AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

110TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

HASC No.
10

DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

COMMITTEE PRINT

OF THE

HOUSE OF REPRESENTATIVES COMMITTEE ON ARMED SERVICES

JOINT EXPLANATORY STATEMENT

TO ACCOMPANY

S. 3001

SEPTEMBER 2008

DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

110TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

HASC NO.
10

DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

COMMITTEE PRINT

OF THE

HOUSE OF REPRESENTATIVES COMMITTEE ON ARMED SERVICES

JOINT EXPLANATORY STATEMENT

TO ACCOMPANY

S. 3001

SEPTEMBER 2008

U.S. GOVERNMENT PRINTING OFFICE

44–707 WASHINGTON : 2008

NOTE FROM THE DIRECTOR OF LEGISLATIVE OPERATIONS

This committee print contains the legislative text of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 as passed by the House of Representatives on September 24, 2008, the Senate on September 27, 2008, and enrolled for the President's signature. In addition, it includes the Joint Explanatory Statement submitted in the Congressional Record on September 23, 2008, by Mr. Skelton, Chairman of the House Committee on Armed Services (for himself, Mr. Hunter, Ranking Member of the House Committee on Armed Services, Mr. Levin, Chairman of the Senate Committee on Armed Services and Mr. Warner, Acting Ranking Member of the Senate Committee on Armed Services).

On May 22, 2008, the House passed H.R. 5658, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009. On September 17, 2008, the Senate passed S. 3001, the National Defense Authorization Act for Fiscal Year 2009. Following precedent in previous years regarding Defense Authorization Acts, the Senate would have traditionally taken up H.R. 5658, struck and replaced its contents with the recently passed S. 3001, passed it under unanimous consent, insisted upon its amendment, motioned to go to conference, and appointed conferees. However, because of opposition in the Senate to initiate a formal conference, managers of the bill in the House of Representatives and the Senate, in collaboration with chairmen and ranking members, or their designees, of committees who would have been outside conferees had there been a formal conference, reconciled the differences between H.R. 5658 and S. 3001 through an informal conference. The result of these negotiations comprised the House amendment to S. 3001, which was considered and passed under suspension of the Rules of the House of Representatives on September 24, 2008, by a vote of 392–39. By unanimous consent, the Senate agreed with the House amendment to S. 3001 on September 27, 2008.

The following pages are organized in the manner of a traditional conference report to maintain legislative history and transparency.

CONTENTS

Page

JOINT EXPLANATORY STATEMENT SUBMITTED BY MR. SKELTON, CHAIRMAN OF THE COMMITTEE ON ARMED SERVICES, REGARDING THE AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO S. 3001 (As printed in the Congressional Record on September 23, 2008) 393
CONGRESSIONAL DEFENSE COMMITTEES 400
DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS 400
TITLE I—PROCUREMENT 400
Procurement Overview 400
Budget Items 485
Shipbuilding 485
Items of Special Interest 486
Intelligence, surveillance, and reconnaissance task force 486
Legislative Provisions Adopted 486
Subtitle A—Authorization of Appropriations 486
Authorization of appropriations (secs. 101–105) 486
Subtitle B—Army Programs 487
Separate procurement line items for Future Combat Systems program (sec. 111) 487
Clarification of status of Future Combat Systems program lead system integrator (sec. 112) 487
Restriction on obligation of funds for Army tactical radio pending report (sec. 113) 487
Restriction on obligation of procurement funds for Armed Reconnaissance Helicopter program pending certification (sec. 114) ... 488
Stryker Mobile Gun System (sec. 115) 488
Subtitle C—Navy Programs 488
Refueling and complex overhaul of the U.S.S. Theodore Roosevelt (sec. 121) 488
Littoral Combat Ship (LCS) program (sec. 122) 489
Report on F/A-18 procurement costs, comparing multiyear to annual (sec. 123) 489
Authority for advanced procurement and construction of components for the Virginia-class submarine program (sec. 124) 489
Subtitle D—Air Force Programs 489
Maintenance of retired KC-135E aircraft (sec. 131) 489
Repeal of multi-year contract authority for procurement of tanker aircraft (sec. 132) 490
Report on processes used for requirements development for KC-(X) tanker aircraft (sec. 133) 490
F-22A fighter aircraft (sec. 134) 490
Subtitle E—Joint and Multiservice Matters 491
Annual long-term plan for the procurement of aircraft for the Navy and the Air Force (sec. 141) 491
Report on body armor acquisition strategy (sec. 142) 491
Small arms acquisition strategy and requirements review (sec. 143) 491
Requirement for common ground stations and payloads for manned and unmanned aerial vehicle systems (sec. 144) 492
Report on future jet carrier training requirements of the Navy (sec. 145) 492
Legislative Provisions Not Adopted 492
Rapid acquisition fund 492
Applicability of previous teaming agreements for Virginia-class submarine program 493

Page

TITLE I—PROCUREMENT—Continued
Legislative Provisions Not Adopted—Continued
Limitation on retiring C-5 aircraft 493
TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION 493
Budget Items 493
Research, Development, Test and Evaluation overview 493
Network science, technology and experimentation center 568
Items of Special Interest 568
Executive helicopter program (VH-71A) 568
Missile defense force structure and Joint Capabilities Mix studies 569
Missile defense tests and targets 570
Upper tier follow-on to Arrow 570
Wide area airborne surveillance 571
Subtitle A—Authorization of Appropriations 572
Authorization of appropriations (sec. 201) 572
Authorization for defense science and technology (sec. 202) 572
Subtitle B—Program Requirements, Restrictions, and Limitations 572
Additional determinations to be made as part of Future Combat Systems milestone review (sec. 211) 572
Analysis of Future Combat Systems communications network and software (sec. 212) 573
Future Combat Systems manned ground vehicle selected acquisition reports (sec. 213) 573
Separate procurement and research, development, test, and evaluation line items and program elements for Sky Warrior unmanned aerial systems (sec. 214) 573
Restriction on obligation of funds for the Warfighter Information Network-Tactical program (sec. 215) 573
Limitation on source of funds for certain Joint Cargo Aircraft expenditures (sec. 216) 574
Requirement for plan on overhead nonimaging infrared systems (sec. 217) 574
Advanced energy storage technology and manufacturing (sec. 218) 575
Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions (sec. 219) 575
Requirements for certain airborne intelligence collection systems (sec. 220) 575
Limitation on obligation of funds for enhance AN/TPQ-36 Radar System pending submission of report (sec. 221) 576
Subtitle C—Missile Defense Programs 576
Annual Director of Operational Test and Evaluation characterization of operational effectiveness, suitability, and survivability of the Ballistic Missile Defense System (sec. 231) 576
Independent study of boost-phase missile defense (sec. 232) 576
Limitation on availability of funds for procurement, construction, and deployment of missile defenses in Europe (sec. 233) 576
Review of the ballistic missile defense policy and strategy of the United States (sec. 234) 577
Airborne Laser System (sec. 235) 577
Activation and deployment of AN/TPY-2 forward-based X-band radar (sec. 236) 578
Subtitle D—Reports 578
Biennial reports on joint and service concept development and experimentation (sec. 241) 578
Report on the participation of the historically black colleges and universities and minority serving institutions in research and educational programs and activities of the Department of Defense (sec. 242) 578
Report on Department of Defense response to findings and recommendations of the Defense Science Board Task Force on Directed Energy Weapons (sec. 243) 579
Subtitle E—Other Matters 579
Modification of systems subject to survivability testing oversight by the Director of Operational Test and Evaluation (sec. 251) .. 579

Page

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued
Items of Special Interest—Continued
Subtitle E—Other Matters—Continued
Technology-neutral information technology guidelines and standards to support fully interoperable electronic personal health information for the Department of Defense and Department of Veterans Affairs (sec. 252) 579
Assessment of Technology transition programs and repeal of reporting requirement (sec. 253) 580
Trusted defense systems (sec. 254) 581
Capabilities-based assessment to outline a joint approach for future development of vertical lift aircraft and rotorcraft (sec. 255) 581
Executive agent for printed circuit board technology (sec. 256) 581
Review of conventional prompt global strike technology applications and concepts (sec. 257) 582
Legislative Provisions Not Adopted 583
Assured funding for certain information security and information assurance programs of the Department of Defense 583
Study on space-based interceptor element of ballistic missile defense system 583
Visiting National Institutes of Health senior neuroscience fellowship program 584
TITLE III—OPERATION AND MAINTENANCE 584
Subtitle A—Authorization of Appropriations 620
Operation and maintenance funding (sec. 301) 620
Subtitle B—Environmental Provisions 620
Authorization for Department of Defense participation in conservation banking programs (sec. 311) 620
Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington (sec. 312) 620
Expand cooperative agreement authority for management of natural resources to include off-installation mitigation (sec. 313) 620
Expedited use of appropriate technology related to unexploded ordnance detection (sec. 314) 620
Closed loop re-refining of used motor vehicle lubricating oil (sec. 315) 621
Comprehensive program for the eradication of the brown tree snake population from military facilities in Guam (sec. 316) 621
Subtitle C—Workplace and Depot Issues 621
Comprehensive analysis and development of single government-wide definition of inherently governmental function and criteria for critical functions (sec. 321) 621
Study on future depot capability (sec. 322) 621
Government Accountability Office review of high-performing organizations (sec. 323) 622
Consolidation of Air Force and Air National Guard aircraft maintenance (sec. 324) 622
Report on Air Force civilian personnel consolidation plan (sec. 325) 622
Report on reduction in number of firefighters on Air Forces bases (sec. 326) 623
Minimum capital investment for certain depots (sec. 327) 623
Subtitle D—Energy Security 623
Annual report on operational energy management and implementation of operational energy strategy (sec. 331) 623
Consideration of fuel logistics support requirements in planning, requirements development, and acquisition processes (sec. 332) 623
Study on solar and wind energy for use for expeditionary forces (sec. 333) 624
Study on alternative and synthetic fuels (sec. 334) 624
Mitigation of power outage risks for Department of Defense facilities and activities (sec. 335) 624
Subtitle E—Reports 625

Page

TITLE III—OPERATION AND MAINTENANCE—Continued
Subtitle E—Reports—Continued
Comptroller General report on readiness of armed forces (sec. 341) ... 625
Report on plan to enhance combat skills of Navy and Air Force personnel (sec. 342) ... 625
Comptroller General report on the use of the Army Reserve and National Guard as an operational reserve (sec. 343) ... 625
Comptroller General report on link between preparation and use of Army reserve component forces to support ongoing operations (sec. 344) ... 625
Comptroller General report on adequacy of funding, staffing, and organization of Department of Defense military munitions response program (sec. 345) ... 625
Subtitle F—Other Matters ... 626
Extension of enterprise transition plan reporting requirement (sec. 351) ... 626
Demilitarization of loaned, given, or exchanged documents, historical artifacts, and condemned or obsolete combat materiel (sec. 352) ... 626
Repeal of requirement that Secretary of Air Force provide training and support to other military departments for A-10 aircraft (sec. 353) ... 626
Display of annual budget requirements for air sovereignty alert mission (sec. 354) ... 626
Revision of Certain Air Force regulations required (sec. 355) ... 626
Transfer of C-12 aircraft to California Department of Forestry and Fire Protection (sec. 356) ... 627
Limitation on treatment of retired B-52 aircraft for Air Combat Command Headquarters (sec. 357) ... 627
Increase of domestic breeding of military working dogs used by the Department of Defense (sec. 358) ... 627
Legislative Provisions Not Adopted ... 627
Time limitation on duration of public-private competitions ... 627
Authority to consider depot-level maintenance and repair using contractor furnished equipment or leased facilities as core logistics ... 628
Temporary suspension of studies and public-private competitions regarding conversion of functions of the Department of Defense performed by civilian employees to contractor performance ... 628
Exception to alternative fuel procurement requirement ... 628
Study of consideration of greenhouse gas emissions ... 629
Increased authority to accept financial and other incentives related to energy savings and new authority related to energy systems ... 629
Recovery of improperly disposed of Department of Defense property ... 629
Report on options for providing ship repair capabilities to support ships operating near Guam ... 629
Sense of Congress that air sovereignty alert mission should receive sufficient funding and resources ... 629
Availability of funds for Irregular Warfare Support program ... 629
Sense of Congress regarding procurement and use of munitions ... 630
TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS ... 630
Subtitle A—Active Forces ... 630
End strengths for active forces (sec. 401) ... 630
Revision in permanent active duty end strength minimum levels (sec. 402) ... 631
Subtitle B—Reserve Forces ... 631
End strengths for Selected Reserve (sec. 411) ... 631
End strength for reserves on active duty in support of the reserves (sec. 412) ... 632
End strengths for military technicians (dual status) (sec. 413) ... 632
Fiscal year 2009 limitation on number of non-dual status technicians (sec. 414) ... 633
Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415) ... 633

Page

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS—Continued
Subtitle B—Reserve Forces—Continued
Additional waiver authority of limitation on number of reserve component members authorized to be on active duty (sec. 416) . 633
Subtitle C—Authorization of appropriations 633
Military personnel (sec. 421) 633
Legislative Provision Not Adopted 634
Increased end strengths for Reserves on active duty in support of the Army National Guard and Army Reserve and military technicians (dual status) of the Army National Guard 634
TITLE V—MILITARY PERSONNEL POLICY 634
Subtitle A—Officer Personnel Policy Generally 634
Mandatory separation requirements for regular warrant officers for length of service (sec. 501) 634
Requirements for issuance of posthumous commissions and warrants (sec. 502) 634
Authorized number of general officers on active duty in the Army and Marine Corps, limited exclusion for joint duty requirements, and increase in number of officers serving in grades above major general and rear admiral (sec. 503) 634
Modification of authority on Staff Judge Advocate to the Commandant of the Marine Corps (sec. 504) 635
Eligibility of reserve officers to serve on boards of inquiry for separation of regular officers for substandard performance and other reasons (sec. 505) 635
Delayed authority to alter distribution requirements for commissioned officers on active duty in general officer and flag officer grades and limitations on authorized strengths of general and flag officers (sec. 506) 636
Subtitle B—Reserve Component Management 636
Extension to other reserve components of Army authority for deferral of a mandatory separation of military technicians (dual status) until age 60 (sec. 511) 636
Modification of authorized strengths for certain Army National Guard Marine Corps Reserve, and Air National Guard officers and Army National Guard enlisted personnel serving on full-time reserve component duty (sec. 512) 636
Clarification of authority to consider for a vacancy promotion National Guard officers ordered to active duty in support of a contingency operation (sec. 513) 637
Increase in mandatory retirement age for certain Reserve Officers (sec. 514) 637
Age limit for retention of certain Reserve officers on active-status list as exception to removal for years of commissioned service (sec. 515) 637
Authority to retain Reserve chaplains and officers in medical and related specialties until age 68 (sec. 516) 637
Modification of authorities on dual duty status of National Guard officers (sec. 517) 638
Study and report regarding Marine Corps personnel policies regarding assignments in Individual Ready Reserve (sec. 518) 638
Report on collection of information on civilian skills of members of the reserve components of the armed forces (sec. 519) 638
Subtitle C—Joint Qualified Officers and Requirements 638
Joint duty requirements for promotion to general of flag officer (sec. 521) 638
Technical, conforming, and clerical changes to joint specialty terminology (sec. 522) 638
Promotion policy objectives for joint qualified officers (sec. 523) ... 639
Length of joint duty assignments (sec. 524) 639
Designation of general and flag officer positions on Joint Staff as positions to be held only by reserve component officers (sec. 525) 639
Modification of limitations on authorized strengths of reserve general and flag officers in active status serving in joint duty assignments (sec. 526) 639

Page

TITLE V—MILITARY PERSONNEL POLICY—Continued
Subtitle C—Joint Qualified Officers and Requirements—Continued
Reports on joint education courses available through the Department of Defense (sec. 527) 640
Subtitle D—General Service Authorities 640
Increase in maximum period of reenlistment of regular members of the armed forces (sec. 531) 640
Paternity leave for members of the armed forces (sec. 532) 641
Pilot programs on career flexibility to enhance retention of members of the armed forces (sec. 533) 641
Subtitle E—Education and Training 641
Authorized strength of military service academies and repeal of prohibition on phased increase in midshipmen and cadet strength limit at Naval Academy and Air Force Academy (sec. 540) 641
Promotion of foreign and cultural exchange activities at military service academies (sec. 541) 642
Increased authority to enroll defense industry employees in defense product development program (sec. 542) 642
Expanded authority for institutions of professional military education to award degrees (sec. 543) 642
Tuition for attendance of federal employees at the United States Air Force Institute of Technology (sec. 544) 643
Increase in number of permanent professors at the United States Air Force academy (sec. 545) 643
Requirement of completion of service under honorable conditions for purposes of entitlement to educational assistance for reserve component members supporting contingency operations (sec. 546) 643
Consistent education loan repayment authority for health professionals in regular components and Selected Reserve (sec. 547) . 643
Increase in number of units of Junior Reserve Officers' Training Corps (sec. 548) 644
Correction of erroneous Army college Fund benefit amounts (sec. 549) 644
Enhancing education partnerships to improve accessibility and flexibility for members of the Armed Forces (sec. 550) 644
Subtitle F—Defense Dependents' Education 645
Continuation of authority to assist local educational agencies that benefit dependents of members of the armed forces and Department of Defense civilian employees (sec. 551) 645
Impact aid for children with severe disabilities (sec. 552) 645
Transition of military dependent students among local educational agencies (sec. 553) 645
Calculation of payments for eligible federally connected children under Department of Education's impact aid program (sec. 554) 645
Subtitle G—Military Justice 646
Effective period of military protective orders (sec. 561) 646
Mandatory notification of issuance of military protective order to civilian law enforcement (sec. 562) 646
Implementation of information database on sexual assault incidents in the armed forces (sec. 563) 646
Subtitle H—Decorations, Awards, and Honorary Promotions 646
Replacement of military decorations (sec. 571) 646
Authorization and request for award of Medal of Honor to Richard L. Etchberger for acts of valor during the Vietnam War (sec. 572) 647
Subtitle I—Military Families 647
Presentation of burial flag to the surviving spouse and children of deceased member of the armed forces (sec. 581) 647
Education and training opportunities for military spouses (sec. 582) 647
Sense of the Congress regarding honor guard details for funerals of veterans (sec. 583) 648
Subtitle J—Other Matters 648

