the years, ACORN has been involved in many different States to improve minimum wages for poor employees—poor people who are trying to get enough money to keep their families together. That doesn't sit well with a number of businesses, and I am sure they have increased the anger of a lot of people over their conduct. They have also been involved in counseling people who are about to lose their homes to foreclosures, how to avoid predatory lenders—banks that are unscrupulous. I am sure those banks don't care for ACORN either.

So they have made their share of enemies working with and standing up for poor people across America. They have certainly made their share of mistakes. We saw that in videotapes, and we have seen it in other disclosures. But Congress should not, without careful consideration, permanently deny assistance to the thousands of people and families who have been receiving ACORN's legitimate legal help to avoid predatory lending and foreclosure because of the misconduct of a handful of employees who have been terminated by ACORN.

That is why I am proposing that we get to the bottom of this by having a thorough investigation; that Congress direct the Government Accountability Office to review and report back to us within 180 days on whether any Federal funds have been misused by ACORN or its affiliates; and, if so, in what amounts and in what ways.

This doesn't stop this administration from deciding not to use the services of this organization when it comes to taking the census. The Obama administration announced they were not going to use this organization. That is within their right to do. I am not questioning that decision. But the efforts by Members on the Senate floor have gone far beyond any agency's single decision. They have tried to blackball this organization and say it shouldn't do any work of any kind in any capacity before we have thoroughly investigated the charges that have been raised against it.

The report I have called for should also identify the steps necessary to correct any deficiencies, along with an assessment of whether all necessary steps have been taken to prevent any future misuse of Federal funds. The GAO will be able to conduct a government-wide review—not just one agency—looking at any funds ACORN or its affiliates have received from any Federal agency. It will be a complete and comprehensive review and investigation.

I am not excusing ACORN or its employees for any misconduct. To the contrary, I think they should be held accountable, particularly for the misuse of any Federal funds, if it occurred. But if we get into the business of passing bills and resolutions against unpopular people or organizations, this is a road we ought to carefully travel. There are a lot of companies and organizations out there that have received government funding and that have had employees commit fraud or other despicable acts.

I found it curious, the level of anger and the level of interest when it comes to ACORN. Yet when it turned out that Kellogg Brown & Root—a subsidiary of Halliburton, which was a sole-source contractor during our war in Iraq—was found to have been involved in conduct that led to shoddy workmanship and which cost the life of an American soldier by electrocution and endangered many others; when this same organization was involved in supplying water supplies and sources to our troops that were dangerous; when in fact there was evidence of sexual harassment, I didn't see the same level of anger coming from the media or from my colleagues on the floor of the Senate. No. But when it comes to ACORN, registering poor people to vote, then we have to take action.

We need an approach that can stand the test of time and the test of justice. My approach is based on some pretty fundamental American principles, calling for this GAO study and investigation. First, individuals should be held accountable for their actions. Second, organizations—and I might add corporations too—should be held accountable for the policies they set. Third, organizations and corporations should not be permanently cut off based on the actions of individual employees who violated the organizational policy and were fired.

There should be a process for addressing wrongs and moving forward with

policies that will prevent future misdeeds. That isn't a new idea, it is a very old idea. It is the American system of justice. So let's let the Government Accountability Office get to the bottom of this. Let's make sure we have done our due diligence; have a thorough, complete, honest and accurate, fair investigation before we pass laws that turn us into judges and juries.

The report I am calling for will provide us with the guidance we need. Let's follow the facts. Let's not follow our passions. It is a clear call for accountability from the Government Accountability Office when it comes to this organization of ACORN. I urge my colleagues to support it.

Mr. President, I yield the floor.

Mr. INOUYE. Mr. President, I submit pursuant to Senate rules a report, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the committee report which accompanies H.R. 2847 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending bill.

Mr. BEGICH. Mr. President, I wish to speak on an amendment I have filed with my colleague from Alaska, Senator MURKOWSKI.

This amendment will repeal a provision contained in the Commerce, Justice, and Science Appropriations bill each year since 2004, which has prevented tribes in certain areas of Alaska—and only in Alaska—from receiving any Federal funds to support their programs. This rider was added several years ago as part of a dispute over tribal sovereignty, but I join with Senator MURKOWSKI to say to our colleagues that whatever the merits of the past dispute, this provision is having real and adverse impacts on the administration of justice in Alaska.

Perhaps no place is seeing the negative impacts of this policy quite as acutely as Sitka, AK. This provision is currently harming the efforts of the Sitka Tribe of Alaska to work with the judicial system of the State of Alaska, and everyone in that part of the State—Alaska Native or not—is paying the price.

The Sitka Tribe has been working with the State of Alaska's court system to create a collaborative effort to battle substance abuse in their community. Tribal leaders and local court officials created the Tribal Youth Diversion Effort, TYDE, which currently takes on the nonviolent drug possession cases of both native and non-native minors, rather than forcing local youth to go through the State court system. This program has reduced the caseload of the both the State courts and city attorney. Perhaps even more importantly, the TYDE program provides the youth with a comprehensive program to deal with substance abuse. It is a successful program, and both tribal leaders and local criminal justice officials would like the opportunity for the Sitka Tribe to receive Federal funds to support and expand their important work.

Currently, because of this 2004 rider, the Sitka Tribe cannot receive any Department of Justice funding for their programs. I believe we should do more to support local programs such as the TYDE in their efforts to prevent alcohol and drug abuse. This is a problem for American youth wherever they live, but it is an especially devastating circumstance for Alaska Natives. Tribal governments in the lower 48 do not face similar restrictions, and along with my colleague Senator MURKOWSKI, I respectfully request that my colleagues support this important amendment.

## MORNING BUSINESS

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## REMEMBERING SENATOR TED M. KENNEDY

Mr. CASEY. Mr. President, today we remember our colleague and our friend Senator Ted Kennedy. There are few people alive today whose lives have not been impacted by the work of Senator Kennedy.

A brilliant legislator, Senator Kennedy championed bipartisanship and compromise to leave behind an incomparable record. In his 45 plus years in the U.S. Senate, he authored over 2,500 bills and several hundred became law. Today, people with disabilities cannot be discriminated against in the workplace because of Senator Kennedy. Women must be paid the same as men for the same work because of Senator Kennedy. And low-income children have access to health care because of Senator Kennedy.

Like his brothers before him, Senator Kennedy challenged young people across America and around the world to devote their lives to something more than just themselves and lead by example. Whether it was championing civil rights legislation in the 1960s, condemning apartheid in South Africa before it became politically popular to do so, promoting the need for early childhood education or advocating for health care, Senator Kennedy led the charge.

Senator Hubert Humphrey once said that the moral test of government is how it treats those in the dawn of life, our children, those in the twilight of life, our older citizens, and those in the shadows of life, people with disabilities, the homeless, the dispossessed. Senator Kennedy took up the causes of these Americans as his own. The poor, the powerless and the forgotten lost an ever-faithful protector and their tireless advocate.

On a personal note, I recall in early 2007, during my first weeks in the Senate, Senator Kennedy gave me and other freshman Senators floor time to speak about increasing the minimum wage. In early 2009, when I was named to the HELP Committee, Senator Kennedy called to welcome me to the committee and invited me to hold field hearings in Pennsylvania on issues like health care and education. I will never forget his courtesy and the respect he showed to fellow Senators.

In closing, I am reminded of the words Senator Kennedy spoke about Mike Mansfield when the majority leader retired:

> No one in this body personifies more nearly than Mike Mansfield the ideal of the Senate. Wisdom, integrity, compassion, fairness, humanity—these virtues are his daily life. He inspired all of us, Democrat and Republican, by his unequalled example. He could stretch this institution beyond its ordinary ability, as easily as he could shame it for failing to meet its responsibility.

The same can be said about Senator Kennedy. We will miss him in this Chamber, but we will never forget the lessons he taught us or the legacy he leaves behind.

## HONORING OUR ARMED FORCES

SPECIALIST PAUL E. ANDERSEN

Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the life of SPC Paul E. Andersen from South Bend, IN. Paul was 49 years old when he lost his life on October 1, 2009, due to injuries sustained from indirect fire in Baghdad, Iraq. He was a member of the 855th Quartermaster Company, U.S. Army Reserve, South Bend.

Today, I join Paul's family and friends in mourning his death. He will forever be remembered as a loving husband, father, and friend to many. Paul is survived by his wife Linda, children, grandchildren, and extended family.

Paul joined the Army in 1984. In November of 2008, he began his second tour in Iraq. Paul was a Michiana native who grew up in Elkhart and graduated from Buchanan High School in 1979. For the past 8 years he was living and working in South Bend. He loved his wife Linda deeply and returned home on leave this past August to celebrate their fifth wedding anniversary. Family members say he lived to be in the service and loved military life. Though he was scheduled to return from Iraq in early November, Paul had expressed a strong desire to stay in Iraq for another year. Just prior to his death, he had reenlisted for the next 6 years. His family takes comfort in the idea that he died doing what he loved most.

While we struggle to express our sorrow over this loss, we can take pride in

the example Paul set as a soldier, father, and grandfather. Today and always, he will be remembered by family, friends and fellow Hoosiers as a true American hero, and we cherish the legacy of his service and his life.

It is my sad duty to enter the name of Paul E. Andersen in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. I pray that Paul's family can find comfort in the words of the prophet Isaiah, who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Paul.

## ADVANCED TACTICAL LASER

Mr. BINGAMAN. Mr. President, under paragraph 9 of rule XLIV of the Standing Rules of the Senate, I am here by submitting a description of Senate amendment No. 2605 that was accepted by unanimous consent to H.R. 3326 as follows:

Item: Additional User Evaluation and System Study for Advanced Tactical Laser (ATL)

Request Amount: $5.0M.

Requestor: Boeing Corporation

Address: Boeing—SVS, 4411 The 25 Way NE #350, Albuquerque, NM 87109–5858

Suggested Location of Performance (major portion of the work): Albuquerque, NM.

Senate amendment No. 2605 proposes to allocate up to $5 million consistent with the Air Force Scientific Advisory Board report entitled ''The Airborne Tactical Laser (ATL) Feasibility for Gunship Operations'' to conduct additional enhanced user evaluation of the ATL and enter into an agreement with a federally funded research and development center to conduct a system analysis of integrating solid state laser systems onto C–130, B–1, and F–35 platforms for the purpose of close air support. Such system study shall estimate per unit costs of such laser systems as well costs to operate and maintain each platform with the laser system.

Why Spending is in Interest to the Taxpayer: The Air Force Scientific Advisory Board report entitled ''The Airborne Tactical Laser (ATL) Feasibility for Gunship Operations'' made a number of recommendations regarding the advanced tactical laser. In addition to phasing out the ATL chemical laser system and transitioning to an electric laser system, the board recommended that additional enhanced user evaluations take place of the integrated laser-gunship system so that the most data possible can be collected of the funds spent to date on operational aspects of the tactical laser system regardless of laser characteristics. In addition, the board questioned the utility of placing tactical laser systems on high-speed platforms such as the F–35 and B–1, which were not designed for low speed, long-loiter close air support missions and recommended a system study of the available platforms to understand the cost per unit of integrating the laser onto each platform as well as long-term operations and maintenance costs with each integrated system. Senate amendment No. 2605 carries out the recommendations of the board to get the best benefit of the taxpayer's dollar spent to date and into the future on tactical laser systems under development by the Air Force.

I ask unanimous consent to have printed in the RECORD a letter dated October 7, 2009.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
*Washington, DC, October 7, 2009.*

Hon. DANIEL INOUYE,
*Chairman, Committee on Appropriations, Subcommittee on Defense, Senate Appropriations Committee, Senate Dirksen Office Building, Washington, DC.*

Hon. THAD COCHRAN,
*Vice Chairman, Committee on Appropriations, Subcommittee on Defense, Senate Appropriations Committee, Senate Dirksen Office Building, Washington, DC.*

DEAR CHAIRMAN INOUYE AND VICE-CHAIRMAN COCHRAN: On October 6th, the Senate adopted by unanimous consent Senate Amendment 2605, which proposes to allocate up to $5 million Consistent with the Air Force Scientific Advisory Board report entitled ''The Airborne Tactical Laser (ATL) Feasibility for Gunship Operations'' to conduct additional Enhanced User Evaluation of the ATL and enter into an agreement with a Federally Funded Research and Development Center to conduct a system analysis of integrating solid state laser systems onto C–130, B–1 and F–35 platforms for the purpose of close air support.

I certify that neither I nor my immediate family has a pecuniary interest in this congressionally directed spending item, consistent with the requirements of paragraph 9 of Rule XLIV of the Standing Rules of the Senate. I further certify that I have submitted a description of the amendment in the Congressional Record and on my official website, along with the accompanying justification. If you have any questions, contact Dr. Jonathan S. Epstein on my staff.

Sincerely,

JEFF BINGAMAN,
*U.S. Senator.*

## REMEMBERING BELLE ACKERMAN LIPMAN

Mr. LEVIN. Mr. President, I wish to remember the life of an extraordinary woman. Belle Ackerman Lipman passed away at her home in Memphis, TN, on August 17, 2009, in the 100th year of her remarkable life. A beloved wife, mother, grandmother, great-grandmother, and friend, Mrs. Lipman is a model for all of us who hope to live life fully and for all the years granted us.

A daughter of Romanian immigrants, Belle Ackerman was born in 1910 in Philadelphia, where her parents owned a general store. Just five blocks away from the store lived young Mark Lipman, who would become the love of Belle's life. The businessman and his young wife moved not long after their marriage to Little Rock, AR, where Mark saw new business opportunities, and then in 1958 to Memphis, TN. There, Belle Lipman became a pillar of the community. Her work in civic affairs was extensive. She was president of the Little Rock chapter of Hassadah, the worldwide Jewish women's organization, among a host of endeavors in charity, service and the arts.

But it is not those remarkable accomplishments alone that made Belle Lipman such a special woman. As years passed, her zest for life, for new experience, and to learn of new cultures grew apace. A lifelong interest in travel made her one of the first American citizens to travel to China after diplomatic relations with that nation were reestablished in 1979. Her travels took her to a hot-air balloon over the plains of Kenya, the rivers of the Amazon, and the ancient cities of Peru. She rode the Orient Express at the age of 87. At 92, she crossed the Arctic Circle. At 95, she visited the mountains of Tibet and a host of other places. At her 95th birthday party, she celebrated the only way she knew how, with verve by dancing the Charleston.

Belle Lipman was a model—a model of how to live life to the fullest and how a thirst for new experiences can fill a lifetime. My wife Barbara and I send our condolences to her beloved children, her son Ira and her daughter Carol, her grandchildren, and her great-grandchildren. We do so with the sure knowledge that the joy of Belle Lipman's life will over time ease the pain of her passing, leaving the warmest of memories to sustain family and friends.

## ADDITIONAL STATEMENTS

### TRIBUTE TO LOUISIANA WWII VETERANS

• Ms. LANDRIEU. Mr. President, I am proud to honor a group of 90 World War II veterans from all over Louisiana who traveled to Washington, DC, on September 26 to visit the various memorials and monuments that recognize the sacrifices of our Nation's invaluable service members.

Louisiana HonorAir, a group based in Lafayette, LA, sponsored this trip to the Nation's Capital. The organization is honoring surviving World War II Louisiana veterans by giving them an opportunity to see the memorials dedicated to their service. The veterans visited the World War II, Korea, Vietnam, and Iwo Jima Memorials. They also traveled to Arlington National Cemetery.

This was the first of three flights Louisiana HonorAir made to Washington, DC, this fall. It is the 18th flight to depart from Louisiana, which has sent more HonorAir flights than any other State to the Nation's Capital.

World War II was one of America's greatest triumphs but was also a conflict rife with individual sacrifice and tragedy. More than 60 million people worldwide were killed, including 40 million civilians, and more than 400,000 American service members were slain during the long war. The ultimate victory over enemies in the Pacific and in Europe is a testament to the valor of American soldiers, sailors, airmen, and marines. The years 1941 to 1945 also witnessed an unprecedented mobilization of domestic industry, which supplied our military on two distant fronts.

In Louisiana, there remain today about 30,000 living WWII veterans, and each one has a heroic tale of achieving the noble victory of freedom over tyranny. This group had 25 veterans who served in the U.S. Army, 19 in the Army Air Corps, 29 in the Navy, 11 in the Marine Corps, 2 in the Merchant Marines, 2 in the Coast Guard, and 2 were Army nurses.

Our heroes, many of them from South Louisiana, trekked the world for their country. They fought in Germany, Holland, France, Italy, Africa, Guam, Bougainville, Guadalcanal, Iwo Jima, Okinawa, the Philippines, New Guinea, Japan and Saipan. Their journeys included the invasions of North Africa, Sicily, and Normandy.

One of our Army Air Corps veterans was declared missing in action for 58 days in Yugoslavia after bailing out of his aircraft. Another Army veteran fought bravely in the Battle of the Bulge, while an Army Air Corps veteran made the Bataan Death March and spent 5 years in prison camps before being liberated on August 17, 1946.

One Navy veteran earned a Gold star, Bronze star, and Hazardous Award for his service in the Pacific. An Army Air Corps veteran fought in Europe, Africa, and the Middle East where he received an Air Medal, three oak leaf clusters, and a Distinguished Unit Badge for his outstanding service.

A Navy veteran earned seven campaign stars and was in Tokyo Bay the morning of the Japanese surrender. Another veteran served as part of the 101st Airborne, fighting in Holland, Bastogne, Alsace, Ruhr, and Berchesgarten.

I am also proud to acknowledge that of the 90 veterans who visited Washington this past weekend, 5 were women who served our country with honor and distinction during World War II. Three brothers also made the trip together.

I ask the Senate to join me in honoring these 90 veterans, all Louisiana heroes, who visited Washington, and Louisiana HonorAir for making these trips a reality.●

## RECOGNIZING REED & REED, INC.

● Ms. SNOWE. Mr. President, as our Nation increases its efforts to be more environmentally friendly, individuals, families, and businesses, both large and small, wisely continue to invest in green energy innovation. As we enter an exciting era of remarkable technological advances that will change the course of America forever, we are creating a more energy efficient and competitive Nation. I wish to recognize a small contracting firm from my home State of Maine that has become a leader in the promising field of wind power technology.

Located in the small midcoast town of Woolwich, Reed & Reed, Inc., is a general contracting company that focuses on a wide array of projects ranging from bridge construction to wind power services. Founded in 1928, the company was a partnership of Captain Josiah W. Reed and his son, Carlton Day Reed, with a mere $2,000 capital investment. Presently run by two Colby College graduates, president and CEO Jackson A. Parker and treasurer Thomas C. Reed, Reed & Reed is well positioned to remain the premier wind power services contractor in New England for decades to come.

Throughout its storied history, Reed & Reed has been at the center of numerous critical projects across the region. From its early focus on constructing bridges, to more recent ventures including commercial buildings, marine terminals, and industrial facilities, the company has built a strong reputation based on the expansive breadth of its work. Among other efforts, Reed & Reed has helped construct facilities at the Brunswick Naval Air Station and Portland's International Ferry Terminal and has been involved in several transportation construction projects, including repairs to bridges on Maine's interstate highways and the Maine Turnpike Widening Project earlier this decade. One of the more impressive projects Reed & Reed has been associated with is the historic Penobscot Narrows Bridge, only the second cable-stayed bridge in all of New England and a massive accomplishment in its own right. Additionally, the company earned numerous recognitions and awards for this monumental task, including an Outstanding Civil Engineering Achievement Award from the American Society of Civil Engineers.

Reed & Reed has most recently taken the leading role in several wind power service projects in various spots across Maine. The firm is presently at work on the Kibby Mountain Wind Power Project, slated for completion 1 year from now. And Reed & Reed was at the heart of what is now Maine's largest wind power producer, the Stetson Mountain Project, which was completed last year in Danforth.

Earlier this year, the Maine Development Foundation selected Reed & Reed as one of its Champions of Economic Development because of the company's broad commitment to economic growth in Maine, high professional standards, and innovativeness. Among countless other awards, Reed & Reed has also received seven Build Maine Awards from the Associated General Contractors of Maine, the most recent in recognition of the firm's extraordinary efforts on the Stetson wind project. Awarded based on a firm's innovation, environmental sensitivity, safety record, and general excellence, the Build Maine Award is a truly fitting tribute to Reed & Reed's superior quality of work.

Of note, leaders from Reed & Reed recently visited Spain and Germany with Maine Governor John Baldacci and other wind industry representatives as part of a weeklong trade mission. The trip provided a prime opportunity to showcase Maine's emergence as a leader in wind power, and it was a tremendous honor for such a deserving company to be invited to participate.

A name synonymous with ingenuity, Reed & Reed is leading Maine and New England into a new frontier of innovation and environmental responsibility. I commend Messrs. Parker and Reed, and everyone at Reed & Reed, for eight decades of unparalleled work in a variety of fields and wish them continued success in their multiple endeavors.●

## RECOGNIZING LOUISVILLE, COLORADO

● Mr. UDALL of Colorado. Mr. President, today I congratulate the city of Louisville, CO, for being named recently as the top place to live in the Nation by Money Magazine. I know that Colorado is home to many amazing towns, cities and communities. It would be nearly impossible to choose which among them is the top place to live, but I am proud that Louisville received this prestigious honor.

Every 2 years, Money Magazine releases a ranking of cities under 50,000 residents. In compiling these rankings, the editors consider factors such as economic opportunity, schools, affordability of homes, crime rates, and entertainment options for families. This year marks the third consecutive time Louisville has made the list, ranking fifth in 2005 and third in 2007.

In addition to the usual factors, this year's survey had an added component. People from around the nation said that the availability of great jobs was the most important factor to them when deciding where to live. This does not come as a surprise to any of us, but makes Louisville's ranking all that much more impressive for Colorado. While Louisville has certainly seen the effects of the economic downturn, it has been able to continue to support and attract cutting-edge businesses. ConocoPhillips is an example of just one business that has recently decided to put down roots in Louisville, where it plans to build a renewable energy and new technologies research facility. The businesses located in Louisville's Tech Center continue be at the forefront of Colorado's high-tech development, and those located on Louisville's historic Main Street support jobs while continuing traditions started generations ago.

But more than its ability to attract businesses and jobs, the heart of Louisville and what makes it the top place to live is its solid community and commitment to the outdoors. Louisville supports a vibrant summer farmers' market and Friday night Street Faire, which brings to town musical acts from across the West. Earlier this summer, the annual Louisville Fourth of July celebration included the traditional fireworks show and a giveaway of 4,000 hot dogs and bratwursts cooked by the mayor and city council, part of a longstanding tradition. Money Magazine also remarked on Louisville's share of the legendary Colorado sunshine and beautiful open spaces. In a town of 18,000 residents, Louisville has over 2000 acres of open space, 26 parks and nearly 30 miles of trails, most with panoramic views of the Front Range Mountains.

I congratulate both Louisville and the town of Superior, CO, which earned a ranking of 13th on the list. We know that Coloradans are proud of their outstanding communities, and it is only appropriate that Colorado is home to the ''Best Place to Live'' in the Nation. Congratulations again to the residents of Louisville.●

## MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

## EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Commerce, Science, and Transportation.

(The nomination received today is printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

### ENROLLED BILL SIGNED

At 9:32 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3663. An act to amend title XVIII of the Social Security Act to delay the date on which the accreditation requirement under the Medicare Program applies to suppliers of durable medical equipment that are pharmacies.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

### ENROLLED BILLS SIGNED

The President pro tempore (Mr. BYRD) reported that he had signed the following enrolled bills, previously signed by the Speaker of the House:

H.R. 1687. An act to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the ''Ralph Regula Federal Building and United States Courthouse''.

H.R. 2053. An act to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse''.

H.R. 2121. An act to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.

H.R. 2498. An act to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the ''William O. Lipinski Federal Building''.

H.R. 2913. An act to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse''.

S. 1289. An act to improve title 18 of the United States Code.

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At 10:06 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to section 4 of the Ronald Reagan Centennial Commission Act of 2009 (Public Law 111–25), the Speaker appoints as members of the Ronald Reagan Centennial Commission the following Members on the part of the House: Mr. FOSTER of Illinois and Mr. MOORE of Kansas.

At 11:24 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 42: Concurrent resolution providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama.

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At 12:56 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagree to the amendment of the Senate to the bill (H.R. 2647) entitled ''An Act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes.'', and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that the following Members be the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. SKELTON, SPRATT, ORTIZ, TAYLOR, ABERCROMBIE, REYES, SNYDER, SMITH of Washington, Ms. LORETTA SANCHEZ, Messrs. MCINTYRE, BRADY of Pennsylvania, ANDREWS, Mrs. DAVIS of California, Messrs. LANGEVIN, LARSEN of Washington, COOPER, MARSHALL, Ms. BORDALLO, Messrs. MCKEON, BARTLETT, THORNBERRY, JONES, AKIN, FORBES, MILLER of Florida, WILSON of South Carolina, LOBIONDO, BISHOP of Utah, TURNER and WITTMAN;

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. REYES, SCHIFF and HOEKSTRA;

From the Committee on Education and Labor, for consideration of sections 243, 551–553, 585, 2833 and 2834 of the House bill and sections 531–534 and 3136 of the Senate amendment, and modifications committed to conference: Ms. WOOLSEY, Mr. ALTMIRE and Mrs. BIGGERT;

From the Committee on Energy and Commerce, for consideration of sections 247, 315 and 601 of the House bill and sections 311, 601, 2835 and 3118 of the Senate amendment, and modifications committed to conference: Messrs. WAXMAN, MARKEY of Massachusetts and BARTON of Texas;

From the Committee on Foreign Affairs, for consideration of sections 812, 907, 912, 1011, 1013, 1046, 1201, 1211, 1213–1215, 1226, 1230A, 1231, 1236, 1239, 1240, title XIII, sections 1513, 1516, 1517, and 2903 of the House bill and sections 1021, 1023, 1201–1203, 1205–1208, 1211–1214, subtitle D of title XII, title XIII and section 1517 of the Senate amendment, and modifications committed to conference: Messrs. BERMAN, ACKERMAN and Ms. ROS-LEHTINEN;

From the Committee on Homeland Security, for consideration of section 1101 of the House bill, and modifications committed to conference: Mr. THOMPSON of Mississippi, Ms. TITUS and Mr. BILIRAKIS;

From the Committee on House Administration, for consideration of subtitle H of title V of the Senate amendment, and modifications committed to conference: Messrs. CAPUANO, GONZALEZ and LUNGREN of California;

From the Committee on the Judiciary, for consideration of sections 583, 584, 1021 and 1604 of the House bill and sections 821, 911, 1031, 1033, 1056, 1086 and division E of the Senate amendment, and modifications committed to conference: Mr. NADLER of New York, Ms. ZOE LOFGREN of California and Mr. GOHMERT;

From the Committee on Natural Resources, for consideration of sections 1091 and 2308 of the Senate amendment, and modifications committed to conference: Messrs. RAHALL, FALEOMAVAEGA and HASTINGS of Washington;

From the Committee on Oversight and Government Reform, for consideration of sections 321, 322, 326–329, 335, 537, 666, 814, 815, 834, 1101–1107, 1110–1113 and title II of division D of the House bill and sections 323, 323A–323C, 814, 822, 824, 901, 911, 1056, 1086, 1101–1105 and 1162 of the Senate amendment, and modifications committed to conference: Messrs. TOWNS, LYNCH and FORTENBERRY;

From the Committee on Science and Technology, for consideration of sections 248, 819, 836, and 911 of the House bill and sections 801, 814, 833, 834, 912 and division F of the Senate amendment, and modifications committed to

conference: Messrs. GORDON of Tennessee, WU and SMITH of Nebraska;

From the Committee on Small Business, for consideration of section 830 of the House bill and sections 833, 834, 838, 1090 and division F of the Senate amendment, and modifications committed to conference: Ms. VELÁZQUEZ and Messrs. NYE and GRAVES;

From the Committee on Transportation and Infrastructure, for consideration of sections 315, 601 and 2811 of the House bill and sections 311, 601, 933, 2835, 8301, 6002, 6007, 6008, 6012 and 6013 of the Senate amendment, and modifications committed to conference: Mr. CUMMINGS, Ms. RICHARDSON and Mr. MICA;

From the Committee on Veterans Affairs, for consideration of sections 525, 583, 584 and section 121 of division D of the House bill and sections 573–575, 617, 711, subtitle E of title X, sections 1084 and 1085 of the Senate amendment, and modifications committed to conference: Messrs. RODRIGUEZ, DONNELLY of Indiana and BUYER.

Ordered further, that pursuant to clause 11 of rule I, the Speaker removes the gentleman from Texas, Mr. REYES, as a conferee from the Permanent Select Committee on Intelligence in the conference on disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2647) entitled ''An Act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes.'' and appoints the gentleman from Florida, Mr. ALCEE HASTINGS, to fill the vacancy.

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At 6:22 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House 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. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 7, 2009, she had presented to the President of the United States the following enrolled bill:

S. 1289. An act to improve title 18 of the United States Code.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3265. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to proposed changes to its Fiscal Year 2008 National Guard and Reserve Equipment Appropriation from the Fiscal Year 2008 Department of Defense Appropriations Act; to the Committee on Armed Services.

EC–3266. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to current military, diplomatic, political, and economic measures that are being or have been undertaken to complete our mission in Iraq successfully; to the Committee on Armed Services.

EC–3267. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Federal Home Loan Bank Boards of Directors: Eligibility and Elections Final Rule'' (RIN2590–AA03) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3268. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Post-Employment Restriction for Senior Examiners'' (RIN2590–AA19) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3269. A communication from the Acting Director, Office of Civilian Radioactive Waste Management, Department of Energy, transmitting, pursuant to law, the Office's 2008 Annual Report to Congress; to the Committee on Energy and Natural Resources.

EC–3270. A communication from the Acting Administrator, General Services Administration, Department of Defense and National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to additional lease prospectuses that support the U.S. General Services Administration's Fiscal Year 2010 Capital Investment and Leasing Program; to the Committee on Environment and Public Works.

EC–3271. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009–2010 Per Diem Rates'' (Rev. Proc. 2009–47) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Finance.

EC–3272. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance on 2009 Required Minimum Distributions'' (Notice 2009–82) received in the Office of the President of the Senate on October 1, 2009; to the Committee on Finance.

EC–3273. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier III–Industry Director Directive–Field Directive on the Planning and Examination of IRC Section 263A Issues in the Auto Dealership'' (LMSB–04–0909–035) received in the Office of the President of the Senate on October 1, 2009; to the Committee on Finance.

EC–3274. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Genetic Information Nondiscrimination Act'' (RIN1545–BI03) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Finance.

EC–3275. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 066–09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–3276. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 092–09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–3277. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 103–09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–3278. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 105–09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–3279. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a Selected Acquisition Report relative to the Average Procurement Unit Cost for the E–2D Advanced Hawkeye program; to the Committee on Foreign Relations.

EC–3280. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Lake Ontario Ordnance Works, Niagara Falls, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–3281. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Norton Company, Worcester, Massachusetts, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–3282. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report relative to the People's Counsel Agency Fund for Fiscal Year 2004; to the Committee on Homeland Security and Governmental Affairs.

EC–3283. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report relative to the People's Counsel Agency Fund for Fiscal Year 2003; to the Committee on Homeland Security and Governmental Affairs.

EC–3284. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule

entitled ''General Schedule Locality Pay Areas'' (RIN3206–AL27) received in the Office of the President of the Senate on October 1, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–3285. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Services, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure'' (RIN0648–XR32) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3286. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Services, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Gear Requirements for the U.S./Canada Management Area'' (RIN0648–XR42) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3287. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Services, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2009 Winter II Quota'' (RIN0648–XQ56) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3288. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Services, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure of the July–December 2009 Commercial Fishery for Vermillion Snapper in South Atlantic'' (RIN0648–XR06) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3289. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; Compensation to Federal Commercial Bottomfish and Lobster Fishermen Due to Fishery Closures in the Papahanaumokuakea Marine National Monument, Northeastern Hawaiian Islands'' (RIN0648–AW52) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3290. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Services, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels in the Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XR78) received in the Office of the President of the Senate on October 2, 2009; to the Committee on Commerce, Science, and Transportation.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*M. Patricia Smith, of New York, to be Solicitor for the Department of Labor.

*William E. Spriggs, of Virginia, to be an Assistant Secretary of Labor.

*Joseph A. Main, of Virginia, to be Assistant Secretary of Labor for Mine Safety and Health.

*Regina M. Benjamin, of Alabama, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1759. A bill to authorize certain transfers of water in the Central Valley Project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LAUTENBERG (for himself and Mrs. GILLIBRAND):

S. 1760. A bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself and Mr. VITTER):

S. 1761. A bill to provide an extension of the low-income housing credit placed-in-service date requirement for certain disaster areas; to the Committee on Finance.

By Mr. BROWNBACK (for himself and Mr. BROWN):

S. 1762. A bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health and the Centers for Disease Control and Prevention with respect to translational research and related activities concerning Down syndrome, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BUNNING (for himself, Mr. JOHANNS, Mr. DEMINT, Mr. CRAPO, Mr. VITTER, Mr. THUNE, Mr. RISCH, Mr. GREGG, Mr. GRASSLEY, Mr. WICKER, Mr. ENSIGN, Mr. COBURN, Mr. INHOFE, Mr. SESSIONS, Mr. VOINOVICH, Mr. CHAMBLISS, Mr. CORNYN, Mr. BROWNBACK, Mr. BARRASSO, Mr. ENZI, Mr. BURR, Mr. CORKER, Mr. KYL, Mr. MCCAIN, Mr. ALEXANDER, and Mr. ROBERTS):

S. Res. 307. A resolution to require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate; to the Committee on Rules and Administration.

By Mr. SHELBY (for himself and Mrs. LINCOLN):

S. Res. 308. A resolution recognizing and supporting the goals and ideals of National Runaway Prevention Month; considered and agreed to.

By Mrs. MURRAY (for herself, Mr. COCHRAN, Mr. DODD, Ms. MIKULSKI, Mr. FEINGOLD, Ms. COLLINS, Mr. BAYH, and Mrs. GILLIBRAND):

S. Con. Res. 46. A concurrent resolution recognizing the benefits of service-learning and expressing support for the goals of the National Learn and Serve Challenge; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 497

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 497, a bill to amend the Public Health Service Act to authorize capitation grants to increase the number of nursing faculty and students, and for other purposes.

S. 500

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 500, a bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions.

S. 524

At the request of Mr. FEINGOLD, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 524, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

S. 526

At the request of Mrs. MCCASKILL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 526, a bill to provide in personam jurisdiction in civil actions against contractors of the United States Government performing contracts abroad with respect to serious bodily injuries of members of the Armed Forces, civilian employees of the United States Government, and United States citizen employees of companies performing work for the United States Government in connection with contractor activities, and for other purposes.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first—time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 653

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 819

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 819, a bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families.

S. 883

At the request of Mr. KERRY, the names of the Senator from Delaware (Mr. CARPER), the Senator from Idaho (Mr. CRAPO), the Senator from Montana (Mr. BAUCUS) and the Senator from Massachusetts (Mr. KIRK) were added as cosponsors of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 991

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 991, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a rule of naturalization under article I, section 8, of the Constitution.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1076

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1197

At the request of Mr. DORGAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1197, a bill to establish a grant program for automated external defibrillators in elementary and secondary schools.

S. 1273

At the request of Mr. DORGAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1273, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1379

At the request of Mr. THUNE, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1379, a bill to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities.

S. 1382

At the request of Mr. DODD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1583

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1583, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2014, and for other purposes.

S. 1628

At the request of Mr. UDALL of Colorado, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 1628, a bill to amend title VII of the Public Health Service Act to increase the number of physicians who practice in underserved rural communities.

S. 1660

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1660, a bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 1685

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1685, a bill to provide an emergency benefit of $250 to seniors, veterans, and persons with disabilities in 2010 to compensate for the lack of a cos-of-living adjustment for such year, and for other purposes.

S. 1688

At the request of Mr. BENNETT, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1688, a bill to prevent congressional reapportionment distortions by requiring that, in the questionnaires used in the taking of any decennial census of population, a checkbox or other similar option be included for respondents to indicate citizenship status or lawful presence in the United States.

S. 1694

At the request of Mr. ROCKEFELLER, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1694, a bill to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1728

At the request of Mrs. MCCASKILL, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 1728, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyer credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

S. 1731

At the request of Mr. REED, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1731, a bill to require certain mortgagees to make loan modifications, to establish a grant program for State and local government mediation programs, to create databases on foreclosures, and for other purposes.

AMENDMENT NO. 2601

At the request of Mr. SANDERS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 2601 proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1759. A bill to authorize certain transfers of water in the Central Valley

Project, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senator BOXER to introduce the Water Transfer Facilitation Act of 2009.

The measure should reduce unnecessary delays in water transfers at a time when Central Valley farmers have been hard hit by a 3-year drought. It would allow new water transfers of roughly 250,000 to 300,000 acre-feet of water per year, depending on the rainfall that year.

Here is how the bill would work: it would grant new authority to the Bureau of Reclamation to approve water transfers between sellers and buyers in the San Joaquin Valley. The measure also would streamline environmental reviews for Central Valley water transfers by ensuring that they occur on a programmatic basis, instead of project-by-project basis as is current practice.

Here is why we need this bill: this past water year, South of Delta agriculture users received 10 percent of their contractual allocation from the Central Valley Project. At the same time others in the San Joaquin Valley, such as the Friant Division and the exchange contractors, had a surplus of water and were willing to sell some of their water to Westlands Water District, where fields have been fallowed and communities have close to 40 percent unemployment—yet there were serious obstacles to making those transfers happen.

That is why I am introducing this bill. It will address those obstacles.

Specifically, the bill will do three things to ease the drought crisis:

First, it would authorize transfers within San Joaquin Valley between Divisions of the Central Valley Project and among contractors within a Division by removing two of the biggest obstacles to these transfers.

Water users tell me that the Bureau of Reclamation has not allowed transfers of water if the water could have been used for irrigation or stored, or if the total amount of water transferred was more than what had been received on average the 3 years prior to 1992. These two conditions previously prevented a whole host of potential transfers of water.

Neither of these restrictions is necessary for environmental reasons, and removal of these two obstacles alone could make up to 100,000 or 150,000 acre-feet of water available for transfer to the communities most in need, according to the Bureau of Reclamation.

So, this bill would explicitly grant the Bureau the authority to approve these types of East-West transfers, as long as they qualify under environmental regulations.

Second, the bill directs the Department of the Interior to facilitate transfers from the Sacramento Valley to the San Joaquin Valley by doing programmatic consideration of all the environmental concerns, rather than requiring individual review on each transfer as is current practice.

Water users and the Bureau of Reclamation estimate that this step could facilitate up to 150,000 or 200,000 acre-feet of transfers each year.

Third, the bill also requires the Bureau of Reclamation to prepare a report and recommendations on how to facilitate transfers more efficiently and expeditiously, including transfers in all directions and between the state and federal projects.

The bill is supported by a great number of water users across the Central Valley, including: Friant Water Users Authority; San Joaquin River Exchange Contractors Authority; Delta-Mendota Canal Authority; Westlands Water District; Metropolitan Water District; Glen Colusa Irrigation District; Northern California Water Association; Banta-Carbona Irrigation District; Tehama-Colusa Canal Authority; Association of California Water Agencies; Placer County Water Agency; Conaway Preservation Group; Reclamation District 2035; and San Luis Water District.

Companion legislation is also being introduced today by Representatives COSTA and CARDOZA in the House of Representatives.

There is no question that the drought and federal pumping restrictions have had huge impacts on Central Valley Agriculture.

Nearly 500,000 acres of fields have been fallowed. Fields of fruit and nut trees have been stumped and uprooted. Some farmers simply chose to forego planting their row crops at all.

The agricultural industry estimates that about $700 million in revenues have been lost.

About 21,000 agriculture jobs have been lost, nearly all in San Joaquin Valley.

For example, Mendota unemployment is currently 37.4 percent.

Workers who once tended America's ''bread basket'' are now standing in bread lines.

The impacts are not limited to agriculture:

Urban areas like Los Angeles are imposing rate hikes for non-conserving households, limiting lawn irrigation, and other conservation measures.

Municipal industrial users south of Delta are restricted to 60 percent of their contractual allocation.

The truth is that this crisis has been building for some time—and there are several causes to blame.

California's population is close to 40 million, but its water infrastructure hasn't been updated in three decades.

Due to groundwater pumping, the Central Valley lost 60 million acre-feet of groundwater since 1962.

This year, Federal agencies imposed pumping restrictions to protect endangered species—yet there is some misconception about the scope of these restrictions.

In 2009, roughly 25 percent of delivery shortages for farms and water users due to pumping restrictions, about 500,000 acre-feet.

The other 75 percent of the restrictions were due to lack of run-off, about 1.6 million acre-feet.

So, the drought is largely to blame for California's water shortages.

Invasive and non-native species are also a threat. The non-native striped bass, although a popular sport fish, are top predators on native fish like the smelt.

Pollution remains a problem, despite water quality standards. Ammonia discharge may be a problem from wastewater treatment discharge, and toxic insecticides accumulate and contribute to the deterioration of the ecosystem.

So, California's water crisis is a complicated issue that cannot be simply solved by saying ''Turn on the Pumps.''

It is clear that we need solutions for the Delta, both long-term and short-term.

I am working with my colleagues on both.

The bill we are introducing today will provide more flexibility in the system, allowing water to flow more freely around the Central Valley. Just this past water year, 600,000 acre feet were transferred around the Central Valley, and this bill will allow even more water to flow.

But transfers alone cannot provide the entire solution—they are costly, and they are still constrained by the pumping restrictions.

So this legislation is just one of several steps we are taking to provide timely relief to farmers in the San Joaquin Valley.

In the Energy and Water Appropriations bill, there is $10 million for the construction of short term projects that could provide more water supply or flexibility, including Two Gates and the Intertie.

We also provided funding for the science that will be relied on by the Bay Delta Conservation Plan—our best long-term option to restore the Delta and improve water supply.

We also included funding for water recycling projects, and are working to authorize more projects to help communities develop local water supplies based on groundwater and desalination.

Finally, there is $750,000 for the National Academy of Sciences review of the two biological opinions that currently govern water flows in the Central Valley. The independent scientific study, announced by Secretaries Salazar and Locke last week, should be completed within six months.

The National Academy study will assess whether there are other ways to provide the same protections for endangered species, while supplying more water to the drought-stricken Central Valley. And it will put to rest any lingering questions about whether pumping restrictions in the Delta are based on the best available science.

It is a critical step to moving forward with any near-term and long-term solutions for the Delta.

This bill we are introducing today is but one of several steps we are taking to address the water crisis in California.

We look forward to an early hearing on this bill, and working with others towards its passage and implementation. I thank Senator BINGAMAN for his commitment to hold an early hearing on the bill.

Mr. President, I ask that the text of the bill and the letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1759

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Water Transfer Facilitation Act of 2009''.

**SEC. 2. AUTHORIZATION OF IRRIGATION WATER TRANSFERS, CENTRAL VALLEY PROJECT.**

(a) IN GENERAL.—Subject to subsection (b), the following voluntary water transfers shall be considered to meet the conditions described in subparagraphs (A) and (I) of section 3405(a)(1) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4709):

(1) A transfer of irrigation water among Central Valley Project contractors from the Friant, San Felipe, West San Joaquin, and Delta divisions.

(2) A transfer of water among current or prior temporary or long-term water service, repayment, water rights settlement, or exchange contractors within a division of the Central Valley Project.

(b) CONDITION.—A transfer under subsection (a) shall be subject to the condition that the transfer not interfere with—

(1) the San Joaquin River Restoration Settlement Act (Public Law 111–11; 123 Stat. 1349), including the priorities described in section 10004(a)(4)(B) of that Act (123 Stat. 1350) relating to implementation of paragraph 16 of the Settlement (as defined in section 10003 of that Act (123 Stat. 1349)); and

(2) the Settlement.

**SEC. 3. FACILITATION OF WATER TRANSFERS, CENTRAL VALLEY PROJECT.**

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and the Commissioner of the Bureau of Reclamation (referred to in this section as the ''Secretary''), using such sums as are necessary, shall initiate and complete, on the most expedited basis practicable, the programmatic development of environmental documentation to facilitate voluntary water transfers within the Central Valley Project.

(b) INCLUSIONS.—The environmental documentation under subsection (a) shall include all applicable environmental reviews, permitting, and consultations, including the environmental documentation needed to address concerns with respect to the Giant Garter Snake (Thamnophis gigas).

**SEC. 4. REPORT ON CENTRAL VALLEY PROJECT WATER TRANSFERS.**

(a) IN GENERAL.—Not later than January 10, 2010, the Commissioner of the Bureau of Reclamation (referred to in this section as the ''Commissioner'') shall submit to the appropriate committees of Congress a report that—

(1) describes the status of efforts to help facilitate and improve the water transfers under this Act; and

(2) provides recommendations on ways to facilitate, and improve the process for—

(A) water transfers within the Central Valley Project; and

(B) water transfers between the Central Valley Project and State water projects.

(b) UPDATES.—Not later than July 15, 2010, and every 180 days thereafter until the Commissioner determines that no further Federal action is warranted or authorized with respect to the water transfers under this Act, the Commissioner shall update the report submitted under subsection (a).

**SEC. 5. TECHNICAL CORRECTIONS.**

Section 3405(a)(1) of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4710) is amended—

(1) in the first sentence, by striking ''transfers to'' and inserting ''transfers of''; and

(2) in subparagraph (A), by striking ''to combination'' and inserting ''or combination''.

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ASSOCIATION OF CALIFORNIA WATER AGENCIES,
*October 5, 2009.*

Re ACWA support for Water Transfer Legislation.

Senator DIANNE FEINSTEIN,
*Hart Senate Office Building,*
*Washington, DC.*
Senator BARBARA BOXER,
*Hart Senate Office Building,*
*Washington, DC*

DEAR SENATORS FEINSTEIN AND BOXER: Thank you for introducing water transfer legislation for the Central Valley Project (CVP) which ACWA is pleased to support. As California's water supply challenges multiply, this legislation can provide greater flexibility for management of CVP water supplies. As you know, ACWA's 450 public agency members are collectively responsible for 90 percent of the water delivered in California for residential and agricultural uses.

California's water supply situation is dire and worsening. Three years of below average precipitation along with heavy regulatory restrictions through the ESA and Biological Opinions, have seriously diminished California's water supplies. Under these conditions, it is essential that short term actions, such as provided by your legislation to flexibly enable water supplies to move across the San Joaquin Valley, be pursued.

Again, thank you for introducing water transfer legislation. ACWA looks forward to working with you to secure its passage in an expedited manner.

Sincerely,

TIMOTHY QUINN,
*Executive Director.*

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SAN JOAQUIN RIVER WATER AUTHORITY,
*San Joaquin, CA, October 5, 2009.*

Re Support for Transfer Legislation for the Central Valley Project.

Senator DIANNE FEINSTEIN,
*Hart Senate Office Building,*
*Washington, DC.*

DEAR SENATOR FEINSTEIN: On behalf of the San Joaquin River Exchange Contractors Water Authority (Exchange Contractors), we thank you for introducing transfer legislation for the Central Valley Project (CVP) and we support your efforts and this legislation as a means of providing greater flexibility for management of CVP water supplies.

The diminished water deliveries to the CVP as a result of various regulatory restrictions, including the most recent delta smelt and salmon Biological Opinions and three years of below average precipitation statewide, have, as you know, created a desperate situation in the San Joaquin Valley.

While long-term solutions are being sought, numerous short term efforts are needed to help bridge the water supply gap and great flexibility, as provided in your legislation, to move water supplies within the San Joaquin Valley would be a useful tool.

The Exchange Contractors consist of four member agencies serving over 240,000 acres in the San Joaquin Valley in Fresno, Madera, Merced, and Stanislaus Counties.

We look forward to engaging in this effort and working closely with you and your staff in advancing this legislation and addressing California water issues.

Sincerely,

STEVE CHEDESTER,
*Executive Director.*

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FRIANT WATER USERS AUTHORITY,
*Lindsay, CA, October 1, 2009.*

Subject SUPPORT for Transfer legislation for the Central Valley Project.

Hon. DIANNE FEINSTEIN,
*Hart Senate Office Building,*
*Washington, DC.*

DEAR SENATOR FEINSTEIN, On behalf of Friant Water Users Authority (Authority), we thank you for introducing transfer legislation for the Central Valley Project (CVP) and we support your efforts and this legislation as a means of providing greater flexibility for management of CVP water supplies.

The diminished water deliveries to the CVP as a result of three years of below average precipitation amplified by various regulatory restrictions, including the ESA and the most recent delta smelt and salmon Biological Opinions, have, as you know, created a desperate situation in the San Joaquin Valley.

While long-term solutions are being sought, numerous short term efforts are needed to help bridge the water supply gap and greater flexibility, as provided in your legislation, to move water supplies across the San Joaquin Valley would be a useful tool: In addition, the legislation would help Friant districts affected by the SJR Settlement improve management of surface and groundwater supplies.

The Authority consists of nineteen member water, irrigation and public utility districts. The Friant Service area includes approximately one million acres and 15,000 mostly small family farms on the east side of the southern San Joaquin Valley (Madera, Fresno, Tulare and Kern County). Friant Division water supplies are also relied upon by several cities and towns, including the City of Fresno, as a major portion of their municipal and industrial water supplies.

We look forward to engaging in this effort and working closely with you and your staff in advancing this legislation and addressing California water issues.

Sincerely,

RONALD D. JACOBSMA,
*Consulting General Manager.*

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PLACER COUNTY WATER AGENCY,
*Auburn, CA, October 6, 2009.*

Re Support for Central Valley Project water transfer legislation.

Hon. DIANNE FEINSTEIN,
*U.S. Senate, Hart Senate Office Building, Washington, DC*

DEAR SENATOR FEINSTEIN: On behalf of Placer County Water Agency (PCWA), we thank you for introducing legislation authorizing and establishing a programmatic approach to promote and manage water transfers in California. We support your efforts and this legislation as a means of providing greater regulatory certainty for the management of Central Valley Project (CVP) water supplies for water users.

As you may be aware, PCWA has participated in water transfers in the past to help meet the needs of water users within the CVP and is intimately aware of the impacts diminished water deliveries cause to farmers and communities. Because of PCWA's experience with previous water transfers, we also would like an opportunity to meet you and your staff to discuss additional regulatory improvements to Reclamation law that would streamline future transfers.

Because of below average precipitation and regulatory requirements placed upon the CVP and its water users through the requirements established by the recent National Marine Fisheries Service biological opinions for endangered smelt and salmon, the impact to water users is severe. Your legislation will provide much needed relief in the form of a flexible and useful tool that will allow water to be transferred from willing parties to those in need within the State of California.

We look forward to working with you and your staff in the coming months in this important legislative effort, and appreciate your leadership in advancing this legislation and addressing California water issues so important to our collective future.

Sincerely,

GRAHAM L. ALLEN,
*Chairman, Board of Directors.*

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THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA,
*Los Angeles, CA, October 5, 2009.*

Hon. DIANNE FEINSTEIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR FEINSTEIN: The Metropolitan Water District of Southern California is pleased to support the legislation you are introducing related to water transfers for the Central Valley Project (CVP). This legislation will help provide good water management while providing flexibility for CVP customers.

As a regional wholesale water provider, Metropolitan provides water for nearly 19 million people throughout our six-county service area in Southern California. As Metropolitan and the entire state continue to address water supply challenges throughout California, the vitality of our economy and environment has been seriously affected. Your proposed legislation will help address these critically important issues.

Please let me know if we can be helpful in any way.

Sincerely,

JEFFREY KIGHTLINGER,
*General Manager.*

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NORTHERN CALIFORNIA
WATER ASSOCIATION,
*Sacramento, CA, October 2, 2009.*

Re support for water transfer legislation.

Hon. DIANNE FEINSTEIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR FEINSTEIN: On behalf of the Northern California Water Association (NCWA), we thank you for introducing legislation authorizing and establishing a permanent long-term program to promote and manage water transfers in the Central Valley of California. We support your efforts and this legislation as a means of providing greater flexibility in the management of Central Valley Project (CVP) and other water supplies to help meet unmet needs critical to the future of the State of California.

As you are aware, the devastating impacts of diminished water deliveries to the CVP as a result of three years of below average precipitation have been made even greater by the various regulatory restrictions, including the requirements established by the recent federal biological opinions for endangered fish under the ESA. Your legislation will provide immediate, much needed relief in the form of a flexible and useful tool that will allow water to be transferred from willing parties to those in need within the CVP.

NCWA was formed in 1992 to present a unified voice working to resolve California's water issues and protect the water rights and supplies of the diverse Northern California region, now and into the future. NCWA represents 54 agricultural water districts and agencies, private water companies, and individual water rights holders with rights and entitlements to the surface waters and groundwater resources of the Sacramento Valley. Many of our members can and will actively participate in this water transfer program. The language in your legislation directing the Bureau of Reclamation to work with other federal agencies to implement the necessary long-term environmental processes addressing impacts of a water transfer program on the ESA-listed Giant Garter Snake will be imperative to its usefulness and success.

We look forward to working with you and your staff in the coming months in this important legislative effort, and appreciate your leadership in advancing this legislation and addressing California water issues so important to our collective future.

Sincerely,

DONN ZEA,
*President and CEO.*

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WESTLANDS WATER DISTRICT,
*Fresno, CA, October 6, 2009.*

Re Water Transfer Facilitation Act of 2009.

Hon. DIANNE FEINSTEIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR FEINSTEIN: I am writing on behalf of Westlands Water District to express its support for your bill, the Water Transfer Facilitation Act of 2009, authorizing certain transfers of water in the Central Valley Project and other purposes. Water transfers are a critical tool for providing water supplies for areas that are faced with chronic water supply shortages. However, the approval process for many transfers often distract from their usefulness. Your legislation will bring important reform to existing transfer authorization thus increasing the efficacy of this essential water management tool.

As you are keenly aware, the chronic water supply shortages impacting the area of the San Joaquin Valley served by the Central Valley Project demands that water users in the affected area rely on water transfers. Moreover, the need to transfer water is often urgent and in response to climactic conditions that are frequently sporadic and ephemeral. Regrettably, bureaucratic process can unnecessarily thwart successful execution of a transfer. The clarity your legislation brings to existing authorizations will only improve the capability of water managers throughout the State to effectively respond to the ongoing crisis and put our scant water resources to use even more efficiently.

The westside of the San Joaquin Valley is inarguably the most transfer dependent region of the State. Your efforts to address this important matter are greatly appreciated. If there is anything I can do to be of help in connection with your efforts, please let me know.

Very truly yours,

THOMAS W. BIRMINGHAM,
*General Manager General Counsel.*

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SAN LUIS AND DELTA MENDOTA
WATER AUTHORITY,
*Los Banos, CA, October 5, 2009.*

*Re* Water Transfer Facilitation Act of 2009.

Hon. DIANNE FEINSTEIN,
*U.S. Senate,*
*Washington, DC.*
Hon. BARBARA BOXER,
*U.S. Senate,*
*Washington, DC.*
Hon. DENNIS CARDOZA,
*House of Representatives,*
*Washington, DC.*
Hon. JIM COSTA,
*House of Representatives,*
*Washington, DC.*

DEAR SENATOR FEINSTEIN, SENATOR BOXER, MR. CARDOZA, AND MR. COSTA: I am writing on behalf of the San Luis & Delta-Mendota Water Authority to express our enthusiastic support for your bill, the Water Transfer Facilitation Act of 2009, authorizing certain transfers of water in the Central Valley Project and other purposes. Water transfers are essential to sound water management and often are time sensitive. Your legislation will bring important reform to existing transfer authorization thus increasing the efficacy of this essential water management tool.

As you are keenly aware, coping with California's water crisis and, in particular, the chronic water supply shortages impacting the Central Valley Project demands utilization of various best management practices including water transfers. Moreover, the need to transfer water is often urgent and in response to climactic conditions that are frequently sporadic and ephemeral. Regrettably, bureaucratic process can unnecessarily thwart successful execution of a transfer and the best management of this all too precious resource. The clarity your legislation brings to existing authorizations will only improve the capability of water managers throughout the State to effectively respond to the ongoing crisis and put our scant water resources to use even more efficiently.

The Westside of the great San Joaquin Valley is inarguably the most transfer dependent region of the State. Your efforts to address this important matter as well as your vast knowledge of and longstanding commitment to water resource issues vital to the State are most deeply appreciated. If there is anything I can do to be of further service to you in this cause, please do not hesitate to call.

Very truly yours,

DANIEL G NELSON,
*Executive Director.*

Mrs. BOXER. Mr. President, I rise to discuss the Water Transfer Facilitation Act of 2009. Senator FEINSTEIN and I have introduced this legislation to facilitate voluntary water transfers within the San Joaquin Valley.

Three years of below-average precipitation have restricted water supplies for much of California. Drought conditions have particularly affected agricultural communities in the San Joaquin Valley.

As a result of these water shortages, more than 500,000 acres of cropland have been fallowed in the San Joaquin Valley, and some cities on the west side of the Valley are facing nearly 40 percent unemployment.

Senator FEINSTEIN and I have worked with Representatives CARDOZA and COSTA to identify measures to address these water shortages. We included a measure in the Energy and Water appropriations bill allowing voluntary

water transfers between water users on the east and west side of the San Joaquin Valley.

The final provision included in the conference report will allow these transfers for a two-year trial period. We are now seeking to extend this provision permanently and to enable more water users to participate in these transfers.

In addition, our legislation directs the Department of the Interior to use a programmatic approach to environmental review for certain types of water transfers, helping to expedite them.

Finally, it requires the Department of the Interior to prepare a report and recommendations on how to facilitate water transfers throughout California, including between the State and Federal water projects.

These water transfers are an important tool for improving flexibility in managing water supplies, providing a mechanism for getting water to those communities who need it most. Preliminary estimates suggest that this legislation may enable the transfer of as much as 250,000 to 300,000 acre-feet of water per year to communities in need. This will provide a crucial resource to agricultural communities in California that lost 90 percent of their expected water allocations this year.