Page

TITLE V—MILITARY PERSONNEL POLICY—Continued
Subtitle J—Other Matters—Continued
Prohibition on interference in independent legal advice by the Legal Counsel to the Chairman of the Joint Chiefs of Staff (sec. 591) 648
Interest payments on certain claims arising from correction of military records (sec. 592) 648
Extension of limitation on reductions of personnel of agencies responsible for review and correction of military records (sec. 593) 648
Modification of matching fund requirements under National Guard Youth Challenge Program (sec. 594) 649
Military salute for the flag during the national anthem by members of the armed forces not in uniform and by veterans (sec. 595) 649
Military Leadership Diversity Commission (sec. 596) 649
Demonstration project on service of retired nurse corps officers as faculty at civilian nursing schools (sec. 597) 649
Report on planning for participation and hosting of the Department of Defense in international sports activities, competitions, and events (sec. 598) 650
Legislative Provisions Not Adopted 650
Extension of authority to reduce minimum length of active service required for voluntary retirement as an officer 650
Compensation for civilian President of naval Postgraduate School 650
Advancement of Brigadier General Charles E. Yeager, United States Air Force (Retired), on the retired list 651
Advancement of Rear Admiral Wayne E. Meyer, United States Navy (Retired), on the retired list 651
Award of Vietnam Service Medal to veterans who participated in Mayaguez rescue operation 651
Retroactive award of Army Combat Action Badge 651
Inclusion of Reserves in providing federal aid for State governments, enforcing federal authority, and responding to major public emergencies 652
Authority to order Reserve units to active duty to provide assistance in response to a major disaster or emergency 652
Limitation on simultaneous deployment to combat zones of dual-military couples who have minor dependents 653
Additional funds to carry out funeral honor functions at funerals for veterans 653
Protection of child custody arrangements for parents who are members of the armed forces deployed in support of a contingency operation 653
TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS 654
Subtitle A—Pay and Allowances 654
Fiscal year 2009 increase in military basic pay (sec. 601) 654
Permanent extension of prohibition on charges for meals received at military treatment facilities by members receiving continuous care (sec. 602) 654
Increase in maximum authorized payment or reimbursement amount for temporary lodging expenses (sec. 603) 654
Availability of second family separation allowance for married couples with dependents (sec. 604) 654
Extension of authority for income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service (sec. 605) 654
Subtitle B—Bonuses and Special and Incentive Pays 655
Extension of certain bonus and special pay authorities for reserve forces (sec. 611) 655
Extension of certain bonus and special pay authorities for health care professionals (sec. 612) 655
Extension of special pay and bonus authorities for nuclear officers (sec. 613) 655
Extension of authorities relating to payment of other title 37 bonuses and special pays (sec. 614) 655

Page

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS—Continued
Subtitle B—Bonuses and Special and Incentive Pays—Continued
Extension of authorities relating to payment of referral bonuses (sec. 615) 656
Increase in maximum bonus and stipend amounts authorized under nurse officer candidate accession program and Health Professions Stipend Program (sec. 616) 656
Maximum length of nuclear officer incentive pay agreements for service (sec. 617) 656
Technical changes regarding consolidation of special pay, incentive pay, and bonus authorities of the uniformed services (sec. 618) 656
Use of new skill incentive pay and proficiency bonus authorities to encourage training in critical foreign languages and foreign cultural studies and authorization of incentive pay for members of precommissioning programs pursuing foreign language proficiency (sec. 619) 657
Accession and retention bonuses for the recruitment and retention of officers in certain health professions (sec. 620) 657
Subtitle C—Travel and Transportation Allowances 658
Special weight allowance for transportation of professional books and equipment for spouses (sec. 621) 658
Shipment of family pets during evacuation of personnel (sec. 622) 658
Subtitle D—Retired Pay and Survivor Benefits 658
Extension to survivors of certain members who die on active duty of special survivor indemnity allowance for persons affected by required Survivor Benefit Plan annuity offset for Dependency and Indemnity Compensation (sec. 631) 658
Correction of unintended reduction in survivor Benefit Plan annuities due to phased elimination of two-tier annuity computation and supplemental annuity (sec. 632) 658
Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations 659
Use of commissary stores surcharges derived from temporary commissary initiatives for reserve components and retired members (sec. 641) 659
Enhanced enforcement of prohibition on sale or rental of sexually explicit material on military installations (sec. 642) 659
Subtitle F—Other Matters 659
Continuation of entitlement to bonuses and similar benefits for members of the uniformed services who die, are separated or retired for disability, or meet other criteria (sec. 651) 659
Legislative Provisions Not Adopted 660
Equitable treatment of senior enlisted members in computation of basic allowance for housing 660
Stabilization of pay and allowances for senior enlisted members and warrant officers appointed as officers and officers reappointed in a lower grade 660
Guaranteed pay increase for members of the armed forces of one-half of one percentage point higher than employment cost index 660
Increased weight allowance for transportation of baggage and household effects for certain enlisted members 660
Travel and transportation allowances for members of the reserve components of the armed forces on leave for suspension of training 660
Equity in computation of disability retired pay for reserve component members wounded in action 661
Effect of termination of subsequent marriage on payment of Survivor Benefit Plan annuity to surviving spouse or former spouse who previously transferred annuity to dependent children 661
Repeal of requirement of reduction of SBP survivor annuities by Dependency and Indemnity Compensation 661

Page

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS—Continued
Legislative Provisions Not Adopted—Continued
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 661
Recomputation of retired pay and adjustment of retired grade of Reserve retirees to reflect service after retirement 662
Presumption of death for participants in Survivor Benefit Plan in missing status 662
Eligibility for disability retired pay and separation pay of certain former cadets and midshipmen with prior enlisted service 662
Separation pay, transitional health care, and transitional commissary and exchange benefits for members of the armed forces separated under surviving son or daughter policy 662
Requirements for private operation of commissary store functions 663
Additional exception to limitation on use of appropriated funds for Department of Defense golf courses 663
Use of appropriated funds to pay post allowance or overseas cost of living allowances to nonapropriated fund instrumentality employees serving overseas 663
Study regarding sale of alcoholic wine and beer in commissary stores in addition to exchange stores 664
Bonus to encourage Army personnel and other persons to refer persons for enlistment in the Army 664
Providing injured members of the armed forces information concerning benefits 664
Postal benefits program for members of the armed forces serving in Iraq or Afghanistan 664
TITLE VII—HEALTH CARE AND WOUNDED WARRIOR PROVISIONS 665
Subtitle A—Improvements to Health Benefits 665
One-year extension of prohibition on increases in certain health care costs for members of the uniformed services (sec. 701) 665
Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program (sec. 702) 665
Chiropractic health care for members on active duty (sec. 703) 665
Calculation of monthly premiums for coverage under TRICARE Reserve Select after 2008 (sec. 704) 665
Program for health care delivery at military installations projected to grow (sec. 705) 666
Guidelines for combined medical facilities of the Department of Defense and the Department of Veterans Affairs (sec. 706) 666
Subtitle B—Preventive Care 667
Waiver of copayments for preventive services for certain TRICARE beneficiaries (sec. 711) 667
Military health risk management demonstration project (sec. 712) 667
Smoking cessation program under TRICARE (sec. 713) 667
Preventive health allowance (sec. 714) 668
Additional authority for studies and demonstration projects relating to delivery of health and medical care (sec. 715) 668
Subtitle C—Wounded Warrior Matters 669
Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injuries (sec. 721) 669
Clarification to center of excellence relating to military eye injuries (sec. 722) 669
Center of excellence in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations (sec. 723) 669
Additional responsibilities for the Wounded Warrior Resource Center (sec. 724) 670
Sense of Congress on research on traumatic brain injury (sec. 725) 670
Extension of Senior Oversight Committee with respect to wounded warrior matters (sec. 726) 670

Page

TITLE VII—HEALTH CARE AND WOUNDED WARRIOR PROVISIONS—Continued
Subtitle C—Wounded Warrior Matters—Continued
Modification of utilization of veterans' presumption of sound condition in establishing eligibility of members of the armed forces for retirement for disability (sec. 727) 671
Subtitle D—Other Matters 671
Report on providing the Extended Care Health Option program to dependents of military retirees (sec. 731) 671
Increase in cap on extended benefits under Extended Health Care Option (ECHO) (sec. 732) 671
Department of Defense task force on the prevention of suicides by members of the armed forces (sec. 733) 672
Transitional health care for certain members of the armed forces who agree to serve in the Selected Reserve of the Ready Reserve (sec. 734) 672
Enhancement of medical and dental readiness of members of the armed forces (sec. 735) 672
Legislative Provisions Not Adopted 673
Prohibition on conversion of military medical and dental positions to civilian medical and dental positions 673
Reserve component behavioral health care provider locator and appointment assistance demonstration project 674
Travel for anesthesia services for childbirth for dependents of members assigned to very remote locations outside the continental United States 674
National Casualty Care Research Center 674
Review of policies and processes related to the delivery of mail to wounded members of the armed forces 674
Post-deployment mental health screening demonstration project . 675
Report on stipend for members of reserve components for health care for certain dependents 675
Report on implementation of recommendations contained in report on health effects of exposure to depleted uranium 675
Implementation of recommendations of Department of Defense Mental health Task Force 675
Inclusion of service members in inpatient status in wounded warrior policies and protections 675
Clarification of certain information sharing between the Department of Defense and Department of Veterans Affairs for wounded warrior purposes 676
TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS 676
Subtitle A—Acquisition Policy and Management 676
Assessment of urgent operational needs fulfillment (sec. 801) 676
Implementation of statutory requirements regarding the national technology and industrial base (sec. 802) 676
Commercial software reuse preference (sec. 803) 676
Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies (sec. 804) 677
Subtitle B—Provisions Relating to Major Defense Acquisition Programs 677
Inclusion of major subprograms to major defense acquisition programs under acquisition reporting requirements (sec. 811) 677
Inclusion of certain major information technology investments in acquisition oversight authorities for major automated information system programs (sec. 812) 677
Transfer of sections of title 10 relating to milestone A and milestone B for clarity (sec. 813) 677
Configuration Steering Boards for cost control under major defense acquisition programs (sec. 814) 678
Preservation of tooling for major defense acquisition programs (sec. 815) 678
Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations 678
Definition of system for defense acquisition challenge program (sec. 821) 678
Technical data rights (sec. 822) 678

Page

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS—Continued
Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations—Continued
Revision to the application of cost accounting standards (sec. 823) 678
Modification and extension of pilot program for transition to follow-on contracts under authority to carry out certain prototype projects (sec. 824) 679
Clarification of status of Government rights in designs of Department of Defense vessels, boats, craft, and components thereof (sec. 825) 679
Subtitle D—Provisions Relating to Acquisition Workforce and Inherently Governmental Functions 679
Development of guidance on personal services contracts (sec. 831) 679
Sense of Congress on the performance by private security contractors of certain functions in an area of combat operations (sec. 832) 679
Acquisition workforce expedited hiring authority (sec. 833) 680
Career path and other requirements for military personnel in the acquisition field (sec. 834) 680
Subtitle E—Department of Defense Contractor Matters 680
Ethics safeguards related to conflicts of interest (sec. 841) 680
Information for Department of Defense contractor employees on their whistleblower rights (sec. 842) 681
Requirement for Department of Defense to adopt an acquisition strategy for Defense Base Act insurance (sec. 843) 681
Report on use of off-shore subsidiaries by defense contractors (sec. 844) 681
Defense industrial security (sec. 845) 682
Subtitle F—Matters Relating to Iraq and Afghanistan 682
Clarification and modification of authorities relating to the Commission on Wartime Contracting in Iraq and Afghanistan (sec. 851) 682
Comprehensive audit of spare parts purchases and depot overhaul and maintenance of equipment for operations in Iraq and Afghanistan (sec. 852) 682
Additional matters required to be reported by contractors performing security functions in areas of combat operations (sec. 853) 682
Additional contractor requirements and responsibilities personnel in Iraq and Afghanistan (sec. 854) 683
Suspension of statutes of limitations when Congress authorizes the use of military force (sec. 855) 683
Subtitle G—Governmentwide Acquisition Improvements 683
Short title (sec. 861) 683
Limitation on length of certain noncompetitive contracts (sec. 862) 683
Requirements for purchase of property and services pursuant to multiple award contracts (sec. 863) 683
Regulations on the use of cost-reimbursement contracts (sec. 864) 684
Preventing the abuse of interagency contracts (sec. 865) 684
Limitations on tiering of subcontractors (sec. 866) 684
Linking of award and incentive fees to acquisition outcomes (sec. 867) 684
Minimizing abuse of commercial services item authority (sec. 868) 684
Acquisition workforce development strategic plan (sec. 869) 685
Contingency contracting corps (sec. 870) 685
Access of Government Accountability Office to contractor employees (sec. 871) 685
Database for federal agency contract and grant officers and suspension and debarment officials (sec. 872) 685
Role of interagency committee on debarment and suspension (sec. 873) 686

Page

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS—Continued
Subtitle G—Governmentwide Acquisition Improvements—Continued
Improvements to the Federal Procurement Data System (sec. 874) ... 686
Subtitle H—Other Matters ... 686
Expansion of authority to retain fees from licensing of intellectual property (sec. 881) ... 686
Report on market research (sec. 882) ... 686
Report relating to munitions (sec. 883) ... 686
Motor carrier fuel surcharges (sec. 884) ... 687
Procurement by State and local governments of equipment for homeland security and emergency response activities through the Department of Defense (sec. 885) ... 687
Review of impact of covered subsidies on acquisition of KC-45 aircraft (sec. 886) ... 687
Report on the implementation of earned value management at the Department of Defense (sec. 887) ... 687
Legislative Provisions Not Adopted ... 688
Authorization of appropriations ... 688
Authorization of independent agencies ... 688
Comprehensive proposal analysis required during source selection ... 688
Disclosure of CEO salaries ... 688
Limitation on performance of product support integrator functions ... 688
Mandatory fraud reporting ... 688
Minimizing sole-source contracts ... 689
Multiyear procurement authority for the Department of Defense for the purchase of alternative and synthetic fuels ... 689
Prohibition on procurement from beneficiaries of foreign subsidies ... 689
Prohibitions on the use of lead systems integrators ... 689
Protection of contractor employees from reprisal for disclosure of certain information ... 689
Repeal of requirements relating to the military system essential item breakout list ... 689
Requirement to buy military decorations, ribbons, badges, medals, insignia, and other uniform accoutrements produced in the United States ... 690
TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT ... 690
Subtitle A—Department of Defense Management ... 690
Plan required for personnel management of special operations forces (sec. 901) ... 690
Director of Operational Energy Plans and Programs (sec. 902) ... 690
Corrosion control and prevention executives for the military departments (sec. 903) ... 691
Participation of Deputy Chief Management Officer of the Department of Defense on Defense Business System Management Committee (sec. 904) ... 691
Modification of status of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (sec. 905) ... 691
Requirement for the Secretary of Defense to prepare a strategic plan to enhance the role of the National Guard and Reserves (sec. 906) ... 691
General Counsel to the Inspector General of the Department of Defense (sec. 907) ... 691
Business transportation initiatives for the military departments (sec. 908) ... 692
Subtitle B—Space Activities ... 692
Extension of authority for pilot program for provision of space surveillance network services to entities outside United States Government (sec. 911) ... 692
Investment and acquisition strategy for commercial satellite capabilities (sec. 912) ... 692
Space posture review (sec. 913) ... 692

Page

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT—Continued
Subtitle C—Chemical Demilitarization Program 693
Responsibilities for Chemical Demilitarization Citizens' Advisory Commissions in Colorado and Kentucky (sec. 921) 693
Cost-benefit analysis of future treatment of hydrolysate at Pueblo Chemical Depot, Colorado (sec. 922) 693
Subtitle D—Intelligence-Related Matters 693
Technical changes following the re-designation of National Imagery and Mapping Agency as National Geospatial-Intelligence Agency (sec. 931) 693
Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 (sec. 932) 693
Technical amendments relating to the Associate Director of the CIA for Military Affairs (sec. 933) 694
Subtitle E—Other Matters 694
Enhancement of authorities relating to Department of Defense regional centers for security studies (sec. 941) 694
Restriction on obligation of funds for United States Southern Command development assistance activities (sec. 942) 694
Authorization of non-conventional assisted recovery capabilities (sec. 943) 694
Report on homeland defense and civil support issues (sec. 944) 695
Report on National Guard resource requirements (sec. 945) 695
Legislative Provisions Not Adopted 696
Revisions in functions and activities of Special Operations Command 696
Requirement to designate officials for irregular warfare 696
Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps 696
Support to committee to review 696
Requirement for certain officers of the armed forces on active duty in certain intelligence positions 697
Transfer of management of Intelligence Systems Support Office 697
Program on advanced sensor applications 697
Findings and sense of Congress regarding the Western Hemisphere Institute for Security Cooperation 697
TITLE X—GENERAL PROVISIONS 698
Subtitle A—Financial Matters 698
General Transfer authority (sec. 1001) 698
One-time shift of military retirement payments (sec. 1002) 698
Management of purchase cards (sec. 1003) 698
Codification of recurring authority on United States contributions to the North Atlantic Treaty Organization common-funded budgets (sec. 1004) 698
Incorporation of funding decisions into law (sec. 1005) 699
Subtitle B—Policy Relating to Vessels and Shipyards 699
Conveyance, Navy drydock, Aransas Pass, Texas (sec. 1011) 699
Report on repair of naval vessels in foreign shipyards (sec. 1012) 699
Report on plan for disposal of certain vessels stricken from the Naval Vessel Register (sec. 1013) 700
Reimbursement of expenses for certain Navy mess operations (sec. 1014) 700
Policy relating to major combatant vessels of the strike forces of the United States Navy (sec. 1015) 700
Subtitle C—Counter-Drug Activities 700
Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities (sec. 1021) 700
Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities (sec. 1022 701
Extension of authority to support unified counter-drug and counter-terrorism campaign in Colombia and continuation of numerical limitation on assignment of United States personnel (sec. 1023) 701