I look forward to working with my colleagues in the Senate and in the California delegation to advance this important legislation.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 307—TO REQUIRE THAT ALL LEGISLATIVE MATTERS BE AVAILABLE AND FULLY SCORED BY CBO 72 HOURS BEFORE CONSIDERATION BY ANY SUBCOMMITTEE OR COMMITTEE OF THE SENATE OR ON THE FLOOR OF THE SENATE

Mr. BUNNING (for himself, Mr. JOHANNS, Mr. DEMINT, Mr. CRAPO, Mr. VITTER, Mr. THUNE, Mr. RISCH, Mr. GREGG, Mr. GRASSLEY: Mr. WICKER, Mr. ENSIGN, Mr. COBURN, Mr. INHOFE, Mr. SESSIONS, Mr. VOINOVICH, Mr. CHAMBLISS, Mr. CORNYN, Mr. BROWNBACK, Mr. BARRASSO, Mr. ENZI, Mr. BURR, Mr. CORKER, Mr. KYL, Mr. MCCAIN, Mr. ALEXANDER, and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 307

**SECTION 1. PUBLIC AVAILABILITY OF LEGISLATION AND THE COST OF THAT LEGISLATION.**

(a) COMMITTEES.—Rule XXVI of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''14. (a) It shall not be in order in a subcommittee or committee to proceed to any legislative matter unless the legislative matter and a final budget scoring by the Congressional Budget Office for the legislative matter has been publically available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

''(b) With respect to the requirements of subparagraph (a)—

''(1) the legislative matter shall be available on the official website of the committee; and

''(2) the final score shall be available on the official website of the Congressional Budget Office.

''(c) This paragraph may be waived or suspended in the subcommittee or committee only by an affirmative vote of ⅔ of the Members of the subcommittee or committee. An affirmative vote of ⅔ of the Members of the subcommittee or committee shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

''(d)(1) It shall not be in order in the Senate to proceed to a legislative matter if the legislative matter was proceeded to in a subcommittee or committee in violation of this paragraph.

''(2) This subparagraph may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this subparagraph.

''(e) In this paragraph, the term 'legislative matter' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment but does not include perfecting amendments.''.

(b) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''6. (a) It shall not be in order in the Senate to proceed to any legislative matter unless the legislative matter and a final budget scoring by the Congressional Budget Office for the legislative matter has been publically available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

''(b) With respect to the requirements of subparagraph (a)—

''(1) the legislative matter shall be available on the official website of the committee with jurisdiction over the subject matter of the legislative matter; and

''(2) the final score shall be available on the official website of the Congressional Budget Office.

''(c) This paragraph may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

''(d) In this paragraph, the term 'legislative matter' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment but does not include perfecting amendments.''.

**SEC. 2. PROTECTION OF CLASSIFIED INFORMATION.**

Nothing in this resolution or any amendment made by it shall be interpreted to require or permit the declassification or posting on the Internet of classified information in the custody of the Senate. Such classified information shall be made available to Members in a timely manner as appropriate under existing laws and rules.

### SENATE RESOLUTION 308—RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL RUNAWAY PREVENTION MONTH

Mr. SHELBY (for himself and Mrs. LINCOLN) submitted the following resolution; which was considered and agreed to:

S. RES. 308

Whereas the number of runaway and homeless youth in the United States is staggering, with studies suggesting that between 1,600,000 and 2,800,000 youth live on the streets each year;

Whereas the problem of children who run away from home is widespread, as youth between 12 and 17 years of age are at a higher risk of homelessness than adults;

Whereas runaway youth are often expelled from their homes by their families, discharged by State custodial systems without adequate transition plans, separated from their parents by death and divorce, or physically, sexually, and emotionally abused at home;

Whereas runaway youth are often too poor to secure their own basic needs and are ineligible or unable to access adequate medical or mental health resources;

Whereas effective programs that provide support to runaway youth and assist them in remaining at home with their families can succeed through partnerships created among families, community-based human service agencies, law enforcement agencies, schools, faith-based organizations, and businesses;

Whereas preventing youth from running away from home and supporting youth in high-risk situations is a family, community, and national priority;

Whereas the future of the Nation is dependent on providing opportunities for youth to acquire the knowledge, skills, and abilities necessary to develop into safe, healthy, and productive adults;

Whereas the National Network for Youth and its members advocate on behalf of runaway and homeless youth and provide an array of community-based support to address their critical needs;

Whereas the National Runaway Switchboard provides crisis intervention and referrals to reconnect runaway youth with their families and link youth to local resources that provide positive alternatives to running away from home; and

Whereas during the month of November, the National Network for Youth and the National Runaway Switchboard are co-sponsoring National Runaway Prevention Month, in order to increase public awareness of the circumstances faced by youth in high-risk situations and to address the need to provide resources and support for safe, healthy, and productive alternatives for at-risk youth, their families, and their communities: Now, therefore, be it

*Resolved,* That the Senate recognizes and supports the goals and ideals of National Runaway Prevention Month.

### SENATE CONCURRENT RESOLUTION 46—RECOGNIZING THE BENEFITS OF SERVICE-LEARNING AND EXPRESSING SUPPORT FOR THE GOALS OF THE NATIONAL LEARN AND SERVE CHALLENGE

Mrs. MURRAY (for herself, Mr. COCHRAN, Mr. DODD, Ms. MIKULSKI, Mr. FEINGOLD, Ms. COLLINS, Mr. BAYH, and Mrs. GILLIBRAND) submitted the following concurrent resolution; which

was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 46

Whereas service-learning is a teaching method that enhances academic learning by integrating classroom content with relevant activities aimed at addressing identified needs in a community or school;

Whereas service-learning has been used both in school and community-based settings as a teaching strategy to enhance learning by building on youth experiences, granting youth a voice in learning, and making instructional goals and objectives more relevant to youth;

Whereas service-learning addresses the dropout epidemic in the United States by making education more ''hands-on'' and relevant, and has been especially effective in addressing the dropout epidemic with respect to disadvantaged youth;

Whereas service-learning is proven to provide the greatest benefits to disadvantaged and at-risk youth by building self-confidence, which often translates into overall academic and personal success;

Whereas service-learning provides not only meaningful experiences, but improves the quantity and quality of interactions between youth and potential mentors in the community;

Whereas service-learning empowers youth as actively engaged learners, citizens, and contributors to the community;

Whereas youth engaged in service-learning provide critical service to the community by addressing a variety of needs in towns, cities, and States, including needs such as tutoring young children, care of the elderly, community nutrition, disaster relief, environmental stewardship, financial education, and public safety;

Whereas far-reaching and diverse research shows that service-learning enhances the academic, career, cognitive, and civic development of students in kindergarten through 12th grade, and students at institutions of higher education;

Whereas service-learning strengthens and increases the number of partnerships among institutions of higher education, local schools, and communities, which strengthens communities and improves academic learning;

Whereas service-learning programs allow a multitude of skilled and enthusiastic college students to serve in the communities surrounding their colleges;

Whereas service-learning programs engage students in actively addressing and solving pressing community issues and strengthen the ability of nonprofit organizations to meet community needs;

Whereas Learn and Serve America, a program established under subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.), is the only Federally funded program dedicated to service-learning and engages more than 1,100,000 youth in service-learning each year;

Whereas Learn and Serve America is a highly cost-effective program, with an average cost of approximately $25 per participant and leverage of $1 for every Federal dollar invested;

Whereas the National Learn and Serve Challenge is an annual event that, in 2009, will take place October 5 through October 11; and

Whereas the National Learn and Serve Challenge spotlights the value of service-learning to young people, schools, college campuses, and communities, encourages others to launch service-learning activities, and increases recognition of Learn and Serve America: Now, therefore, be it:

*Resolved by the Senate (the House of Representatives concurring),* That Congress—

(1) recognizes the benefits of service-learning, which include—

(A) enriching and enhancing academic outcomes for youth;

(B) engaging youth in positive experiences in the community; and

(C) encouraging youth to make more constructive choices with regards to their lives;

(2) encourages schools, school districts, college campuses, community-based organizations, nonprofit organizations, and faith-based organizations to provide youth with more service-learning opportunities; and

(3) expresses support for the goals of the National Learn and Serve Challenge.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2627. Mr. LEVIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 2628. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2629. Mr. McCAIN proposed an amendment to the bill H.R. 2847, supra.

SA 2630. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra.

SA 2631. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2632. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2633. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2634. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2635. Mr. VITTER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2636. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2637. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2638. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2639. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2640. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2641. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2642. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2643. Mr. ENSIGN (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2644. Mr. VITTER (for himself, Mr. BENNETT, and Mr. ENZI) proposed an amendment to the bill H.R. 2847, supra.

SA 2645. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2646. Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2647. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra.

SA 2648. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2649. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2650. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2651. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2652. Mr. FEINGOLD (for himself, Mr. SANDERS, Mr. KOHL, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2847, supra; which was ordered to lie on the table.

SA 2653. Mr. BUNNING (for himself, Mr. VITTER, and Mr. BURR) proposed an amendment to the bill H.R. 2847, supra.

SA 2654. Mr. AKAKA proposed an amendment to the bill S. 728, to amend title 38, United States Code, to enhance veterans' insurance benefits, and for other purposes.

SA 2655. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2627.** Mr. LEVIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) IN GENERAL.—The Attorney General shall direct sufficient funds to the Tax Division, including for hiring additional personnel, to ensure that the thousands of civil and criminal cases pending or referred during the 2010 fiscal year to the Tax Division or to an Office of a United States Attorney related to a United States person who owes taxes, interest, or penalties in connection with a foreign financial account at an offshore financial institution or who assisted in the establishment or administration of such an account are—

(1) acted on in a prompt fashion by a Federal prosecutor or attorney;

(2) resolved within a reasonable time period; and

(3) not allowed to accumulate into a backlog of inactive cases due to insufficient resources.

(b) REPROGRAMMING.—If necessary to carry out this section, the Attorney General shall submit a request during the fiscal year 2010 to reprogram funds necessary for the processing of such civil and criminal cases.

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**SA 2628.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, between lines 23 and 24, insert the following:

**SEC. 533. STATE PRICE PARITIES.**

(a) DEFINITIONS.—In this section:

(1) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(2) STATE PRICE PARITIES.—The term ''State price parities'' means the differences in consumer price levels between States, or ''Regional Price Parities'', as calculated by the Bureau of Economic Analysis.

(b) CALCULATION.—The Director of the Bureau of Economic Analysis shall regularly calculate and make public as an official statistic, not less frequently than annually, State price parities to determine the differences in consumer price levels between States.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Bureau of Economic Analysis shall submit a report to Congress that describes—

(1) the method that will be used to calculate State price parities;

(2) the frequency with which such calculations will be made public; and

(3) the date on which State price parities shall first be published as an official statistic.

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**SA 2629.** Mr. MCCAIN proposed an amendment to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 202, between lines 15 and 16, insert the following:

SEC. 530A. None of the funds made available in this Act for the Department of Justice may be used to investigate or enforce Federal laws related to the importation of prescription drugs by individuals for personal use, by pharmacists, or by wholesalers or to bring an action against such individuals, pharmacists, or wholesalers related to such importation: *Provided*, That the Department of Justice or its subagencies do not have a reasonable belief that the prescription drug at issue violates the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.): *Provided further*, That the prescription drug at issue is not a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802), or a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

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**SA 2630.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts made available in this title under the heading ''COMMUNITY ORIENTED POLICING SERVICES'' may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

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**SA 2631.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. ____. None of the funds appropriated under this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation.

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**SA 2632.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

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**SA 2633.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 19 and 20, insert the following:

**SEC. 220. EXEMPTION AUTHORITY.**

(a) IN GENERAL.—Section 845 of title 18, United States Code, is amended by adding at the end the following:

''(d) The Attorney General may exempt from all or a part of the provisions of this chapter explosive materials or explosive devices containing such materials when a determination is made, by regulation, that the explosive materials or explosive devices—

''(1) are of a type that does not pose a threat to public safety; and

''(2) are unlikely to be used as a weapon.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of enactment of this Act.

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**SA 2634.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds provided in this Act may be used by the Department of Justice to prosecute or otherwise sanction any individual who—

(1) provided input into the legal opinions by the Office of Legal Counsel of the Department of Justice analyzing the legality of the enhanced interrogation program;

(2) relied in good faith on those legal opinions; or

(3) was a member of Congress and was briefed on the enhanced interrogation program and did not object to the program going forward.

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**SA 2635.** Mr. VITTER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. At the discretion of the Attorney General, funds appropriated under the heading ''Byrne Discretionary grants'' under funding for the Department of Justice in the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2009 (Public Law 111-8) to the Louisiana District Attorney's Association for the purpose to support an early intervention program for at-risk elementary students may be available to the University of Louisiana-Lafayette for the same purpose.

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**SA 2636.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 184, line 19, strike ''representation expenses:'' and insert ''representation expenses: *Provided further*, That not more than $500,000 shall be available for the establishment of an Assistant United States Trade Representative for Small Business:''.

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**SA 2637.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, line 21, before the period, insert the following: ''*: Provided further*, That

the International Trade Administration shall, not later than 180 days after the date of the enactment of this Act, report to Congress on the progress that has been made in carrying out the recommendations and objectives set forth in the 2003 report entitled 'Manufacturing in America: A Comprehensive Strategy to Address the Challenges to U.S. Manufacturers' ''.

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**SA 2638.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 127, line 25, before the period insert the following: '': *Provided*, That, not later than 60 days after the date of enactment of this Act, the Inspector General of the Department of Justice shall evaluate actions taken by the Bureau of Prisons in response to recommendations issued by the Inspector General in 2007 and 2008 regarding exposure to cadmium, lead, and other metals at the Federal Correctional Institution located in Elkton, Ohio and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the findings of the evaluation under this proviso''.

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**SA 2639.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 185, line 5, before the period, insert the following: '': *Provided further*, That the United States Trade Representative shall, in the report to Congress required by section 163 of the Trade Act of 1974 (19 U.S.C. 2213), include information regarding the sanitary and phytosanitary standards of the countries from which the United States imports food and food products''.

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**SA 2640.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 185, line 5, before the period, insert the following: '': *Provided further*, That the United States Trade Representative shall, in the report to Congress required by section 163 of the Trade Act of 1974 (19 U.S.C. 2213), include detailed information regarding Trade and Investment Framework Agreements, including the criteria used to determine the countries with which such agreements are initiated, the commitments sought from those countries regarding such agreements, and the time frame with which those commitments are to be achieved''.

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**SA 2641.** Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 19 and 20, insert the following:

SEC. 220. Of the amounts appropriated for the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) under the heading ''STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES'' under title II of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 579), at the discretion of the Attorney General, the amounts to be made available to Genesee County, Michigan for assistance for individuals transitioning from prison in Genesee County, Michigan pursuant to the joint statement of managers accompanying that Act may be made available to My Brother's Keeper of Genesee County, Michigan to provide assistance for individuals transitioning from prison in Genesee County, Michigan.

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**SA 2642.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 19 and 20, insert the following:

**SEC. 220. BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS.**

(a) SHORT TITLE.—This section may be cited as the ''Dale Long Emergency Medical Service Providers Protection Act''.

(b) ELIGIBILITY.—Section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended—

(1) in paragraph (7), by striking ''public employee member of a rescue squad or ambulance crew;'' and inserting ''employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

''(A) is a public agency; or

''(B) is (or is a part of) a nonprofit entity serving the public that—

''(i) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

''(ii) is officially designated as a pre-hospital emergency medical response agency;''; and

(2) in paragraph (9)—

(A) in subparagraph (A), by striking ''as a chaplain'' and all that follows through the semicolon, and inserting ''or as a chaplain;'';

(B) in subparagraph (B)(ii), by striking ''or'' after the semicolon;

(C) in subparagraph (C)(ii), by striking the period and inserting ''; or''; and

(D) by adding at the end the following:

''(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity (and as designated by such agency or entity), is engaging in rescue activity or in the provision of emergency medical services.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply only to injuries sustained on or after January 1, 2009.

(d) OFFSET.—The total amount appropriated under the heading ''SALARIES AND EXPENSES'' under the heading ''GENERAL ADMINISTRATION'' under this title is reduced by $1,000,000.

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**SA 2643.** Mr. ENSIGN (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _____. JUDICIAL EDUCATION.**

(a) SHORT TITLE.—This section may be cited as the ''Judicial Education Act of 2009''.

(b) FINDINGS.—Congress finds that the National Judicial College—

(1) continues to be an invaluable national resource improving the lives of all Americans by advancing fair, impartial, accessible, and timely justice through judicial education;

(2) serves as the national judicial education entity that performs assessments to determine content of training or education programs, creates curriculum, presents judicial education programs, and acts as a resource to States supporting their judicial education efforts;

(3) collaborates with Federal and State agencies and a broad-based network of public and private justice improvement entities to advance justice system improvement through judicial education;

(4) operates a national judicial education entity that conducts judicial education programs at its state-of-the-art educational facility on the campus of the University of Nevada Reno, regionally at sites across the United States, and in States to enhance the professional competence of the judiciary;

(5) is a resource to all States and the United States territories by training judges, lawyers, physicians, and scientists as adult educators to present judicial education programs in an interactive adult learning environment, including training them to teach in a distance-learning format; and

(6) has educated over 80,000 judges from all 50 States and the United States territories since 1963.

(c) ADDITIONAL NOTIFICATION AND REPORTING REQUIREMENTS.—

(1) NOTIFICATION.—Not later than 90 days after the end of each fiscal year during which funds are obligated from appropriations made pursuant to the authorization under subsection (d), the recipient of any such funds for any project authorized under subsection (d) shall submit to the United States Attorney General and the Administrative Office of the United States Courts written notification specifying—

(A) an accounting of participation and subject matter covered by the National Judicial College, including any universal decisions or declarations applying to sentencing recommendations, the impact of laws adopted by Acts of Congress, Federal regulations, agency and State governmental actions, decisions of the Federal Judiciary and State Supreme Courts, as well as advances of science and technology, or any other relevant or appropriate items of jurisprudence, during that fiscal year;

(B) the authorized use specified in subsection (d) that the project satisfies; and

(C) the amount of State or private funds obligated or expended under the project during that fiscal year, including expenditures on or occurring on Federal lands, United States territories, State lands, and private lands.

(2) REVIEW.—The Attorney General shall review the notifications submitted under

paragraph (1) for a fiscal year for the purpose of assessing the success of the National Judicial College in achieving the purposes of this section.

(3) ANNUAL REPORT.—The Attorney General shall prepare an annual report containing the results of the most recent review conducted under paragraph (2) and a summary of the notifications covered by the review.

(4) SUBMISSION OF REPORT.—Not later than 150 days after the end of each fiscal year, the report required under paragraph (3) for that fiscal year shall be submitted to the Committees on the Judiciary of the Senate and House of Representatives and the Committees on Appropriations of the Senate and the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Justice to support the National Judicial College's judicial education activities, including those described under subsection (b) for improving the skills, abilities, and competency of State trial limited and general jurisdiction, appellate, tribal, military, municipal, adjunct judicial officers, magistrates, referees, justices of the peace, and administrative law judiciary—

(1) $1,500,000 for fiscal year 2010;

(2) $2,000,000 for fiscal year 2011;

(3) $2,000,000 for fiscal year 2012; and

(4) $2,000,000 for fiscal year 2013.

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**SA 2644.** Mr. VITTER (for himself, Mr. BENNETT, and Mr. ENZI) proposed an amendment to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 110, line 7, strike ''activities.'' and insert ''activities: *Provided further*, That none of the funds provided in this Act or any other act for any fiscal year may be used for collection of census data that does not include questions regarding United States citizenship and immigration status.''

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**SA 2645.** Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, between lines 10 and 11, insert the following:

SEC. 111. (a) REPORT ON DEPARTMENT OF COMMERCE ASSISTANCE TO COMMUNITIES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to Congress a report on the effectiveness of the activities of the Department of Commerce that assist communities with significant job losses and high unemployment.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the effectiveness of the activities of the Department of Commerce that assist communities with significant job losses and high unemployment.

(2) An assessment of the efforts of the Secretary of Commerce to coordinate with other relevant Federal agencies to provide assistance to such communities, including the efficiency of such efforts.

(3) A summary of each memorandum of understanding between the Department of Commerce and another Federal agency relating to such assistance.

(4) A comparison of the role of the regional offices and the national office of the Department.

(5) The name or title of each person whom the Secretary has charged with coordinating with other Federal agencies for the provision of such assistance.

(6) A description of the impediments to coordination between the Department of Commerce and other Federal agencies for the provision of such assistance.

(7) A description of the instances in which the Secretary successfully coordinated with other Federal agencies to provide such assistance.

(8) The recommendations of the Secretary on how to improve the coordination among Federal agencies for the provision of such assistance, including with respect to the feasibility and advisability of establishing a single location where communities can obtain information about such assistance.

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**SA 2646.** Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Section 112(a)(1) of the Consolidated Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 62) is repealed.

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**SA 2647.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, between lines 23 and 24, insert the following:

**SEC. 533. REVIEW AND AUDIT OF ACORN FEDERAL FUNDING.**

(a) REVIEW AND AUDIT.—The Comptroller General of the United States shall conduct a review and audit of Federal funds awarded to the Association of Community Organizations for Reform Now (referred to in this section as ''ACORN'') or any subsidiary or affiliate of ACORN to determine—

(1) whether any Federal funds were misused and, if so, the total amount of Federal funds involved and how such funds were misused;

(2) what steps, if any, have been taken to recover any Federal funds that were misused;

(3) what steps should be taken to prevent the misuse of any Federal funds; and

(4) whether all necessary steps have been taken to prevent the misuse of any Federal funds.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the audit required under subsection (a), along with recommendations for Federal agency reforms.

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**SA 2648.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 114, strike beginning with line 7 through line 14 and insert the following:

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

For an additional amount for the State Criminal Alien Assistance Program $172,000,000 to remain available until expended.

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**SA 2649.** Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. 3-YEAR EXTENSION FOR ADMISSION OF NONIMMIGRANT NURSES IN HEALTH PROFESSIONAL SHORTAGE AREAS.**

Section 2(e)(2) of the Nursing Relief for Disadvantaged Areas Act of 1999 (8 U.S.C. 1182 note) is amended by striking ''3 years'' and inserting ''6 years''.

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**SA 2650.** Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. The amount allocated under the Byrne discretionary grant program to the Marcus Institute, Atlanta, GA, to provide remediation for the potential consequences of childhood abuse and neglect, in the report accompanying the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2009 (Public Law 111–8) may be deemed to refer to the Georgia State University Center for Healthy Development, Atlanta, GA.

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**SA 2651.** Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 19 and 20, insert the following:

SEC. 220. Not later than 60 days after the date of enactment of this Act, the Attorney General, the Secretary of Homeland Security, and the Secretary of the Treasury shall jointly prepare and submit a report to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives. The report required under this section shall include—

(1) an explicit plan establishing specific and detailed milestones for the Integrated Wireless Network funded in this title under the heading ''Tactical Law enforcement Wireless Communications'', with dates for the planned completion of such network and the funds linked to achieving those milestones;

(2) a description of the technical standards and logical integration points between the

law enforcement radio communications systems of the Department of Justice, the Department of Homeland Security, and the Department of the Treasury needed to support and achieve interoperability between the respective communications systems when interoperability is required for tactical reasons or emergency situations; and

(3) an explanation of how the Integrated Wireless Network will promote interoperability with other federal departments and State and local governments.

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**SA 2652.** Mr. FEINGOLD (for himself, Mr. SANDERS, Mr. KOHL, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 130, line 15, before the period at the end, insert ": *Provided further*, That the Antitrust Division shall coordinate oversight, information-sharing, and joint activities concerning competition in the agriculture and related industries, including farm suppliers, food processors, and retailers, with other relevant agencies, such as the Federal Trade Commission, Commodity Futures Trading Commission, Department of Agriculture, and State Attorneys General, and include an emphasis on asymmetric price transmission from the retail to farm level as related to competition and increasing processor and retailer share of retail price: *Provided further*, That if the Assistant Attorney General for Antitrust determines that the Antitrust Division requires additional authority, data collection, or resources to address those issues, the Division shall submit to Congress a report that includes recommendations and proposals for legislative action".

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**SA 2653.** Mr. BUNNING proposed an amendment to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) COMMITTEES.—Rule XXVI of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

"14. (a) It shall not be in order in a subcommittee or committee to proceed to any legislative matter unless the legislative matter and a final budget scoring by the Congressional Budget Office for the legislative matter has been publically available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

"(b) With respect to the requirements of subparagraph (a)—

"(1) the legislative matter shall be available on the official website of the committee; and

"(2) the final score shall be available on the official website of the Congressional Budget Office.

"(c) This paragraph may be waived or suspended in the subcommittee or committee only by an affirmative vote of ⅔ of the Members of the subcommittee or committee. An affirmative vote of ⅔ of the Members of the subcommittee or committee shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

"(d)(1) It shall not be in order in the Senate to proceed to a legislative matter if the legislative matter was proceeded to in a subcommittee or committee in violation of this paragraph.

"(2) This subparagraph may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this subparagraph.

"(e) In this paragraph, the term 'legislative matter' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment but does not include perfecting amendments.".

(b) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

"6. (a) It shall not be in order in the Senate to proceed to any legislative matter unless the legislative matter and a final budget scoring by the Congressional Budget Office for the legislative matter has been publically available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

"(b) With respect to the requirements of subparagraph (a)—

"(1) the legislative matter shall be available on the official website of the committee with jurisdiction over the subject matter of the legislative matter; and

"(2) the final score shall be available on the official website of the Congressional Budget Office.

"(c) This paragraph may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn. An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

"(d) In this paragraph, the term 'legislative matter' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment but does not include perfecting amendments.".

(c) PROTECTION OF CLASSIFIED INFORMATION.—Nothing in this section or any amendment made by it shall be interpreted to require or permit the declassification or posting on the Internet of classified information in the custody of the Senate. Such classified information shall be made available to Members in a timely manner as appropriate under existing laws and rules.

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**SA 2654**. Mr. AKAKA proposed an amendment to the bill S. 728, to amend title 38, United States Code, to enhance veterans' insurance benefits, and for other purposes; as follows:

On page 39, line 10, strike "September 30, 2014" and insert "April 30, 2016".

On page 54, strike line 18 and all that follows through page 61, line 6.

On page 61, strike line 7 and all that follows through page 64, line 16, and insert the following:

**SEC. 501. INCREASE IN CERTAIN BURIAL AND FUNERAL BENEFITS AND PLOT ALLOWANCES FOR VETERANS.**

(a) INCREASE IN BURIAL AND FUNERAL EXPENSES FOR DEATHS IN DEPARTMENT FACILITIES.—Section 2303(a)(1)(A) is amended by striking "$300" and inserting "$745 (as increased from time to time under subsection (c))".

(b) INCREASE IN AMOUNT OF PLOT ALLOWANCES.—Section 2303(b) is amended by striking "$300" each place it appears and inserting "$745 (as increased from time to time under subsection (c))".

(c) ANNUAL ADJUSTMENT.—Section 2303 is amended by adding at the end the following new subsection:

"(c) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the burial and funeral expenses under subsection (a) and in the plot allowance under subsection (b), equal to the percentage by which—

"(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

"(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).".

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to deaths occurring on or after October 1, 2010.

(2) PROHIBITION ON COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2011.—No adjustments shall be made under section 2303(c) of title 38, United States Code, as added by subsection (c), for fiscal year 2011.

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**SA 2655.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, between lines 15 and 16, insert the following:

SEC. 530A. None of the funds made available in this Act for the Department of Justice may be used to—

(1) prohibit the disclosure of information by any Federal Government agency or entity requested by a ranking minority member of any congressional committee of the Senate or the House of Representatives based upon section 552a(b)(9) of title 5, United States Code (commonly referred to as the Privacy Act of 1974); or

(2) advise, enforce, interpret, or provide guidance to the Department of Justice or any other Federal Government agency or entity, restricting disclosure of information to any ranking minority member of any congressional committee of the Senate or the House of Representatives based upon section 552a(b)(9) of title 5, United States Code (commonly referred to as the Privacy Act of 1974).

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## NOTICE OF HEARING

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing scheduled before the Senate Committee on Energy and Natural Resources, previously announced for October 1st, has been rescheduled and will now be held on Wednesday, October 14, 2009, at 10 a.m.

The purpose of this hearing is to receive testimony on Energy and Related Economic Effects of Global Climate Change Legislation.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Gina_Weinstock@ energy.senate.gov

For further information, please contact Jonathan Black at (202) 224–6722 or Gina Weinstock at (202) 224–5684.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 7, 2009 at 2:30 p.m., to conduct a hearing entitled ''Securitization of Assets: Problems and Solutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 7, 2009, at 10 a.m., to hold a hearing entitled ''The Proposed U.S.–UAE Agreement on Civilian Nuclear Cooperation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 7, 2009, at 10 a.m., to hold a hearing entitled ''Confronting al-Qaeda: The Challenge Today and Tomorrow.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the sessions of the Senate on October 7, 2009, at 10 a.m. in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 7, 2009, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Workplace Fairness: Has the Supreme Court Been Misinterpreting Laws Designed to Protect American Workers From Discrimination?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 7, 2009, at 4 p.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mr. DORGAN. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 7, 2009, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on October 7, 2009, at 3 p.m. to conduct a hearing entitled, ''2010 Census: A Status Update of Key Decennial Operations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. DORGAN. I ask unanimous consent that the following three individuals from Senator REID's office be granted the privileges of the floor for Thursday, October 8: Lauren Bateman, Caren Street, and Maria Urbina.

The PRESIDING OFFICER. Without objection, it is so ordered.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The Senate, on Tuesday, October 6, 2009, passed H.R. 3326, as amended, as follows:

H.R. 3326

*Resolved*, That the bill from the House of Representatives (H.R. 3326) entitled ''An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

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

*TITLE I*

*MILITARY PERSONNEL*

*MILITARY PERSONNEL, ARMY*

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

*MILITARY PERSONNEL, NAVY*

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

*MILITARY PERSONNEL, MARINE CORPS*

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

*MILITARY PERSONNEL, AIR FORCE*

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

*RESERVE PERSONNEL, ARMY*

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

*RESERVE PERSONNEL, NAVY*

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

*RESERVE PERSONNEL, MARINE CORPS*

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

*RESERVE PERSONNEL, AIR FORCE*

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

*NATIONAL GUARD PERSONNEL, ARMY*

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

*NATIONAL GUARD PERSONNEL, AIR FORCE*

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

*TITLE II*

*OPERATION AND MAINTENANCE*

*OPERATION AND MAINTENANCE, ARMY*

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

*OPERATION AND MAINTENANCE, NAVY*

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

*OPERATION AND MAINTENANCE, MARINE CORPS*

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

*OPERATION AND MAINTENANCE, AIR FORCE*

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

*OPERATION AND MAINTENANCE, DEFENSE-WIDE*

*(INCLUDING TRANSFER OF FUNDS)*

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

*OPERATION AND MAINTENANCE, ARMY RESERVE*

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

*OPERATION AND MAINTENANCE, NAVY RESERVE*

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

*OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

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

*OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

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

*OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

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

*OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

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

*UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES*

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

*ENVIRONMENTAL RESTORATION, ARMY*

*(INCLUDING TRANSFER OF FUNDS)*

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

*under this heading is in addition to any other transfer authority provided elsewhere in this Act.*

*ENVIRONMENTAL RESTORATION, NAVY*

*(INCLUDING TRANSFER OF FUNDS)*

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

*ENVIRONMENTAL RESTORATION, AIR FORCE*

*(INCLUDING TRANSFER OF FUNDS)*

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

*ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

*(INCLUDING TRANSFER OF FUNDS)*

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

*ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES*

*(INCLUDING TRANSFER OF FUNDS)*

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

*OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

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

*COOPERATIVE THREAT REDUCTION ACCOUNT*

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

*DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND*

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

*TITLE III*

*PROCUREMENT*

*AIRCRAFT PROCUREMENT, ARMY*

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

*MISSILE PROCUREMENT, ARMY*

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

*PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY*

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

*PROCUREMENT OF AMMUNITION, ARMY*

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

*OTHER PROCUREMENT, ARMY*

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

*AIRCRAFT PROCUREMENT, NAVY*

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

*WEAPONS PROCUREMENT, NAVY*

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

*PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS*

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

*SHIPBUILDING AND CONVERSION, NAVY*

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

*Carrier Replacement Program, $739,269,000;*

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

*NSSN, $1,964,317,000;*

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

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

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

*DDG–1000 Program, $1,393,797,000;*

*DDG–51 Destroyer, $3,650,000,000;*

*DDG–51 Destroyer (AP), $328,996,000;*

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

*LPD–17, $872,392,000;*

*LPD–17 (AP), $184,555,000;*

*LHA–R (AP), $170,000,000;*

*Intratheater Connector, $177,956,000;*

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

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

*Service Craft, $3,694,000; and*

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

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

*OTHER PROCUREMENT, NAVY*

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

*PROCUREMENT, MARINE CORPS*

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

*AIRCRAFT PROCUREMENT, AIR FORCE*

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

*MISSILE PROCUREMENT, AIR FORCE*

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

*PROCUREMENT OF AMMUNITION, AIR FORCE*

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

*OTHER PROCUREMENT, AIR FORCE*

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

*PROCUREMENT, DEFENSE-WIDE*

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

*NATIONAL GUARD AND RESERVE EQUIPMENT*

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

*DEFENSE PRODUCTION ACT PURCHASES*

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

*TITLE IV*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

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

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

*For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment,*

*$19,148,509,000, to remain available for obligation until September 30, 2011: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE*

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

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE*

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

*OPERATIONAL TEST AND EVALUATION, DEFENSE*

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

*TITLE V*

*REVOLVING AND MANAGEMENT FUNDS*

*DEFENSE WORKING CAPITAL FUNDS*

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

*NATIONAL DEFENSE SEALIFT FUND*

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

*TITLE VI*

*OTHER DEPARTMENT OF DEFENSE PROGRAMS*

*DEFENSE HEALTH PROGRAM*

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

*CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE*

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

*DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE*

*(INCLUDING TRANSFER OF FUNDS)*

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

*OFFICE OF THE INSPECTOR GENERAL*

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

*TITLE VII*

*RELATED AGENCIES*

*CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND*

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

*INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

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

*TITLE VIII*

*GENERAL PROVISIONS*

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

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

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

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

*(TRANSFER OF FUNDS)*

*SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than*

*those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2010: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.*

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

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

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

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

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

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

*(TRANSFER OF FUNDS)*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*(B) $10,000,000; and*

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

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

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

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

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

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

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

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

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

*(TRANSFER OF FUNDS)*

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

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

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

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

*SEC. 8020. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.*

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

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

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

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

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

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

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

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

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

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

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

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

*(1) to establish a field operating agency; or*

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

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

*(c) This section does not apply to—*

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

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

*(RESCISSIONS)*

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

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

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

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

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

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

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

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

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

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

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

*such reductions are a direct result of a reduction in military force structure.*

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

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

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

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

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

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

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

*SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.*

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

*(b) This section applies to—*

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

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

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

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

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

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

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

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

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

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

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

*(INCLUDING TRANSFER OF FUNDS)*

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

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

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

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

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

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

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

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

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

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

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

*(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and*

*(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).*

*(c) Subsection (a) does not apply to a limitation regarding construction of public vessels,*

*ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.*

*SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.*

*(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.*

*(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.*

*(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.*

*SEC. 8059. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.*

*SEC. 8060. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.*

*SEC. 8061. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.*

*SEC. 8062. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.*

*SEC. 8063. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.*

*SEC. 8064. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.*

*SEC. 8065. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.*

*SEC. 8066. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.*

*SEC. 8067. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.*

*SEC. 8068. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 8069. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $106,754,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.*

*SEC. 8070. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2010.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 8071. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $202,434,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, $80,092,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, $50,036,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $72,306,000 shall be for the Arrow Missile Defense Program, of which $25,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 8072. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $144,950,000 shall be available until September 30, 2010, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:*

*To:*

*Under the heading ''Shipbuilding and Conversion, Navy, 2004/2010'':*

*New SSN, $26,906,000; and*

*LPD–17 Amphibious Transport Dock Program, $16,844,000.*

*Under the heading ''Shipbuilding and Conversion, Navy, 2005/2010'':*

*New SSN, $18,702,000; and*

*LPD–17 Amphibious Transport Dock Program, $16,498,000.*

*Under the heading ''Shipbuilding and Conversion, Navy, 2008/2012'':*

*LPD–17 Amphibious Transport Dock Program, $66,000,000.*

*SEC. 8073. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.*

*SEC. 8074. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:*

*Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:*

*(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.*

*(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.*

*SEC. 8075. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for Fiscal Year 2010.*

*SEC. 8076. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.*

*SEC. 8077. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as the provision of funds for information technology and textbook purchases, professional development for educators, and student transition support) to public schools in states that are considered overseas assignments with unusually high concentrations of special needs military dependents enrolled: Provided, That up to 2 percent of the total appropriated funds under this section shall be available for the administration and execution of the programs and/or events that promote the purpose of this appropriation: Provided further, That up to 5 percent of the total appropriated funds under this section shall be available to public schools that have entered into a military partnership: Provided further, That $1,000,000 shall be available for a nonprofit trust fund to assist in the public-private funding of public school repair and maintenance projects: Provided further, That $500,000 shall be available to fund an ongoing special education support program in public schools with unusually high concentrations of active duty military dependents enrolled: Provided further, That to the extent a Federal agency provides this assistance by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose.*

*SEC. 8078. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $50,500,000 is hereby appropriated to the Department of Defense: Provided, That the Secretary of Defense shall make grants in the amounts specified as follows: $20,000,000 to the Edward M. Kennedy Institute for the Senate; $5,500,000 to the U.S.S. Missouri Memorial Association; and $25,000,000 to the National World War II Museum.*

*SEC. 8079. The budget of the President for fiscal year 2011 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.*

*SEC. 8080. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.*

*SEC. 8081. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.*

*SEC. 8082. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.*

*SEC. 8083. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.*

*(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 8084. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.*

*SEC. 8085. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.*

*SEC. 8086. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.*

*(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.*

*SEC. 8087. Of the funds provided in this Act, $10,000,000 shall be available for the operations and development of training and technology for the Joint Interagency Training and Education Center and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agencies, and State and local first responder personnel at the Joint Interagency Training and Education Center.*

*SEC. 8088. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.*

*SEC. 8089. Up to $16,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.*

*SEC. 8090. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2011.*

*SEC. 8091. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by $194,000,000, the total amount appropriated in title III of this Act is hereby reduced by $322,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $336,000,000, and the total amount appropriated in title V of this Act is hereby reduced by $9,000,000: Provided, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.*

*SEC. 8092. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.*

*SEC. 8093. Notwithstanding any other provision of law, that not more than 35 percent of*

*funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.*

*SEC. 8094. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.*

*(1) For procurement programs requesting more than $20,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40 Budget Item Justification.*

*(2) For research, development, test and evaluation projects requesting more than $10,000,000 in any fiscal year, the R–1, RDT&E Program; R–2, RDT&E Budget Item Justification; R–3, RDT&E Project Cost Analysis; and R–4, RDT&E Program Schedule Profile.*

*SEC. 8095. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):*

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

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

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

*SEC. 8096. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: Provided, That the report shall include—*

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

*(2) a delineation in the table for each appropriation by Expenditure Center and project; and*

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

*(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.*

*SEC. 8097. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.*

*SEC. 8098. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.*

*SEC. 8099. The Department of Defense shall continue to report incremental contingency operations costs for Operation Iraqi Freedom and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.*

*SEC. 8100. The amounts appropriated in title II of this Act are hereby reduced by $500,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows:*

*From ''Operation and Maintenance, Air Force'', $500,000,000.*

*SEC. 8101. During the current fiscal year, not to exceed $10,000,000 from each of the appropriations made in title III of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.*

*SEC. 8102. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: Provided further, That the Office of Management and Budget must approve any transfers made under this provision.*

*SEC. 8103. Funds appropriated by this Act for operation and maintenance shall be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.*

*SEC. 8104. (a) REPORT ON GROUND-BASED INTERCEPTOR MISSILES.—Not later than 60 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the utilization of funds to maintain the production line of Ground-Based Interceptor (GBI) missiles. The report shall include a plan for the utilization of funds for Ground-Based Interceptor missiles made available by this Act for the Midcourse Defense Segment, including—*

*(1) the number of Ground-based Interceptor missiles proposed to be produced during fiscal year 2010; and*

*(2) any plans for maintaining production of such missiles and the subsystems and components of such missiles.*

*(b) REPORT ON GROUND-BASED MIDCOURSE DEFENSE SYSTEM.—Not later than 120 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the acquisition strategy for the Ground-Based Midcourse Defense (GMD) system during fiscal years 2011 through 2016. The report shall include a description of the plans of the Missile Defense Agency for each of the following:*

*(1) To maintain the capability for production of Ground-Based Interceptor missiles.*

*(2) To address modernization and obsolescence of the Ground-Based Midcourse Defense system.*

*(3) To conduct a robust test program for the Ground-Based Midcourse Defense system.*

*SEC. 8105. (a) HIGH PRIORITY NATIONAL GUARD COUNTERDRUG PROGRAMS.—Of the amount appropriated or otherwise made available by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', up to $30,000,000 shall be available for the purpose of High Priority National Guard Counterdrug Programs.*

*(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the purpose specified in that subsection is in addition to any other amounts made available by this Act for that purpose.*

*APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES*

*SEC. 8106. (a) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—*

*(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;*

*(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;*

*(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;*

*(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;*

*(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;*

*(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and*

*(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.*

*(b) DISCLAIMER.—Nothing in this section—*

*(1) authorizes or supports any claim against the United States; or*

*(2) serves as a settlement of any claim against the United States.*

*SEC. 8107. (a) REPORT ON USE OF LIVE PRIMATES IN TRAINING RELATING TO CHEMICAL AND BIOLOGICAL AGENTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a detailed description of the requirements for the use by the Department of Defense of live primates at the United States Army Medical Research Institute of Chemical Defense, and elsewhere, to demonstrate the effects of chemical or biological agents or chemical (such as physostigmine) or biological agent simulants in training programs.*

*(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:*

*(1) The number of live primates used in the training described in subsection (a).*

*(2) The average lifespan of primates from the point of introduction into such training programs.*

*(3) An explanation why the use of primates in such training is more advantageous and realistic than the use of human simulators or other alternatives.*

*(4) An estimate of the cost of converting from the use of primates to human simulators in such training.*

*SEC. 8108. (a) FINDINGS.—The Senate makes the following findings:*

*(1) Real time intelligence, surveillance, and reconnaissance (ISR) is critical to our warfighters in fighting the ongoing wars in Iraq and Afghanistan.*

*(2) Secretary of Defense Gates and the military leadership of the United States have highlighted the importance of collecting and disseminating critical intelligence and battlefield information to our troops on the ground in Iraq and Afghanistan.*

*(3) The Chief of Staff of the Air Force, General Norton Schwartz, has stated that the Air Force is ''all-in'' for the joint fight.*

*(4) One of the most effective and heavily tasked intelligence, surveillance, and reconnaissance assets operating today is the Air Force's E–8C Joint Surveillance Target Attack Radar System, also known as Joint STARS.*

*(5) Commanders in the field rely on Joint STARS to give them a long range view of the battlefield and detect moving targets in all weather conditions as well as tactical support to Brigade Combat Teams, Joint Tactical Air Controllers and Special Operations Forces convoy overwatch.*

*(6) Joint STARS is a joint platform, flown by a mix of active duty Air Force and Air National Guard personnel and operated by a joint Army, Air Force, and Marine crew, supporting missions for all the Armed Forces.*

*(7) With a limited number of airframes, Joint STARS has flown over 55,000 combat hours and 900 sorties over Iraq and Afghanistan and directly contributed to the discovery of hundreds of Improvised Explosive Devices.*

*(8) The current engines greatly limit the performance of Joint STARS aircraft and are the highest cause of maintenance problems and mission aborts.*

*(9) There is no other current or programmed aircraft or weapon system that can provide the detailed, broad-area ground moving target indicator (GMTI) and airborne battle management support for the warfighter that Joint STARS provides.*

*(10) With the significant operational savings that new engines will bring to the Joint STARS, re-engining Joint STARS will pay for itself by 2017 due to reduced operations, sustainment, and fuel costs.*

*(11) In December 2002, a JSTARS re-engining study determined that re-engining provided significant benefits and cost savings. However, delays in executing the re-engining program continue to result in increased costs for the re-engining effort.*

*(12) The budget request for the Department of Defense for fiscal year 2010 included $205,000,000 in Aircraft Procurement, Air Force, and $16,000,000 in Research, Development, Test, and Evaluation, Air Force for Joint STARS re-engining.*

*(13) On September 22, 2009, the Department of Defense re-affirmed their support for the President's Budget request for Joint STARS re-engining.*

*(14) On September 30, 2009, the Undersecretary of Defense (Acquisition, Technology, and Logistics) signed an Acquisition Decision Memorandum directing that the Air Force proceed with the Joint STARS re-engining effort, to include expenditure of procurement and research, development, test, and evaluation funds.*

*(b) SENSE OF SENATE.—It is the sense of the Senate that—*

*(1) Funds for re-engining of the E–8C Joint Surveillance Target Attack Radar System (Joint STARS) should be appropriated in the correct appropriations accounts and in the amounts required in fiscal year 2010 to execute the Joint STARS Re-Engining System Design and Development Program; and*

*(2) the Air Force should proceed with currently planned efforts to re-engine Joint STARS aircraft, to include expending both procurement and research, development, test, and evaluation funds.*

*SEC. 8109. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.*

*(b) Subsection (a) shall not apply to a report if—*

*(1) the public posting of the report compromises national security; or*

*(2) the report contains proprietary information.*

*SEC. 8110. (a) The Secretary of Defense shall conduct a study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.*

*(b) The report required under subsection (a) shall include—*

*(1) an assessment of the total value of Department of Defense contracts entered into to with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government; and*

*(2) recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government.*

*SEC. 8111. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', $12,000,000 shall be available for the peer-reviewed Gulf War Illness Research Program of the Army run by Congressionally Directed Medical Research Programs.*

*SEC. 8112. (a) It is the sense of Congress that—*

*(1) All of the National Nuclear Security Administration sites, including the Nevada Test Site can play an effective and essential role in developing and demonstrating—*

*(A) innovative and effective methods for treaty verification and the detection of nuclear weapons and other materials; and*

*(B) related threat reduction technologies; and*

*(2) the Administrator for Nuclear Security should expand the mission of the Nevada Test Site to carry out the role described in paragraph (1), including by—*

*(A) fully utilizing the inherent capabilities and uniquely secure location of the Site;*

*(B) continuing to support the Nation's nuclear weapons program and other national security programs; and*

*(C) renaming the Site to reflect the expanded mission of the Site.*

*(b) Not later than one year after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a plan for improving the infrastructure of the Nevada Test Site of the National Nuclear Security Administration and, if the Administrator deems appropriate, all other sites under the jurisdiction of the National Nuclear Security Administration—*

*(1) to fulfill the expanded mission of the Site described in subsection (a); and*

*(2) to make the Site available to support the threat reduction programs of the entire national security community, including threat reduction programs of the National Nuclear Security Administration, the Defense Threat Reduction Agency, the Department of Homeland Security, and other agencies as appropriate.*

*SEC. 8113. Of the amounts appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' and available for the Office of the Secretary of Defense, up to $250,000 may be available to the Under Secretary of Defense for Policy for the declassification of the nuclear posture review conducted under section 1041 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–262) upon the release of the nuclear posture review to succeed such nuclear posture review.*

*SEC. 8114. Of the amount appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', up to $15,000,000 may be available for the implementation by the Department of Defense of the responsibilities of the Department under the Military and Overseas Voter Empowerment Act and the amendments made by that Act.*

*SEC. 8115. None of the funds appropriated or otherwise made available by this Act may be used to dispose of claims filed regarding water contamination at Camp Lejeune, North Carolina, until the Agency for Toxic Substances and Disease Registry (ATSDR) fully completes all current, ongoing epidemiological and water modeling studies pending as of the date of the enactment of this Act.*

*SEC. 8116. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTION OF CONTRACTS UNDER LOGCAP.—No later than 90 days after enactment of this Act none of the funds appropriated or otherwise made available by this Act may be obligated or expended for the execution of a contract under the Logistics Civil Augmentation Program (LOGCAP) unless the Secretary of the Army determines that the contract explicitly requires the contractor—*

*(1) to inspect and immediately correct deficiencies that present an imminent threat of death or serious bodily injury so as to ensure compliance with generally accepted electrical standards as determined by the Secretary of Defense in work under the contract;*

*(2) monitor and immediately correct deficiencies in the quality of any potable or non-potable water provided under the contract to ensure that safe and sanitary water is provided; and*

*(3) establish and enforce strict standards for preventing, and immediately addressing and cooperating with the prosecution of, any instances of sexual assault in all of its operations and the operations of its subcontractors.*

*(b) WAIVER.—The Secretary of the Army may waive the applicability of the limitation in subsection (a) to any contract if the Secretary certifies in writing to Congress that—*

*(1) the waiver is necessary for the provision of essential services or critical operating facilities for operational missions; or*

*(2) the work under such contract does not present an imminent threat of death or serious bodily injury.*

*SEC. 8117. None of the funds appropriated or otherwise made available by this Act may be used by the Secretary of the Army to transfer by sale, lease, loan, or donation government-owned ammunition production equipment or facilities to a private ammunition manufacturer until 60 days after the Secretary submits a certification to the congressional defense committees that the transfer will not increase the cost of ammunition procurement or negatively impact national security, military readiness, government ammunition production or the United States ammunition production industrial base. The certification shall include the Secretary of the Army's assessment of the following:*

*(1) A cost-benefit risk analysis for converting government-owned ammunition production equipment or facilities to private ammunition manufacturers, including cost-savings comparisons.*

*(2) A projection of the impact on the ammunition production industrial base in the United States of converting such equipment or facilities to private ammunition manufacturers.*

*(3) A projection of the capability to meet current and future ammunition production requirements by both government-owned and private ammunition manufacturers, as well as a combination of the two sources of production assets.*

*(4) Potential impact on national security and military readiness.*

*SEC. 8118. (a) None of the funds appropriated or otherwise made available by this Act may be used for any existing or new Federal contract if*

*the contractor or a subcontractor at any tier requires that an employee or independent contractor, as a condition of employment, sign a contract that mandates that the employee or independent contractor performing work under the contract or subcontract resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.*

*(b) The prohibition in subsection (a) does not apply with respect to employment contracts that may not be enforced in a court of the United States.*

*SEC. 8119. (a) LIMITATION ON EARLY RETIREMENT OF TACTICAL AIRCRAFT.—The Secretary of the Air Force may not retire any tactical aircraft as announced in the Combat Air Forces structuring plan announced on May 18, 2009, until the Secretary submits to the congressional defense committees the report described in subsection (b).*

*(b) REPORT.—The report described in this subsection is a report that sets forth the following:*

*(1) A detailed plan for how the Secretary of the Air Force will fill the force structure and capability gaps resulting from the retirement of tactical aircraft under the structuring plan described in subsection (a).*

*(2) A description of the follow-on missions for each base affected by the structuring plan.*

*(3) An explanation of the criteria used for selecting the bases referred to in paragraph (2) and for the selection of tactical aircraft for retirement under the structuring plan.*

*(4) A plan for the reassignment of the regular and reserve Air Force personnel affected by the retirement of tactical aircraft under the structuring plan.*

*(5) An estimate of the cost avoidance to be achieved by the retirement of such tactical aircraft, and a description how such funds would be invested under the period covered by the most current future-years defense program.*

*SEC. 8120. (a) NATURE OF FULL AND OPEN COMPETITION FOR CONGRESSIONALLY DIRECTED SPENDING ITEMS.—Each congressionally directed spending item specified in this Act or the report accompanying this Act that is intended for award to a for-profit entity shall be subject to acquisition regulations for full and open competition on the same basis as each spending item intended for a for-profit entity that is contained in the budget request of the President.*

*(b) EXCEPTIONS.—Subsection (a) shall not apply to any contract awarded—*

*(1) by a means that is required by Federal statute, including for a purchase made under a mandated preferential program;*

*(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.); or*

*(3) in an amount less than the simplified acquisition threshold described in section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)).*

*(c) CONGRESSIONALLY DIRECTED SPENDING ITEM DEFINED.—In this section, the term ''congressionally directed spending item'' means the following:*

*(1) A congressionally directed spending item, as defined in Rule XLIV of the Standing Rules of the Senate.*

*(2) A congressional earmark for purposes of rule XXI of the House of Representatives.*

*SEC. 8121. (a) FUNDING FOR TWO-STAGE GROUND-BASED INTERCEPTOR MISSILE.—Of the amounts appropriated or otherwise made available by this Act for a long-range missile defense system in Europe, or appropriated or otherwise made available for the Department of Defense for a long-range missile defense system in Europe from the Consolidated Security Disaster Assistance, and Continuing Appropriations Act of 2009 (Public Law 110–329) and available for obligation, no less than $50,000,000, and up to $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile.*

*(b) PROHIBITION ON DIVERSION OF FUNDS.—Funds appropriated or otherwise made available by this Act for the Missile Defense Agency for the purpose of research, development, and testing of the two-stage ground based interceptor missile shall be utilized solely for that purpose, and may not be reprogrammed or otherwise utilized for any other purpose.*

*(c) REPORT.—Not later than February 1, 2010, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the following:*

*(1) A comprehensive plan for the continued development and testing of the two-stage ground-based interceptor missile, including a description how the Missile Defense Agency will leverage the development and testing of such missile to modernize the Ground-based Midcourse Defense component of the ballistic missile defense system.*

*(2) Options for deploying an additional Ground-based Midcourse Defense site in Europe or the United States to provide enhanced defense in response to future long-range missile threats from Iran, and a description of how such a site may be made interoperable with the planned missile defense architecture for Europe and the United States.*

*SEC. 8122. (a) AMOUNT FOR EVALUATIONS OF CERTAIN LASER SYSTEMS.—Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'' and available for Advanced Weapons Technology (PE# 0603605F), up to $5,000,000 may be available to carry out the evaluations and analyses required by subsection (b).*

*(b) EVALUATIONS AND ANALYSES OF CERTAIN LASER SYSTEMS.—The Secretary of Defense shall, in a manner consistent with the October 8, 2008, report of the Air Force Scientific Advisory Board entitled ''Airborne Tactical Laser (ATL) Feasibility for Gunship Operations''—*

*(1) carry out additional enhanced user evaluations of the Advanced Tactical Laser system on a variety of instrumented targets; and*

*(2) enter into an agreement with a federally funded research and development center under which the center shall—*

*(A) conduct an analysis of the feasibility of integrating solid state laser systems onto C–130, B–1, and F–35 aircraft platforms to provide close air support; and*

*(B) estimate the cost per unit of such laser systems and the cost of operating and maintaining each such platform with such laser systems.*

## *TITLE IX*

## *OVERSEAS CONTINGENCY OPERATIONS*

### *MILITARY PERSONNEL*

*MILITARY PERSONNEL, ARMY*

*For an additional amount for ''Military Personnel, Army'', $9,597,340,000.*

*MILITARY PERSONNEL, NAVY*

*For an additional amount for ''Military Personnel, Navy'', $1,175,601,000.*

*MILITARY PERSONNEL, MARINE CORPS*

*For an additional amount for ''Military Personnel, Marine Corps'', $670,722,000.*

*MILITARY PERSONNEL, AIR FORCE*

*For an additional amount for ''Military Personnel, Air Force'', $1,445,376,000.*

*RESERVE PERSONNEL, ARMY*

*For an additional amount for ''Reserve Personnel, Army'', $293,637,000.*

*RESERVE PERSONNEL, NAVY*

*For an additional amount for ''Reserve Personnel, Navy'', $37,040,000.*

*RESERVE PERSONNEL, MARINE CORPS*

*For an additional amount for ''Reserve Personnel, Marine Corps'', $31,337,000.*

*RESERVE PERSONNEL, AIR FORCE*

*For an additional amount for ''Reserve Personnel, Air Force'', $19,822,000.*

*NATIONAL GUARD PERSONNEL, ARMY*

*For an additional amount for ''National Guard Personnel, Army'', $824,966,000.*

*NATIONAL GUARD PERSONNEL, AIR FORCE*

*For an additional amount for ''National Guard Personnel, Air Force'', $9,500,000.*

### *OPERATION AND MAINTENANCE*

*OPERATION AND MAINTENANCE, ARMY*

*For an additional amount for ''Operation and Maintenance, Army'', $51,928,167,000.*

*OPERATION AND MAINTENANCE, NAVY*

*For an additional amount for ''Operation and Maintenance, Navy'', $5,899,597,000.*

*OPERATION AND MAINTENANCE, MARINE CORPS*

*For an additional amount for ''Operation and Maintenance, Marine Corps'', $3,775,270,000.*

*OPERATION AND MAINTENANCE, AIR FORCE*

*For an additional amount for ''Operation and Maintenance, Air Force'', $9,929,868,000.*

*OPERATION AND MAINTENANCE, DEFENSE-WIDE*

*For an additional amount for ''Operation and Maintenance, Defense-Wide'', $7,550,900,000, of which:*

*(1) Not to exceed $12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and*

*(2) Not to exceed $1,600,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation Iraqi Freedom and Operation Enduring Freedom, notwithstanding any other provision of law: Provided, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.*

*OPERATION AND MAINTENANCE, ARMY RESERVE*

*For an additional amount for ''Operation and Maintenance, Army Reserve'', $234,898,000.*

*OPERATION AND MAINTENANCE, NAVY RESERVE*

*For an additional amount for ''Operation and Maintenance, Navy Reserve'', $68,059,000.*

*OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

*For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $86,667,000.*

*OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

*For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $125,925,000.*

*OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

*For an additional amount for ''Operation and Maintenance, Army National Guard'', $450,246,000.*

*OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

*For an additional amount for ''Operation and Maintenance, Air National Guard'', $289,862,000.*

*AFGHANISTAN SECURITY FORCES FUND*

*For the ''Afghanistan Security Forces Fund'', $6,562,769,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation.*

*PROCUREMENT*

*AIRCRAFT PROCUREMENT, ARMY*

*For an additional amount for ''Aircraft Procurement, Army'', $1,119,319,000, to remain available until September 30, 2012.*

*MISSILE PROCUREMENT, ARMY*

*For an additional amount for ''Missile Procurement, Army'', $475,954,000, to remain available until September 30, 2012.*

*PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY*

*For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $875,866,000, to remain available until September 30, 2012.*

*PROCUREMENT OF AMMUNITION, ARMY*

*For an additional amount for ''Procurement of Ammunition, Army'', $365,635,000, to remain available until September 30, 2012.*

*OTHER PROCUREMENT, ARMY*

*For an additional amount for ''Other Procurement, Army'', $4,874,176,000, to remain available until September 30, 2012.*

*AIRCRAFT PROCUREMENT, NAVY*

*For an additional amount for ''Aircraft Procurement, Navy'', $1,342,577,000, to remain available until September 30, 2012.*

*WEAPONS PROCUREMENT, NAVY*

*For an additional amount for ''Weapons Procurement, Navy'', $50,700,000, to remain available until September 30, 2012.*

*PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS*

*For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $681,957,000, to remain available until September 30, 2012.*

*OTHER PROCUREMENT, NAVY*

*For an additional amount for ''Other Procurement, Navy'', $260,118,000, to remain available until September 30, 2012.*