Page

TITLE X—GENERAL PROVISIONS—Continued
Subtitle C—Counter-Drug Activities—Continued
Expansion and extension of authority to provide additional support for counter-drug activities of certain foreign governments (sec. 1024) 701
Comprehensive Department of Defense strategy for counter-narcotics efforts for United States Africa Command (sec. 1025) 702
Comprehensive Department of Defense strategy for counter-narcotics efforts in South and Central Asian regions (sec. 1026) 702
Subtitle D—Miscellaneous Authorities and Limitations 702
Enhancement of the capacity of the United States Government to conduct complex operations (sec. 1031) 702
Crediting of admiralty claim receipts for damage to property funded from a Department of defense working capital fund (sec. 1032) 702
Minimum annual purchase requirement for charter air transportation services from carriers participating in the Civil Reserve Air Fleet (sec. 1033) 703
Semi-annual reports on status of Navy next Generation Enterprise Networks (NGEN) program (sec. 1034) 703
Sense of Congress on nuclear weapons management (sec. 1035) 703
Sense of Congress on joint Department of Defense-Federal Aviation Administration executive committee on conflict and dispute resolution (sec. 1036) 704
Sense of Congress on sale of new outsize cargo, strategic airlift aircraft for civilian use (sec. 1037) 704
Subtitle E—Studies and Reports 704
Report on corrosion control and prevention (sec. 1041) 704
Study on using Modular Airborne Fire Fighting Systems (MAFFS) in a Federal response to wildfires (sec. 1042) 705
Study on rotorcraft survivability (sec. 1043) 705
Report on nuclear weapons (sec. 1044) 705
Report on compliance by Department of Defense with Guam tax and licensing laws (sec. 1045) 706
Report on detention operations in Iraq (sec. 1046) 706
Review of bandwidth capacity requirements of the Department of Defense and the intelligence community (sec. 1047) 706
Review of findings and recommendations applicable to the Department of Defense regarding electromagnetic pulse attack (sec. 1048) 707
Subtitle F—Other Matters 707
Additional information under annual submissions of information regarding information technology capital assets (sec. 1051) 707
Submission to Congress of revision to regulation on enemy prisoners of war, retained personnel, civilian internees, and other detainees (sec. 1052) 707
Barnegat Inlet to Little Egg Inlet, New Jersey (sec. 1053) 708
Standing advisory panel on improving coordination among the Department of Defense, the Department of State, and the United States Agency for International Development on matters of national security (sec. 1054) 708
Reports on strategic communication and public diplomacy activities of the Federal Government (sec. 1055) 708
Prohibitions relating to propaganda (sec. 1056) 709
Sense of Congress on interrogation of detainees by contractor personnel (sec. 1057) 709
Sense of Congress with respect to 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. 1058) 709
Modification of deadlines for standards required for entry to military installations in the United States (sec. 1059) 709
Extension of certain dates for Congressional Commission on the Strategic Posture of the United States (sec. 1060) 710
Technical and clarifying amendments (sec. 1061) 710
Notification of Committees on Armed Services with respect to certain non-proliferation and proliferation activities (sec. 1062) 710

Page

TITLE X—GENERAL PROVISIONS—Continued
Subtitle F—Other Matters—Continued
Assessment of security measures at consolidated center for North American Aerospace Defense Command and United States Northern Command (sec. 1073) 710
Legislative Provisions Not Adopted 711
Strategic Communication Management Board 711
Studies to analyze alternative models for acquisition and funding of interconnected cyberspace systems 711
Study on national defense implications of section 1083 711
Study on methods to verifiably reduce the likelihood of accidental nuclear launch 711
Sense of Congress honoring the Honorable Duncan Hunter 712
Sense of Congress in honor of the Honorable Jim Saxton, a Member of the House of Representatives 712
Sense of Congress honoring the Honorable Terry Everett, a Member of the House of Representatives 712
Sense of Congress honoring the Honorable Jo Ann Davis, a Member of the House of Representatives 712
Authorization of appropriations for payments to Portuguese nationals employed by the Department of Defense 712
State defense force improvement 712
Sense of Congress regarding the roles and missions of the Department of Defense and other national security institutions 713
Sense of Congress relating to 2008 supplemental appropriations 713
Sense of Congress regarding defense requirements of the United States 713
Non-applicability of the Federal Advisory Committee Act to the Congressional Commission on the Strategic Posture of the United States 713
Study and report on the use of power management software 713
Public disclosure of names of students and instructors at Western Hemisphere Institute for Security Cooperation 714
TITLE XI—CIVILIAN PERSONNEL MATTERS 714
Authority to waive annual limitation on premium pay and aggregate limitation on pay for federal civilian employees working overseas (sec. 1101) 714
Temporary discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone (sec. 1102) 714
Election of insurance coverage by federal civilian employees deployed in support of a contingency operation (sec. 1103) 715
Extension of authority to make lump-sum severance payments (sec. 1104) 715
Extension of voluntary reduction-in-force authority of Department of Defense (sec. 1105) 715
Enhancement of authorities relating to additional positions under the National Security Personnel System (sec. 1106) 715
Expedited hiring authority for health care professionals (sec. 1107) 716
Direct hire authority at personnel demonstration laboratories for certain candidates (sec. 1108) 716
Status reports relating to laboratory personnel demonstration projects (sec. 1109) 716
Technical amendment relating to definition of professional accounting position for purposes of certification and credentialing standards (sec. 1110) 717
Exceptions and adjustments to limitations on personnel and reports on such exceptions and adjustments (sec. 1111) 717
Legislative Provisions Not Adopted 717
Department of Defense strategic human capital plans 717
Conditional increase in authorized number of Defense Intelligence Senior Executive Service personnel 717
Requirement relating to furloughs during the time of a contingency operation 717
TITLE XII—MATTERS RELATING TO FOREIGN NATIONS 718
Subtitle A—Assistance and Training 718

Page

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS—Continued
Subtitle A—Assistance and Training—Continued
Extension of authority to build the capacity of the Pakistan Frontier Corps (sec. 1201) 718
Availability across fiscal years of funds for military-to-military contacts and comparable activities (sec. 1202) 718
Availability across fiscal years of funds to pay incremental expenses for participation of developing counties in combined exercises (sec. 1203) 718
Extension of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability (sec. 1204) 718
Authority for distribution to certain foreign personnel of education and training materials and information technology tot enhance military interoperability with the armed forces (sec. 1205) 719
Modification and extension of authorities relating to program to build the capacity of foreign military forces (sec. 1206) 719
Extension of authority and increased funding for security and stabilization assistance (sec. 1207) 720
Extension and expansion of authority for support of special operations to combat terrorism (sec. 1208) 721
Increase in amount available for costs of education and training of foreign military forces under Regional Defense Combating Terrorism Fellowship Program (sec. 1209) 721
Subtitle B—Matters Relating to Iraq and Afghanistan 721
Limitation on availability of funds for certain purposes relating to Iraq (sec. 1211) 721
Report on status of forces agreements between the United States and Iraq (sec. 1212) 721
Strategy for United States-led Provincial Reconstruction Teams in Iraq (sec. 1213) 722
Commanders' Emergency Response Program (sec. 1214) 722
Performance monitoring system for United States-led Provincial Reconstruction Teams in Afghanistan (sec. 1215) 723
Report on command and control structure for military forces operating in Afghanistan (sec. 1216) 723
Reports on enhancing security and stability in the region along the border of Afghanistan and Pakistan (sec. 1217) 723
Study and report on Police Transition Teams to train, assist, and advise units of the Iraqi Police Service (sec. 1218) 724
Subtitle C—Other Matters 724
Payment of personnel expenses for multilateral cooperation programs (sec. 1231) 724
Participation of the Department of Defense in multinational military centers of excellence (sec. 1232) 725
Review of security risks of participation by defense contractors in certain space activities of the People's Republic of China (sec. 1233) 725
Report on Iran's capability to produce nuclear weapons (sec. 1234) 726
Employment for resettled Iraqis (sec. 1235) 726
Extension and modification of updates on report on claims relating to the bombing of the Labelle Discotheque (sec. 1236) 726
Report on utilization of certain global partnership authorities (sec. 1237) 727
Modification and repeal of requirement to submit certain annual reports to Congress regarding allied contributions to the common defense (sec. 1238) 727
Legislative Provisions Not Adopted 727
Declaration of policy relating to status of forces agreements between the United States and Iraq 727
Limitation on certain status of forces agreements between the United States and Iraq 728
Report on long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom 728
Waiver of certain sanctions against North Korea 728

Page

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION 729
Specification of Cooperative Threat Reduction programs and funds (sec. 1301) 729
Funding allocations (sec. 1302) 729
TITLE XIV—OTHER AUTHORIZATIONS 729
Subtitle A—Military Programs 734
Working capital funds (sec. 1401) 734
National Defense Sealift Fund (sec. 1402) 734
Defense Health Program (sec. 1403) 734
Chemical agents and munitions destruction, Defense (sec. 1404) 734
Drug Interdiction and Counterdrug Activities, Defense-wide (sec. 1405) 734
Defense Inspector General (sec. 1406) 734
National Defense Sealift Fund amendments (sec. 1407) 734
Subtitle B—National Defense Stockpile 735
Authorized uses of National Defense Stockpile funds (sec. 1411) 735
Revisions to previously authorized disposals from the National Defense Stockpile (sec. 1412) 735
Subtitle C—Armed Forces Retirement Home 735
Authorization of appropriations for Armed Forces Retirement Home (sec. 1421) 735
TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM 736
Legislative Provisions Adopted 736
Authorization of additional appropriations for operations in Afghanistan and Iraq for fiscal year 2009 (sec. 1501) 736
Requirement for separate display of budgets for Afghanistan and Iraq (sec. 1502) 736
Joint improvised explosive device defeat fund (sec. 1503) 736
Science & technology investment strategy to defeat or counter improvised explosive devices (sec. 1504) 737
Limitation on Iraq Security Forces Fund (sec. 1505) 738
Limitations on Afghanistan Security Forces Fund (sec. 1506) 738
Special transfer authority (sec. 1507) 738
Prohibition on use of United States funds for certain facilities projects in Iraq and contributions by Iraq to combined operations and other activities in Iraq (sec. 1508) 738
Legislative Provisions Not Adopted 739
Limitation on use of funds 739
Treatment as additional authorizations 739
Limitation on use of funds 739
TITLE XVI—RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT 739
Legislative Provisions Adopted 739
Short title (sec. 1601) 739
Findings (sec. 1602) 740
Definitions (sec. 1603) 740
Authority to provide assistance for reconstruction and stabilization crises (sec. 1604) 740
Reconstruction and stabilization (sec. 1605) 740
Authorities related to personnel (sec. 1606) 741
Reconstruction and Stabilization Strategy (sec. 1607) 741
Annual reports to Congress (sec. 1608) 741
DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS 741
Legislative Provisions Adopted 760
Short title (sec. 2001) 760
Expiration of authorizations and amounts required to be specified by law (sec. 2002) 760
Effective date (sec. 2003) 760
TITLE XXI—ARMY 760
Legislative Provisions Adopted 760
Authorized Army construction and land acquisition projects (sec. 2101) 760
Family housing (sec. 2102) 760
Improvements to military family housing units (sec. 2103) 761
Authorization of appropriations, Army (sec. 2104) 761

Page

TITLE XXI—ARMY—Continued
Legislative Provisions Adopted—Continued
Modification of authority to carry out certain fiscal year 2008 projects (sec. 2105) ... 761
Modification of authority to carry out certain fiscal year 2007 projects (sec. 2106) ... 761
Extension of authorizations of certain fiscal year 2006 projects (sec. 2107) ... 761
Extension of authorizations of certain fiscal year 2005 project (sec. 2108) ... 761
TITLE XXII—NAVY ... 762
Legislative Provisions Adopted ... 762
Authorized Navy construction and land acquisition projects (sec. 2201) ... 762
Family housing (sec. 2202) ... 762
Improvements to military family housing units (sec. 2203) ... 762
Authorization of appropriations, Navy (sec. 2204) ... 762
Modification of authority to carry out certain fiscal year 2005 project (sec. 2205) ... 762
Modification of authority to carry out certain fiscal year 2007 projects (sec. 2206) ... 763
Legislative Provisions Not Adopted ... 763
Report on impacts of surface ship homeporting alternatives ... 763
TITLE XXIII—AIR FORCE ... 763
Legislative Provisions Adopted ... 763
Authorized Air Force construction and land acquisition projects (sec. 2301) ... 763
Family housing (sec. 2302) ... 763
Improvements to military family housing units (sec. 2303) ... 763
Authorization of appropriations, Air Force (sec. 2304) ... 764
Extension of authorizations of certain fiscal year 2006 projects (sec. 2305) ... 764
Extension of authorizations of certain fiscal year 2005 projects (sec. 2306) ... 764
TITLE XXIV—DEFENSE AGENCIES ... 764
Subtitle A—Defense Agency Authorizations ... 764
Authorized defense agencies construction and land acquisition projects (sec. 2401) ... 764
Energy conservation projects (sec. 2402) ... 764
Authorization of appropriations, defense agencies (sec. 2403) ... 765
Modification of authority to carry out certain fiscal year 2007 projects (sec. 2404) ... 765
Modification of authority to carry out certain fiscal year 2005 projects (sec. 2405) ... 765
Extension of authorization of certain fiscal year 2006 project (sec. 2406) ... 765
Subtitle B—Chemical Demilitarization Authorizations ... 765
Authorized chemical demilitarization program construction and land acquisition projects (sec. 2411) ... 765
Authorization of appropriations, chemical demilitarization construction, defense-wide (sec. 2412) ... 766
Modification of authority to carry out certain fiscal year 1997 project (sec. 2413) ... 766
Modification of authority to carry out certain fiscal year 2000 project (sec. 2414) ... 766
TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM ... 766
Legislative Provisions Adopted ... 766
Authorized NATO construction and land acquisition projects (sec. 2501) ... 766
Authorization of appropriations, NATO (sec. 2502) ... 766
TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES ... 767
Legislative Provisions Adopted ... 767
Authorized Army National Guard construction and land acquisition projects (sec. 2601) ... 767
Authorized Army Reserve construction and land acquisition projects (sec. 2602) ... 767

Page

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES—Continued
Legislative Provisions Adopted—Continued
Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects (sec. 2603) 767
Authorized Air National Guard construction and land acquisition projects (sec. 2604) 767
Authorized Air Force Reserve construction and land acquisition projects (sec. 2605) 768
Authorization of appropriations, National Guard and Reserve (sec. 2606) 768
Modification of authority to carry out certain fiscal year 2008 project (sec. 2607) 768
Extension of authorizations of certain fiscal year 2006 projects (sec. 2608) 768
Extension of authorization of certain fiscal year 2005 project (sec. 2609) 768
TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES 768
Subtitle A—Authorizations 777
Authorization of appropriations for base closure and realignment activities funded through Department of Defense base closure account 1990 (sec. 2701) 777
Authorized base closure and realignment activities funded through Department of Defense base closure account 2005 (sec. 2702) 777
Authorization of appropriations for base closure and realignment activities funded through Department of Defense base closure account 2005 (sec. 2703) 777
Subtitle B—Amendments to Base Closure and Related Laws 777
Modification of annual base closure and realignment reporting requirements (sec. 2711) 777
Technical corrections regarding authorized cost and scope of work variations for military construction and military family housing projects related to base closures and realignments (sec. 2712) 778
Subtitle C—Other Matters 778
Independent design review of National Naval Medical Center and military hospital at Fort Belvoir (sec. 2721) 778
Report on use of BRAC properties as sites for refineries or nuclear power plants (sec. 2722) 778
Legislative Provision Not Adopted 778
Repeal of commission approach for development of recommendations in any future round of base closures and realignments 778
TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS 779
Subtitle A—Military Construction Program and Military Family Housing Changes 779
Incorporation of principles of sustainable design in documents submitted as part of proposed military construction projects (sec. 2801) 779
Revision of maximum lease amount applicable to certain domestic Army family housing leases to reflect previously made annual adjustments in amount (sec. 2802) 779
Use of military family housing constructed under build and lease authority to house members without dependents (sec. 2803) 779
Leasing of military family housing to Secretary of Defense (sec. 2804) 779
Improved oversight and accountability for military housing privatization initiative projects (sec. 2805) 779
Authority to use operation and maintenance funds for construction projects inside the United States Central Command and United States Africa Command areas of responsibility (sec. 2806) 780
Cost-benefit analysis of dissolution of Patrick Family Housing LLC (sec. 2807) 780
Subtitle B—Real Property and Facilities Administration 781
Clarification of congressional reporting requirements for certain real property transactions (sec. 2811) 781

Page

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS—Continued
Subtitle B—Real Property and Facilities Administration—Continued
Authority to lease non-excess property of military departments and Defense Agencies (sec. 2812) 781
Modification of utility system conveyance authority (sec. 2813) 781
Defense access roads (sec. 2814) 781
Report on application of force protection and anti-terrorism standards to gates and entry points on military installations (sec. 2815) 782
Subtitle C—Provisions Related to Guam Realignment 782
Sense of Congress regarding military housing and utilities related to Guam realignment (sec. 2821) 782
Federal assistance to Guam (sec. 2822) 783
Eligibility of the Commonwealth of the Northern Mariana Islands for military base reuse studies and community planning assistance (sec. 2823) 783
Support for realignment of military installations and relocation of military personnel on Guam (sec. 2824) 783
Subtitle D—Energy Security 783
Certification of enhanced use leases for energy-related projects (sec. 2831) 783
Annual report on Department of Defense installations energy management (sec. 2832) 784
Subtitle E—Land Conveyances 784
Land conveyance, former Naval Air Station, Alameda, California (sec. 2841) 784
Transfer of administrative jurisdiction, decommissioned Naval Security Group Activity, Skaggs Island, California (sec. 2842) 784
Transfer of proceeds from property conveyance, Marine Corps Logistics Base, Albany, Georgia (sec. 2843) 785
Land conveyance, Sergeant First Class M.L. Downs Army Reserve Center, Springfield, Ohio (sec. 2844) 785
Land conveyance, John Sevier Range, Knox county, Tennessee (sec. 2845) 785
Land conveyance, Army property, Camp Williams, Utah (sec. 2846) 785
Extension of Potomac Heritage National Scenic Trail through Fort Belvoir, Virginia (sec. 2847) 785
Subtitle F—Other Matters 786
Revised deadline for transfer of Arlington Naval Annex to Arlington National Cemetery (sec. 2851) 786
Acceptance and use of gifts for construction of additional building at National Museum of the United States Air Force, Wright-Patterson Air Force Base (sec. 2852) 786
Lease involving pier on Ford Island, Pearl Harbor Naval Base, Hawaii (sec. 2853) 786
Use of runway at NASJRB Willow Grove, Pennsylvania (sec. 2854) 786
Naming of health facility, Fort Rucker, Alabama (sec. 2855) 786
Legislative Provisions Not Adopted 787
Increase in threshold for unspecified minor military construction projects 787
Repeal of reporting requirement in connection with installation vulnerability assessments 787
Modification of land management restrictions applicable to Utah national defense lands 787
Permanent authority to purchase municipal services for military installations 787
Protecting private property rights during Department of Defense land acquisitions 787
Energy and environmental design initiatives in Guam military construction and installations 788
Department of Defense Inspector General report regarding Guam realignment 788
Prevailing wage applicable to Guam 788
Expansion of authority of the military departments to develop energy on military lands 788