*PROCUREMENT, MARINE CORPS*

*For an additional amount for ''Procurement, Marine Corps'', $868,197,000, to remain available until September 30, 2012.*

*AIRCRAFT PROCUREMENT, AIR FORCE*

*For an additional amount for ''Aircraft Procurement, Air Force'', $736,501,000, to remain available until September 30, 2012.*

*MISSILE PROCUREMENT, AIR FORCE*

*For an additional amount for ''Missile Procurement, Air Force'', $36,625,000, to remain available until September 30, 2012.*

*PROCUREMENT OF AMMUNITION, AIR FORCE*

*For an additional amount for ''Procurement of Ammunition, Air Force'', $256,819,000, to remain available until September 30, 2012.*

*OTHER PROCUREMENT, AIR FORCE*

*For an additional amount for ''Other Procurement, Air Force'', $3,138,021,000, to remain available until September 30, 2012.*

*PROCUREMENT, DEFENSE-WIDE*

*For an additional amount for ''Procurement, Defense-Wide'', $480,780,000, to remain available until September 30, 2012.*

*MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND*

*(INCLUDING TRANSFER OF FUNDS)*

*For the Mine Resistant Ambush Protected Vehicle Fund, $6,656,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: Provided further, That the Secretary shall transfer such funds only to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

*For an additional amount for ''Research, Development, Test and Evaluation, Army'', $57,962,000, to remain available until September 30, 2011.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

*For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $84,180,000, to remain available until September 30, 2011.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE*

*For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $39,286,000, to remain available until September 30, 2011.*

*RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE*

*For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $112,196,000, to remain available until September 30, 2011.*

*REVOLVING AND MANAGEMENT FUNDS*

*DEFENSE WORKING CAPITAL FUNDS*

*For an additional amount for ''Defense Working Capital Funds'', $412,215,000.*

*OTHER DEPARTMENT OF DEFENSE PROGRAMS*

*DEFENSE HEALTH PROGRAM*

*For an additional amount for ''Defense Health Program'', $1,563,675,000, which shall be for operation and maintenance.*

*DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES*

*For an additional amount for ''Drug Interdiction and Counter-Drug Activities'', $353,603,000, to remain available until September 30, 2011.*

*JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND*

*(INCLUDING TRANSFER OF FUNDS)*

*For the ''Joint Improvised Explosive Device Defeat Fund'', $2,033,560,000, to remain available until September 30, 2012: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.*

*OFFICE OF THE INSPECTOR GENERAL*

*For an additional amount for the ''Office of the Inspector General'', $8,876,000.*

*GENERAL PROVISIONS—THIS TITLE*

*SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2010.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2010: Provided further, That the amount in this section is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.*

*SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.*

*SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of $75,000 per vehicle and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.*

*SEC. 9005. Not to exceed $1,200,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein.*

*SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.*

*SEC. 9007. Each amount in this title is designated as being for overseas deployments and other activities pursuant to section 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.*

*SEC. 9008. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:*

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

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

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

*SEC. 9009. (a) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander of the United States Central Command; the Commander, Multi-National Security Transition Command—Iraq; and the Commander, Combined Security Transition Command—Afghanistan, shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings ''Iraq Security Forces Fund'', ''Afghanistan Security Forces Fund'', and ''Pakistan Counterinsurgency Fund'' on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates by the commanders referred to in this section of the costs required to complete each such project.*

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

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

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

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

*(c) The Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfers of funds between sub-activity groups in excess of $20,000,000 using funds appropriated by this or any prior Act under the headings ''Iraq Security Forces Fund'', ''Afghanistan Security Forces Fund'', and ''Pakistan Counterinsurgency Fund''.*

*SEC. 9010. (a) None of the funds appropriated or otherwise made available by this Act or any prior Act may be used to transfer, release, or incarcerate any individual who was detained as of October 1, 2009, at Naval Station, Guantanamo Bay, Cuba, to or within the United States or its territories.*

*(b) In this section, the term ''United States'' means the several States and the District of Columbia.*

*SEC. 9011. In addition to amounts made available elsewhere in this title there is hereby appropriated $329,000,000 for the purchase of fuel to the following accounts in the specified amounts:*

*''Operation and Maintenance, Army'', $83,552,000;*

*''Operation and Maintenance, Navy'', $33,889,000;*

*''Operation and Maintenance, Marine Corps'', $1,619,000;*

*''Operation and Maintenance, Air Force'', $179,191,000;*

*''Operation and Maintenance, Army Reserve'', $8,567,000;*

*''Operation and Maintenance, Navy Reserve'', $3,007,000;*

*''Operation and Maintenance, Marine Corps Reserve'', $39,000; and*

*''Operation and Maintenance, Army National Guard'', $19,136,000.*

*SEC. 9012. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.*

*SEC. 9013. The Secretary of Defense may, in consultation with the Secretary of State and the Administrator of the United States Agency for International Development, continue to support requirements for monthly integrated civilian-military training for civilians deploying to Afghanistan at Camp Atterbury, Indiana, including through the allocation of military and civilian personnel, trainers, and other resources for that purpose.*

*SEC. 9014. (a) HEARINGS ON STRATEGY AND RESOURCES WITH RESPECT TO AFGHANISTAN AND PAKISTAN.—Appropriate committees of Congress shall hold hearings, in open and closed session, relating to the strategy and resources of the United States with respect to Afghanistan and Pakistan promptly after the decision by the President on those matters is announced.*

*(b) TESTIMONY.—The hearings described in subsection (a) should include testimony from senior civilian and military officials of the United States, including, but not limited to, the following:*

*(1) The Secretary of Defense.*

*(2) The Secretary of State*

*(3) The Chairman of the Joint Chiefs of Staff.*

*(4) The Commander of the United States Central Command.*

*(5) The Commander of the United States European Command and Supreme Allied Commander, Europe.*

*(6) The Commander of United States Forces–Afghanistan.*

*(7) The United States Ambassador to Afghanistan.*

*(8) The United States Ambassador to Pakistan.*

*SEC. 9015. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IX. $20,000,000 shall be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 125; 10 U.S.C. 10101 note).*

*(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the services described in that subsection is in addition to any other amounts available in this Act for such services.*

*This Act may be cited as the ''Department of Defense Appropriations Act, 2010''.*

## GOVERNMENT CHARGE CARD ABUSE PREVENTION ACT OF 2009

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 163, S. 942.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 942) to prevent the abuse of Government charge cards.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 942) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 942

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Government Charge Card Abuse Prevention Act of 2009''.

**SEC. 2. MANAGEMENT OF PURCHASE CARDS.**

(a) REQUIRED SAFEGUARDS AND INTERNAL CONTROLS.—The head of each executive agency that issues and uses purchase cards and convenience checks shall establish and maintain safeguards and internal controls to ensure the following:

(1) There is a record in each executive agency of each holder of a purchase card issued by the agency for official use, annotated with the limitations on single transactions and total transactions that are applicable to the use of each such card or check by that purchase cardholder.

(2) Each purchase cardholder and individual issued a convenience check is assigned an approving official other than the cardholder with the authority to approve or disapprove transactions.

(3) The holder of a purchase card and each official with authority to authorize expenditures charged to the purchase card are responsible for—

(A) reconciling the charges appearing on each statement of account for that purchase card with receipts and other supporting documentation; and

(B) forwarding such reconciliation to the certifying official in a timely manner to enable the certifying official to ensure that the Federal Government ultimately pays only for valid charges.

(4) Any disputed purchase card charge, and any discrepancy between a receipt and other supporting documentation and the purchase card statement of account, is resolved in the manner prescribed in the applicable governmentwide purchase card contract entered into by the Administrator of General Services and in accordance with all laws and executive agency regulations.

(5) Payments on purchase card accounts are made promptly within prescribed deadlines to avoid interest penalties.

(6) Rebates and refunds based on prompt payment, sales volume, or other actions by the agency on purchase card accounts are reviewed for accuracy and properly recorded as a receipt to the agency that pays the monthly bill.

(7) Records of each purchase card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Government policies on the disposition of records.

(8) Periodic reviews are performed to determine whether each purchase cardholder has a need for the purchase card.

(9) Appropriate training regarding the proper use of purchase cards is provided to each purchase cardholder in advance of being issued a purchase card and periodically thereafter and to each official with responsibility for overseeing the use of purchase cards issued by an executive agency in advance of assuming such oversight duties and periodically thereafter.

(10) The executive agency has specific policies regarding the number of purchase cards issued by various component organizations and categories of component organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued purchase cards, and that those policies are designed to minimize the financial risk to the Federal Government of the issuance of the purchase cards and to ensure the integrity of purchase cardholders.

(11) The executive agency utilizes effective systems, techniques, and technologies to prevent or identify fraudulent purchases.

(12) The executive agency invalidates the purchase card of each employee who—

(A) ceases to be employed by the agency, immediately upon termination of the employment of the employee; or

(B) transfers to another unit of the agency immediately upon the transfer of the employee unless the agency determines that the units are covered by the same purchase card authority.

(13) The executive agency takes steps to recover the cost of any erroneous, improper, or illegal purchase made with a purchase card or convenience check by an employee, including, as necessary, through salary offsets.

(b) GUIDANCE ON MANAGEMENT OF PURCHASE CARDS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall review the existing guidance and, as necessary, prescribe additional guidance governing the implementation of the safeguards and internal controls required by subsection (a) by executive agencies.

(c) PENALTIES FOR VIOLATIONS.—

(1) IN GENERAL.—The head of each executive agency shall provide for appropriate adverse personnel actions or other punishment to be imposed in cases in which employees of the agency violate agency policies implementing the guidance required by subsection (b) or make improper, erroneous, or illegal purchases with purchase cards or convenience checks.

(2) DISMISSAL.—Penalties prescribed for employee misuse of purchase cards or convenience checks shall include dismissal of the employee, as appropriate.

(3) REPORTS ON VIOLATIONS.—The guidance prescribed under subsection (b) shall direct each head of an executive agency with more than $10,000,000 in purchase card spending annually, and each Inspector General of such an executive agency on a semiannual basis, to submit to the Director of the Office of Management and Budget a joint report on violations or other actions covered by paragraph (1) by employees of such executive agency. At a minimum, the report shall set forth the following:

(A) A description of each violation.

(B) A description of any adverse personnel action, punishment, other action taken against the employee for such violation.

(d) RISK ASSESSMENTS AND AUDITS.—The Inspector General of each executive agency shall—

(1) conduct periodic assessments of the agency purchase card or convenience check programs to identify and analyze risks of illegal, improper, or erroneous purchases and payments in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of purchase card or convenience check transactions;

(2) perform analysis or audits as necessary, of purchase card transactions designed to identify—

(A) potentially illegal, improper, erroneous, and abusive uses of purchase cards;

(B) any patterns of such uses; and

(C) categories of purchases that could be made by means other than purchase cards in order to better aggregate purchases and obtain lower prices (excluding transactions made under card-based strategic sourcing arrangements);

(3) report to the head of the executive agency concerned on the results of such analysis or audits; and

(4) report to the Director of the Office of Management and Budget on the implementation of recommendations made to the head of the executive agency to address findings of any analysis or audit of purchase card and convenience check transactions or programs for compilation and transmission by the Director to Congress and the Comptroller General.

(e) DEFINITION OF EXECUTIVE AGENCY.—In this section, the term ''executive agency'' has the meaning given such term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)), except as provided under subsection (f)(1).

(f) RELATIONSHIP TO DEPARTMENT OF DEFENSE PURCHASE CARD REGULATIONS.—

(1) IN GENERAL.—The requirements of subsections (a) through (d) shall not apply to the Department of Defense.

(2) CONFORMING AMENDMENTS.—Section 2784 of title 10, United States Code, is amended—

(A) in subsection (b), by adding at the end the following new paragraphs:

''(11) That each purchase cardholder and individual issued a convenience check is assigned an approving official other than the cardholder with the authority to approve or disapprove transactions.

''(12) That the Department of Defense utilizes effective systems, techniques, and technologies to prevent or identify fraudulent purchases.

''(13) That the Department of Defense takes appropriate steps to invalidate the purchase card of each employee who—

''(A) ceases to be employed by the Department of Defense, immediately upon termination of the employment of the employee; or

''(B) transfers to another unit of the Department of Defense immediately upon the transfer of the employee unless the Secretary of Defense determines that the units are covered by the same purchase card authority.

''(14) That the Department of Defense takes appropriate steps to recover the cost of any erroneous, improper, or illegal purchase made with a purchase card or convenience check by an employee, including, as necessary, through salary offsets.

''(15) That the Inspector General of the Department of Defense conducts periodic assessments of purchase card or convenience check programs to identify and analyze risks of illegal, improper, or erroneous purchases and payments and uses such risk assessments to develop appropriate recommendations for corrective actions.''; and

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

''(d) SEMIANNUAL REPORT.—The Secretary of Defense and the Inspector General of the Department of Defense, shall submit to the Director of the Office of Management and Budget on a semiannual basis a joint report on illegal, improper, or erroneous purchases and payments made with purchase cards or convenience checks by employees of the Department of Defense. At a minimum, the report shall include the following:

''(1) A description of each violation.

''(2) A description of any adverse personnel action, punishment, or other action taken against the employee for such violation.

''(3) A description of actions taken by the Department of Defense to address recommendations made to address findings arising out of risk assessments and audits conducted pursuant to this section.''.

**SEC. 3. MANAGEMENT OF TRAVEL CARDS.**

Section 2 of the Travel and Transportation Reform Act of 1998 (Public Law 105–264; 5 U.S.C. 5701 note) is amended by adding at the end the following new subsection:

''(h) MANAGEMENT OF TRAVEL CHARGE CARDS.—

''(1) REQUIRED SAFEGUARDS AND INTERNAL CONTROLS.—The head of each executive agency that has employees that use travel charge cards shall establish and maintain the following internal control activities to ensure the proper, efficient, and effective use of such travel charge cards:

''(A) There is a record in each executive agency of each holder of a travel charge card issued on behalf of the agency for official use, annotated with the limitations on amounts that are applicable to the use of each such card by that travel charge cardholder.

''(B) Rebates and refunds based on prompt payment, sales volume, or other actions by the agency on travel charge card accounts are monitored for accuracy and properly recorded as a receipt of the agency that employs the cardholder.

''(C) Periodic reviews are performed to determine whether each travel charge cardholder has a need for the travel charge card.

''(D) Appropriate training is provided to each travel charge cardholder and each official with responsibility for overseeing the use of travel charge cards issued by an executive agency.

''(E) Each executive agency has specific policies regarding the number of travel charge cards issued for various component organizations and categories of component organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued travel charge cards, and designs those policies to minimize the financial risk to the

Federal Government of the issuance of the travel charge cards and to ensure the integrity of travel charge cardholders.

''(F) Each executive agency ensures its contractual arrangement with each servicing travel charge card issuing contractor contains a requirement to evaluate the creditworthiness of an individual before issuing that individual a travel charge card, and that no individual be issued a travel charge card if that individual is found not creditworthy as a result of the evaluation (except that this paragraph shall not preclude issuance of a restricted use travel charge card or pre-paid card when the individual lacks a credit history or has a credit score below the minimum credit score established by the Office of Management and Budget). The Director of the Office of Management and Budget shall establish a minimum credit score for determining the creditworthiness of an individual based on rigorous statistical analysis of the population of cardholders and historical behaviors. Notwithstanding any other provision of law, such evaluation shall include an assessment of an individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act.

''(G) Each executive agency utilizes effective systems, techniques, and technologies to prevent or identify improper purchases.

''(H) Each executive agency ensures that the travel charge card of each employee who ceases to be employed by the agency is invalidated immediately upon termination of the employment of the employee.

''(I) Each executive agency utilizes, where appropriate, direct payment to the holder of the travel card contract.

''(2) GUIDANCE ON MANAGEMENT OF TRAVEL CHARGE CARDS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall review the existing guidance and, as necessary, prescribe additional guidance for executive agencies governing the implementation of the requirements in paragraph (1).

''(3) PENALTIES FOR VIOLATIONS.—

''(A) IN GENERAL.—Consistent with the guidance prescribed under paragraph (2), each executive agency shall provide for appropriate adverse personnel actions to be imposed in cases in which employees of the executive agency fail to comply with applicable travel charge card terms and conditions or applicable agency regulations or commit fraud with respect to a travel charge card, including removal in appropriate cases.

''(B) REPORTS ON VIOLATIONS.—The guidance prescribed under paragraph (2) shall require each head of an executive agency with more than $10,000,000 in travel card spending annually, and each inspector general of such an executive agency, on a semiannual basis, to submit to the Director of the Office of Management and Budget a joint report on violations or other actions covered by subparagraph (A) by employees of such executive agency. At a minimum, the report shall set forth the following:

''(i) A description of each violation.

''(ii) A description of any adverse personnel action, punishment, or other action taken against the employee for such violation or other action.

''(4) RISK ASSESSMENTS AND AUDITS.—The inspector general of each executive agency shall—

''(A) conduct periodic assessments of the agency travel charge card program and associated internal controls to identify and analyze risks of illegal, improper, or erroneous travel charges and payments in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of travel charge card transactions;

''(B) perform periodic analysis and audits, as appropriate, of travel charge card transactions designed to identify potentially improper, erroneous, and illegal uses of travel charge cards;

''(C) report to the head of the executive agency concerned on the results of such analysis and audits; and

''(D) report to the Director of the Office of Management and Budget on the implementation of recommendations made to the head of the executive agency to address findings of any analysis or audit of travel charge card transactions or programs for compilation and transmission by the Director to Congress and the Comptroller General.

''(5) DEFINITIONS.—In this subsection:

''(A) The term 'executive agency' means an agency as that term is defined in subparagraphs (A) and (B) of section 5701(1) of title 5, United States Code.

''(B) The term 'travel charge card' means any Federal contractor-issued travel charge card that is individually billed to each cardholder.''.

**SEC. 4. MANAGEMENT OF CENTRALLY BILLED ACCOUNTS.**

(a) REQUIRED INTERNAL CONTROLS FOR CENTRALLY BILLED ACCOUNTS.—The head of an executive agency that has employees who use a travel charge card that is billed directly to the United States Government shall establish and maintain the following internal control activities:

(1) Items submitted on an employee's travel voucher shall be compared with items paid for using a centrally billed account on any related travel to ensure that an employee is not reimbursed for an item already paid for by the United States Government through a centrally billed account.

(2) The executive agency shall dispute unallowable and erroneous charges and track the status of the disputed transactions to ensure appropriate resolution.

(3) The executive agency shall submit requests to servicing airlines for refunds of fully or partially unused tickets, when entitled to such refunds, and track the status of unused tickets to ensure appropriate resolution.

(b) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall review the existing guidance and, as necessary, prescribe additional guidance for executive agencies implementing the requirements of subsection (a).

**SEC. 5. CONSTRUCTION.**

Nothing in this Act shall be construed to excuse the head of an executive agency from the responsibilities set out in section 3512 of title 31, United States Code, or in the Improper Payments Act of 2002 (31 U.S.C. 3321 note).

## VETERANS' INSURANCE AND BENEFITS ENHANCEMENT ACT OF 2009

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 155, S. 728.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 728) to amend title 38, United States Code, to enhance veterans' insurance benefits, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Benefits Enhancement Act of 2009''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

*Sec. 1. Short title; table of contents.*
*Sec. 2. Reference to title 38, United States Code.*

*TITLE I—INSURANCE MATTERS*

*Sec. 101. Increase in amount of supplemental insurance for totally disabled veterans.*
*Sec. 102. Adjustment of coverage of dependents under Servicemembers' Group Life Insurance.*
*Sec. 103. Expansion of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance.*
*Sec. 104. Consideration of loss of dominant hand in prescription of schedule of severity of traumatic injury under Servicemembers' Group Life Insurance.*
*Sec. 105. Enhancement of veterans' mortgage life insurance.*

*TITLE II—COMPENSATION AND PENSION MATTERS*

*Sec. 201. Cost-of-living increase for temporary dependency and indemnity compensation payable for surviving spouses with dependent children under the age of 18.*
*Sec. 202. Eligibility of veterans 65 years of age or older for service pension for a period of war.*
*Sec. 203. Clarification of additional requirements for consideration to be afforded time, place, and circumstances of service in determinations regarding service-connected disabilities.*
*Sec. 204. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.*
*Sec. 205. Enhancement of disability compensation for certain disabled veterans with difficulties using prostheses and disabled veterans in need of regular aid and attendance for residuals of traumatic brain injury.*
*Sec. 206. Commencement of period of payment of original awards of compensation for veterans retired or separated from the uniformed services for catastrophic disability.*
*Sec. 207. Applicability of limitation to pension payable to certain children of veterans of a period of war.*
*Sec. 208. Payment of dependency and indemnity compensation to survivors of former prisoners of war who died on or before September 30, 1999.*

*TITLE III—READJUSTMENT AND RELATED BENEFIT MATTERS*

*Sec. 301. Repeal of limitation on number of veterans enrolled in programs of independent living services and assistance.*
*Sec. 302. Eligibility of disabled veterans and members of the Armed Forces with severe burn injuries for automobiles and adaptive equipment.*
*Sec. 303. Enhancement of automobile assistance allowance for veterans.*
*Sec. 304. Payment of unpaid balances of Department of Veterans Affairs guaranteed loans.*

*TITLE IV—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES*

*Sec. 401. Waiver of sovereign immunity under the 11th Amendment with respect to enforcement of USERRA.*

*Sec. 402. Clarifying the definition of ''successor in interest''.*

*Sec. 403. Clarifying that USERRA prohibits wage discrimination against members of the Armed Forces.*

*Sec. 404. Requirement that Federal agencies provide notice to contractors of potential USERRA obligations.*

*Sec. 405. Comptroller General of the United States study on effectiveness of Federal programs of education and outreach on employer obligations under USERRA.*

*Sec. 406. Technical amendments.*

*TITLE V—BURIAL AND MEMORIAL MATTERS*

*Sec. 501. Supplemental benefits for veterans for funeral and burial expenses.*

*Sec. 502. Supplemental plot allowances.*

*TITLE VI—OTHER MATTERS*

*Sec. 601. National Academies review of best treatments for Gulf War Illness.*

*Sec. 602. Extension of National Academy of Sciences reviews and evaluations regarding illness and service in Persian Gulf War.*

*Sec. 603. Extension of authority for regional office in Republic of the Philippines.*

*Sec. 604. Aggregate amount of educational assistance available to individuals who receive both survivors' and dependents educational assistance and other veterans and related educational assistance.*

*Sec. 605. Technical correction.*

***SEC. 2. REFERENCE TO TITLE 38, UNITED STATES CODE.***

*Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.*

## *TITLE I—INSURANCE MATTERS*

***SEC. 101. INCREASE IN AMOUNT OF SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS.***

*Section 1922A(a) is amended by striking ''$20,000'' and inserting ''$30,000''.*

***SEC. 102. ADJUSTMENT OF COVERAGE OF DEPENDENTS UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.***

*Clause (ii) of section 1968(a)(5)(B) is amended to read as follows:*

*''(ii)(I) in the case of a member of the Ready Reserve of a uniformed service who meets the qualifications set forth in subparagraph (B) or (C) of section 1965(5) of this title, 120 days after separation or release from such assignment; or*

*''(II) in the case of any other member of the uniformed services, 120 days after the date of the member's separation or release from the uniformed services; or''.*

***SEC. 103. EXPANSION OF INDIVIDUALS QUALIFYING FOR RETROACTIVE BENEFITS FROM TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.***

*(a) IN GENERAL.—Paragraph (1) of section 501(b) of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 (Public Law 109–233; 120 Stat. 414; 38 U.S.C. 1980A note) is amended by striking '', if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom''.*

*(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2010.*

***SEC. 104. CONSIDERATION OF LOSS OF DOMINANT HAND IN PRESCRIPTION OF SCHEDULE OF SEVERITY OF TRAUMATIC INJURY UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.***

*(a) IN GENERAL.—Section 1980A(d) is amended—*

*(1) by striking ''Payments under'' and inserting ''(1) Payments under''; and*

*(2) by adding at the end the following new paragraph:*

*''(2) As the Secretary considers appropriate, the schedule required by paragraph (1) may distinguish in specifying payments for qualifying losses between the severity of a qualifying loss of a dominant hand and a qualifying loss of a nondominant hand.''.*

*(b) PAYMENTS FOR QUALIFYING LOSSES INCURRED BEFORE DATE OF ENACTMENT.—*

*(1) IN GENERAL.—The Secretary of Veterans Affairs shall prescribe in regulations mechanisms for payments under section 1980A of title 38, United States Code, for qualifying losses incurred before the date of the enactment of this Act by reason of the requirements of paragraph (2) of subsection (d) of such section (as added by subsection (a)(2) of this section).*

*(2) QUALIFYING LOSS DEFINED.—In this subsection, the term ''qualifying loss'' means—*

*(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code; and*

*(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.*

***SEC. 105. ENHANCEMENT OF VETERANS' MORTGAGE LIFE INSURANCE.***

*(a) IN GENERAL.—Section 2106(b) is amended by striking ''$90,000'' and inserting ''$150,000, or $200,000 after January 1, 2012,''.*

*(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2010.*

## *TITLE II—COMPENSATION AND PENSION MATTERS*

***SEC. 201. COST-OF-LIVING INCREASE FOR TEMPORARY DEPENDENCY AND INDEMNITY COMPENSATION PAYABLE FOR SURVIVING SPOUSES WITH DEPENDENT CHILDREN UNDER THE AGE OF 18.***

*Section 1311(f) is amended—*

*(1) in paragraph (1), by inserting ''(as increased from time to time under paragraph (4))'' after ''$250'';*

*(2) by redesignating paragraph (4) as paragraph (5); and*

*(3) by inserting after paragraph (3) the following new paragraph (4):*

*''(4) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the amount payable under paragraph (1), as such amount was in effect immediately prior to the date of such increase in benefit amounts, by the same percentage as the percentage by which such benefit amounts are increased. Any increase in a dollar amount under this paragraph shall be rounded down to the next lower whole dollar amount.''.*

***SEC. 202. ELIGIBILITY OF VETERANS 65 YEARS OF AGE OR OLDER FOR SERVICE PENSION FOR A PERIOD OF WAR.***

*(a) IN GENERAL.—Section 1513 is amended—*

*(1) in subsection (a), by striking ''by section 1521'' and all that follows and inserting ''by subsection (b), (c), (f)(1), (f)(5), or (g) of that section, as the case may be and as increased from time to time under section 5312 of this title.'';*

*(2) by redesignating subsection (b) as subsection (c); and*

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

*''(b) The conditions in subsections (h) and (i) of section 1521 of this title shall apply to determinations of income and maximum payments of pension for purposes of this section.''.*

*(b) APPLICABILITY.—The amendments made by this section shall apply with respect to any claim for pension filed on or after the date of the enactment of this Act.*

***SEC. 203. CLARIFICATION OF ADDITIONAL REQUIREMENTS FOR CONSIDERATION TO BE AFFORDED TIME, PLACE, AND CIRCUMSTANCES OF SERVICE IN DETERMINATIONS REGARDING SERVICE-CONNECTED DISABILITIES.***

*(a) IN GENERAL.—Subsection (a) of section 1154 is amended to read as follows:*

*''(a) The Secretary shall include in the regulations pertaining to service-connection of disabilities the following:*

*''(1) Provisions requiring that, in each case where a veteran is seeking service-connection for any disability, due consideration shall be given to the places, types, and circumstances of such veteran's service as shown by—*

*''(A) such veteran's service record;*

*''(B) the official history of each organization in which such veteran served;*

*''(C) such veteran's medical records; and*

*''(D) all pertinent medical and lay evidence.*

*''(2) Provisions generally recognizing circumstances in which lay evidence consistent with the place, conditions, dangers, or hardships associated with particular military service does not require confirmatory official documentary evidence in order to establish the occurrence of an event or exposure during active military, naval, or air service.*

*''(3) The provisions required by section 5 of the Veterans' Dioxin and Radiation Exposure Compensation Standards Act (Public Law 98–542; 98 Stat. 2727).''.*

*(b) REGULATIONS.—*

*(1) IN GENERAL.—Not later than 210 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall promulgate regulations to implement section 1154(a)(2) of title 38, United States Code, as added by subsection (a).*

*(2) INTERIM REGULATIONS.—In the case that the Secretary is unable to promulgate final regulations under paragraph (1) on or before the date that is 210 days after the date of the enactment of this Act, the Secretary shall promulgate interim regulations on or before such date to be in effect until such time as the Secretary promulgates final regulations.*

***SEC. 204. EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.***

*Section 5503(d)(7) is amended by striking ''September 30, 2011'' and inserting ''September 30, 2014''.*

***SEC. 205. ENHANCEMENT OF DISABILITY COMPENSATION FOR CERTAIN DISABLED VETERANS WITH DIFFICULTIES USING PROSTHESES AND DISABLED VETERANS IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY.***

*(a) VETERANS SUFFERING ANATOMICAL LOSS OF HANDS, ARMS, OR LEGS.—Section 1114 is amended—*

*(1) in subsection (m)—*

*(A) by striking ''at a level, or with complications,'' and inserting ''with factors''; and*

*(B) by striking ''at levels, or with complications,'' and inserting ''with factors'';*

*(2) in subsection (n)—*

*(A) by striking ''at levels, or with complications,'' and inserting ''with factors'';*

*(B) by striking ''so near the hip as to'' and inserting ''with factors that''; and*

*(C) by striking ''so near the shoulder and hip as to'' and inserting ''with factors that''; and*

*(3) in subsection (o), by striking ''so near the shoulder as to'' and inserting ''with factors that''.*

*(b) VETERANS WITH SERVICE-CONNECTED DISABILITIES IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY.—*

*(1) IN GENERAL.—Such section is further amended—*

*(A) in subsection (p), by striking the semicolon at the end and inserting a period; and*

*(B) by adding at the end the following new subsection:*

*''(t) Subject to section 5503(c) of this title, if any veteran, as the result of service-connected disability, is in need of regular aid and attendance for the residuals of traumatic brain injury, is not eligible for compensation under subsection (r)(2), and in the absence of such regular aid and attendance would require hospitalization, nursing home care, or other residential institutional care, the veteran shall be paid, in addition to any other compensation under this section, a monthly aid and attendance allowance equal to the rate described in subsection (r)(2), which for purposes of section 1134 of this title shall be considered as additional compensation payable for disability. An allowance authorized under this subsection shall be paid in lieu of any allowance authorized by subsection (r)(1).''.*

*(2) CONFORMING AMENDMENT.—Section 5503(c) is amended by striking ''in section 1114(r)'' and inserting ''in subsection (r) or (t) of section 1114''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 31, 2010.*

***SEC. 206. COMMENCEMENT OF PERIOD OF PAYMENT OF ORIGINAL AWARDS OF COMPENSATION FOR VETERANS RETIRED OR SEPARATED FROM THE UNIFORMED SERVICES FOR CATASTROPHIC DISABILITY.***

*(a) COMMENCEMENT OF PERIOD OF PAYMENT.—Subsection (a) of section 5111 is amended—*

*(1) by inserting ''(1)'' after ''(a)'';*

*(2) in paragraph (1), as designated by paragraph (1) of this subsection, by striking ''in subsection (c) of this section'' and inserting ''in paragraph (2) of this subsection and subsection (c)''; and*

*(3) by adding at the end the following new paragraph:*

*''(2)(A) In the case of a veteran who is retired or separated from the active military, naval, or air service for a catastrophic disability or disabilities, payment of monetary benefits based on an award of compensation based on an original claim shall be made as of the date on which such award becomes effective as provided under section 5110 of this title or another applicable provision of law.*

*''(B) In this paragraph, the term 'catastrophic disability', with respect to a veteran, means a permanent, severely disabling injury, disorder, or disease that compromises the ability of the veteran to carry out the activities of daily living to such a degree that the veteran requires personal or mechanical assistance to leave home or bed, or requires constant supervision to avoid physical harm to self or others.''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to awards of compensation based on original claims that become effective on or after that date.*

*(c) TECHNICAL CORRECTION REGARDING WAIVER OF RETIRED PAY.—Section 5305 is amended by striking ''section 1414'' and inserting ''sections 1212(d)(2) and 1414''.*

***SEC. 207. APPLICABILITY OF LIMITATION TO PENSION PAYABLE TO CERTAIN CHILDREN OF VETERANS OF A PERIOD OF WAR.***

*Section 5503(d)(5) is amended—*

*(1) by inserting ''(A)'' after ''(5)''; and*

*(2) by adding at the end the following new subparagraph:*

*''(B) The provisions of this subsection shall apply with respect to a child entitled to pension under section 1542 of this title in the same manner as they apply to a veteran having neither spouse nor child.''.*

***SEC. 208. PAYMENT OF DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVORS OF FORMER PRISONERS OF WAR WHO DIED ON OR BEFORE SEPTEMBER 30, 1999.***

*Section 1318(b)(3) is amended by striking ''who died after September 30, 1999,''.*

## *TITLE III—READJUSTMENT AND RELATED BENEFIT MATTERS*

***SEC. 301. REPEAL OF LIMITATION ON NUMBER OF VETERANS ENROLLED IN PROGRAMS OF INDEPENDENT LIVING SERVICES AND ASSISTANCE.***

*(a) IN GENERAL.—Section 3120 is amended—*

*(1) by striking subsection (e); and*

*(2) by redesignating subsection (f) as subsection (e).*

*(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended by striking ''described in subsection (f)'' and inserting ''described in subsection (e)''.*

***SEC. 302. ELIGIBILITY OF DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WITH SEVERE BURN INJURIES FOR AUTOMOBILES AND ADAPTIVE EQUIPMENT.***

*(a) ELIGIBILITY.—Paragraph (1) of section 3901 is amended—*

*(1) in subparagraph (A)—*

*(A) in the matter preceding clause (i), by striking ''in subclause (i), (ii), or (iii) below'' and inserting ''in clause (i), (ii), (iii), or (iv) of this subparagraph''; and*

*(B) by adding at the end the following new clause:*

*''(iv) A severe burn injury (as determined pursuant to regulations prescribed by the Secretary).''; and*

*(2) in subparagraph (B), by striking ''subclause (i), (ii), or (iii) of clause (A) of this paragraph'' and inserting ''clause (i), (ii), (iii), or (iv) of subparagraph (A)''.*

*(b) STYLISTIC AMENDMENTS.—Such section is further amended—*

*(1) in the matter preceding paragraph (1), by striking ''chapter—'' and inserting ''chapter:'';*

*(2) in paragraph (1)—*

*(A) in the matter preceding subparagraph (A), by striking ''means—'' and inserting ''means the following:'';*

*(B) in subparagraph (A)—*

*(i) in the matter preceding clause (i), by striking ''any veteran'' and inserting ''Any veteran'';*

*(ii) in clauses (i) and (ii), by striking the semicolon at the end and inserting a period; and*

*(iii) in clause (iii), by striking ''; or'' and inserting a period; and*

*(C) in subparagraph (B), by striking ''any member'' and inserting ''Any member''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2010.*

***SEC. 303. ENHANCEMENT OF AUTOMOBILE ASSISTANCE ALLOWANCE FOR VETERANS.***

*(a) INCREASE IN AMOUNT OF ALLOWANCE.—Subsection (a) of section 3902 is amended by striking ''$11,000'' and inserting ''$22,500 (as adjusted from time to time under subsection (e))''.*

*(b) ANNUAL ADJUSTMENT.—Such section is further amended by adding at the end the following new subsection:*

*''(e)(1) Effective on October 1 of each year (beginning in 2011), the Secretary shall increase the dollar amount in effect under subsection (a) to an amount equal to 80 percent of the average retail cost of new automobiles for the preceding calendar year.*

*''(2) The Secretary shall establish the method for determining the average retail cost of new automobiles for purposes of this subsection. The Secretary may use data developed in the private sector if the Secretary determines the data is appropriate for purposes of this subsection.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2010.*

***SEC. 304. PAYMENT OF UNPAID BALANCES OF DEPARTMENT OF VETERANS AFFAIRS GUARANTEED LOANS.***

*Section 3732(a)(2) is amended—*

*(1) by striking ''Before suit'' and inserting ''(A) Before suit''; and*

*(2) by adding at the end the following new subparagraph:*

*''(B) In the event that a housing loan guaranteed under this chapter is modified under the authority provided under section 1322(b) of title 11, the Secretary may pay the holder of the obligation the unpaid balance of the obligation due as of the date of the filing of the petition under title 11 plus accrued interest, but only upon the assignment, transfer, and delivery to the Secretary (in a form and manner satisfactory to the Secretary) of all rights, interest, claims, evidence, and records with respect to the housing loan.''.*

## *TITLE IV—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES*

***SEC. 401. WAIVER OF SOVEREIGN IMMUNITY UNDER THE 11TH AMENDMENT WITH RESPECT TO ENFORCEMENT OF USERRA.***

*(a) IN GENERAL.—Section 4323 is amended—*

*(1) in subsection (b) by striking paragraph (2) and inserting the following new paragraph:*

*''(2) In the case of an action against a State (as an employer) by a person, the action may be brought in the appropriate district court of the United States or State court of competent jurisdiction.'';*

*(2) by redesignating subsection (i) as subsection (j); and*

*(3) by inserting after subsection (h) the following new subsection (i):*

*''(i) WAIVER OF STATE SOVEREIGN IMMUNITY.—(1) A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th amendment to the Constitution or otherwise, to a suit brought by—*

*''(A) a person who is or was an employee in that program or activity for the rights or benefits authorized the person by this chapter;*

*''(B) a person applying to be such an employee in that program or activity for the rights or benefits authorized the person by this chapter; or*

*''(C) a person seeking reemployment as an employee in that program or activity for the rights or benefits authorized the person by this chapter.*

*''(2) In this subsection, the term 'program or activity' has the meaning given that term in section 309 of the Age Discrimination Act of 1975 (42 U.S.C. 6107).''.*

*(b) APPLICATION.—The amendments made by subsection (a) shall apply to—*

*(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and*

*(2) all actions or complaints filed under such chapter 43 that are commenced after the date of the enactment of this Act.*

***SEC. 402. CLARIFYING THE DEFINITION OF ''SUCCESSOR IN INTEREST''.***

*(a) IN GENERAL.—Section 4303(4) is amended by adding at the end the following new subparagraph:*

''(D)(i) Whether the term 'successor in interest' applies with respect to an entity described in subparagraph (A) for purposes of clause (iv) of such subparagraph shall be determined on a case-by-case basis using a multi-factor test that considers the following factors:

''(I) Substantial continuity of business operations.

''(II) Use of the same or similar facilities.

''(III) Continuity of work force.

''(IV) Similarity of jobs and working conditions.

''(V) Similarity of supervisory personnel.

''(VI) Similarity of machinery, equipment, and production methods.

''(VII) Similarity of products or services.

''(ii) The entity's lack of notice or awareness of a potential or pending claim under this chapter at the time of a merger, acquisition, or other form of succession shall not be considered when applying the multi-factor test under clause (i).''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to—

(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and

(2) all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.

**SEC. 403. CLARIFYING THAT USERRA PROHIBITS WAGE DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES.**

(a) IN GENERAL.—Section 4303(2) is amended by striking ''other than'' and inserting ''including''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to—

(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and

(2) all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.

**SEC. 404. REQUIREMENT THAT FEDERAL AGENCIES PROVIDE NOTICE TO CONTRACTORS OF POTENTIAL USERRA OBLIGATIONS.**

(a) CIVILIAN AGENCIES.—The Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) is amended by adding at the end the following new section:

**''SEC. 318. NOTICE TO CONTRACTORS OF POTENTIAL OBLIGATIONS RELATING TO EMPLOYMENT AND REEMPLOYMENT OF MEMBERS OF THE ARMED FORCES.**

''Each contract for the procurement of property or services that is entered into by the head of an executive agency shall include a notice to the contractor that the contractor may have obligations under chapter 43 of title 38, United States Code.''.

(b) ARMED FORCES.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 2334. Notice to contractors of potential obligations relating to employment and reemployment of members of the armed forces**

''Each contract for the procurement of property or services that is entered into by the head of an executive agency shall include a notice to the contractor that the contractor may have obligations under chapter 43 of title 38.''.

(2) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by adding at the end the following new item:

''2334. Notice to contractors of potential obligations relating to employment and reemployment of members of the armed forces.''.

**SEC. 405. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON EFFECTIVENESS OF FEDERAL PROGRAMS OF EDUCATION AND OUTREACH ON EMPLOYER OBLIGATIONS UNDER USERRA.**

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on the effectiveness of Federal programs of education and outreach on employer obligations under chapter 43 of title 38, United States Code.

(b) CONTENTS OF STUDY.—In carrying out the study required by subsection (a), the Comptroller General shall—

(1) assess current practices and procedures of Federal agencies for educating employers about their obligations under chapter 43 of title 38, United States Code;

(2) identify best practices for bringing the employment practices of small businesses into compliance with such chapter;

(3) determine whether the Employer Support for the Guard and Reserve, the Small Business Administration, or other agencies could collaborate to develop a program to educate employers regarding their obligations under such chapter; and

(4) determine the effect on recruitment and retention in the National Guard and Reserves of the failure of employers to meet their reemployment obligations under such chapter.

(c) REPORT TO CONGRESS.—Not later than June 30, 2010, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a), including the following:

(1) The findings of the Comptroller General with respect to such study.

(2) The recommendations of the Comptroller General for the improvement of education and outreach for employers with respect to their obligations under chapter 43 of title 38, United States Code.

**SEC. 406. TECHNICAL AMENDMENTS.**

(a) AMENDMENT TO CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—Section 206(b) of the Congressional Accountability Act of 1995 (2 U.S.C. 1316(b)) is amended by striking ''under paragraphs (1), (2)(A), and (3) of section 4323(c) of title 38, United States Code'' and inserting ''under section 4323(d) of title 38, United States Code''.

(b) AMENDMENT TO SECTION 416 OF TITLE 3, UNITED STATES CODE.—Section 416(b) of title 3, United States Code, is amended by striking ''under paragraphs (1) and (2)(A) of section 4323(c) of title 38'' and inserting ''under section 4323(d) of title 38''.

(c) AMENDMENT TO SECTION 4324 OF TITLE 38, UNITED STATES CODE.—Section 4324(b)(4) of title 38, United States Code, is amended by inserting before the period the following: ''declining to initiate an action and represent the person before the Merit Systems Protection Board''.

## TITLE V—BURIAL AND MEMORIAL MATTERS

**SEC. 501. SUPPLEMENTAL BENEFITS FOR VETERANS FOR FUNERAL AND BURIAL EXPENSES.**

(a) FUNERAL EXPENSES.—

(1) IN GENERAL.—Chapter 23 is amended by inserting after section 2302 the following new section:

**''§ 2302A. Funeral expenses: supplemental benefits**

''(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the burial and funeral of a veteran under section 2302(a) of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment under this section for the cost of such burial and funeral.

''(2) No supplemental payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.

''(b) AMOUNT.—The amount of the supplemental payment required by subsection (a) for any death is $900 (as adjusted from time to time under subsection (c)).

''(c) ADJUSTMENT.—With respect to deaths that occur in any fiscal year after fiscal year 2010, the supplemental payment described in subsection (b) shall be equal to the sum of—

''(1) the supplemental payment in effect under subsection (b) for the preceding fiscal year (determined after application of this subsection), plus

''(2) the sum of the amount described in section 2302(a) of this title and the amount under paragraph (1), multiplied by the percentage by which—

''(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(B) such Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).

''(d) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—

''(A) the amount of funding that would be necessary to provide supplemental payments under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and

''(B) the amount that Congress would need to appropriate to provide all eligible recipients with supplemental payments under this section in the next fiscal year.

''(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).

''(3) The dates described in this paragraph are the following:

''(A) April 1 of each year.

''(B) July 1 of each year.

''(C) September 1 of each year.

''(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.

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

''(1) the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate; and

''(2) the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2302 the following new item:

''2302A. Funeral expenses: supplemental benefits.''.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2302A of title 38, United States Code (as added by this subsection).

(b) DEATH FROM SERVICE-CONNECTED DISABILITY.—

(1) IN GENERAL.—Chapter 23 is amended by inserting after section 2307 the following new section:

**''§ 2307A. Death from service-connected disability: supplemental benefits for burial and funeral expenses**

''(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the burial and funeral of a veteran under section 2307(1) of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment

*under this section for the cost of such burial and funeral.*

*''(2) No supplemental payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.*

*''(b) AMOUNT.—The amount of the supplemental payment required by subsection (a) for any death is $2,100 (as adjusted from time to time under subsection (c)).*

*''(c) ADJUSTMENT.—With respect to deaths that occur in any fiscal year after fiscal year 2010, the supplemental payment described in subsection (b) shall be equal to the sum of—*

*''(1) the supplemental payment in effect under subsection (b) for the preceding fiscal year (determined after application of this subsection), plus*

*''(2) the sum of the amount described in section 2307(1) of this title and the amount under paragraph (1), multiplied by the percentage by which—*

*''(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds*

*''(B) such Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).*

*''(d) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—*

*''(A) the amount of funding that would be necessary to provide supplemental payments under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and*

*''(B) the amount that Congress would need to appropriate to provide all eligible recipients with supplemental payments under this section in the next fiscal year.*

*''(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).*

*''(3) The dates described in this paragraph are the following:*

*''(A) April 1 of each year.*

*''(B) July 1 of each year.*

*''(C) September 1 of each year.*

*''(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.*

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

*''(1) the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate; and*

*''(2) the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2307 the following new item:*

*''2307A. Death from service-connected disability: supplemental benefits for burial and funeral expenses.''.*

*(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2307A of title 38, United States Code (as added by this subsection).*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009, and shall apply with respect to deaths occurring on or after that date.*

***SEC. 502. SUPPLEMENTAL PLOT ALLOWANCES.***

*(a) IN GENERAL.—Chapter 23 is amended by inserting after section 2303 the following new section:*

***''§ 2303A. Supplemental plot allowance***

*''(a) IN GENERAL.—(1) Subject to the availability of funds specifically provided for purposes of this subsection in advance in an appropriations Act, whenever the Secretary makes a payment for the burial and funeral of a veteran under section 2303(a)(1)(A) of this title, or for the burial of a veteran under paragraph (1) or (2) of section 2303(b) of this title, the Secretary is also authorized and directed to pay the recipient of such payment a supplemental payment under this section for the cost of such burial and funeral or burial, as applicable.*

*''(2) No supplemental plot allowance payment shall be made under this subsection if the Secretary has expended all funds that were specifically provided for purposes of this subsection in an appropriations Act.*

*''(b) AMOUNT.—The amount of the supplemental payment required by subsection (a) for any death is $445 (as adjusted from time to time under subsection (c)).*

*''(c) ADJUSTMENT.—With respect to deaths that occur in any fiscal year after fiscal year 2010, the supplemental payment described in subsection (b) shall be equal to the sum of—*

*''(1) the supplemental payment in effect under subsection (b) for the preceding fiscal year (determined after application of this subsection), plus*

*''(2) the sum of the amount described in section 2303(a)(1)(A) of this title and the amount under paragraph (1), multiplied by the percentage by which—*

*''(A) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds*

*''(B) such Consumer Price Index for the 12-month period preceding the 12-month period described in subparagraph (A).*

*''(d) ESTIMATES.—(1) From time to time, the Secretary shall make an estimate of—*

*''(A) the amount of funding that would be necessary to provide supplemental plot allowance payments under this section to all eligible recipients for the remainder of the fiscal year in which such an estimate is made; and*

*''(B) the amount that Congress would need to appropriate to provide all eligible recipients with supplemental plot allowance payments under this section in the next fiscal year.*

*''(2) On the dates described in paragraph (3), the Secretary shall submit to the appropriate committees of Congress the estimates described in paragraph (1).*

*''(3) The dates described in this paragraph are the following:*

*''(A) April 1 of each year.*

*''(B) July 1 of each year.*

*''(C) September 1 of each year.*

*''(D) The date that is 60 days before the date estimated by the Secretary on which amounts appropriated for the purposes of this section for a fiscal year will be exhausted.*

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

*''(1) the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate; and*

*''(2) the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2303 the following new item:*

*''2303A. Supplemental plot allowance.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009, and shall apply with respect to deaths occurring on or after that date.*

*(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out the provisions of section 2303A of title 38, United States Code (as added by subsection (a)).*

***TITLE VI—OTHER MATTERS***

***SEC. 601. NATIONAL ACADEMIES REVIEW OF BEST TREATMENTS FOR GULF WAR ILLNESS.***

*(a) IN GENERAL.—The Secretary of Veterans Affairs shall enter into a contract with the Institute of Medicine of the National Academies to conduct a comprehensive review of the best treatments for Gulf War Illness.*

*(b) GROUP OF MEDICAL PROFESSIONALS.—In conducting the study required under subsection (a), the Institute of Medicine shall convene a group of medical professionals who are experienced in treating individuals diagnosed with Gulf War illness as follows:*

*(1) Members of the Armed Forces who served during the Persian Gulf War in the Southwest Asia theater of operations.*

*(2) Members of the Armed Forces who served in the Post 9/11 Global Operations theaters.*

*(c) REPORTS.—The contract required by subsection (a) shall require the Institute of Medicine to submit to the Secretary and to the appropriate committees of Congress a report on the review required under subsection (a) not later than December 31, 2011. The final report shall include such recommendations for legislative or administrative action as the Institute considers appropriate in light of the results of the review.*

*(d) FUNDING.—The Secretary shall provide the Institute of Medicine with such funds as are necessary to ensure the timely completion of the review required under subsection (a).*

*(e) DEFINITIONS.—In this section:*

*(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—*

*(A) the Committee on Veterans' Affairs of the Senate; and*

*(B) the Committee on Veterans' Affairs of the House of Representatives.*

*(2) GULF WAR ILLNESS.—The term ''Gulf War Illness'' means a medically unexplained chronic multisymptom illness, such as chronic fatigue syndrome, fibromyalgia, and irritable bowel syndrome, that is defined by a cluster of signs or symptoms relating to service in the Persian Gulf War or Post 9/11 Global Operations theaters.*

*(3) PERSIAN GULF WAR.—The term ''Persian Gulf War'' has the meaning given that term in section 101(33) of title 38, United States Code.*

*(4) POST 9/11 GLOBAL OPERATIONS THEATERS.—The term ''Post 9/11 Global Operations theaters'' means Afghanistan, Iraq, or any other theater in which the Global War on Terrorism Expeditionary Medal is awarded for service.*

***SEC. 602. EXTENSION OF NATIONAL ACADEMY OF SCIENCES REVIEWS AND EVALUATIONS REGARDING ILLNESS AND SERVICE IN PERSIAN GULF WAR.***

*(a) REVIEW AND EVALUATION OF TOXIC DRUGS AND ILLNESSES ASSOCIATED WITH PERSIAN GULF WAR.—Section 1603(j) of the Persian Gulf War Veterans Act of 1998 (38 U.S.C. 1117 note) is amended by striking ''October 1, 2010'' and inserting ''October 1, 2015''.*

*(b) REVIEW AND EVALUATION OF AVAILABLE EVIDENCE REGARDING ILLNESS AND SERVICE IN PERSIAN GULF WAR.—*

*(1) IN GENERAL.—Section 101(j) of the Veterans Programs Enhancement Act of 1998 (Public Law 105–368; 112 Stat. 3321) is amended by striking ''11 years after'' and all that follows through ''under subsection (b)'' and inserting ''on October 1, 2018''.*

*(2) CONFORMING AMENDMENT.—Section 1604 of the Persian Gulf War Veterans Act of 1998 (Public Law 105–277; 38 U.S.C. 1117 note) is repealed.*

***SEC. 603. EXTENSION OF AUTHORITY FOR REGIONAL OFFICE IN REPUBLIC OF THE PHILIPPINES.***

*Section 315(b) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.*

***SEC. 604. AGGREGATE AMOUNT OF EDUCATIONAL ASSISTANCE AVAILABLE TO INDIVIDUALS WHO RECEIVE BOTH SURVIVORS' AND DEPENDENTS EDUCATIONAL ASSISTANCE AND OTHER VETERANS AND RELATED EDUCATIONAL ASSISTANCE.***

*(a) AGGREGATE AMOUNT AVAILABLE.—Section 3695 is amended—*

*(1) in subsection (a)(4), by striking ''35,''; and*

*(2) by adding at the end the following new subsection:*

*''(c) The aggregate period for which any person may receive assistance under chapter 35 of this title, on the one hand, and any of the provisions of law referred to in subsection (a), on the other hand, may not exceed 81 months (or the part-time equivalent thereof).''.*

*(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect on October 1, 2010, and shall not operate to revive any entitlement to assistance under chapter 35 of title 38, United States Code, or the provisions of law referred to in section 3695(a) of such title, as in effect on the day before such date, that was terminated by reason of the operation of section 3695(a) of such title, as so in effect, before such date.*

*(c) REVIVAL OF ENTITLEMENT REDUCED BY PRIOR UTILIZATION OF CHAPTER 35 ASSISTANCE.—*

*(1) IN GENERAL.—Subject to paragraph (2), in the case of an individual whose period of entitlement to assistance under a provision of law referred to in section 3695(a) of title 38, United States Code (other than chapter 35 of such title), as in effect on September 30, 2010, was reduced under such section 3695(a), as so in effect, by reason of the utilization of entitlement to assistance under chapter 35 of such title before October 1, 2010, the period of entitlement to assistance of such individual under such provision shall be determined without regard to any entitlement so utilized by the individual under chapter 35 of such title.*

*(2) LIMITATION.—The maximum period of entitlement to assistance of an individual under paragraph (1) may not exceed 81 months.*

***SEC. 605. TECHNICAL CORRECTION.***

*Section 5503(c) is amended by striking ''veterans' '' and inserting ''veteran's''.*

Mr. AKAKA. Mr. President, I am pleased that the Senate is acting on S. 728, the proposed ''Veterans' Benefits Enhancement Act of 2009.'' This broad benefits package will help veterans young and old, as well as their survivors. The amended bill contains 6 titles and 28 provisions that are designed to enhance compensation, housing, labor and education, burial, and insurance benefits for veterans. A full explanation of the bill is available in the Committee's report accompanying this legislation, Senate Report 111–71.

I will highlight a few of the provisions that I have sponsored in the legislation that is before us today. Before I begin, let me state that the version before us today includes a manager's amendment that makes a slight modification on the version passed by the Committee. The amendment's purpose is to pay for the bill's burial provisions by extending a mandatory offset currently in the underlying bill. The amendment would also eliminate two contingent entitlement provisions in the bill which are not paid for with mandatory funds. With this amendment incorporated, this bill would save, rather than cost, the American taxpayers.

Many disabled veterans find it difficult to obtain commercial life insurance, often due to their service-connected injuries. This legislation would improve the Service-Disabled Veterans' Insurance program for totally disabled veterans, by providing the first increase in the maximum amount of supplemental insurance they can purchase through SDVI since 1992. If enacted, the maximum amount would increase from the current level of $20,000 to $30,000 for all eligible totally disabled veterans.

This legislation would also increase the maximum amount of Veterans' Mortgage Life Insurance that a disabled veteran may purchase. The VMLI program was established in 1971 and is available to those service-connected disabled veterans who receive specially adapted housing grants from VA. In the event of the veteran's death, his or her family is protected because the Department of Veterans Affairs will pay the balance of the mortgage owed up to the maximum amount of insurance purchased.

In today's housing market where, according to the Federal Housing Finance Board, the average mortgage loan in the United States in May 2009 was $221,200, the current maximum of $90,000 in VMLI insurance protection is not adequate. This bill will increase the maximum amount of insurance that may be purchased under the VMLI program from the current maximum of $90,000 to $150,000 and then, on January 1, 2012, from $150,000 to $200,000.

This benefits package also includes a provision that will expand eligibility for retroactive benefits from traumatic injury protection coverage under the Servicemembers' Group Life Insurance program, commonly referred to as TSGLI. Section 1032 of Public Law 109–13, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, established traumatic injury protection under the SGLI program. TSGLI went into effect on December 1, 2005. Therefore, all insured servicemembers under SGLI from that point forward are also insured under TSGLI and their injuries are covered regardless of where they occur. In order to provide assistance to those servicemembers who suffered traumatic injuries on or between October 7, 2001, and November 30, 2005, retroactive TSGLI payments were authorized under section 1032(c) of the Supplemental Appropriations Act to individuals whose qualifying losses were sustained ''as a direct result of injuries incurred in Operation Enduring Freedom or Operation Iraqi Freedom.'' Under section 501(b) of Public Law 109–233, the Veterans' Housing Opportunity and Benefits Improvement Act of 2006, this definition was amended to allow retroactive payments to individuals whose qualifying losses were sustained ''as a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom and Operation Iraqi Freedom.''

However, without corrective action, men and women who were traumatically injured on or between October 7, 2001, and November 30, 2005, but were not in the OIF or OEF theaters of operation, will continue to be denied the same retroactive payment given to their wounded comrades. This legislation would correct that inequity.

Importantly, this legislation will also relieve the burden on certain combat veterans who seek to prove that their disabilities are service-connected. The committee bill would direct VA to promulgate regulations that direct how VA should generally consider lay evidence that is consistent with the place, conditions, dangers, or hardships associated with a particular veteran's military service. For example, in assessing lay testimony concerning a claimant's exposure to sub-freezing conditions, the regulation may acknowledge that lay evidence, such as weather reports or contemporaneous newspaper accounts of sub-freezing conditions, may provide corroboration of exposure to the cold when a servicemember was assigned to an area when sub-freezing conditions were present. Another example would be in a claim alleging hearing loss or tinnitus. Although an individual's service record might not include details of exposure to improvised explosive devices the individual may have been assigned to a particular unit at a particular location where lay evidence shows that the unit was repeatedly exposed to IEDs.

Currently, VA provides a special dependency and indemnity compensation payment to a surviving spouse with one or more children under the age of 18. However, these payments are not adjusted. This legislation would provide automatic cost-of-living adjustments for these payments.

For veterans whose injuries are so significant that employment is not an option, VA operates an independent living rehabilitation program to help them achieve a maximum level of independence in daily life. Unfortunately, under current law, the number of veterans who in any one year can enroll in these programs is capped at 2,600. While I have heard from VA that this enrollment cap does not present any problem for the effective conduct of the program, I remain concerned that the effect of the cap is to put downward pressure on VA's enrollment of eligible veterans in this very important program. This is of particular concern today, as veterans are returning from the current conflicts with disabilities that may require extensive periods of rehabilitation and assistance in order to achieve independence in their daily lives. This legislation would remove the 2,600 cap and allow all qualified veterans to enroll in VA's independent living program.

This legislation would provide many other benefits that I have not mentioned, such as improving the lives of veterans and troops with severe burn injuries and clarifying veteran and reservists' employment rights. I thank the members of the Veterans' Affairs

Committee and others in this Chamber who have worked hard to craft the many provisions in this bill.