Page

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS—Continued
Legislative Provisions Not Adopted—Continued
Land conveyance, Norwalk Defense Fuel Supply Point, Norwalk, California ... 788
Land conveyance, former Naval Station, Treasure Island, California ... 788
Condition on lease involving Naval Air Station, Barbers Point, Hawaii ... 789
Land conveyance, Bureau of Land Management land, Camp Williams, Utah ... 789
Decontamination and use of former bombardment area on island of Culebra ... 789
Establishment of memorial to American Rangers at Fort Belvoir, Virginia ... 789
TITLE XXIX—WAR-RELATED AND EMERGENCY MILITARY CONSTRUCTION AUTHORIZATIONS ... 789
Subtitle A—Fiscal Year 2008 Projects ... 793
Authorized Army construction and land acquisition projects (sec. 2901) ... 793
Authorized Navy construction and land acquisition projects (sec. 2902) ... 793
Authorized Air Force construction and land acquisition projects (sec. 2903) ... 793
Authorized Defense Agencies construction and land acquisition projects (sec. 2904) ... 793
Termination of authority to carry out fiscal year 2008 Army projects (sec. 2905) ... 793
Subtitle B—Fiscal Year 2009 Projects ... 794
Authorized Army Construction and land acquisition projects (sec. 2911) ... 794
Authorized Navy construction and land acquisition projects (sec. 2912) ... 794
DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS ... 794
TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS ... 794
Subtitle A—National Security Programs Authorizations ... 794
Overview ... 794
Legislative Provisions Adopted ... 795
National Nuclear Security Administration (sec. 3101) ... 816
Defense environmental cleanup (sec. 3102) ... 817
Other defense activities (sec. 3103) ... 818
Defense nuclear waste disposal (sec. 3104) ... 818
Energy security and assurance (sec. 3105) ... 818
Subtitle B—Program Authorizations, Restrictions, and Limitations ... 818
Modification of functions of Administrator for Nuclear Security to include elimination of surplus fissile materials usable for nuclear weapons (sec. 3111) ... 818
Limitation on funding for project 04-D-125 Chemistry and Metallurgy Research Replacement facility project, Los Alamos National Laboratory, Los Alamos, New Mexico, (sec. 3112) ... 819
Nonproliferation and national security scholarship and fellowship program (sec. 3113) ... 819
Enhancing nuclear forensics capabilities (sec. 3114) ... 819
Utilization of contributions to International Nuclear Materials Protection and Cooperation program and Russian plutonium Disposition program (sec. 3115) ... 820
Review of and reports on Global Initiatives for Proliferation Prevention program (sec. 3116) ... 821
Limitation on availability of funds for Global Nuclear Energy Partnership (sec. 3117) ... 822
Subtitle C—Reports ... 822
Extension of deadline for Comptroller General report on Department of Energy protective force management (sec. 3121) ... 822
Report on compliance with Design Basis Threat issued by the Department of Energy in 2005 (sec. 3122) ... 822
Modification of submittal of reports on inadvertent releases of restricted data (sec. 3123) ... 823

Page

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD 823
Authorization (sec. 3201) 823
TITLE XXXIV—NAVAL PETROLEUM RESERVES 823
Authorization of appropriations (sec. 3401) 823
TITLE XXXV—MARITIME ADMINISTRATION 823
Legislative Provisions Adopted 823
Authorization of appropriations for fiscal year 2009 (sec. 3501) 823
Limitation on export of vessels owned by the Government of the United States for the purpose of dismantling, recycling, or scrapping (sec. 3502) 824
Student incentive payment agreements (sec. 3503) 824
Riding gang member requirements (sec. 3504) 824
Maintenance and repair reimbursement program for the maritime security fleet (sec. 3505) 824
Temporary program authorizing contracts with adjunct professors at the United States Merchant Marine Academy (sec. 3506) 824
Actions to address sexual harassment and violence at the United States Merchant Marine Academy (sec. 3507) 825
Assistance for small shipyards and maritime communities (sec. 3508) 825
Marine war risk insurance (sec. 3509) 825
MARAD consultation on Jones Act Waivers (sec. 3510) 825
Transportation in American vessels of government personnel and certain cargoes (sec. 3511) 825
Port of Guam improvement enterprise program (sec. 3512) 825

[Note from the Director of Legislative Operations: The following text is the reconciled agreement between H.R. 5658 and S. 3001, as passed by the House of Representatives on September 24, 2008, the Senate on September 27, 2008, and enrolled for the President's signature.]

S. 3001, as amended

AN ACT

To authorize appropriations for fiscal year 2009 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.

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

SECTION 1. SHORT TITLE; FINDINGS; SENSE OF CONGRESS.

(a) SHORT TITLE.—This Act may be cited as the "Duncan Hunter National Defense Authorization Act for Fiscal Year 2009".

(b) FINDINGS.—Congress makes the following findings:

(1) Representative Duncan Hunter was elected to serve northern and eastern San Diego in 1980 and served in the House of Representatives until the end of the 110th Congress in 2009, representing the people of California's 52d Congressional district.

(2) Previous to his service in Congress, Representative Hunter served in the Army's 173rd Airborne and 75th Ranger Regiment from 1969 to 1971.

(3) During the Vietnam conflict, Representative Hunter's distinguished service was recognized by the award of the Bronze Star and Air Medal, as well as the National Defense Service Medal and the Vietnam Service Medal.

(4) Representative Hunter served on the Committee on Armed Services of the House of Representatives for 28 years, including service as Chairman of the Subcommittee on Military Research and Development from 2001 through 2002 and the Subcommittee on Military Procurement from 1995 through 2000, the Chairman of the full committee from 2003 through 2006, and the ranking member of the full committee from 2007 through 2008.

(5) Representative Hunter has persistently advocated for a more efficient military organization on behalf of the American people, to ensure maximum war-fighting capability and troop safety.

(6) Representative Hunter is known by his colleagues to put the security of the Nation above all else and to provide for the

men and women in uniform who valiantly dedicate and sacrifice themselves for the protection of the Nation.

(7) Representative Hunter has demonstrated this devotion to the troops by working to authorize and ensure quick deployment of add-on vehicle armor and improvised explosive device jammers, which have been invaluable in protecting the troops from attack in Iraq.

(8) Representative Hunter worked to increase the size of the U.S. Armed Forces, which resulted in significant increases in the size of the Army and Marine Corps.

(9) Representative Hunter has been a leader in ensuring sufficient force structure and end-strength, including through the 2006 Committee Defense Review, to meet any challenges to the Nation. His efforts to increase the size of the Army and Marine Corps contributed to the enactment by the Congress and the subsequent implementation by the Administration of the larger forces.

(10) Representative Hunter is a leading advocate for securing America's borders.

(11) Representative Hunter led efforts to strengthen the United States Industrial Base by working to enact legislation that ensures that the national industrial base will be able to design and manufacture those products critical to America's national security.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Honorable Duncan Hunter, Representative from California, has discharged his official duties with integrity and distinction, has served the House of Representatives and the American people selflessly, and deserves the sincere and humble gratitude of Congress and the Nation.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three 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.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; findings; sense of Congress.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
Sec. 4. Explanatory statement.

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.

Subtitle B—Army Programs

Sec. 111. Separate procurement line items for Future Combat Systems program.

Sec. 112. Clarification of status of Future Combat Systems program lead system integrator.
Sec. 113. Restriction on obligation of funds for Army tactical radio pending report.
Sec. 114. Restriction on obligation of procurement funds for Armed Reconnaissance Helicopter program pending certification.
Sec. 115. Stryker Mobile Gun System.

Subtitle C—Navy Programs

Sec. 121. Refueling and complex overhaul of the U.S.S. Theodore Roosevelt.
Sec. 122. Littoral Combat Ship (LCS) program.
Sec. 123. Report on F/A–18 procurement costs, comparing multiyear to annual.
Sec. 124. Authority for advanced procurement and construction of components for the Virginia-class submarine program.

Subtitle D—Air Force Programs

Sec. 131. Maintenance of retired KC–135E aircraft.
Sec. 132. Repeal of multi-year contract authority for procurement of tanker aircraft.
Sec. 133. Reports on KC–(X) tanker aircraft requirements.
Sec. 134. F-22A fighter aircraft.

Subtitle E—Joint and Multiservice Matters

Sec. 141. Annual long-term plan for the procurement of aircraft for the Navy and the Air Force.
Sec. 142. Report on body armor acquisition strategy.
Sec. 143. Small arms acquisition strategy and requirements review.
Sec. 144. Requirement for common ground stations and payloads for manned and unmanned aerial vehicle systems.
Sec. 145. Report on future jet carrier trainer requirements of the Navy.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for defense science and technology.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Additional determinations to be made as part of Future Combat Systems milestone review.
Sec. 212. Analysis of Future Combat Systems communications network and software.
Sec. 213. Future Combat Systems manned ground vehicle Selected Acquisition Reports.
Sec. 214. Separate procurement and research, development, test, and evaluation line items and program elements for Sky Warrior Unmanned Aerial Systems project.
Sec. 215. Restriction on obligation of funds for the Warfighter Information Network–Tactical program.
Sec. 216. Limitation on source of funds for certain Joint Cargo Aircraft expenditures.
Sec. 217. Requirement for plan on overhead nonimaging infrared systems.
Sec. 218. Advanced energy storage technology and manufacturing.
Sec. 219. Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
Sec. 220. Requirements for certain airborne intelligence collection systems.
Sec. 221. Limitation on obligation of funds for Enhanced AN/TPQ–36 radar system pending submission of report.

Subtitle C—Missile Defense Programs

Sec. 231. Annual Director of Operational Test and Evaluation characterization of operational effectiveness, suitability, and survivability of the ballistic missile defense system.
Sec. 232. Independent study of boost-phase missile defense.
Sec. 233. Limitation on availability of funds for procurement, construction, and deployment of missile defenses in Europe.
Sec. 234. Review of the ballistic missile defense policy and strategy of the United States.

Sec. 235. Airborne Laser System.
Sec. 236. Activation and deployment of AN/TPY–2 forward-based X-band radar.

Subtitle D—Reports

Sec. 241. Biennial reports on joint and service concept development and experimentation.
Sec. 242. Report on participation of the historically black colleges and universities and minority-serving institutions in research and educational programs and activities of the Department of Defense.
Sec. 243. Report on Department of Defense response to findings and recommendations of the Defense Science Board Task Force on Directed Energy Weapons.

Subtitle E—Other Matters

Sec. 251. Modification of systems subject to survivability testing oversight by the Director of Operational Test and evaluation.
Sec. 252. Technology-neutral information technology guidelines and standards to support fully interoperable electronic personal health information for the Department of Defense and Department of Veterans Affairs.
Sec. 253. Assessment of technology transition programs and repeal of reporting requirement.
Sec. 254. Trusted defense systems.
Sec. 255. Capabilities-based assessment to outline a joint approach for future development of vertical lift aircraft and rotorcraft.
Sec. 256. Executive agent for printed circuit board technology.
Sec. 257. Review of conventional prompt global strike technology applications and concepts.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Environmental Provisions

Sec. 311. Authorization for Department of Defense participation in conservation banking programs.
Sec. 312. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
Sec. 313. Expand cooperative agreement authority for management of natural resources to include off-installation mitigation.
Sec. 314. Expedited use of appropriate technology related to unexploded ordnance detection.
Sec. 315. Closed loop re-refining of used motor vehicle lubricating oil.
Sec. 316. Comprehensive program for the eradication of the brown tree snake population from military facilities in Guam.

Subtitle C—Workplace and Depot Issues

Sec. 321. Comprehensive analysis and development of single Government-wide definition of inherently governmental function and criteria for critical functions.
Sec. 322. Study on future depot capability.
Sec. 323. Government Accountability Office review of high-performing organizations.
Sec. 324. Consolidation of Air Force and Air National Guard aircraft maintenance.
Sec. 325. Report on Air Force civilian personnel consolidation plan.
Sec. 326. Report on reduction in number of firefighters on Air Force bases.
Sec. 327. Minimum capital investment for certain depots.

Subtitle D—Energy Security

Sec. 331. Annual report on operational energy management and implementation of operational energy strategy.
Sec. 332. Consideration of fuel logistics support requirements in planning, requirements development, and acquisition processes.
Sec. 333. Study on solar and wind energy for use for expeditionary forces.
Sec. 334. Study on alternative and synthetic fuels.

Sec. 335. Mitigation of power outage risks for Department of Defense facilities and activities.

Subtitle E—Reports

Sec. 341. Comptroller General report on readiness of Armed Forces.
Sec. 342. Report on plan to enhance combat skills of Navy and Air Force personnel.
Sec. 343. Comptroller General report on the use of the Army Reserve and National Guard as an operational reserve.
Sec. 344. Comptroller General report on link between preparation and use of Army reserve component forces to support ongoing operations.
Sec. 345. Comptroller General report on adequacy of funding, staffing, and organization of Department of Defense Military Munitions Response Program.

Subtitle F—Other Matters

Sec. 351. Extension of Enterprise Transition Plan reporting requirement.
Sec. 352. Demilitarization of loaned, given, or exchanged documents, historical artifacts, and condemned or obsolete combat materiel.
Sec. 353. Repeal of requirement that Secretary of Air Force provide training and support to other military departments for A–10 aircraft.
Sec. 354. Display of annual budget requirements for Air Sovereignty Alert Mission.
Sec. 355. Revision of certain Air Force regulations required.
Sec. 356. Transfer of C–12 aircraft to California Department of Forestry and Fire Protection.
Sec. 357. Limitation on treatment of retired B–52 aircraft for Air Combat Command headquarters.
Sec. 358. Increase of domestic breeding of military working dogs used by the Department of Defense.

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.

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 2009 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. Additional waiver authority of limitation on number of reserve component members authorized to be on active duty.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

Sec. 501. Mandatory separation requirements for regular warrant officers for length of service.
Sec. 502. Requirements for issuance of posthumous commissions and warrants.
Sec. 503. Authorized number of general officers on active duty in the Army and Marine Corps, limited exclusion for joint duty requirements, and increase in number of officers serving in grades above major general and rear admiral.
Sec. 504. Modification of authority on Staff Judge Advocate to the Commandant of the Marine Corps.
Sec. 505. Eligibility of reserve officers to serve on boards of inquiry for separation of regular officers for substandard performance and other reasons.
Sec. 506. Delayed authority to alter distribution requirements for commissioned officers on active duty in general officer and flag officer grades and limitations on authorized strengths of general and flag officers on active duty.

Subtitle B—Reserve Component Management

Sec. 511. Extension to other reserve components of Army authority for deferral of mandatory separation of military technicians (dual status) until age 60.
Sec. 512. Modification of authorized strengths for certain Army National Guard, Marine Corps Reserve, and Air National Guard officers and Army National Guard enlisted personnel serving on full-time reserve component duty.
Sec. 513. Clarification of authority to consider for a vacancy promotion National Guard officers ordered to active duty in support of a contingency operation.
Sec. 514. Increase in mandatory retirement age for certain Reserve officers.
Sec. 515. Age limit for retention of certain Reserve officers on active-status list as exception to removal for years of commissioned service.
Sec. 516. Authority to retain Reserve chaplains and officers in medical and related specialties until age 68.
Sec. 517. Modification of authorities on dual duty status of National Guard officers.
Sec. 518. Study and report regarding Marine Corps personnel policies regarding assignments in Individual Ready Reserve.
Sec. 519. Report on collection of information on civilian skills of members of the reserve components of the Armed Forces.

Subtitle C—Joint Qualified Officers and Requirements

Sec. 521. Joint duty requirements for promotion to general or flag officer.
Sec. 522. Technical, conforming, and clerical changes to joint specialty terminology.
Sec. 523. Promotion policy objectives for joint qualified officers.
Sec. 524. Length of joint duty assignments.
Sec. 525. Designation of general and flag officer positions on Joint Staff as positions to be held only by reserve component officers.
Sec. 526. Modification of limitations on authorized strengths of reserve general and flag officers in active status serving in joint duty assignments.
Sec. 527. Reports on joint education courses available through the Department of Defense.

Subtitle D—General Service Authorities

Sec. 531. Increase in maximum period of reenlistment of regular members of the Armed Forces.
Sec. 532. Paternity leave for members of the Armed Forces.
Sec. 533. Pilot programs on career flexibility to enhance retention of members of the Armed Forces.

Subtitle E—Education and Training

Sec. 540. Authorized strength of military service academies and repeal of prohibition on phased increase in midshipmen and cadet strength limit at Naval Academy and Air Force Academy.
Sec. 541. Promotion of foreign and cultural exchange activities at military service academies.
Sec. 542. Increased authority to enroll defense industry employees in defense product development program.
Sec. 543. Expanded authority for institutions of professional military education to award degrees.
Sec. 544. Tuition for attendance of Federal employees at the United States Air Force Institute of Technology.
Sec. 545. Increase in number of permanent professors at the United States Air Force Academy.
Sec. 546. Requirement of completion of service under honorable conditions for purposes of entitlement to educational assistance for reserve component members supporting contingency operations.
Sec. 547. Consistent education loan repayment authority for health professionals in regular components and Selected Reserve.
Sec. 548. Increase in number of units of Junior Reserve Officers' Training Corps.
Sec. 549. Correction of erroneous Army College Fund benefit amounts.
Sec. 550. Enhancing education partnerships to improve accessibility and flexibility for members of the Armed Forces.

Subtitle F—Defense Dependents' Education

Sec. 551. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 552. Impact aid for children with severe disabilities.
Sec. 553. Transition of military dependent students among local educational agencies.
Sec. 554. Calculation of payments for eligible federally connected children under Department of Education's Impact Aid program.

Subtitle G—Military Justice

Sec. 561. Effective period of military protective orders.
Sec. 562. Mandatory notification of issuance of military protective order to civilian law enforcement.
Sec. 563. Implementation of information database on sexual assault incidents in the Armed Forces.

Subtitle H—Decorations, Awards, and Honorary Promotions

Sec. 571. Replacement of military decorations.
Sec. 572. Authorization and request for award of Medal of Honor to Richard L. Etchberger for acts of valor during the Vietnam War.

Subtitle I—Military Families

Sec. 581. Presentation of burial flag to the surviving spouse and children of deceased members of the Armed Forces.
Sec. 582. Education and training opportunities for military spouses.
Sec. 583. Sense of Congress regarding honor guard details for funerals of veterans.

Subtitle J—Other Matters

Sec. 591. Prohibition on interference in independent legal advice by the Legal Counsel to the Chairman of the Joint Chiefs of Staff.
Sec. 592. Interest payments on certain claims arising from correction of military records.
Sec. 593. Extension of limitation on reductions of personnel of agencies responsible for review and correction of military records.
Sec. 594. Modification of matching fund requirements under National Guard Youth Challenge Program.
Sec. 595. Military salute for the flag during the national anthem by members of the Armed Forces not in uniform and by veterans.
Sec. 596. Military Leadership Diversity Commission.
Sec. 597. Demonstration project on service of retired nurse corps officers as faculty at civilian nursing schools.
Sec. 598. Report on planning for participation and hosting of the Department of Defense in international sports activities, competitions, and events.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Fiscal year 2009 increase in military basic pay.
Sec. 602. Permanent extension of prohibition on charges for meals received at military treatment facilities by members receiving continuous care.
Sec. 603. Increase in maximum authorized payment or reimbursement amount for temporary lodging expenses.
Sec. 604. Availability of second family separation allowance for married couples with dependents.
Sec. 605. Extension of authority for income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. Extension of certain bonus and special pay authorities for Reserve forces.
Sec. 612. Extension of certain bonus and special pay authorities for health care professionals.
Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
Sec. 614. Extension of authorities relating to payment of other title 37 bonuses and special pays.