I urge our colleagues to support this important legislation that would benefit many of this Nation's nearly 24 million veterans and their families.

Mr. BENNET. I ask unanimous consent the committee-reported substitute amendment be considered, that an Akaka amendment which is at the desk be agreed to, the committee-reported substitute, as amended, be agreed to, and the bill, as amended, be read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2654) was agreed to, as follows:

On page 39, line 10, strike ''September 30, 2014'' and insert ''April 30, 2016''.

On page 54, strike line 18 and all that follows through page 61, line 6.

On page 61, strike line 7 and all that follows through page 64, line 16, and insert the following:

**SEC. 501. INCREASE IN CERTAIN BURIAL AND FUNERAL BENEFITS AND PLOT ALLOWANCES FOR VETERANS.**

(a) INCREASE IN BURIAL AND FUNERAL EXPENSES FOR DEATHS IN DEPARTMENT FACILITIES.—Section 2303(a)(1)(A) is amended by striking ''$300'' and inserting ''$745 (as increased from time to time under subsection (c))''.

(b) INCREASE IN AMOUNT OF PLOT ALLOWANCES.—Section 2303(b) is amended by striking ''$300'' each place it appears and inserting ''$745 (as increased from time to time under subsection (c))''.

(c) ANNUAL ADJUSTMENT.—Section 2303 is amended by adding at the end the following new subsection:

''(c) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the burial and funeral expenses under subsection (a) and in the plot allowance under subsection (b), equal to the percentage by which—

''(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to deaths occurring on or after October 1, 2010.

(2) PROHIBITION ON COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2011.—No adjustments shall be made under section 2303(c) of title 38, United States Code, as added by subsection (c), for fiscal year 2011.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 728), as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. BENNET. I now ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1037 and the Senate proceed to its consideration; that all after the enacting clause be stricken and the text of S. 728, as amended, be inserted in lieu thereof; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table; that upon passage of H.R. 1037, S. 728 be returned to the calendar, all with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 1037), as amended, was read the third time and passed, as follows:

H.R. 1037

*Resolved,* That the bill from the House of Representatives (H.R. 1037) entitled ''An Act to direct the Secretary of Veterans Affairs to conduct a five-year pilot project to test the feasibility and advisability of expanding the scope of certain qualifying work-study activities under title 38, United States Code.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Benefits Enhancement Act of 2009''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

*Sec. 1. Short title; table of contents.*
*Sec. 2. Reference to title 38, United States Code.*
*TITLE I—INSURANCE MATTERS*
*Sec. 101. Increase in amount of supplemental insurance for totally disabled veterans.*
*Sec. 102. Adjustment of coverage of dependents under Servicemembers' Group Life Insurance.*
*Sec. 103. Expansion of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance.*
*Sec. 104. Consideration of loss of dominant hand in prescription of schedule of severity of traumatic injury under Servicemembers' Group Life Insurance.*
*Sec. 105. Enhancement of veterans' mortgage life insurance.*
*TITLE II—COMPENSATION AND PENSION MATTERS*
*Sec. 201. Cost-of-living increase for temporary dependency and indemnity compensation payable for surviving spouses with dependent children under the age of 18.*
*Sec. 202. Eligibility of veterans 65 years of age or older for service pension for a period of war.*
*Sec. 203. Clarification of additional requirements for consideration to be afforded time, place, and circumstances of service in determinations regarding service-connected disabilities.*
*Sec. 204. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.*
*Sec. 205. Enhancement of disability compensation for certain disabled veterans with difficulties using prostheses and disabled veterans in need of regular aid and attendance for residuals of traumatic brain injury.*
*Sec. 206. Commencement of period of payment of original awards of compensation for veterans retired or separated from the uniformed services for catastrophic disability.*
*Sec. 207. Applicability of limitation to pension payable to certain children of veterans of a period of war.*
*Sec. 208. Payment of dependency and indemnity compensation to survivors of former prisoners of war who died on or before September 30, 1999.*
*TITLE III—READJUSTMENT AND RELATED BENEFIT MATTERS*
*Sec. 301. Repeal of limitation on number of veterans enrolled in programs of independent living services and assistance.*
*Sec. 302. Eligibility of disabled veterans and members of the Armed Forces with severe burn injuries for automobiles and adaptive equipment.*
*Sec. 303. Enhancement of automobile assistance allowance for veterans.*
*Sec. 304. Payment of unpaid balances of Department of Veterans Affairs guaranteed loans.*
*TITLE IV—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES*
*Sec. 401. Waiver of sovereign immunity under the 11th Amendment with respect to enforcement of USERRA.*
*Sec. 402. Clarifying the definition of ''successor in interest''.*
*Sec. 403. Clarifying that USERRA prohibits wage discrimination against members of the Armed Forces.*
*Sec. 404. Requirement that Federal agencies provide notice to contractors of potential USERRA obligations.*
*Sec. 405. Comptroller General of the United States study on effectiveness of Federal programs of education and outreach on employer obligations under USERRA.*
*Sec. 406. Technical amendments.*
*TITLE V—BURIAL AND MEMORIAL MATTERS*
*Sec. 501. Increase in certain burial and funeral benefits and plot allowances for veterans.*
*TITLE VI—OTHER MATTERS*
*Sec. 601. National Academies review of best treatments for Gulf War Illness.*
*Sec. 602. Extension of National Academy of Sciences reviews and evaluations regarding illness and service in Persian Gulf War.*
*Sec. 603. Extension of authority for regional office in Republic of the Philippines.*
*Sec. 604. Aggregate amount of educational assistance available to individuals who receive both survivors' and dependents educational assistance and other veterans and related educational assistance.*
*Sec. 605. Technical correction.*

***SEC. 2. REFERENCE TO TITLE 38, UNITED STATES CODE.***

*Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.*

***TITLE I—INSURANCE MATTERS***

***SEC. 101. INCREASE IN AMOUNT OF SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS.***

*Section 1922A(a) is amended by striking ''$20,000'' and inserting ''$30,000''.*

***SEC. 102. ADJUSTMENT OF COVERAGE OF DEPENDENTS UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.***

*Clause (ii) of section 1968(a)(5)(B) is amended to read as follows:*

*''(ii)(I) in the case of a member of the Ready Reserve of a uniformed service who meets the qualifications set forth in subparagraph (B) or (C) of section 1965(5) of this title, 120 days after separation or release from such assignment; or*

''(II) in the case of any other member of the uniformed services, 120 days after the date of the member's separation or release from the uniformed services; or''.

**SEC. 103. EXPANSION OF INDIVIDUALS QUALIFYING FOR RETROACTIVE BENEFITS FROM TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.**

(a) IN GENERAL.—Paragraph (1) of section 501(b) of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 (Public Law 109–233; 120 Stat. 414; 38 U.S.C. 1980A note) is amended by striking '', if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom''.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2010.

**SEC. 104. CONSIDERATION OF LOSS OF DOMINANT HAND IN PRESCRIPTION OF SCHEDULE OF SEVERITY OF TRAUMATIC INJURY UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.**

(a) IN GENERAL.—Section 1980A(d) is amended—

(1) by striking ''Payments under'' and inserting ''(1) Payments under''; and

(2) by adding at the end the following new paragraph:

''(2) As the Secretary considers appropriate, the schedule required by paragraph (1) may distinguish in specifying payments for qualifying losses between the severity of a qualifying loss of a dominant hand and a qualifying loss of a nondominant hand.''.

(b) PAYMENTS FOR QUALIFYING LOSSES INCURRED BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall prescribe in regulations mechanisms for payments under section 1980A of title 38, United States Code, for qualifying losses incurred before the date of the enactment of this Act by reason of the requirements of paragraph (2) of subsection (d) of such section (as added by subsection (a)(2) of this section).

(2) QUALIFYING LOSS DEFINED.—In this subsection, the term ''qualifying loss'' means—

(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code; and

(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.

**SEC. 105. ENHANCEMENT OF VETERANS' MORTGAGE LIFE INSURANCE.**

(a) IN GENERAL.—Section 2106(b) is amended by striking ''$90,000'' and inserting ''$150,000, or $200,000 after January 1, 2012,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2010.

## TITLE II—COMPENSATION AND PENSION MATTERS

**SEC. 201. COST-OF-LIVING INCREASE FOR TEMPORARY DEPENDENCY AND INDEMNITY COMPENSATION PAYABLE FOR SURVIVING SPOUSES WITH DEPENDENT CHILDREN UNDER THE AGE OF 18.**

Section 1311(f) is amended—

(1) in paragraph (1), by inserting ''(as increased from time to time under paragraph (4))'' after ''$250'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

''(4) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the amount payable under paragraph (1), as such amount was in effect immediately prior to the date of such increase in benefit amounts, by the same percentage as the percentage by which such benefit amounts are increased. Any increase in a dollar amount under this paragraph shall be rounded down to the next lower whole dollar amount.''.

**SEC. 202. ELIGIBILITY OF VETERANS 65 YEARS OF AGE OR OLDER FOR SERVICE PENSION FOR A PERIOD OF WAR.**

(a) IN GENERAL.—Section 1513 is amended—

(1) in subsection (a), by striking ''by section 1521'' and all that follows and inserting ''by subsection (b), (c), (f)(1), (f)(5), or (g) of that section, as the case may be and as increased from time to time under section 5312 of this title.'';

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

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

''(b) The conditions in subsections (h) and (i) of section 1521 of this title shall apply to determinations of income and maximum payments of pension for purposes of this section.''.

(b) APPLICABILITY.—The amendments made by this section shall apply with respect to any claim for pension filed on or after the date of the enactment of this Act.

**SEC. 203. CLARIFICATION OF ADDITIONAL REQUIREMENTS FOR CONSIDERATION TO BE AFFORDED TIME, PLACE, AND CIRCUMSTANCES OF SERVICE IN DETERMINATIONS REGARDING SERVICE-CONNECTED DISABILITIES.**

(a) IN GENERAL.—Subsection (a) of section 1154 is amended to read as follows:

''(a) The Secretary shall include in the regulations pertaining to service-connection of disabilities the following:

''(1) Provisions requiring that, in each case where a veteran is seeking service-connection for any disability, due consideration shall be given to the places, types, and circumstances of such veteran's service as shown by—

''(A) such veteran's service record;

''(B) the official history of each organization in which such veteran served;

''(C) such veteran's medical records; and

''(D) all pertinent medical and lay evidence.

''(2) Provisions generally recognizing circumstances in which lay evidence consistent with the place, conditions, dangers, or hardships associated with particular military service does not require confirmatory official documentary evidence in order to establish the occurrence of an event or exposure during active military, naval, or air service.

''(3) The provisions required by section 5 of the Veterans' Dioxin and Radiation Exposure Compensation Standards Act (Public Law 98–542; 98 Stat. 2727).''.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 210 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall promulgate regulations to implement section 1154(a)(2) of title 38, United States Code, as added by subsection (a).

(2) INTERIM REGULATIONS.—In the case that the Secretary is unable to promulgate final regulations under paragraph (1) on or before the date that is 210 days after the date of the enactment of this Act, the Secretary shall promulgate interim regulations on or before such date to be in effect until such time as the Secretary promulgates final regulations.

**SEC. 204. EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.**

Section 5503(d)(7) is amended by striking ''September 30, 2011'' and inserting ''April 30, 2016''.

**SEC. 205. ENHANCEMENT OF DISABILITY COMPENSATION FOR CERTAIN DISABLED VETERANS WITH DIFFICULTIES USING PROSTHESES AND DISABLED VETERANS IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY.**

(a) VETERANS SUFFERING ANATOMICAL LOSS OF HANDS, ARMS, OR LEGS.—Section 1114 is amended—

(1) in subsection (m)—

(A) by striking ''at a level, or with complications,'' and inserting ''with factors''; and

(B) by striking ''at levels, or with complications,'' and inserting ''with factors'';

(2) in subsection (n)—

(A) by striking ''at levels, or with complications,'' and inserting ''with factors'';

(B) by striking ''so near the hip as to'' and inserting ''with factors that''; and

(C) by striking ''so near the shoulder and hip as to'' and inserting ''with factors that''; and

(3) in subsection (o), by striking ''so near the shoulder as to'' and inserting ''with factors that''.

(b) VETERANS WITH SERVICE-CONNECTED DISABILITIES IN NEED OF REGULAR AID AND ATTENDANCE FOR RESIDUALS OF TRAUMATIC BRAIN INJURY.—

(1) IN GENERAL.—Such section is further amended—

(A) in subsection (p), by striking the semicolon at the end and inserting a period; and

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

''(t) Subject to section 5503(c) of this title, if any veteran, as the result of service-connected disability, is in need of regular aid and attendance for the residuals of traumatic brain injury, is not eligible for compensation under subsection (r)(2), and in the absence of such regular aid and attendance would require hospitalization, nursing home care, or other residential institutional care, the veteran shall be paid, in addition to any other compensation under this section, a monthly aid and attendance allowance equal to the rate described in subsection (r)(2), which for purposes of section 1134 of this title shall be considered as additional compensation payable for disability. An allowance authorized under this subsection shall be paid in lieu of any allowance authorized by subsection (r)(1).''.

(2) CONFORMING AMENDMENT.—Section 5503(c) is amended by striking ''in section 1114(r)'' and inserting ''in subsection (r) or (t) of section 1114''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 31, 2010.

**SEC. 206. COMMENCEMENT OF PERIOD OF PAYMENT OF ORIGINAL AWARDS OF COMPENSATION FOR VETERANS RETIRED OR SEPARATED FROM THE UNIFORMED SERVICES FOR CATASTROPHIC DISABILITY.**

(a) COMMENCEMENT OF PERIOD OF PAYMENT.—Subsection (a) of section 5111 is amended—

(1) by inserting ''(1)'' after ''(a)'';

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by striking ''in subsection (c) of this section'' and inserting ''in paragraph (2) of this subsection and subsection (c)''; and

(3) by adding at the end the following new paragraph:

''(2)(A) In the case of a veteran who is retired or separated from the active military, naval, or air service for a catastrophic disability or disabilities, payment of monetary benefits based on an award of compensation based on an original claim shall be made as of the date on which such award becomes effective as provided under section 5110 of this title or another applicable provision of law.

''(B) In this paragraph, the term 'catastrophic disability', with respect to a veteran, means a permanent, severely disabling injury, disorder, or disease that compromises the ability of the

*veteran to carry out the activities of daily living to such a degree that the veteran requires personal or mechanical assistance to leave home or bed, or requires constant supervision to avoid physical harm to self or others.''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to awards of compensation based on original claims that become effective on or after that date.*

*(c) TECHNICAL CORRECTION REGARDING WAIVER OF RETIRED PAY.—Section 5305 is amended by striking ''section 1414'' and inserting ''sections 1212(d)(2) and 1414''.*

***SEC. 207. APPLICABILITY OF LIMITATION TO PENSION PAYABLE TO CERTAIN CHILDREN OF VETERANS OF A PERIOD OF WAR.***

*Section 5503(d)(5) is amended—*

*(1) by inserting ''(A)'' after ''(5)''; and*

*(2) by adding at the end the following new subparagraph:*

*''(B) The provisions of this subsection shall apply with respect to a child entitled to pension under section 1542 of this title in the same manner as they apply to a veteran having neither spouse nor child.''.*

***SEC. 208. PAYMENT OF DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVORS OF FORMER PRISONERS OF WAR WHO DIED ON OR BEFORE SEPTEMBER 30, 1999.***

*Section 1318(b)(3) is amended by striking ''who died after September 30, 1999,''.*

## *TITLE III—READJUSTMENT AND RELATED BENEFIT MATTERS*

***SEC. 301. REPEAL OF LIMITATION ON NUMBER OF VETERANS ENROLLED IN PROGRAMS OF INDEPENDENT LIVING SERVICES AND ASSISTANCE.***

*(a) IN GENERAL.—Section 3120 is amended—*

*(1) by striking subsection (e); and*

*(2) by redesignating subsection (f) as subsection (e).*

*(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended by striking ''described in subsection (f)'' and inserting ''described in subsection (e)''.*

***SEC. 302. ELIGIBILITY OF DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES WITH SEVERE BURN INJURIES FOR AUTOMOBILES AND ADAPTIVE EQUIPMENT.***

*(a) ELIGIBILITY.—Paragraph (1) of section 3901 is amended—*

*(1) in subparagraph (A)—*

*(A) in the matter preceding clause (i), by striking ''in subclause (i), (ii), or (iii) below'' and inserting ''in clause (i), (ii), (iii), or (iv) of this subparagraph''; and*

*(B) by adding at the end the following new clause:*

*''(iv) A severe burn injury (as determined pursuant to regulations prescribed by the Secretary).''; and*

*(2) in subparagraph (B), by striking ''subclause (i), (ii), or (iii) of clause (A) of this paragraph'' and inserting ''clause (i), (ii), (iii), or (iv) of subparagraph (A)''.*

*(b) STYLISTIC AMENDMENTS.—Such section is further amended—*

*(1) in the matter preceding paragraph (1), by striking ''chapter—'' and inserting ''chapter:'';*

*(2) in paragraph (1)—*

*(A) in the matter preceding subparagraph (A), by striking ''means—'' and inserting ''means the following:'';*

*(B) in subparagraph (A)—*

*(i) in the matter preceding clause (i), by striking ''any veteran'' and inserting ''Any veteran'';*

*(ii) in clauses (i) and (ii), by striking the semicolon at the end and inserting a period; and*

*(iii) in clause (iii), by striking ''; or'' and inserting a period; and*

*(C) in subparagraph (B), by striking ''any member'' and inserting ''Any member''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2010.*

***SEC. 303. ENHANCEMENT OF AUTOMOBILE ASSISTANCE ALLOWANCE FOR VETERANS.***

*(a) INCREASE IN AMOUNT OF ALLOWANCE.—Subsection (a) of section 3902 is amended by striking ''$11,000'' and inserting ''$22,500 (as adjusted from time to time under subsection (e))''.*

*(b) ANNUAL ADJUSTMENT.—Such section is further amended by adding at the end the following new subsection:*

*''(e)(1) Effective on October 1 of each year (beginning in 2011), the Secretary shall increase the dollar amount in effect under subsection (a) to an amount equal to 80 percent of the average retail cost of new automobiles for the preceding calendar year.*

*''(2) The Secretary shall establish the method for determining the average retail cost of new automobiles for purposes of this subsection. The Secretary may use data developed in the private sector if the Secretary determines the data is appropriate for purposes of this subsection.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2010.*

***SEC. 304. PAYMENT OF UNPAID BALANCES OF DEPARTMENT OF VETERANS AFFAIRS GUARANTEED LOANS.***

*Section 3732(a)(2) is amended—*

*(1) by striking ''Before suit'' and inserting ''(A) Before suit''; and*

*(2) by adding at the end the following new subparagraph:*

*''(B) In the event that a housing loan guaranteed under this chapter is modified under the authority provided under section 1322(b) of title 11, the Secretary may pay the holder of the obligation the unpaid balance of the obligation due as of the date of the filing of the petition under title 11 plus accrued interest, but only upon the assignment, transfer, and delivery to the Secretary (in a form and manner satisfactory to the Secretary) of all rights, interest, claims, evidence, and records with respect to the housing loan.''.*

## *TITLE IV—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES*

***SEC. 401. WAIVER OF SOVEREIGN IMMUNITY UNDER THE 11TH AMENDMENT WITH RESPECT TO ENFORCEMENT OF USERRA.***

*(a) IN GENERAL.—Section 4323 is amended—*

*(1) in subsection (b) by striking paragraph (2) and inserting the following new paragraph:*

*''(2) In the case of an action against a State (as an employer) by a person, the action may be brought in the appropriate district court of the United States or State court of competent jurisdiction.'';*

*(2) by redesignating subsection (i) as subsection (j); and*

*(3) by inserting after subsection (h) the following new subsection (i):*

*''(i) WAIVER OF STATE SOVEREIGN IMMUNITY.—(1) A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th amendment to the Constitution or otherwise, to a suit brought by—*

*''(A) a person who is or was an employee in that program or activity for the rights or benefits authorized the person by this chapter;*

*''(B) a person applying to be such an employee in that program or activity for the rights or benefits authorized the person by this chapter; or*

*''(C) a person seeking reemployment as an employee in that program or activity for the rights or benefits authorized the person by this chapter.*

*''(2) In this subsection, the term 'program or activity' has the meaning given that term in section 309 of the Age Discrimination Act of 1975 (42 U.S.C. 6107).''.*

*(b) APPLICATION.—The amendments made by subsection (a) shall apply to—*

*(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and*

*(2) all actions or complaints filed under such chapter 43 that are commenced after the date of the enactment of this Act.*

***SEC. 402. CLARIFYING THE DEFINITION OF "SUCCESSOR IN INTEREST".***

*(a) IN GENERAL.—Section 4303(4) is amended by adding at the end the following new subparagraph:*

*''(D)(i) Whether the term 'successor in interest' applies with respect to an entity described in subparagraph (A) for purposes of clause (iv) of such subparagraph shall be determined on a case-by-case basis using a multi-factor test that considers the following factors:*

*''(I) Substantial continuity of business operations.*

*''(II) Use of the same or similar facilities.*

*''(III) Continuity of work force.*

*''(IV) Similarity of jobs and working conditions.*

*''(V) Similarity of supervisory personnel.*

*''(VI) Similarity of machinery, equipment, and production methods.*

*''(VII) Similarity of products or services.*

*''(ii) The entity's lack of notice or awareness of a potential or pending claim under this chapter at the time of a merger, acquisition, or other form of succession shall not be considered when applying the multi-factor test under clause (i).''.*

*(b) APPLICATION.—The amendment made by subsection (a) shall apply to—*

*(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and*

*(2) all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.*

***SEC. 403. CLARIFYING THAT USERRA PROHIBITS WAGE DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES.***

*(a) IN GENERAL.—Section 4303(2) is amended by striking ''other than'' and inserting ''including''.*

*(b) APPLICATION.—The amendment made by subsection (a) shall apply to—*

*(1) any failure to comply with a provision of or any violation of chapter 43 of title 38, United States Code, that occurs before, on, or after the date of the enactment of this Act; and*

*(2) all actions or complaints filed under such chapter 43 that are pending on or after the date of the enactment of this Act.*

***SEC. 404. REQUIREMENT THAT FEDERAL AGENCIES PROVIDE NOTICE TO CONTRACTORS OF POTENTIAL USERRA OBLIGATIONS.***

*(a) CIVILIAN AGENCIES.—The Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) is amended by adding at the end the following new section:*

***"SEC. 318. NOTICE TO CONTRACTORS OF POTENTIAL OBLIGATIONS RELATING TO EMPLOYMENT AND REEMPLOYMENT OF MEMBERS OF THE ARMED FORCES.***

*''Each contract for the procurement of property or services that is entered into by the head of an executive agency shall include a notice to the contractor that the contractor may have obligations under chapter 43 of title 38, United States Code.''.*

*(b) ARMED FORCES.—*

*(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:*

***"§ 2334. Notice to contractors of potential obligations relating to employment and reemployment of members of the armed forces***

*''Each contract for the procurement of property or services that is entered into by the head*

*of an executive agency shall include a notice to the contractor that the contractor may have obligations under chapter 43 of title 38.''.*

*(2) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by adding at the end the following new item:*

*''2334. Notice to contractors of potential obligations relating to employment and reemployment of members of the armed forces.''.*

***SEC. 405. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON EFFECTIVENESS OF FEDERAL PROGRAMS OF EDUCATION AND OUTREACH ON EMPLOYER OBLIGATIONS UNDER USERRA.***

*(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on the effectiveness of Federal programs of education and outreach on employer obligations under chapter 43 of title 38, United States Code.*

*(b) CONTENTS OF STUDY.—In carrying out the study required by subsection (a), the Comptroller General shall—*

*(1) assess current practices and procedures of Federal agencies for educating employers about their obligations under chapter 43 of title 38, United States Code;*

*(2) identify best practices for bringing the employment practices of small businesses into compliance with such chapter;*

*(3) determine whether the Employer Support for the Guard and Reserve, the Small Business Administration, or other agencies could collaborate to develop a program to educate employers regarding their obligations under such chapter; and*

*(4) determine the effect on recruitment and retention in the National Guard and Reserves of the failure of employers to meet their reemployment obligations under such chapter.*

*(c) REPORT TO CONGRESS.—Not later than June 30, 2010, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a), including the following:*

*(1) The findings of the Comptroller General with respect to such study.*

*(2) The recommendations of the Comptroller General for the improvement of education and outreach for employers with respect to their obligations under chapter 43 of title 38, United States Code.*

***SEC. 406. TECHNICAL AMENDMENTS.***

*(a) AMENDMENT TO CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—Section 206(b) of the Congressional Accountability Act of 1995 (2 U.S.C. 1316(b)) is amended by striking ''under paragraphs (1), (2)(A), and (3) of section 4323(c) of title 38, United States Code'' and inserting ''under section 4323(d) of title 38, United States Code''.*

*(b) AMENDMENT TO SECTION 416 OF TITLE 3, UNITED STATES CODE.—Section 416(b) of title 3, United States Code, is amended by striking ''under paragraphs (1) and (2)(A) of section 4323(c) of title 38'' and inserting ''under section 4323(d) of title 38''.*

*(c) AMENDMENT TO SECTION 4324 OF TITLE 38, UNITED STATES CODE.—Section 4324(b)(4) of title 38, United States Code, is amended by inserting before the period the following: ''declining to initiate an action and represent the person before the Merit Systems Protection Board''.*

***TITLE V—BURIAL AND MEMORIAL MATTERS***

***SEC. 501. INCREASE IN CERTAIN BURIAL AND FUNERAL BENEFITS AND PLOT ALLOWANCES FOR VETERANS.***

*(a) INCREASE IN BURIAL AND FUNERAL EXPENSES FOR DEATHS IN DEPARTMENT FACILITIES.—Section 2303(a)(1)(A) is amended by striking ''$300'' and inserting ''$745 (as increased from time to time under subsection (c))''.*

*(b) INCREASE IN AMOUNT OF PLOT ALLOWANCES.—Section 2303(b) is amended by striking ''$300'' each place it appears and inserting ''$745 (as increased from time to time under subsection (c))''.*

*(c) ANNUAL ADJUSTMENT.—Section 2303 is amended by adding at the end the following new subsection:*

*''(c) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the burial and funeral expenses under subsection (a) and in the plot allowance under subsection (b), equal to the percentage by which—*

*''(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds*

*''(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).''.*

*(d) EFFECTIVE DATE.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to deaths occurring on or after October 1, 2010.*

*(2) PROHIBITION ON COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2011.—No adjustments shall be made under section 2303(c) of title 38, United States Code, as added by subsection (c), for fiscal year 2011.*

***TITLE VI—OTHER MATTERS***

***SEC. 601. NATIONAL ACADEMIES REVIEW OF BEST TREATMENTS FOR GULF WAR ILLNESS.***

*(a) IN GENERAL.—The Secretary of Veterans Affairs shall enter into a contract with the Institute of Medicine of the National Academies to conduct a comprehensive review of the best treatments for Gulf War Illness.*

*(b) GROUP OF MEDICAL PROFESSIONALS.—In conducting the study required under subsection (a), the Institute of Medicine shall convene a group of medical professionals who are experienced in treating individuals diagnosed with Gulf War illness as follows:*

*(1) Members of the Armed Forces who served during the Persian Gulf War in the Southwest Asia theater of operations.*

*(2) Members of the Armed Forces who served in the Post 9/11 Global Operations theaters.*

*(c) REPORTS.—The contract required by subsection (a) shall require the Institute of Medicine to submit to the Secretary and to the appropriate committees of Congress a report on the review required under subsection (a) not later than December 31, 2011. The final report shall include such recommendations for legislative or administrative action as the Institute considers appropriate in light of the results of the review.*

*(d) FUNDING.—The Secretary shall provide the Institute of Medicine with such funds as are necessary to ensure the timely completion of the review required under subsection (a).*

*(e) DEFINITIONS.—In this section:*

*(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—*

*(A) the Committee on Veterans' Affairs of the Senate; and*

*(B) the Committee on Veterans' Affairs of the House of Representatives.*

*(2) GULF WAR ILLNESS.—The term ''Gulf War Illness'' means a medically unexplained chronic multisymptom illness, such as chronic fatigue syndrome, fibromyalgia, and irritable bowel syndrome, that is defined by a cluster of signs or symptoms relating to service in the Persian Gulf War or Post 9/11 Global Operations theaters.*

*(3) PERSIAN GULF WAR.—The term ''Persian Gulf War'' has the meaning given that term in section 101(33) of title 38, United States Code.*

*(4) POST 9/11 GLOBAL OPERATIONS THEATERS.—The term ''Post 9/11 Global Operations theaters'' means Afghanistan, Iraq, or any other theater in which the Global War on Terrorism Expeditionary Medal is awarded for service.*

***SEC. 602. EXTENSION OF NATIONAL ACADEMY OF SCIENCES REVIEWS AND EVALUATIONS REGARDING ILLNESS AND SERVICE IN PERSIAN GULF WAR.***

*(a) REVIEW AND EVALUATION OF TOXIC DRUGS AND ILLNESSES ASSOCIATED WITH PERSIAN GULF WAR.—Section 1603(j) of the Persian Gulf War Veterans Act of 1998 (38 U.S.C. 1117 note) is amended by striking ''October 1, 2010'' and inserting ''October 1, 2015''.*