Sec. 615. Extension of authorities relating to payment of referral bonuses.
Sec. 616. Increase in maximum bonus and stipend amounts authorized under Nurse Officer Candidate Accession Program and health professions stipend program.
Sec. 617. Maximum length of nuclear officer incentive pay agreements for service.
Sec. 618. Technical changes regarding consolidation of special pay, incentive pay, and bonus authorities of the uniformed services.
Sec. 619. Use of new skill incentive pay and proficiency bonus authorities to encourage training in critical foreign languages and foreign cultural studies and authorization of incentive pay for members of precommissioning programs pursuing foreign language proficiency.
Sec. 620. Accession and retention bonuses for the recruitment and retention of officers in certain health professions.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Special weight allowance for transportation of professional books and equipment for spouses.
Sec. 622. Shipment of family pets during evacuation of personnel.

Subtitle D—Retired Pay and Survivor Benefits

Sec. 631. Extension to survivors of certain members who die on active duty of special survivor indemnity allowance for persons affected by required Survivor Benefit Plan annuity offset for dependency and indemnity compensation.
Sec. 632. Correction of unintended reduction in survivor benefit plan annuities due to phased elimination of two-tier annuity computation and supplemental annuity.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

Sec. 641. Use of commissary stores surcharges derived from temporary commissary initiatives for reserve component and retired members.
Sec. 642. Enhanced enforcement of prohibition on sale or rental of sexually explicit material on military installations.

Subtitle F—Other Matters

Sec. 651. Continuation of entitlement to bonuses and similar benefits for members of the uniformed services who die, are separated or retired for disability, or meet other criteria.

TITLE VII—HEALTH CARE AND WOUNDED WARRIOR PROVISIONS

Subtitle A—Improvements to Health Benefits

Sec. 701. One-year extension of prohibition on increases in certain health care costs for members of the uniformed services.
Sec. 702. Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program.
Sec. 703. Chiropractic health care for members on active duty.
Sec. 704. Calculation of monthly premiums for coverage under TRICARE Reserve Select after 2008.
Sec. 705. Program for health care delivery at military installations projected to grow.
Sec. 706. Guidelines for combined medical facilities of the Department of Defense and the Department of Veterans Affairs.

Subtitle B—Preventive Care

Sec. 711. Waiver of copayments for preventive services for certain TRICARE beneficiaries.
Sec. 712. Military health risk management demonstration project.
Sec. 713. Smoking cessation program under TRICARE.
Sec. 714. Preventive health allowance.
Sec. 715. Additional authority for studies and demonstration projects relating to delivery of health and medical care.

Subtitle C—Wounded Warrior Matters

Sec. 721. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injuries.

Sec. 722. Clarification to center of excellence relating to military eye injuries.
Sec. 723. Center of Excellence in the Mitigation, Treatment, and Rehabilitation of Traumatic Extremity Injuries and Amputations.
Sec. 724. Additional responsibilities for the wounded warrior resource center.
Sec. 725. Sense of Congress on research on traumatic brain injury.
Sec. 726. Extension of Senior Oversight Committee with respect to wounded warrior matters.
Sec. 727. Modification of utilization of veterans' presumption of sound condition in establishing eligibility of members of the Armed Forces for retirement for disability.

Subtitle D—Other Matters

Sec. 731. Report on providing the Extended Care Health Option Program to dependents of military retirees.
Sec. 732. Increase in cap on extended benefits under extended health care option (ECHO).
Sec. 733. Department of Defense task force on the prevention of suicide by members of the Armed Forces.
Sec. 734. Transitional health care for certain members of the Armed Forces who agree to serve in the Selected Reserve of the Ready Reserve.
Sec. 735. Enhancement of medical and dental readiness of members of the Armed Forces.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Sec. 801. Assessment of urgent operational needs fulfillment.
Sec. 802. Implementation of statutory requirements regarding the national technology and industrial base.
Sec. 803. Commercial software reuse preference.
Sec. 804. Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

Sec. 811. Inclusion of major subprograms to major defense acquisition programs under acquisition reporting requirements.
Sec. 812. Inclusion of certain major information technology investments in acquisition oversight authorities for major automated information system programs.
Sec. 813. Transfer of sections of title 10 relating to Milestone A and Milestone B for clarity.
Sec. 814. Configuration steering boards for cost control under major defense acquisition programs.
Sec. 815. Preservation of tooling for major defense acquisition programs.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 821. Definition of system for Defense Acquisition Challenge Program.
Sec. 822. Technical data rights.
Sec. 823. Revision to the application of Cost Accounting Standards.
Sec. 824. Modification and extension of pilot program for transition to follow-on contracts under authority to carry out certain prototype projects.
Sec. 825. Clarification of status of Government rights in the designs of Department of Defense vessels, boats, craft, and components thereof.

Subtitle D—Provisions Relating to Acquisition Workforce and Inherently Governmental Functions

Sec. 831. Development of guidance on personal services contracts.
Sec. 832. Sense of Congress on performance by private security contractors of certain functions in an area of combat operations.
Sec. 833. Acquisition workforce expedited hiring authority.
Sec. 834. Career path and other requirements for military personnel in the acquisition field.

Subtitle E—Department of Defense Contractor Matters

Sec. 841. Ethics safeguards related to contractor conflicts of interest.

Sec. 842. Information for Department of Defense contractor employees on their whistleblower rights.
Sec. 843. Requirement for Department of Defense to adopt an acquisition strategy for Defense Base Act insurance.
Sec. 844. Report on use of off-shore subsidiaries by defense contractors.
Sec. 845. Defense industrial security.

Subtitle F—Matters Relating to Iraq and Afghanistan

Sec. 851. Clarification and modification of authorities relating to the Commission on Wartime Contracting in Iraq and Afghanistan.
Sec. 852. Comprehensive audit of spare parts purchases and depot overhaul and maintenance of equipment for operations in Iraq and Afghanistan.
Sec. 853. Additional matters required to be reported by contractors performing security functions in areas of combat operations.
Sec. 854. Additional contractor requirements and responsibilities relating to alleged crimes by or against contractor personnel in Iraq and Afghanistan.
Sec. 855. Suspension of statutes of limitations when Congress authorizes the use of military force.

Subtitle G—Governmentwide Acquisition Improvements

Sec. 861. Short title.
Sec. 862. Limitation on length of certain noncompetitive contracts.
Sec. 863. Requirements for purchase of property and services pursuant to multiple award contracts.
Sec. 864. Regulations on the use of cost-reimbursement contracts.
Sec. 865. Preventing abuse of interagency contracts.
Sec. 866. Limitations on tiering of subcontractors.
Sec. 867. Linking of award and incentive fees to acquisition outcomes.
Sec. 868. Minimizing abuse of commercial services item authority.
Sec. 869. Acquisition workforce development strategic plan.
Sec. 870. Contingency Contracting Corps.
Sec. 871. Access of Government Accountability Office to contractor employees.
Sec. 872. Database for Federal agency contract and grant officers and suspension and debarment officials.
Sec. 873. Role of Interagency Committee on Debarment and Suspension.
Sec. 874. Improvements to the Federal procurement data system.

Subtitle H—Other Matters

Sec. 881. Expansion of authority to retain fees from licensing of intellectual property.
Sec. 882. Report on market research.
Sec. 883. Report relating to munitions.
Sec. 884. Motor carrier fuel surcharges.
Sec. 885. Procurement by State and local governments of equipment for homeland security and emergency response activities through the Department of Defense.
Sec. 886. Review of impact of covered subsidies on acquisition of KC-45 aircraft.
Sec. 887. Report on the implementation of earned value management at the Department of Defense.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Plan required for personnel management of special operations forces.
Sec. 902. Director of Operational Energy Plans and Programs.
Sec. 903. Corrosion control and prevention executives for the military departments.
Sec. 904. Participation of Deputy Chief Management Officer of the Department of Defense on Defense Business System Management Committee.
Sec. 905. Modification of status of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.
Sec. 906. Requirement for the Secretary of Defense to prepare a strategic plan to enhance the role of the National Guard and Reserves.
Sec. 907. General Counsel to the Inspector General of the Department of Defense.
Sec. 908. Business transformation initiatives for the military departments.

Subtitle B—Space Activities

Sec. 911. Extension of authority for pilot program for provision of space surveillance network services to entities outside United States Government.
Sec. 912. Investment and acquisition strategy for commercial satellite capabilities.
Sec. 913. Space posture review.

Subtitle C—Chemical Demilitarization Program

Sec. 921. Responsibilities for Chemical Demilitarization Citizens' Advisory Commissions in Colorado and Kentucky.
Sec. 922. Cost-benefit analysis of future treatment of hydrolysate at Pueblo Chemical Depot, Colorado.

Subtitle D—Intelligence-Related Matters

Sec. 931. Technical changes following the redesignation of National Imagery and Mapping Agency as National Geospatial-Intelligence Agency.
Sec. 932. Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 933. Technical amendments relating to the Associate Director of the CIA for Military Affairs.

Subtitle E—Other Matters

Sec. 941. Enhancement of authorities relating to Department of Defense regional centers for security studies.
Sec. 942. Restriction on obligation of funds for United States Southern Command development assistance activities.
Sec. 943. Authorization of non-conventional assisted recovery capabilities.
Sec. 944. Report on homeland defense and civil support issues.
Sec. 945. Report on National Guard resource requirements.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. One-time shift of military retirement payments.
Sec. 1003. Management of purchase cards.
Sec. 1004. Codification of recurring authority on United States contributions to the North Atlantic Treaty Organization common-funded budgets.
Sec. 1005. Incorporation of funding decisions into law.

Subtitle B—Policy Relating to Vessels and Shipyards

Sec. 1011. Conveyance, Navy drydock, Aransas Pass, Texas.
Sec. 1012. Report on repair of naval vessel in foreign shipyards.
Sec. 1013. Report on plan for disposal of certain vessels stricken from the Naval Vessel Register.
Sec. 1014. Reimbursement of expenses for certain Navy mess operations.
Sec. 1015. Policy relating to major combatant vessels of the strike forces of the United States Navy.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1022. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 1023. Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia and continuation of numerical limitation on assignment of United States personnel.
Sec. 1024. Expansion and extension of authority to provide additional support for counter-drug activities of certain foreign governments.
Sec. 1025. Comprehensive Department of Defense strategy for counter-narcotics efforts for United States Africa Command.
Sec. 1026. Comprehensive Department of Defense strategy for counter-narcotics efforts in South and Central Asian regions.

Subtitle D—Miscellaneous Authorities and Limitations

Sec. 1031. Enhancement of the capacity of the United States Government to conduct complex operations.
Sec. 1032. Crediting of admiralty claim receipts for damage to property funded from a Department of Defense working capital fund.
Sec. 1033. Minimum annual purchase requirements for charter air transportation services from carriers participating in the Civil Reserve Air Fleet.
Sec. 1034. Semi-annual reports on status of Navy Next Generation Enterprise Networks program.
Sec. 1035. Sense of Congress on nuclear weapons management.
Sec. 1036. Sense of Congress on joint Department of Defense-Federal Aviation Administration executive committee on conflict and dispute resolution.
Sec. 1037. Sense of Congress on sale of new outsize cargo, strategic airlift aircraft for civilian use.

Subtitle E—Studies and Reports

Sec. 1041. Report on corrosion control and prevention.
Sec. 1042. Study on using Modular Airborne Fire Fighting Systems (MAFFS) in a Federal response to wildfires.
Sec. 1043. Study on rotorcraft survivability.
Sec. 1044. Report on nuclear weapons.
Sec. 1045. Report on compliance by Department of Defense with Guam tax and licensing laws.
Sec. 1046. Report on detention operations in Iraq.
Sec. 1047. Review of bandwidth capacity requirements of the Department of Defense and the intelligence community.
Sec. 1048. Review of findings and recommendations applicable to the Department of Defense regarding electromagnetic pulse attack.

Subtitle F—Other Matters

Sec. 1051. Additional information under annual submissions of information regarding information technology capital assets.
Sec. 1052. Submission to Congress of revision to regulation on enemy prisoners of war, retained personnel, civilian internees, and other detainees.
Sec. 1053. Barnegat Inlet to Little Egg Inlet, New Jersey.
Sec. 1054. Standing advisory panel on improving coordination among the Department of Defense, the Department of State, and the United States Agency for International Development on matters of national security.
Sec. 1055. Reports on strategic communication and public diplomacy activities of the Federal Government.
Sec. 1056. Prohibitions relating to propaganda.
Sec. 1057. Sense of Congress on interrogation of detainees by contractor personnel.
Sec. 1058. Sense of Congress with respect to 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. 1059. Modification of deadlines for standards required for entry to military installations in the United States.
Sec. 1060. Extension of certain dates for Congressional Commission on the Strategic Posture of the United States.
Sec. 1061. Technical and clerical amendments.
Sec. 1062. Notification of Committees on Armed Services with respect to certain nonproliferation and proliferation activities.
Sec. 1063. Assessment of security measures at consolidated center for North American Aerospace Defense Command and United States Northern Command.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1102. Temporary discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
Sec. 1103. Election of insurance coverage by Federal civilian employees deployed in support of a contingency operation.
Sec. 1104. Extension of authority to make lump-sum severance payments.
Sec. 1105. Extension of voluntary reduction-in-force authority of Department of Defense.

Sec. 1106. Enhancement of authorities relating to additional positions under the national security personnel system.
Sec. 1107. Expedited hiring authority for health care professionals.
Sec. 1108. Direct hire authority at personnel demonstration laboratories for certain candidates.
Sec. 1109. Status reports relating to laboratory personnel demonstration projects.
Sec. 1110. Technical amendment relating to definition of professional accounting position for purposes of certification and credentialing standards.
Sec. 1111. Exceptions and adjustments to limitations on personnel and reports on such exceptions and adjustments.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Extension of authority to build the capacity of the Pakistan Frontier Corps.
Sec. 1202. Availability across fiscal years of funds for military-to-military contacts and comparable activities.
Sec. 1203. Availability across fiscal years of funds to pay incremental expenses for participation of developing countries in combined exercises.
Sec. 1204. Extension of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability.
Sec. 1205. Authority for distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the Armed Forces.
Sec. 1206. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
Sec. 1207. Extension of authority and increased funding for security and stabilization assistance.
Sec. 1208. Extension and expansion of authority for support of special operations to combat terrorism.
Sec. 1209. Increase in amount available for costs of education and training of foreign military forces under Regional Defense Combating Terrorism Fellowship Program.

Subtitle B—Matters Relating to Iraq and Afghanistan

Sec. 1211. Limitation on availability of funds for certain purposes relating to Iraq.
Sec. 1212. Report on status of forces agreements between the United States and Iraq.
Sec. 1213. Strategy for United States-led Provincial Reconstruction Teams in Iraq.
Sec. 1214. Commanders' Emergency Response Program.
Sec. 1215. Performance monitoring system for United States-led Provincial Reconstruction Teams in Afghanistan.
Sec. 1216. Report on command and control structure for military forces operating in Afghanistan.
Sec. 1217. Reports on enhancing security and stability in the region along the border of Afghanistan and Pakistan.
Sec. 1218. Study and report on Police Transition Teams to train, assist, and advise units of the Iraqi Police Service.

Subtitle C—Other Matters

Sec. 1231. Payment of personnel expenses for multilateral cooperation programs.
Sec. 1232. Participation of the Department of Defense in multinational military centers of excellence.
Sec. 1233. Review of security risks of participation by defense contractors in certain space activities of the People's Republic of China.
Sec. 1234. Report on Iran's capability to produce nuclear weapons.
Sec. 1235. Employment for resettled Iraqis.
Sec. 1236. Extension and modification of updates on report on claims relating to the bombing of the Labelle Discotheque.
Sec. 1237. Report on utilization of certain global partnership authorities.
Sec. 1238. Modification and repeal of requirement to submit certain annual reports to Congress regarding allied contributions to the common defense.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. National Defense Sealift Fund.
Sec. 1403. Defense Health Program.
Sec. 1404. Chemical agents and munitions destruction, defense.
Sec. 1405. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1406. Defense Inspector General.
Sec. 1407. National Defense Sealift Fund amendments.

Subtitle B—National Defense Stockpile

Sec. 1411. Authorized uses of National Defense Stockpile funds.
Sec. 1412. Revisions to previously authorized disposals from the National Defense Stockpile.

Subtitle C—Armed Forces Retirement Home

Sec. 1421. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

Sec. 1501. Authorization of additional appropriations for operations in Afghanistan and Iraq for fiscal year 2009.
Sec. 1502. Requirement for separate display of budgets for Afghanistan and Iraq.
Sec. 1503. Joint Improvised Explosive Device Defeat Fund.
Sec. 1504. Science and technology investment strategy to defeat or counter improvised explosive devices.
Sec. 1505. Limitations on Iraq Security Forces Fund.
Sec. 1506. Limitations on Afghanistan Security Forces Fund.
Sec. 1507. Special transfer authority.
Sec. 1508. Prohibition on use of United States funds for certain facilities projects in Iraq and contributions by the Government of Iraq to combined operations and other activities in Iraq.

TITLE XVI—RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT

Sec. 1601. Short title.
Sec. 1602. Findings.
Sec. 1603. Definitions.
Sec. 1604. Authority to provide assistance for reconstruction and stabilization crises.
Sec. 1605. Reconstruction and stabilization.
Sec. 1606. Authorities related to personnel.
Sec. 1607. Reconstruction and stabilization strategy.
Sec. 1608. Annual reports to Congress.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.
Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
Sec. 2003. Effective date.

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 2008 projects.
Sec. 2106. Modification of authority to carry out certain fiscal year 2007 projects.
Sec. 2107. Extension of authorizations of certain fiscal year 2006 projects.
Sec. 2108. Extension of authorization of certain fiscal year 2005 project.

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 of authority to carry out certain fiscal year 2005 project.
Sec. 2206. Modification of authority to carry out certain fiscal year 2007 projects.

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. Extension of authorizations of certain fiscal year 2006 projects.
Sec. 2306. Extension of authorizations of certain fiscal year 2005 projects.

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Modification of authority to carry out certain fiscal year 2007 project.
Sec. 2405. Modification of authority to carry out certain fiscal year 2005 projects.
Sec. 2406. Extension of authorization of certain fiscal year 2006 project.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorized chemical demilitarization program construction and land acquisition projects.
Sec. 2412. Authorization of appropriations, chemical demilitarization construction, defense-wide.
Sec. 2413. Modification of authority to carry out certain fiscal year 1997 project.
Sec. 2414. Modification of authority to carry out certain fiscal year 2000 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

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. Modification of authority to carry out certain fiscal year 2008 project.
Sec. 2608. Extension of authorizations of certain fiscal year 2006 projects.
Sec. 2609. Extension of Authorization of certain fiscal year 2005 project.

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—Amendments to Base Closure and Related Laws

Sec. 2711. Modification of annual base closure and realignment reporting requirements.

Sec. 2712. Technical corrections regarding authorized cost and scope of work variations for military construction and military family housing projects related to base closures and realignments.

Subtitle C—Other Matters

Sec. 2721. Independent design review of National Naval Medical Center and military hospital at Fort Belvoir.
Sec. 2722. Report on use of BRAC properties as sites for refineries or nuclear power plants.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Incorporation of principles of sustainable design in documents submitted as part of proposed military construction projects.
Sec. 2802. Revision of maximum lease amount applicable to certain domestic Army family housing leases to reflect previously made annual adjustments in amount.
Sec. 2803. Use of military family housing constructed under build and lease authority to house members without dependents.
Sec. 2804. Leasing of military family housing to Secretary of Defense.
Sec. 2805. Improved oversight and accountability for military housing privatization initiative projects.
Sec. 2806. Authority to use operation and maintenance funds for construction projects inside the United States Central Command and United States Africa Command areas of responsibility.
Sec. 2807. Cost-benefit analysis of dissolution of Patrick Family Housing LLC.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Clarification of congressional reporting requirements for certain real property transactions.
Sec. 2812. Authority to lease non-excess property of military departments and Defense Agencies.
Sec. 2813. Modification of utility system conveyance authority.
Sec. 2814. Defense access roads.
Sec. 2815. Report on application of force protection and anti-terrorism standards to gates and entry points on military installations.

Subtitle C—Provisions Related to Guam Realignment

Sec. 2821. Sense of Congress regarding military housing and utilities related to Guam realignment.
Sec. 2822. Federal assistance to Guam.
Sec. 2823. Eligibility of the Commonwealth of the Northern Mariana Islands for military base reuse studies and community planning assistance.
Sec. 2824. Support for realignment of military installations and relocation of military personnel on Guam.

Subtitle D—Energy Security

Sec. 2831. Certification of enhanced use leases for energy-related projects.
Sec. 2832. Annual report on Department of Defense installations energy management.

Subtitle E—Land Conveyances

Sec. 2841. Land conveyance, former Naval Air Station, Alameda, California.
Sec. 2842. Transfer of administrative jurisdiction, decommissioned Naval Security Group Activity, Skaggs Island, California.
Sec. 2843. Transfer of proceeds from property conveyance, Marine Corps Logistics Base, Albany, Georgia.
Sec. 2844. Land conveyance, Sergeant First Class M.L. Downs Army Reserve Center, Springfield, Ohio.
Sec. 2845. Land conveyance, John Sevier Range, Knox County, Tennessee.
Sec. 2846. Land conveyance, Army property, Camp Williams, Utah.
Sec. 2847. Extension of Potomac Heritage National Scenic Trail through Fort Belvoir, Virginia.

Subtitle F—Other Matters

Sec. 2851. Revised deadline for transfer of Arlington Naval Annex to Arlington National Cemetery.
Sec. 2852. Acceptance and use of gifts for construction of additional building at National Museum of the United States Air Force, Wright-Patterson Air Force Base.
Sec. 2853. Lease involving pier on Ford Island, Pearl Harbor Naval Base, Hawaii.
Sec. 2854. Use of runway at NASJRB Willow Grove, Pennsylvania.
Sec. 2855. Naming of health facility, Fort Rucker, Alabama.

TITLE XXIX—WAR-RELATED MILITARY CONSTRUCTION AUTHORIZATIONS

Subtitle A—Fiscal Year 2008 Projects

Sec. 2901. Authorized Army construction and land acquisition projects.
Sec. 2902. Authorized Navy construction and land acquisition projects.
Sec. 2903. Authorized Air Force construction and land acquisition projects.
Sec. 2904. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2905. Termination of authority to carry out fiscal year 2008 Army projects.

Subtitle B—Fiscal Year 2009 Projects

Sec. 2911. Authorized Army construction and land acquisition projects.
Sec. 2912. Authorized Navy construction and land acquisition projects.

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

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
Sec. 3104. Defense nuclear waste disposal.
Sec. 3105. Energy security and assurance.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Modification of functions of Administrator for Nuclear Security to include elimination of surplus fissile materials usable for nuclear weapons.
Sec. 3112. Limitation on Funding for Project 04-D-125 Chemistry and Metallurgy Research Replacement facility project, Los Alamos National Laboratory, Los Alamos, New Mexico.
Sec. 3113. Nonproliferation and national security scholarship and fellowship program.
Sec. 3114. Enhancing nuclear forensics capabilities.
Sec. 3115. Utilization of contributions to International Nuclear Materials Protection and Cooperation program and Russian plutonium disposition program.
Sec. 3116. Review of and reports on Global Initiatives for Proliferation Prevention program.
Sec. 3117. Limitation on availability of funds for Global Nuclear Energy Partnership.

Subtitle C—Reports

Sec. 3121. Extension of deadline for Comptroller General report on Department of Energy protective force management.
Sec. 3122. Report on compliance with Design Basis Threat issued by the Department of Energy in 2005.
Sec. 3123. Modification of submittal of reports on inadvertent releases of restricted data.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for fiscal year 2009.
Sec. 3502. Limitation on export of vessels owned by the Government of the United States for the purpose of dismantling, recycling, or scrapping.
Sec. 3503. Student incentive payment agreements.
Sec. 3504. Riding gang member requirements.
Sec. 3505. Maintenance and Repair Reimbursement Program for the Maritime Security Fleet.
Sec. 3506. Temporary program authorizing contracts with adjunct professors at the United States Merchant Marine Academy and for other purposes.
Sec. 3507. Actions to address sexual harassment and violence at the United States Merchant Marine Academy.
Sec. 3508. Assistance for small shipyards and maritime communities.
Sec. 3509. Marine war risk insurance.
Sec. 3510. MarAd consultation on Jones Act Waivers.
Sec. 3511. Transportation in American vessels of government personnel and certain cargoes.
Sec. 3512. Port of Guam Improvement Enterprise Program.

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.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding S. 3001, the National Defense Authorization Act for Fiscal Year 2009, as amended by the House of Representatives, printed in the House section of the Congressional Record on or about September 30, 2008, by the Chairman of the Committee on Armed Services of the House, shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

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.

Subtitle B—Army Programs

Sec. 111. Separate procurement line items for Future Combat Systems program.
Sec. 112. Clarification of status of Future Combat Systems program lead system integrator.
Sec. 113. Restriction on obligation of funds for Army tactical radio pending report.
Sec. 114. Restriction on obligation of procurement funds for Armed Reconnaissance Helicopter program pending certification.
Sec. 115. Stryker Mobile Gun System.

Subtitle C—Navy Programs

Sec. 121. Refueling and complex overhaul of the U.S.S. Theodore Roosevelt.
Sec. 122. Littoral Combat Ship (LCS) program.
Sec. 123. Report on F/A–18 procurement costs, comparing multiyear to annual.
Sec. 124. Authority for advanced procurement and construction of components for the Virginia-class submarine program.

Subtitle D—Air Force Programs

Sec. 131. Maintenance of retired KC–135E aircraft.
Sec. 132. Repeal of multi-year contract authority for procurement of tanker aircraft.

Sec. 133. Reports on KC–(X) tanker aircraft requirements.
Sec. 134. F-22A fighter aircraft.

Subtitle E—Joint and Multiservice Matters

Sec. 141. Annual long-term plan for the procurement of aircraft for the Navy and the Air Force.
Sec. 142. Report on body armor acquisition strategy.
Sec. 143. Small arms acquisition strategy and requirements review.
Sec. 144. Requirement for common ground stations and payloads for manned and unmanned aerial vehicle systems.
Sec. 145. Report on future jet carrier trainer requirements of the Navy.

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2009 for procurement for the Army as follows:

(1) For aircraft, $4,848,835,000.

(2) For missiles, $2,207,460,000.

(3) For weapons and tracked combat vehicles, $3,516,398,000.

(4) For ammunition, $2,280,791,000.

(5) For other procurement, $11,143,076,000.

(6) For the Joint Improvised Explosive Device Defeat Fund, $200,000,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2009 for procurement for the Navy as follows:

(1) For aircraft, $14,557,874,000.

(2) For weapons, including missiles and torpedoes, $3,553,282,000.

(3) For shipbuilding and conversion, $14,057,022,000.

(4) For other procurement, $5,463,565,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2009 for procurement for the Marine Corps in the amount of $1,486,189,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2009 for procurement of ammunition for the Navy and the Marine Corps in the amount of $1,110,012,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2009 for procurement for the Air Force as follows:

(1) For aircraft, $12,826,858,000.

(2) For ammunition, $894,478,000.

(3) For missiles, $5,553,528,000.

(4) For other procurement, $16,087,887,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2009 for Defense-wide procurement in the amount of $3,382,628,000.

SEC. 105. NATIONAL GUARD AND RESERVE EQUIPMENT.

Funds are hereby authorized to be appropriated for fiscal year 2009 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 $800,000,000.

Subtitle B—Army Programs

SEC. 111. SEPARATE PROCUREMENT LINE ITEMS FOR FUTURE COMBAT SYSTEMS PROGRAM.

Effective for the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2011 and for each fiscal year thereafter, the Secretary of Defense shall ensure that a separate, dedicated procurement line item is designated for each of the following elements of the Future Combat Systems program (in this section referred to as "FCS"), to the extent the budget includes funding for such elements:

(1) FCS Manned Ground Vehicles.
(2) FCS Unmanned Ground Vehicles.
(3) FCS Unmanned Aerial Systems.
(4) FCS Unattended Ground Systems.
(5) Other FCS elements.

SEC. 112. CLARIFICATION OF STATUS OF FUTURE COMBAT SYSTEMS PROGRAM LEAD SYSTEM INTEGRATOR.

Section 802 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 206; 10 U.S.C. 2410p note) is amended by adding at the end the following new subsection:

"(e) STATUS OF FUTURE COMBAT SYSTEMS PROGRAM LEAD SYSTEM INTEGRATOR.—

"(1) LEAD SYSTEMS INTEGRATOR.—In the case of the Future Combat Systems program, the prime contractor of the program shall be considered to be a lead systems integrator until 45 days after the Secretary of the Army certifies in writing to the congressional defense committees that such contractor is no longer serving as the lead systems integrator.

"(2) NEW CONTRACTS.—In applying subsection (a)(1) or (a)(2), any modification to the existing contract for the Future Combat Systems program, for the purpose of entering into full-rate production of major systems or subsystems, shall be considered a new contract.".

SEC. 113. RESTRICTION ON OBLIGATION OF FUNDS FOR ARMY TACTICAL RADIO PENDING REPORT.

(a) REPORT REQUIRED.—Not later than March 30, 2009, the Assistant Secretary of Defense for Networks and Information Integration shall submit to the congressional defense committees a report on Army tactical radio fielding plans. The report shall include the following:

(1) A description of the Army tactical radio fielding strategy, including a description of the overall combination of various tactical radio systems and how they integrate to provide communications and network capability.

(2) A detailed description of the combination of various tactical radio systems in use or planned for use for Army infantry brigade combat teams, heavy brigade combat teams, Stryker brigade combat teams, and Future Combat Systems brigade combat teams.

(3) A description of the combination of various tactical radio systems in use or planned for use for Army support brigades, headquarters elements, and training units.

(4) A description of the plan by the Army to integrate joint tactical radio systems, including the number of each type of joint tactical radio the Army plans to procure.

(5) An assessment of the total cost of the tactical radio fielding strategy of the Army, including procurement of joint tactical radio systems.

(b) RESTRICTION ON OBLIGATION OF FUNDS PENDING REPORT.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for fiscal year 2009 for other procurement, Army, for tactical radio systems, not more than 75 percent may be obligated or expended until 30 days after the report required by subsection (a) is received by the congressional defense committees.

SEC. 114. RESTRICTION ON OBLIGATION OF PROCUREMENT FUNDS FOR ARMED RECONNAISSANCE HELICOPTER PROGRAM PENDING CERTIFICATION.

(a) CERTIFICATION REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall certify to the congressional defense committees that the Armed Reconnaissance Helicopter has—

(1) satisfactorily been certified under section 2433(e)(2) of title 10, United States Code;

(2) been restructured as an acquisition program by the Army;

(3) satisfactorily completed a Limited User Test; and

(4) been approved to enter Milestone C.

(b) RESTRICTION ON OBLIGATION OF FUNDS PENDING CERTIFICATION.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for fiscal year 2009 for aircraft procurement, Army, for the Armed Reconnaissance Helicopter, not more than 20 percent may be obligated until 30 days after the certification required by subsection (a) is received by the congressional defense committees.

SEC. 115. STRYKER MOBILE GUN SYSTEM.

(a) LIMITATION ON AVAILABILITY OF FUNDS.—None of the amounts authorized to be appropriated by this Act for procurement of weapons and tracked combat vehicles for the Army may be obligated or expended for purposes of the procurement of the Stryker Mobile Gun System until the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees a written certification that the Under Secretary has approved a plan for the Army to mitigate all Stryker Mobile Gun System deficiencies.

(b) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter until December 31, 2011, the Secretary of the Army, in consultation with

the Director of Operational Test and Evaluation, shall submit to the congressional defense committees a report on the status of actions by the Army to mitigate all Stryker Mobile Gun System deficiencies. Each report shall include the following:

(1) An explanation of the plan by the Army to mitigate all Stryker Mobile Gun System deficiencies.

(2) The cost estimate for implementing each mitigating action, and the status of funding for each mitigating action.

(3) An inventory of the Stryker Mobile Gun System vehicle fleet that specifies which mitigating actions have been implemented.

(4) An updated production and fielding schedule for Stryker Mobile Gun System vehicles required by the Army but not yet fielded as of the date of the report.

(c) WAIVER AUTHORITY.—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary—

(1) determines that continued procurement of Stryker Mobile Gun System vehicles will provide a vital combat capability to the Armed Forces; and

(2) submits to the congressional defense committees written notification of the waiver and a discussion of the reasons for the determination made under paragraph (1).

(d) STRYKER MOBILE GUN SYSTEM DEFICIENCIES DEFINED.—In this section, the term "Stryker Mobile Gun System deficiencies" means deficiencies of the Stryker Mobile Gun System specified in the memorandum by the Department of Defense titled "Stryker Mobile Gun System (MGS) Acquisition Decision Memorandum" and dated August 5, 2008.

Subtitle C—Navy Programs

SEC. 121. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. THEODORE ROOSEVELT.

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amount appropriated pursuant to the authorization of appropriations in section 102 or otherwise made available for shipbuilding, conversion, and repair, Navy, for fiscal year 2009, $124,500,000 is available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Theodore Roosevelt (CVN–71) during fiscal year 2009. The amount made available in the preceding sentence is the first increment in the three-year funding planned for the nuclear refueling and complex overhaul of that vessel.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy is authorized to enter into a contract during fiscal year 2009 for the nuclear refueling and overhaul of the U.S.S. Theodore Roosevelt (CVN–71).

(c) CONDITION FOR 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 the contract for a fiscal year after fiscal year 2009 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 122. LITTORAL COMBAT SHIP (LCS) PROGRAM.

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), is further amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "post-2007 LCS vessels" and inserting "post-2009 LCS vessels"; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking "POST-2007 LCS VESSELS" and inserting "POST-2009 LCS VESSELS"; and

(ii) by striking "'post-2007 LCS vessel'" and inserting "'post-2009 LCS vessel'";

(2) in subsection (b), by striking "post-2007 LCS vessels" and inserting "post-2009 LCS vessels"; and

(3) in subsection (c), by striking "post-2007 LCS vessels" and inserting "post-2009 LCS vessels".

SEC. 123. REPORT ON F/A–18 PROCUREMENT COSTS, COMPARING MULTIYEAR TO ANNUAL.

(a) IN GENERAL.—Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report on F/A–18 procurement. The report shall include the following:

(1) The number of F/A–18E/F and EA–18G aircraft programmed for procurement for fiscal years 2010 through 2015.

(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 a multiyear procurement contract.

(4) The estimated savings that could be derived from the procurement of those aircraft through a multiyear procurement contract, and whether the Secretary considers 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) The recommendations of the Secretary regarding whether Congress should authorize a multiyear procurement contract for those aircraft.

(b) CERTIFICATIONS REQUIRED.—If the Secretary recommends under subsection (a)(6) that Congress authorize a multiyear procurement contract for the aircraft, the Secretary shall include in the report under subsection (a) the certifications required by section 2306b of title 10, United States Code, to enable the award of a multiyear contract beginning with fiscal year 2010.

SEC. 124. AUTHORITY FOR ADVANCED PROCUREMENT AND CONSTRUCTION OF COMPONENTS FOR THE VIRGINIA-CLASS SUBMARINE PROGRAM.

Section 121 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 26) is amended—

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

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

"(b) ADVANCE PROCUREMENT AND CONSTRUCTION OF COMPONENTS.—The Secretary may enter into one or more contracts for

advance procurement and advance construction of those components for the Virginia-class submarine program for which authorization to enter into a multiyear procurement contract is granted under subsection (a) if the Secretary determines that cost savings or construction efficiencies may be achieved for Virginia-class submarines through the use of such contracts.".

Subtitle D—Air Force Programs

SEC. 131. MAINTENANCE OF RETIRED KC–135E AIRCRAFT.

Section 135(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2114) is amended by striking "each KC–135E aircraft that is retired" and inserting "at least 74 of the KC–135E aircraft retired".

SEC. 132. REPEAL OF MULTI-YEAR CONTRACT AUTHORITY FOR PROCUREMENT OF TANKER AIRCRAFT.

Section 135 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 2401a note) is repealed.

SEC. 133. REPORTS ON KC–(X) TANKER AIRCRAFT REQUIREMENTS.

(a) REPORT REQUIRED.—Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report regarding the competition for the KC-(X) tanker aircraft that was terminated on September 10, 2008. The report shall include the following:

(1) An examination of original requirements for the KC–(X) tanker aircraft, including an explanation for the use of the KC–135R tanker aircraft as the baseline for the KC–(X) tanker aircraft.

(2) A summary of commercial derivative or commercial off-the-shelf aircraft available as potential aerial refueling platforms using aerial refueling capabilities (such as range, offload at range, and passenger and cargo capacity) in each of the following ranges:

(A) Maximum gross take-off weight that is less than 300,000 pounds.

(B) Maximum gross take-off weight in the range from 301,000 pounds maximum gross take-off weight to 550,000 pound maximum gross take-off weight.

(C) Maximum gross take-off weight in the range from 551,000 pounds maximum gross take-off weight to 1,000,000 pound maximum gross take-off weight.

(D) Maximum gross take-off weight that is greater than 1,000,000 pounds.

(b) REASSESSMENT REQUIRED.—The Secretary of Defense shall reassess the requirements for aerial refueling that were validated by the Joint Requirements Oversight Council on December 27, 2006. Not later than 30 days after the reassessment, the Secretary shall submit to the congressional defense committees a report containing the complete results of the reassessment.

SEC. 134. F-22A FIGHTER AIRCRAFT.

(a) AVAILABILITY OF FUNDS.—Subject to subsection (b), of the amount authorized to be appropriated for procurement of aircraft

for the Air Force, $523,000,000 shall be available for advance procurement of F-22A fighter aircraft.