*(b) REVIEW AND EVALUATION OF AVAILABLE EVIDENCE REGARDING ILLNESS AND SERVICE IN PERSIAN GULF WAR.—*

*(1) IN GENERAL.—Section 101(j) of the Veterans Programs Enhancement Act of 1998 (Public Law 105–368; 112 Stat. 3321) is amended by striking ''11 years after'' and all that follows through ''under subsection (b)'' and inserting ''on October 1, 2018''.*

*(2) CONFORMING AMENDMENT.—Section 1604 of the Persian Gulf War Veterans Act of 1998 (Public Law 105–277; 38 U.S.C. 1117 note) is repealed.*

***SEC. 603. EXTENSION OF AUTHORITY FOR REGIONAL OFFICE IN REPUBLIC OF THE PHILIPPINES.***

*Section 315(b) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.*

***SEC. 604. AGGREGATE AMOUNT OF EDUCATIONAL ASSISTANCE AVAILABLE TO INDIVIDUALS WHO RECEIVE BOTH SURVIVORS' AND DEPENDENTS EDUCATIONAL ASSISTANCE AND OTHER VETERANS AND RELATED EDUCATIONAL ASSISTANCE.***

*(a) AGGREGATE AMOUNT AVAILABLE.—Section 3695 is amended—*

*(1) in subsection (a)(4), by striking ''35,''; and*

*(2) by adding at the end the following new subsection:*

*''(c) The aggregate period for which any person may receive assistance under chapter 35 of this title, on the one hand, and any of the provisions of law referred to in subsection (a), on the other hand, may not exceed 81 months (or the part-time equivalent thereof).''.*

*(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect on October 1, 2010, and shall not operate to revive any entitlement to assistance under chapter 35 of title 38, United States Code, or the provisions of law referred to in section 3695(a) of such title, as in effect on the day before such date, that was terminated by reason of the operation of section 3695(a) of such title, as so in effect, before such date.*

*(c) REVIVAL OF ENTITLEMENT REDUCED BY PRIOR UTILIZATION OF CHAPTER 35 ASSISTANCE.—*

*(1) IN GENERAL.—Subject to paragraph (2), in the case of an individual whose period of entitlement to assistance under a provision of law referred to in section 3695(a) of title 38, United States Code (other than chapter 35 of such title), as in effect on September 30, 2010, was reduced under such section 3695(a), as so in effect, by reason of the utilization of entitlement to assistance under chapter 35 of such title before October 1, 2010, the period of entitlement to assistance of such individual under such provision shall be determined without regard to any entitlement so utilized by the individual under chapter 35 of such title.*

*(2) LIMITATION.—The maximum period of entitlement to assistance of an individual under paragraph (1) may not exceed 81 months.*

***SEC. 605. TECHNICAL CORRECTION.***

*Section 5503(c) is amended by striking ''veterans' '' and inserting ''veteran's''.*

## NATIONAL RUNAWAY PREVENTION MONTH

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 308, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 308) recognizing and supporting the goals and ideals of National Runaway Prevention Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNET. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 308) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 308

Whereas the number of runaway and homeless youth in the United States is staggering, with studies suggesting that between 1,600,000 and 2,800,000 youth live on the streets each year;

Whereas the problem of children who run away from home is widespread, as youth between 12 and 17 years of age are at a higher risk of homelessness than adults;

Whereas runaway youth are often expelled from their homes by their families, discharged by State custodial systems without adequate transition plans, separated from their parents by death and divorce, or physically, sexually, and emotionally abused at home;

Whereas runaway youth are often too poor to secure their own basic needs and are ineligible or unable to access adequate medical or mental health resources;

Whereas effective programs that provide support to runaway youth and assist them in remaining at home with their families can succeed through partnerships created among families, community-based human service agencies, law enforcement agencies, schools, faith-based organizations, and businesses;

Whereas preventing youth from running away from home and supporting youth in high-risk situations is a family, community, and national priority;

Whereas the future of the Nation is dependent on providing opportunities for youth to acquire the knowledge, skills, and abilities necessary to develop into safe, healthy, and productive adults;

Whereas the National Network for Youth and its members advocate on behalf of runaway and homeless youth and provide an array of community-based support to address their critical needs;

Whereas the National Runaway Switchboard provides crisis intervention and referrals to reconnect runaway youth with their families and link youth to local resources that provide positive alternatives to running away from home; and

Whereas during the month of November, the National Network for Youth and the National Runaway Switchboard are co-sponsoring National Runaway Prevention Month, in order to increase public awareness of the circumstances faced by youth in high-risk situations and to address the need to provide resources and support for safe, healthy, and productive alternatives for at-risk youth, their families, and their communities: Now, therefore, be it

*Resolved*, That the Senate recognizes and supports the goals and ideals of National Runaway Prevention Month.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 458, the nomination of Paul Fishman to be U.S. attorney for New Jersey; that the nomination be confirmed and the motion to reconsider be laid upon the table; that no further motions be in order and any statements relating to the nomination be printed in the Record; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF JUSTICE

Paul Joseph Fishman, of New Jersey, to be United States Attorney for the District of New Jersey for the term of four years.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

## ORDERS FOR THURSDAY, OCTOBER 8, 2009

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, October 8; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of H.R. 2847, the Commerce-Justice-Science appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNET. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:02 p.m., adjourned until Thursday, October 8, 2009, at 9:30 a.m.

## NOMINATIONS

Executive nomination received by the Senate:

DEPARTMENT OF COMMERCE

PATRICK GALLAGHER, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY, VICE WILLIAM ALAN JEFFREY.

## CONFIRMATION

Executive nomination confirmed by the Senate, October 7, 2009:

DEPARTMENT OF JUSTICE

PAUL JOSEPH FISHMAN, OF NEW JERSEY, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW JERSEY FOR THE TERM OF FOUR YEARS.

# EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 8, 2009 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### OCTOBER 9

9:30 a.m.

Banking, Housing, and Urban Affairs

Economic Policy Subcommittee

To hold hearings to examine restoring credit to manufacturers.

SD–538

### OCTOBER 14

10 a.m.

Energy and Natural Resources

To hold hearings to examine energy and related economic effects of global climate change legislation.

SD–366

Health, Education, Labor, and Pensions

Business meeting to consider any pending nominations.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine the past, present, and future of policy czars.

SD–342

Judiciary

To hold hearings to examine prohibiting price fixing and other anticompetitive conduct in the health insurance industry.

SD–226

Commission on Security and Cooperation in Europe

To hold hearings to examine promoting tolerance and understanding in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on the role of the personal representatives.

SVC–208/209

2:30 p.m.

Banking, Housing, and Urban Affairs

Financial Institutions Subcommittee

To hold hearings to examine the state of the banking industry.

SD–538

Aging

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold joint hearings to examine the cost of federal long-term care insurance.

SD–342

### OCTOBER 15

10 a.m.

Small Business and Entrepreneurship

To hold hearings to examine health care solutions for America's small businesses.

SD–628

### OCTOBER 21

9:30 a.m.

Veterans' Affairs

To hold hearings to examine pending legislation.

SR–418

# *Daily Digest*

## Highlights

**House agreed to the conference report to accompany H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010.**

# Senate

## *Chamber Action*

***Routine Proceedings, pages S10171–S10255***

**Measures Introduced:** Four bills and three resolutions were introduced, as follows: S. 1759–1762, S. Res. 307–308, and S. Con. Res. 46. **Page S10217**

**Measures Passed:**

***Government Charge Card Abuse Prevention Act:*** Senate passed S. 942, to prevent the abuse of Government charge cards. **Pages S10243–45**

***Pilot College Work Study Programs for Veterans Act:*** Committee on Veterans' Affairs was discharged from further consideration of H.R. 1037, to direct the Secretary of Veterans Affairs to conduct a five-year pilot project to test the feasibility and advisability of expanding the scope of certain qualifying work-study activities under title 38, United States Code, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 728, to amend title 38, United States Code, to enhance veterans' insurance benefits, Senate companion measure, after agreeing to the following amendment proposed thereto: **Pages S10245–54**

Bennet (for Akaka) Amendment No. 2654, to improve the bill. **Page S10251**

***National Runaway Prevention Month:*** Senate agreed to S. Res. 308, recognizing and supporting the goals and ideals of National Runaway Prevention Month. **Pages S10254–55**

**Measures Considered:**

**Commerce, Justice, Science, and Related Agencies Appropriations Act—Agreement:** Senate resumed consideration of H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, taking action on the following amendment proposed thereto:

**Pages S10181–S10212**

Withdrawn:

McCain Amendment No. 2629, to prohibit the use of funds appropriated under this Act for the purpose of preventing individuals, wholesalers, or pharmacists from importing certain prescription drugs.

**Pages S10182–88, S10192**

Rejected:

Vitter Amendment No. 2630, to prohibit funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. (By 61 yeas to 38 nays (Vote No. 316), Senate tabled the amendment.)

**Pages S10207–08, S10209–10**

Pending:

Vitter/Bennett Amendment No. 2644, to provide that none of the funds made available in this Act may be used for collection of census data that does not include a question regarding status of United States citizenship. **Pages S10192–95**

Johanns Amendment No. 2393, prohibiting the use of funds to fund the Association of Community Organizations for Reform Now (ACORN).

**Page S10207**

Bunning Amendment No. 2653, to require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate. **Pages S10208–09**

Levin/Coburn Amendment No. 2627, to ensure adequate resources for resolving thousands of offshore tax cases involving hidden accounts at offshore financial institutions. **Page S10210**

Durbin Modified Amendment No. 2647, to require the Comptroller General to review and audit Federal funds received by ACORN. **Pages S10210–12**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, October 8, 2009. **Page S10255**

**Nomination Confirmed:** Senate confirmed the following nomination:

Paul Joseph Fishman, of New Jersey, to be United States Attorney for the District of New Jersey for the term of four years. **Page S10255**

**Nomination Received:** Senate received the following nomination:

Patrick Gallagher, of Maryland, to be Director of the National Institute of Standards and Technology. **Page S10255**

**Messages from the House:** **Pages S10215–16**

**Enrolled Bills Presented:** **Page S10216**

**Executive Communications:** **Pages S10216–17**

**Executive Reports of Committees:** **Page S10217**

**Additional Cosponsors:** **Pages S10217–18**

**Statements on Introduced Bills/Resolutions:** **Pages S10218–23**

**Additional Statements:** **Pages S10213–15**

**Amendments Submitted:** **Pages S10223–27**

**Notices of Hearings/Meetings:** **Pages S10227–28**

**Authorities for Committees to Meet:** **Page S10228**

**Privileges of the Floor:** **Page S10228**

**Text of H.R. 3326 as previously passed:** **Pages S10228–43**

**Record Votes:** One record vote was taken today. (Total—316) **Page S10210**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:02 p.m., until 9:30 a.m. on Thursday, October 8, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10255.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## SECURITIZATION OF ASSETS

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Securities, Insurance and Investment concluded a hearing to examine securitization of assets, focusing on problems and solutions, after receiving testimony from Patricia A. McCoy, University of Connecticut School of Law Insurance Law Center, Hartford; George P. Miller, American Securitization Forum, Andrew Davidson, Andrew Davidson and Co, and J. Christopher Hoeffel, Commercial Mortgage Securities Association, all of New York, New York; and William W. Irving, Fidelity Investments, Smithfield, Rhode Island.

## SATELLITE HOME VIEWER EXTENSION AND REAUTHORIZATION ACT OF 2004

*Committee on Commerce, Science, and Transportation:* Subcommittee on Communications and Technology concluded a hearing to examine reauthorization of the Satellite Home Viewer Extension and Reauthorization Act of 2004, after receiving testimony from Robert Gabrielli, DIRECTV, Inc., El Segundo, California; Stanton Dodge, DISH Network L.L.C., Englewood, Colorado; Paul A. Karpowicz, Meredith Broadcasting Group, Rocky Hill, Connecticut; and Lonna Thompson, Association of Public Television Stations, Arlington, Virginia.

## CIVILIAN NUCLEAR COOPERATION

*Committee on Foreign Relations:* Subcommittee on Near Eastern and South and Central Asian Affairs concluded a hearing to examine the proposed agreement between the United States and the United Arab Emirates on civilian nuclear cooperation, after receiving testimony from Vann Van Diepen, Acting Assistant Secretary for International Security and Nonproliferation, and Janet Sanderson, Deputy Assistant Secretary for Near Eastern Affairs, both of the Department of State; and Harold McFarlane, Deputy Associate Laboratory Director for Nuclear Science and Technology, Idaho National Laboratory, Department of Energy, on behalf of the International Nuclear Energy Academy.

## AL-QAEDA AND AFGHANISTAN

*Committee on Foreign Relations:* Committee concluded a hearing to examine Al-Qaeda, focusing on Afghanistan, after receiving testimony from Peter Bergen, New American Foundation, Marc Sageman, Foreign Policy Research Institute, and Bob Grenier, all of Washington, D.C.

## 2010 CENSUS

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine the 2010 census, focusing on a status update of key decennial operations, the delivery of key IT systems, preliminary findings on the results of address canvassing and the lessons learned from that operation that can be applied to subsequent field operations, and the Bureau's progress in improving its cost estimation abilities, after receiving testimony from Robert M. Groves, Director, United States Census Bureau, and Todd J. Zinser, Inspector General, both of the Department of Commerce; and

Robert Goldenkoff, Director, Strategic Issues, Government Accountability Office.

**BUSINESS MEETING**

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nominations of M. Patricia Smith, of New York, to be Solicitor, Joseph A. Main, of Virginia, to be Assistant Secretary for Mine Safety and Health, and William E. Spriggs, of Virginia, to be Assistant Secretary for Policy, all of the Department of Labor, and Regina M. Benjamin, of Alabama, to be Surgeon General of the Public Health Service, Department of Health and Human Services.

**WORKPLACE FAIRNESS**

*Committee on the Judiciary:* Committee concluded a hearing to examine workplace fairness, after receiving testimony from Michael Foreman, Pennsylvania State University Dickinson School of Law Civil Rights Appellate Clinic, University Park; Michael W. Fox, Ogletree, Deakins, Nash, Smoak, and Stewart, P.C., Austin, Texas; Mark A. de Bernardo, Jackson Lewis, LLP, Washington D.C., on behalf of the Council for Employment Law Equity; Jamie Leigh Jones, Spring, Texas; and Jack Gross, Des Moines, Iowa.

**NOMINATIONS**

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit, who was introduced by Senators Webb and Warner, Laurie O. Robinson, of the District of Columbia, to be an Assistant Attorney General, Department of Justice, who was introduced by Senator Specter, and Ketanji Brown Jackson, of Maryland, to be a Member of the United States Sentencing Commission, after the nominees testified and answered questions in their own behalf.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 22 public bills, H.R. 3736–3757; and 9 resolutions, H. Res. 804–807, 809–813, were introduced.

**Pages H11110–11**

**Additional Cosponsors:** **Pages H11111–12**

**Reports Filed:** Reports were filed today as follows:

Conference report on H.R. 2647, to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, and to expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees (H. Rept. 111–288) and

H. Res. 808, providing for consideration of the conference report to accompany the bill (H.R. 2647) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, and to expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees (H. Rept. 111–289).

**Pages H10565–H11052, H11078, H11110**

**Chaplain:** The prayer was offered by the Guest Chaplain, Rev. Dr. Vaughn Baker, Christ United Methodist Church, Fort Worth, Texas. **Page H10523**

**Recess:** The House recessed at 11:52 a.m. and reconvened at 12:16 p.m. **Page H10539**

**Privileged Resolution—Intent to Offer:** Representative Carter announced his intent to offer a privileged resolution. **Pages H10540–42**

**Privileged Resolution:** Representative Carter rose to a question of the privileges of the House and offered H. Res. 805, raising a question of the privileges of the House. Subsequently, Representative Crowley moved to refer the resolution to the Committee on Standards of Official Conduct and the motion was agreed to by a recorded vote of 246 ayes to 153 noes with 19 voting "present", Roll No. 759, after agreeing to order the previous question by a recorded vote of 243 ayes to 156 noes with 19 voting "present", Roll No. 758. **Pages H10542–44**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, October 6th:

***Recognizing the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem:*** H. Res. 701, to recognize the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem, by a ⅔ yea-and-nay vote of 325 yeas to 93 nays, Roll No. 760 and

**Page H10545**

***Honoring the people of Shanksville, Pennsylvania, and the Flight 93 Ambassadors for their efforts in creating the Flight 93 temporary memorial:*** H. Res. 795, to honor the people of Shanksville, Pennsylvania, and the Flight 93 Ambassadors for their efforts in creating the Flight 93 temporary memorial and to encourage the completion of the National Park Service Flight 93 National Memorial by the 10th anniversary of September 11, 2001, by a ⅔ yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 763. **Page H11078**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Authorizing major medical facility leases for the Department of Veterans Affairs for fiscal year 2010:*** S. 1717, to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010; **Pages H10559–61**

***Rex E. Lee Post Office Building Designation Act:*** H.R. 3547, to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the "Rex E. Lee Post Office Building"; **Pages H10561–62**

***Clyde Hichborn Post Office Designation Act:*** H.R. 2174, to designate the facility of the United States Postal Service located at 18 Main Street in Howland, Maine, as the "Clyde Hichborn Post Office"; **Pages H10562–63**

***Kingman and Heritage Islands Act of 2009:*** H.R. 2092, amended, to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia; and **Pages H10563–65**

***Providing for the concurrence by the House in the Senate amendment to H.R. 1035, with an amendment:*** H. Res. 806, to provide for the concurrence by the House in the Senate amendment to H.R. 1035, with an amendment, by a ⅔ yea-and-nay vote of 358 yeas to 66 nays, Roll No. 762.

**Pages H11052–61, H11077–78**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

***Proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously:*** H.J. Res. 26, to proclaim Casimir Pulaski to be an honorary citizen of the United States posthumously;

**Pages H10545–50**

***Service Members Home Ownership Tax Act of 2009:*** H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees; and

**Pages H10550–54**

***Providing for the concurrence by the House in the Senate amendment to H.R. 1016, with amendment:*** H. Res. 804, to provide for the concurrence by the House in the Senate amendment to H.R. 1016, with amendment. **Pages H10554–59**

**Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010—Conference Report:** The House agreed to the conference report to accompany H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, by a yea-and-nay vote of 263 yeas to 162 nays, Roll No. 761.

**Pages H10528–40, H11061–77**

H. Res. 799, the rule providing for consideration of the conference report, was agreed to by a recorded vote of 241 ayes to 178 nays, Roll No. 757, after agreeing to order the previous question by a yea-and-nay vote of 237 yeas to 180 nays, Roll No. 756.

**Pages H10589–40**

**Committee Election:** The House agreed to H. Res. 807, electing a minority member to a standing committee: Committee on Oversight and Government Reform: Representative Cao. **Page H11078**

**Senate Message:** Message received from the Senate today appears on page H10539.

**Senate Referrals:** S. Con. Res. 45 was referred to the Committee on Foreign Affairs. **Page H10539**

**Quorum Calls—Votes:** Five yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H10539, H10540, H10543–44, H10544, H10545, H11076–77, H11077 and H11078. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 10:38 p.m.

# *Committee Meetings*

## FARM BILL CONSERVATION TITLE IMPLEMENTATION

*Committee on Agriculture:* Subcommittee on Conservation, Credit, Energy and Research held a hearing to

review implementation of the conservation title of the 2008 Farm Bill. Testimony was heard from the following officials of the USDA: Dave White, Chief, Natural Resources Conservation Service; and Jonathan Coppess, Administrator, Farm Service Agency.

## U.S. GREEN TECHNOLOGY TRADE

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled ''Growing U.S. Trade in Green Technology.'' Testimony was heard from Mary Saunders, Deputy Assistant Secretary, Manufacturing Services, International Trade Administration, Department of Commerce; and public witnesses.

## BREAST CANCER MEASURES

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing on the following bills: H.R. 1740, Breast Cancer Education and Awareness Requires Learning Young Act of 2009; H.R. 1691, Breast Cancer Patient Protection Act of 2009; H.R. 2279, Eliminating Disparities in Breast Cancer Treatment Act of 2009; H.R. 995, Mammogram and MRI Availability Act of 2009; and H.R. 2042, Better Screening Test for Women Act. Testimony was heard from Representatives DeLauro, Nadler and Wasserman Schultz; Stephen Taplin, M.D., Chief, Applied Cancer Screening Research Branch, Division of Cancer Control and Population Science, National Cancer Institute, NIH, Department of Health and Human Services; and public witnesses.

## OVER-THE-COUNTER DERIVATIVE MARKET REFORM

*Committee on Financial Services:* Held a hearing entitled '' Reform of the Over-the-Counter Derivative Market: Limiting Risk and Ensuring Fairness.'' Testimony was heard from Gary Gensler, Chairman, CFTC; Henry Hu, Director, Division of Risk, Strategy, and Financial Innovation, SEC; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Ordered reported, as amended, the following bills: H.R. 1478, Carmelo Rodriguez Military Medical Accountability Act of 2009; and H.R. 1110, PHONE Act of 2009.

The Committee began consideration of H.R. 42, Commission on Wartime Relocation and Internment of Latin Americans of Japanese Descent Act 2009.

## NATIVE AMERICAN GRAVES PROTECTION

*Committee on Natural Resources:* Held an oversight hearing entitled ''Native American Graves Protection and Repatriation Act (NAGPRA).'' Testimony was heard from Dan Wenk, Deputy Director, National Park Service, Department of the Interior; and public witnesses.

## MEDICAID PEDIATRIC DENTAL REFORM DEAMONTE DRIVER DEATH

*Committee on Oversight and Government Reform:* Subcommittee on Domestic Policy held a hearing entitled ''Medicaid's Efforts to Reform Since the Preventable Death of Deamonte Driver: A Progress Report.'' Testimony was heard from Cindy Mann, Director, Center for Medicaid and State Operations, State of Maryland; Katherine Iritani, Assistant Director, Health Issues, GAO; Mary G. McIntyre, M.D., Medical Director, Office of Clinical Standards and Quality, Medicaid Agency, State of Alabama; and public witnesses.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010—CONFERENCE REPORT

*Committee on Rules:* Granted, by a non-record vote, a rule providing for consideration of the conference report to accompany H.R. 2647, the ''National Defense Authorization Act for Fiscal Year 2010.'' The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. Finally, the rule provides that the previous question shall be considered as ordered without intervening motion except one hour of debate and one motion to recommit, if applicable. Testimony was heard from Chairman Skelton and Representative McKeon.

## MISCELLANEOUS MEASURES

*Committee on Science and Technology:* Ordered reported, as amended, the following bills: H.R. 3650, Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2009; H.R. 3585, Solar Technology Roadmap Act; and H.R. 3598, Energy and Water Research Integration Act.

## FIRST-TIME HOMEBUYER'S TAX CREDIT

*Committee on Small Business:* Held a hearing entitled ''The State of the Nation's Housing Sector: An Examination of the First Time Buyer's Credit and Future Policies to Sustain a Recovery.'' Testimony was heard from public witnesses.

## QUALIFICATIONS—CREDENTIALING OF MARINERS

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held a hearing on Qualifications and

Credentialing of Mariners: A Continuing Examination. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: RADM Kevin Cook, Director, Prevention Policy; and CAPT David C. Stalfort, Commanding Officer, National Maritime Center.

### DISTRESSED COMMUNITIES TAX INCENTIVES

*Committee on Ways and Means:* Subcommittee on Select Revenue Measures held a hearing on tax incentives for distressed communities. Testimony was heard from Nelson Bregon, General Deputy Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development; and public witnesses.

### BRIEFING—PERU UPDATE

*Permanent Select Committee on Intelligence:* Subcommittee on Oversight and Investigations met in executive session to receive a briefing on Peru Update. The Subcommittee was briefed by departmental witnesses.

## *Joint Meetings*

### HOMELAND SECURITY APPROPRIATIONS

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010.

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## COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 8, 2009

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the future of the mortgage market and the housing enterprises, 9:30 a.m., SD–538.

*Committee on Energy and Natural Resources:* business meeting to consider any pending nominations; to be immediately followed by a hearing to examine the nominations of Marcia K. McNutt, of California, to be Director of the United States Geological Survey, Department of the Interior, and Arun Majumdar, of California, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy, 10 a.m., SD–366.

Subcommittee on Public Lands and Forests, to hold hearings to examine S. 522, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, S. 865 and H.R. 1442, bills to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909, S. 881, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 940, to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye counties, Nevada, S. 1272, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, and S. 1689, to designate certain land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, 2:30 p.m., SD–366.

*Committee on Foreign Relations:* to hold hearings to examine the nominations of William E. Kennard, of the District of Columbia, to be Representative to the European Union, with the rank and status of Ambassador, Cynthia Stroum, of Washington, to be Ambassador to Luxembourg, John F. Tefft, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to Ukraine, and Michael C. Polt, of Tennessee, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Estonia, all of the Department of State, and James Legarde Hudson, of the District of Columbia, to be United States Director of the European Bank for Reconstruction and Development, 2:30 p.m., SD–419.

*Committee on the Judiciary:* business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 1692, to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters, S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 379, to provide fair compensation to artists for use of their sound recordings, and the nominations of Jacqueline H. Nguyen and Dolly M. Gee, both to be a United States District Judge for the Central District of California, and Edward Milton Chen and Richard Seeborg, both to be a United States District Judge for the Northern District of California, and Brendan V. Johnson, to be United States Attorney for the District of South Dakota, Karen Louise Loeffler, to be United States Attorney for the District of Alaska, and Steven Gerard O'Donnell, to be United States Marshal for the District of Rhode Island, all of the Department of Justice, 10 a.m., SD–226.

Subcommittee on Immigration, Refugees and Border Security, to hold hearings to examine comprehensive immigration reform, focusing on faith-based perspectives, 3 p.m., SD–226.

*Committee on Veterans' Affairs:* to hold hearings to examine the Department of Defense and Veterans' Affairs response to certain military exposures, 9:30 a.m., SD–562.

*Select Committee on Intelligence:* to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

## House

*Committee on Armed Services,* Defense Acquisition Reform Panel, hearing on the Department of Defense's Rapid Acquisition Process: Is It a Model for Improving Acquisition? 8 a.m., 2261 Rayburn.

*Committee on Education and Labor,* Subcommittee on Healthy Families and Communities, hearing to Examining Innovative Practices to Improve Child Nutrition, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Communications, Technology, and the Internet, to mark up the following bills: H.R. 1147, Local Community Radio Act of 2009; H.R. 1084, Commercial Advertisement Loudness Mitigation Act; H.R. 1258, Truth in Caller ID Act of 2009; and H.R. 3633, To allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes, 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* hearing on the following bills: H.R. 2382, Credit Card Interchange Fees Act of 2009; and H.R. 3639, Expedited CARD Reform for Consumers Act of 2009, 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled ''The Future of the Federal Housing Administration's Capital Reserves: Assumptions, Predictions and Implications for Homebuyers,'' 2 p.m., 2128 Rayburn.

*Committee on the Judiciary,* Subcommittee on Constitution, Civil Rights and Civil Liberties, hearing on Civil Rights Under Fire: Recent Supreme Court Decisions, 10 a.m., 2141 Rayburn.

Subcommittee on Courts and Competition Policy, hearing on H.R. 3596, Health Insurance Industry Antitrust Enforcement Act of 2009, 11:30 a.m., 2237 Rayburn.

*Committee on Science and Technology,* Subcommittee on Research and Science Education, hearing on Investing in High-Risk, High-Reward Research, 1 p.m., 2318 Rayburn.

*Committee on Small Business,* Subcommittee on Finance and Tax, to mark up the following measures: the Small Business Credit Expansion and Loan Markets Stabilization Act; the Job Creation and Economic Development Through CDC Modernization Act of 2009; Small Business Microlending Expansion Act of 2009; the Small Business Investment Company Modernization and Improvement Act of 2009; the Enhanced New Markets and Expanded Investment in Renewable Energy for Small Manufacturers Act of 2009; H.R. 3014, Small Business Health Information Technology Financing Act; the Small Business Early Stage Investment Act of 2009; and the Small Business Disaster Readiness and Reform Act of 2009, 10 a.m., 2360 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Disability Assistance and Memorial Affairs, hearing on the following bills: H.R. 761, to amend title 38, United States Code, to provide for the eligibility of parents of certain deceased veterans for interment in national cemeteries; H.R. 3485, Veterans Pensions Protection Act; H.R. 2243, Surviving Spouses' Benefit Improvement Act of 2009; H.R. 3544, National Cemeteries Expansion Act of 2009; and draft legislation, 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, to mark up the following bills: H.R. 2696, Servicemembers' Rights Protection Act; H.R. 1182, Military Spouses Residence Relief Act; H.R. 2416, To require the Department of Veterans Affairs to use purchases of goods or services through the Federal supply schedules for the purpose of meeting certain contracting goals for participation by small business concerns owned and controlled by veterans, including veterans with service-connected disabilities; H.R. 2461, Veterans Small Business Verification Act; H.R. 2614, Veterans' Advisory Committee on Education Reauthorization Act of 2009; and H.R. 2874, Helping Active Duty Deployed Act of 2009, 1 p.m., 334 Cannon.

*Committee on Ways and Means,* Subcommittee on Income Security and Family Support, hearing to evaluate the response of ''safety net'' programs during the recession, 10 a.m., B–318 Rayburn.

*Permanent Select Committee on Intelligence,* executive, briefing on Afghanistan Center of Excellence, 1 p.m., 304 HVC.

*Next Meeting of the* SENATE

9:30 a.m., Thursday, October 8

Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Thursday, October 8

House Chamber

**Program for Thursday:** Consideration of the conference report to accompany H.R. 2647—National Defense Authorization Act for Fiscal Year 2010 (Subject to a Rule).

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