(b) RESTRICTION ON OBLIGATION OF FUNDS PENDING CERTIFICATION.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for fiscal year 2009 for advance procurement, Air Force, for the F-22A, not more than $140,000,000 may be obligated until 15 days after the certification required by subsection (c) is received by the congressional defense committees.

(c) CERTIFICATION.—

(1) IN GENERAL.—Of the amount referred to in subsection (a), $383,000,000 shall not be available until the President certifies to the congressional defense committees that—

(A) the procurement of F-22A fighter aircraft is in the national interest of the United States; or

(B) the termination of the production line for F-22A fighter aircraft is in the national interest of the United States.

(2) DATE OF SUBMITTAL.—Any certification submitted under this subsection may not be submitted before January 21, 2009, and must be submitted not later than March 1, 2009.

Subtitle E—Joint and Multiservice Matters

SEC. 141. ANNUAL LONG-TERM PLAN FOR THE PROCUREMENT OF AIRCRAFT FOR THE NAVY AND THE AIR FORCE.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 231 the following new section:

"§ 231a. Budgeting for procurement of aircraft for the Navy and Air Force: annual plan and certification

"(a) ANNUAL AIRCRAFT PROCUREMENT PLAN AND CERTIFICATION.—The Secretary of Defense shall include with the defense budget materials for each fiscal year—

"(1) a plan for the procurement of the aircraft specified in subsection (b) for the Department of the Navy and the Department of the Air Force developed in accordance with this section; and

"(2) a certification by the Secretary that both the budget for such fiscal year and the future-years defense program submitted to Congress in relation to such budget under section 221 of this title provide for funding of the procurement of aircraft at a level that is sufficient for the procurement of the aircraft provided for in the plan under paragraph (1) on the schedule provided in the plan.

"(b) COVERED AIRCRAFT.—The aircraft specified in this subsection are the aircraft as follows:

"(1) Fighter aircraft.

"(2) Attack aircraft.

"(3) Bomber aircraft.

"(4) Strategic lift aircraft.

"(5) Intratheater lift aircraft.

"(6) Intelligence, surveillance, and reconnaissance aircraft.

"(7) Tanker aircraft.

"(8) Any other major support aircraft designated by the Secretary of Defense for purposes of this section.

"(c) ANNUAL AIRCRAFT PROCUREMENT PLAN.—(1) The annual aircraft procurement plan developed for a fiscal year for purposes of subsection (a)(1) should be designed so that the aviation force provided for under the plan is capable of supporting 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 the plan is submitted with the defense budget materials for that fiscal year, a national security strategy report required under such section 108 has not been submitted to Congress as required by paragraph (2) or paragraph (3), if applicable, of subsection (a) of such section, then the plan should be designed so that the aviation force provided for under the plan is capable of supporting the aviation force structure recommended in the report of the most recent Quadrennial Defense Review.

"(2) Each annual aircraft procurement plan shall include the following:

"(A) A detailed program for the procurement of the aircraft specified in subsection (b) for each of the Department of the Navy and the Department of the Air Force over the next 30 fiscal years.

"(B) A description of the necessary aviation force structure 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).

"(C) The estimated levels of annual funding necessary to carry out the program, together with a discussion of the procurement strategies on which such estimated levels of annual funding are based.

"(D) An assessment by the Secretary of Defense of the extent to which the combined aircraft forces of the Department of the Navy and the Department of the Air Force meet the national security requirements of the United States.

"(d) ASSESSMENT WHEN AIRCRAFT PROCUREMENT BUDGET IS INSUFFICIENT TO MEET APPLICABLE REQUIREMENTS.—If the budget for a fiscal year provides for funding of the procurement of aircraft for either the Department of the Navy or the Department of the Air Force at a level that is not sufficient to sustain the aviation force structure specified in the aircraft procurement plan for such Department for that fiscal year under subsection (a), the Secretary shall include with the defense budget materials for that fiscal year an assessment that describes and discusses the risks associated with the reduced force structure of aircraft that will result from funding aircraft procurement at such level. Such assessment shall be coordinated in advance with the commanders of the combatant commands.

"(e) DEFINITIONS.—In this section:

"(1) 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.

"(2) The term 'defense budget materials', with respect to a fiscal year, means the materials submitted to Congress by the

Secretary of Defense in support of the budget for that fiscal year.

"(3) The term 'Quadrennial Defense Review' means the review of the defense programs and policies of the United States that is carried out every 4 years under section 118 of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 231 the following new item:

"231a. Budgeting for procurement of aircraft for the Navy and Air Force: annual plan and certification.".

SEC. 142. REPORT ON BODY ARMOR ACQUISITION STRATEGY.

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 that provides—

(1) a survey and assessment of the capabilities, capacities, and risks of the domestic industrial base of the United States, including critical subcontractor suppliers, in meeting the requirements of the military departments for body armor during the 20 years following the date of the report;

(2) an assessment of the long-term maintenance requirements of the body armor industrial base in the United States;

(3) an assessment of body armor and related research, development, and acquisition objectives, priorities, and funding profiles for—

(A) advances in the level of protection;

(B) weight reduction; and

(C) manufacturing productivity;

(4) an assessment of the feasibility and advisability of establishing a separate, dedicated procurement line item for the acquisition of body armor and associated components for fiscal year 2011 and for each fiscal year thereafter;

(5) an assessment of the feasibility and advisability of establishing an executive agent for the acquisition of body armor and associated components for the military departments beginning in fiscal year 2011; and

(6) an assessment of existing initiatives used by the military departments to manage or execute body armor programs, including the Cross-Service Warfighter Equipment Board, the Joint Clothing and Textiles Governance Board, and advanced planning briefings for industry.

SEC. 143. SMALL ARMS ACQUISITION STRATEGY AND REQUIREMENTS REVIEW.

(a) SECRETARY OF DEFENSE REPORT.—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 small arms requirements of the Armed Forces and the industrial base of the United States. The report shall include the following:

(1) An assessment of Department of Defense-wide small arms requirements in terms of capabilities and quantities, based on an analysis of the small arms capability assessments of each military department.

(2) An assessment of plans for small arms research, development, and acquisition programs to meet the requirements identified under paragraph (1).

(3) An assessment of capabilities, capacities, and risks in the small arms industrial base of the United States to meet the requirements of the Department of Defense for pistols, carbines, rifles, and light, medium, and heavy machine guns during the 20 years following the date of the report.

(4) An assessment of the costs, benefits, and risks of full and open competition for the procurement of non-developmental pistols and carbines that are not technically compatible with the M9 pistol or M4 carbine to meet the requirements identified under paragraph (1).

(b) COMPETITION FOR A NEW INDIVIDUAL WEAPON.—

(1) COMPETITION REQUIRED.—If the small arms capabilities based assessments by the Army identifies gaps in small arms capabilities and the Secretary of the Army determines that a new individual weapon is required to address such gaps, the Secretary shall procure the new individual weapon using full and open competition as described in paragraph (2).

(2) FULL AND OPEN COMPETITION.—The full and open competition described in this paragraph is competition among all responsible manufacturers that—

(A) is open to all developmental item solutions and non-developmental item solutions; and

(B) provides for the award of a contract based on selection criteria that reflect the key performance parameters and attributes identified in a service requirements document approved by the Army.

(c) SMALL ARMS DEFINED.—In this section, the term "small arms"—

(1) means man-portable or vehicle-mounted light weapons, designed primarily for use by individual military personnel for anti-personnel use; and

(2) includes pistols, carbines, rifles, and light, medium, and heavy machine guns.

SEC. 144. REQUIREMENT FOR COMMON GROUND STATIONS AND PAYLOADS FOR MANNED AND UNMANNED AERIAL VEHICLE SYSTEMS.

(a) POLICY AND ACQUISITION STRATEGY REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall establish a policy and an acquisition strategy for intelligence, surveillance, and reconnaissance payloads and ground stations for manned and unmanned aerial vehicle systems. The policy and acquisition strategy shall be applicable throughout the Department of Defense and shall achieve integrated research, development, test, and evaluation, and procurement commonality.

(b) OBJECTIVES.—The policy and acquisition strategy required by subsection (a) shall have the following objectives:

(1) Procurement of common payloads by vehicle class, including—

(A) signals intelligence;

(B) electro optical;

(C) synthetic aperture radar;

(D) ground moving target indicator;
(E) conventional explosive detection;
(F) foliage penetrating radar;
(G) laser designator;
(H) chemical, biological, radiological, nuclear, explosive detection; and
(I) national airspace operations avionics or sensors, or both.

(2) Commonality of ground system architecture by vehicle class.

(3) Common management of vehicle and payloads procurement.

(4) Ground station interoperability standardization.

(5) Maximum use of commercial standard hardware and interfaces.

(6) Open architecture software.

(7) Acquisition of technical data rights in accordance with section 2320 of title 10, United States Code.

(8) Acquisition of vehicles, payloads, and ground stations through competitive procurement.

(9) Common standards for exchange of data and metadata.

(c) AFFECTED SYSTEMS.—For the purposes of this section, the Secretary shall establish manned and unmanned aerial vehicle classes for all intelligence, surveillance, and reconnaissance programs of record based on factors such as vehicle weight, payload capacity, and mission.

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary 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 policy required by subsection (a); and

(2) the acquisition strategy required by subsection (a).

SEC. 145. REPORT ON FUTURE JET CARRIER TRAINER REQUIREMENTS OF THE NAVY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on future jet carrier trainer requirements. In addressing such requirements, the report shall include a plan based on the following:

(1) Studies conducted by independent organizations concerning future jet carrier trainer requirements.

(2) The results of a cost-benefit analysis comparing the creation of a new jet carrier trainer program with the modification of the current jet carrier trainer program in order to fulfill future jet carrier trainer requirements.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for defense science and technology.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Additional determinations to be made as part of Future Combat Systems milestone review.
Sec. 212. Analysis of Future Combat Systems communications network and software.
Sec. 213. Future Combat Systems manned ground vehicle Selected Acquisition Reports.
Sec. 214. Separate procurement and research, development, test, and evaluation line items and program elements for Sky Warrior Unmanned Aerial Systems project.
Sec. 215. Restriction on obligation of funds for the Warfighter Information Network–Tactical program.
Sec. 216. Limitation on source of funds for certain Joint Cargo Aircraft expenditures.
Sec. 217. Requirement for plan on overhead nonimaging infrared systems.
Sec. 218. Advanced energy storage technology and manufacturing.
Sec. 219. Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
Sec. 220. Requirements for certain airborne intelligence collection systems.
Sec. 221. Limitation on obligation of funds for Enhanced AN/TPQ–36 radar system pending submission of report.

Subtitle C—Missile Defense Programs

Sec. 231. Annual Director of Operational Test and Evaluation characterization of operational effectiveness, suitability, and survivability of the ballistic missile defense system.
Sec. 232. Independent study of boost-phase missile defense.
Sec. 233. Limitation on availability of funds for procurement, construction, and deployment of missile defenses in Europe.
Sec. 234. Review of the ballistic missile defense policy and strategy of the United States.
Sec. 235. Airborne Laser System.
Sec. 236. Activation and deployment of AN/TPY–2 forward-based X-band radar.

Subtitle D—Reports

Sec. 241. Biennial reports on joint and service concept development and experimentation.
Sec. 242. Report on participation of the historically black colleges and universities and minority-serving institutions in research and educational programs and activities of the Department of Defense.
Sec. 243. Report on Department of Defense response to findings and recommendations of the Defense Science Board Task Force on Directed Energy Weapons.

Subtitle E—Other Matters

Sec. 251. Modification of systems subject to survivability testing oversight by the Director of Operational Test and evaluation.
Sec. 252. Technology-neutral information technology guidelines and standards to support fully interoperable electronic personal health information for the Department of Defense and Department of Veterans Affairs.
Sec. 253. Assessment of technology transition programs and repeal of reporting requirement.
Sec. 254. Trusted defense systems.
Sec. 255. Capabilities-based assessment to outline a joint approach for future development of vertical lift aircraft and rotorcraft.
Sec. 256. Executive agent for printed circuit board technology.
Sec. 257. Review of conventional prompt global strike technology applications and concepts.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2009 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $10,943,840,000 [1].

(2) For the Navy, $19,345,603,000.

(3) For the Air Force, $26,289,508,000.

(4) For Defense-wide activities, $21,131,501,000, of which $188,772,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR DEFENSE SCIENCE AND TECHNOLOGY.

(a) FISCAL YEAR 2009.—Of the amounts authorized to be appropriated by section 201, $11,799,660,000 [1] shall be available for the Defense Science and Technology Program, including basic research, applied research, and advanced technology development projects.

(b) BASIC RESEARCH, APPLIED RESEARCH, AND ADVANCED TECHNOLOGY DEVELOPMENT DEFINED.—For purposes of this section, the term "basic research, applied research, and advanced technology development" means work funded in programs elements for defense research and development under Department of Defense budget activity 1, 2, or 3.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. ADDITIONAL DETERMINATIONS TO BE MADE AS PART OF FUTURE COMBAT SYSTEMS MILESTONE REVIEW.

Section 214(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2123) is amended by striking paragraphs (4) through (6) and inserting the following new paragraphs:

"(4) Whether actual demonstrations, rather than simulations, have shown that the software for the program is on a path to achieve threshold requirements on cost and schedule.

"(5) Whether the program's planned major communications network demonstrations are sufficiently complex and realistic to inform major program decision points.

"(6) The extent to which Future Combat Systems manned ground vehicle survivability is likely to be reduced in a degraded Future Combat Systems communications network environment.

"(7) The level of network degradation at which Future Combat Systems manned ground vehicle crew survivability is significantly reduced.

---

[1] House Concurrent Resolution 442, as agreed to in the House of Representatives by voice vote on October 2, 2008, and agreed to in the Senate by unanimous consent pursuant to the order of the Senate of October 2, 2008, directed the Secretary of the Senate to correct the enrollment of sections 201(1) and 202(a) as correctly reflected above.

"(8) The extent to which the Future Combat Systems communications network is capable of withstanding network attack, jamming, or other interference.

"(9) What the cost estimate for the program is, including all spin outs, and an assessment of the confidence level for that estimate.

"(10) What the affordability assessment for the program is, given projected Army budgets, based on the cost estimate referred to in paragraph (9).".

SEC. 212. ANALYSIS OF FUTURE COMBAT SYSTEMS COMMUNICATIONS NETWORK AND SOFTWARE.

(a) REPORT REQUIRED.—Not later than September 30, 2009, the Assistant Secretary of Defense for Networks and Information Integration shall submit to the congressional defense committees a report on the Future Combat Systems communications network and software. The report shall include the following:

(1) An assessment of the vulnerability of the Future Combat Systems communications network and software to enemy network attack, in particular the effect of the use of significant amounts of commercial software in Future Combat Systems software.

(2) An assessment of the vulnerability of the Future Combat Systems communications network to electronic warfare, jamming, and other potential enemy interference.

(3) An assessment of the vulnerability of the Future Combat Systems communications network to adverse weather and complex terrain.

(4) An assessment of the Future Combat Systems communication network's dependence on satellite communications support, and an assessment of the network's performance in the absence of assumed levels of satellite communications support.

(5) An assessment of the performance of the Future Combat Systems communications network when operating in a degraded condition due to the factors analyzed in paragraphs (1), (2), (3), and (4), and how such a degraded network environment would affect the performance of Future Combat Systems brigades and the survivability of Future Combat Systems manned ground vehicles.

(6) An assessment, developed in coordination with the Director of Operational Test and Evaluation, of the adequacy of the Future Combat Systems communications network testing schedule.

(7) An assessment, developed in coordination with the Director of Operational Test and Evaluation, of the synchronization of the funding, schedule, and technology maturity of the Warfighter Information Network-Tactical and Joint Tactical Radio System programs in relation to the Future Combat Systems program, including any planned Future Combat Systems spin outs.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 213. FUTURE COMBAT SYSTEMS MANNED GROUND VEHICLE SELECTED ACQUISITION REPORTS.

(a) REPORT REQUIRED.—Not later than February 15 of each of the years 2009 through 2015, the Secretary of the Army shall submit a Selected Acquisition Report under section 2432 of title 10, United States Code, to Congress for each Future Combat Systems manned ground vehicle variant.

(b) REQUIRED ELEMENTS.—Each report required by subsection (a) shall include the same information required in comprehensive annual Selected Acquisition Reports under section 2432(c) of title 10, United States Code.

(c) DEFINITION.—In this section, the term "manned ground vehicle variant" means—

(1) the eight distinct variants of manned ground vehicles designated on pages seven and eight of the Future Combat Systems Selected Acquisition Report of the Department of Defense dated December 31, 2007; and

(2) any additional manned ground vehicle variants designated in Future Combat Systems Acquisition Reports of the Department of Defense after the date of the enactment of this Act.

SEC. 214. SEPARATE PROCUREMENT AND RESEARCH, DEVELOPMENT, TEST, AND EVALUATION LINE ITEMS AND PROGRAM ELEMENTS FOR SKY WARRIOR UNMANNED AERIAL SYSTEMS PROJECT.

Effective for fiscal year 2010 and for each fiscal year thereafter, the Secretary of Defense shall ensure that, in the annual budget submission of the Department of Defense to the President, within both the account for procurement and the account for research, development, test, and evaluation, a separate, dedicated line item and program element is designated for the Sky Warrior Unmanned Aerial Systems project, to the extent such accounts include funding for such project.

SEC. 215. RESTRICTION ON OBLIGATION OF FUNDS FOR THE WARFIGHTER INFORMATION NETWORK–TACTICAL PROGRAM.

(a) NOTIFICATION REQUIRED.—Not later than five days after the completion of all actions described in subsection (b), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees notice in writing of such completion.

(b) COVERED ACTIONS.—An action described in this subsection is any of the following:

(1) Approval by the Under Secretary of a new acquisition program baseline for the Warfighter Information Network–Tactical Increment 3 program (in this section referred to as the "WIN-T Increment 3 program").

(2) Completion of the independent cost estimate for the WIN–T Increment 3 program by the Cost Analysis Improvement Group, as required by the June 5, 2007, recertification by the Under Secretary.

(3) Completion of the technology readiness assessment of the WIN–T Increment 3 program by the Director, Defense Research and Engineering, as required by the June 5, 2007, recertification by the Under Secretary.

(c) RESTRICTION ON OBLIGATION OF FUNDS PENDING NOTIFICATION.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for research, development, test, and evaluation, Army, for fiscal year 2009 for the WIN–T Increment 3 program, not more than 50 percent of those amounts may be obligated or expended until 15 days after the date on which the notification required by subsection (a) is received by the congressional defense committees.

SEC. 216. LIMITATION ON SOURCE OF FUNDS FOR CERTAIN JOINT CARGO AIRCRAFT EXPENDITURES.

(a) LIMITATION.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for fiscal year 2009 or any fiscal year thereafter for the Army or the Air Force, the Secretary of the Army and the Secretary of the Air Force may fund relevant expenditures for the Joint Cargo Aircraft only through amounts made available for procurement or for research, development, test, and evaluation.

(b) RELEVANT EXPENDITURES FOR THE JOINT CARGO AIRCRAFT DEFINED.—In this section, the term "relevant expenditures for the Joint Cargo Aircraft" means expenditures relating to—

(1) support equipment;

(2) initial spares;

(3) training simulators;

(4) systems engineering and management; and

(5) post-production modifications.

SEC. 217. REQUIREMENT FOR PLAN ON OVERHEAD NONIMAGING INFRARED SYSTEMS.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence, shall develop a comprehensive plan to conduct and support research, development, and demonstration of technologies that could evolve into the next generation of overhead nonimaging infrared systems.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) The research objectives to be achieved under the plan.

(2) A description of the research, development, and demonstration activities under the plan.

(3) An estimate of the duration of the research, development, and demonstration of technologies under the plan.

(4) The cost and duration of any flight or on-orbit demonstrations of the technologies being developed.

(5) A plan for implementing any acquisition programs with respect to technologies determined to be successful under the plan.

(6) An identification of the date by which a decision must be made to begin any follow-on programs and a justification for the date identified.

(7) A schedule for completion of a full analysis of the on-orbit performance characteristics of the Space-Based Infrared System and the Space Tracking and Surveillance System, and an assessment of how the performance characteristics of such systems will inform the decision to proceed to a next generation overhead nonimaging infrared system.

(c) LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS FOR THIRD GENERATION INFRARED SURVEILLANCE PROGRAM.—Not more than 50 percent of the amounts authorized to be appropriated for fiscal year 2009 by section 201(3) for research, development, test, and evaluation for the Air Force and available for the Third Generation Infrared Surveillance program may be obligated or expended until the date that is 30 days after the date on which the Secretary submits to Congress the plan required by subsection (a).

SEC. 218. ADVANCED ENERGY STORAGE TECHNOLOGY AND MANUFACTURING.

(a) ROADMAP REQUIRED.—The Secretary of Defense, acting through the Director of Defense Research and Engineering, the Deputy Under Secretary of Defense for Industrial Policy, and service acquisition executives, shall, in coordination with the Secretary of Energy, develop a multi-year roadmap to develop advanced energy storage technologies and sustain domestic advanced energy storage technology manufacturing capabilities and an assured supply chain necessary to ensure that the Department of Defense has assured access to advanced energy storage technologies to support current military requirements and emerging military needs.

(b) ELEMENTS.—The roadmap required by subsection (a) shall include, but not be limited to, the following:

(1) An identification of current and future capability gaps, performance enhancements, cost savings goals, and assured technology access goals that require advances in energy storage technology and manufacturing capabilities.

(2) Specific research, technology, and manufacturing goals and milestones, and timelines and estimates of funding necessary for achieving such goals and milestones.

(3) A summary of applications for energy storage technologies by the Department of Defense and, for each type of application, an assessment of the demand for such technologies, in terms of quantity and military need.

(4) Specific mechanisms for coordinating the activities of Federal agencies, State and local governments, coalition partners, private industry, and academia covered by the roadmap.

(5) Such other matters as the Secretary of Defense and the Secretary of Energy consider appropriate for purposes of the roadmap.

(c) COORDINATION.—

(1) IN GENERAL.—The roadmap required by subsection (a) shall be developed in coordination with the military departments, appropriate Defense Agencies and other elements and organizations of the Department of Defense, other appropriate Federal, State, and local government organizations, and appropriate representatives of private industry and academia.

(2) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary of Defense shall ensure that appropriate elements and organizations of the Department of Defense provide such information and other support as is required for the development of the roadmap.

(d) SUBMITTAL TO CONGRESS.—The Secretary of Defense shall submit to the congressional defense committees the roadmap re-

quired by subsection (a) not later than one year after the date of the enactment of this Act.

(e) ADVANCED ENERGY STORAGE TECHNOLOGY INITIATIVE INVESTMENT SUMMARY.—Not later than 6 months after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the expenditures for energy storage technologies within the Department of Defense, Defense Agencies, and military departments, for fiscal years 2008 and 2009 and the projected expenditures for such technologies for fiscal year 2010.

SEC. 219. MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MISSIONS.

(a) MECHANISMS TO PROVIDE FUNDS.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall establish mechanisms under which the director of a defense laboratory may use an amount of funds equal to not more than three percent of all funds available to the defense laboratory for the following purposes:

(A) To fund innovative basic and applied research that is conducted at the defense laboratory and supports military missions.

(B) To fund development programs that support the transition of technologies developed by the defense laboratory into operational use.

(C) To fund workforce development activities that improve the capacity of the defense laboratory to recruit and retain personnel with needed scientific and engineering expertise.

(2) CONSULTATION REQUIRED.—The mechanisms established under paragraph (1) shall provide that funding shall be used under paragraph (1) at the discretion of the director of a defense laboratory in consultation with the science and technology executive of the military department concerned.

(b) ANNUAL REPORT ON USE OF AUTHORITY.—

(1) IN GENERAL.—Not later than March 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under subsection (a) during the preceding year.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the year covered by such report, the following:

(A) A description of the mechanisms used to provide funding under subsection (a)(1).

(B) A statement of the amount of funding made available to each defense laboratory for research described under such subsection.

(C) A description of the investments made by each defense laboratory using funds under such subsection.

(D) A description and assessment of any improvements in the performance of the defense laboratories as a result of investments under such subsection.

(E) A description and assessment of the contributions to the development of needed military capabilities provided by research using funds under such subsection.

(F) A description of any modification to the mechanisms under subsection (a) that would improve the efficacy of the authority under such subsection to support military missions.

(c) SUNSET.—The authority under subsection (a) shall expire on October 1, 2013.

SEC. 220. REQUIREMENTS FOR CERTAIN AIRBORNE INTELLIGENCE COLLECTION SYSTEMS.

(a) IN GENERAL.—Except as provided pursuant to subsection (b), effective as of October 1, 2012, each airborne intelligence collection system of the Department of Defense that is connected to the Distributed Common Ground/Surface System shall have the capability to operate with the Network-Centric Collaborative Targeting System.

(b) EXCEPTIONS.—The requirement in subsection (a) with respect to a particular airborne intelligence collection system may be waived by the Chairman of the Joint Requirements Oversight Council under section 181 of title 10, United States Code. Waivers under this subsection shall be made on a case-by-case basis.

SEC. 221. LIMITATION ON OBLIGATION OF FUNDS FOR ENHANCED AN/TPQ–36 RADAR SYSTEM PENDING SUBMISSION OF REPORT.

Of the amounts appropriated pursuant to section 201(1) of this Act or otherwise made available for fiscal year 2009 for research, development, test, and evaluation, Army, for the Enhanced AN/TPQ–36 radar system, not more than 70 percent of the amounts remaining unobligated as of the date of the enactment of this Act may be obligated until the Secretary of the Army submits to the congressional defense committees a report describing the plan to transition the Counter-Rockets, Artillery, and Mortars program to a program of record.

Subtitle C—Missile Defense Programs

SEC. 231. ANNUAL DIRECTOR OF OPERATIONAL TEST AND EVALUATION CHARACTERIZATION OF OPERATIONAL EFFECTIVENESS, SUITABILITY, AND SURVIVABILITY OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) ANNUAL CHARACTERIZATION.—Section 232(h) of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 2431 note) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

"(2) The Director of Operational Test and Evaluation shall also each year characterize the operational effectiveness, suitability, and survivability of the ballistic missile defense system, and its elements, that have been fielded or tested before the end of the preceding fiscal year."; and

(3) in paragraph (3), as redesignated by paragraph (1) of this subsection, by inserting "and the characterization under paragraph (2)" after "the assessment under paragraph (1)".

(b) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows: "ANNUAL OT&E ASSESSMENT AND CHARACTERIZATION OF CERTAIN BALLISTIC MISSILE DEFENSE MATTERS.—".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008, and shall apply with respect to fiscal years beginning on or after that date.

SEC. 232. INDEPENDENT STUDY OF BOOST-PHASE MISSILE DEFENSE.

(a) STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with the National Academy of Sciences to conduct an independent study of concepts and systems for boost-phase missile defense.

(b) ELEMENTS.—

(1) CONTENT.—The study required by subsection (a) shall address the following:

(A) The extent to which boost-phase missile defense is technically feasible and practical.

(B) Whether any demonstration efforts by the Department of Defense of boost-phase missile defense technology existing as of the date of the study (including the Airborne Laser and the Kinetic Energy Interceptor) have a high probability of performing a boost-phase missile defense mission in an operationally effective, suitable, and survivable manner.

(2) SYSTEMS TO BE EXAMINED.—The study required by subsection (a) shall examine each of the following systems:

(A) The Airborne Laser.

(B) The Kinetic Energy Interceptor (land-based and sea-based options).

(C) Other existing boost-phase technology demonstration programs.

(3) FACTORS TO BE EVALUATED.—The study shall evaluate each system identified in paragraph (2) based on the following factors:

(A) Technical capability of the system against scenarios identified in paragraph (4).

(B) Operational issues, including operational effectiveness.

(C) The results of key milestone tests conducted prior to preparation of the report under subsection (c).

(D) Survivability.

(E) Suitability.

(F) Concept of operations, including basing considerations.

(G) Operations and maintenance support.

(H) Command and control considerations, including timelines for detection, decision-making, and engagement.

(I) Shortfall from intercepts.

(J) Force structure requirements.

(K) Effectiveness against countermeasures.

(L) Estimated cost of sustaining the system in the field.

(M) Reliability, availability, and maintainability.

(N) Geographic considerations, including limitations on the ability to deploy systems within operational range of potential targets.

(O) Cost and cost-effectiveness, including total lifecycle cost estimates.

(4) SCENARIOS TO BE ASSESSED.—The study shall include an assessment of each system identified in paragraph (2) regarding the performance and operational capabilities of the system—

(A) to counter short-range, medium-range, and intermediate-range ballistic missile threats from rogue states to the deployed forces of the United States and its allies; and

(B) to defend the territory of the United States against limited ballistic missile attack.

(5) COMPARISON WITH NON-BOOST SYSTEMS.—The study shall include an assessment of the performance and operational capabilities of non-boost missile defense systems to counter the scenarios identified in paragraph (4). The results under this paragraph shall be compared to the results under paragraph (4). For purposes of this paragraph, non-boost missile defense systems include—

(A) the Patriot PAC–3 system and the Medium Extended Air Defense System follow-on system;

(B) the Aegis Ballistic Missile Defense system, with all variants of the Standard Missile-3 interceptor;

(C) the Terminal High Altitude Area Defense system; and

(D) the Ground-based Midcourse Defense system.

(c) REPORT.—

(1) IN GENERAL.—Upon the completion of the study required by subsection (a), but not later than October 31, 2010, the National Academy of Sciences shall submit to the Secretary of Defense and the congressional defense committees a report on the study. The report shall include such recommendations regarding the future direction of the boost-phase ballistic missile defense programs of the United States as the Academy considers appropriate.

(2) FORM.—The report under paragraph (1) shall be submitted to the congressional defense committees in unclassified form, but may include a classified annex.

(d) FUNDING.—Of the funds appropriated pursuant to the authorization of appropriations in section 201(4) for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, $3,500,000 may be available to conduct the study required by subsection (a).

(e) COOPERATION FROM GOVERNMENT.—In carrying out the study, the National Academy of Sciences shall receive the full and timely cooperation of the Secretary of Defense and any other Federal Government official in providing the Academy with analyses, briefings, and other information necessary for the fulfillment of its responsibilities.

SEC. 233. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT, CONSTRUCTION, AND DEPLOYMENT OF MISSILE DEFENSES IN EUROPE.

(a) GENERAL LIMITATION.—No funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2009 or any fiscal year thereafter may be obligated or expended for procurement, site activation, construction, preparation of equipment for, or deployment of a long-range missile defense system in Europe until the following conditions have been met:

(1) In the case of the proposed midcourse radar element of such missile defense system, the host nation has signed and ratified the missile defense basing agreement and status of forces agreement that allow for the stationing in such nation of the radar and personnel to carry out the proposed deployment.

(2) In the case of the proposed long-range missile defense interceptor site element of such missile defense system—

(A) the condition in paragraph (1) has been met; and

(B) the host nation has signed and ratified the missile defense basing agreement and status of forces agreement that allow for the stationing in such nation of the interceptor site and personnel to carry out the proposed deployment.

(3) In the case of either element of such missile defense system described in paragraph (1) or (2), 45 days have elapsed following the receipt by the congressional defense committees of the report required by section 226(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 42).

(b) ADDITIONAL LIMITATION.—In addition to the limitation in subsection (a), no funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2009 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 the ability to accomplish the mission.

(c) CONSTRUCTION.—Nothing in this section shall be construed to limit continuing obligation and expenditure of funds for missile defense, including for research and development and for other activities not otherwise limited by subsection (a) or (b), including, but not limited to, site surveys, studies, analysis, and planning and design for the proposed missile defense deployment in Europe.

SEC. 234. REVIEW OF THE BALLISTIC MISSILE DEFENSE POLICY AND STRATEGY OF THE UNITED STATES.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the ballistic missile defense policy and strategy of the United States.

(b) ELEMENTS.—The matters addressed by the review required by subsection (a) shall include the following:

(1) The ballistic missile defense policy of the United States in relation to the overall national security policy of the United States.

(2) The ballistic missile defense strategy and objectives of the United States in relation to the national security strategy of the United States and the military strategy of the United States.

(3) The ballistic missile threat to the United States, deployed forces of the United States, and friends and allies of the United States from short, medium, intermediate, and long-range ballistic missile threats.

(4) The organization, discharge, and oversight of acquisition for the ballistic missile defense programs of the United States.

(5) The roles and responsibilities of the Office of the Secretary of Defense, defense agencies, combatant commands, the Joint Chiefs of Staff, and the military departments in such programs.

(6) The process for determining requirements for missile defense capabilities under such programs, including input from the joint military requirements process.

(7) The process for determining the force structure and inventory objectives for such programs.

(8) Standards for the military utility, operational effectiveness, suitability, and survivability of the ballistic missile defense systems of the United States.

(9) The method in which resources for the ballistic missile defense mission are planned, programmed, and budgeted within the Department of Defense.

(10) The near-term and long-term affordability and cost-effectiveness of such programs.

(11) The objectives, requirements, and standards for test and evaluation with respect to such programs.

(12) Accountability, transparency, and oversight with respect to such programs.

(13) The role of international cooperation on missile defense in the ballistic missile defense policy and strategy of the United States.

(14) Any other matters the Secretary determines relevant.

(c) REPORT.—

(1) IN GENERAL.—Not later than January 31, 2010, the Secretary shall submit to Congress a report setting forth the results of the review required by subsection (a).

(2) FORM.—The report required by this subsection shall be in unclassified form, but may include a classified annex.

SEC. 235. AIRBORNE LASER SYSTEM.

(a) REPORT ON DIRECTOR OF OPERATIONAL TEST AND EVALUATION ASSESSMENT OF TESTING.—Not later than January 15, 2010, the Director of Operational Test and Evaluation shall—

(1) review and evaluate the testing conducted on the first Airborne Laser System aircraft, including the planned shoot-down demonstration testing; and

(2) submit to the Secretary of Defense and to Congress an assessment by the Director of the operational effectiveness, suitability, and survivability of the Airborne Laser System.

(b) LIMITATION ON AVAILABILITY OF FUNDS FOR LATER AIRBORNE LASER SYSTEM AIRCRAFT.—No funds appropriated pursuant to an authorization of appropriations or otherwise made available for the Department of Defense may be obligated or expended for the procurement of a second or subsequent aircraft for the Airborne Laser System program until the later of the following dates:

(1) The date on which the Secretary of Defense, after receiving the assessment under subsection (a)(2), submits to Congress a certification that the Airborne Laser System has demonstrated, through successful testing and operational and cost analysis, a high probability of being operationally effective, suitable, survivable, and affordable.

(2) The date that is 60 days after the date on which Congress receives the independent assessment of boost-phase missile defense required by section 232.

SEC. 236. ACTIVATION AND DEPLOYMENT OF AN/TPY–2 FORWARD-BASED X-BAND RADAR.

(a) AVAILABILITY OF FUNDS.—Subject to subsection (b), of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, up to $89,000,000 may be available for Ballistic Missile Defense Sensors for the activation and deployment of the AN/TPY–2 forward-based X-band radar to a classified location.

(b) LIMITATION.—

(1) IN GENERAL.—Funds may not be available under subsection (a) for the purpose specified in that subsection until the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a report on the deployment of the AN/TPY–2 forward-based X-band radar as described in that subsection, including:

(A) The location of deployment of the radar.

(B) A description of the operational parameters of the deployment of the radar, including planning for force protection.

(C) A description of any recurring and non-recurring expenses associated with the deployment of the radar.

(D) A description of the cost-sharing arrangements between the United States and the country in which the radar will be deployed regarding the expenses described in subparagraph (C).

(E) A description of the other terms and conditions of the agreement between the United States and such country regarding the deployment of the radar.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle D—Reports

SEC. 241. BIENNIAL REPORTS ON JOINT AND SERVICE CONCEPT DEVELOPMENT AND EXPERIMENTATION.

(a) IN GENERAL.—Section 485 of title 10, United States Code, is amended to read as follows:

"§ 485. Joint and service concept development and experimentation

"(a) BIENNIAL REPORTS REQUIRED.—Not later than January 1 of each even numbered-year, the Secretary of Defense or the Secretary's designee shall submit to the congressional defense committees a report on the conduct and outcomes of joint and service concept development and experimentation.

"(b) MATTERS TO BE INCLUDED.—Each report under subsection (a) shall include the following:

"(1) A description of any changes since the latest report submitted under this section to each of the following:

"(A) The organization of the Department of Defense responsible for executing the mission of joint concept development and experimentation, or its specific authorities related to that mission.

"(B) The process for tasking forces (including forces designated as joint experimentation forces) to participate in joint concept development and experimentation, and the specific authority of the organization responsible for executing the mission of joint concept development and experimentation over those forces.

"(C) The resources provided for initial implementation of joint concept development and experimentation, the process for providing such resources to the organization responsible for executing the mission of joint concept development and experimentation, the categories of funding for joint concept development and experimentation, and the authority of the organization responsible for executing the mission of joint concept development and experimentation for budget execution for such activities.

"(D) The assigned role of the organization responsible for executing the mission of joint concept development and experimentation for—

"(i) integrating and testing in joint concept development and experimentation the systems that emerge from warfighting experimentation by the armed forces and the Defense Agencies;

"(ii) assessing the effectiveness of organizational structures, operational concepts, and technologies relating to joint concept development and experimentation; and

"(iii) assisting the Secretary of Defense and the Chairman of the Joint Chiefs of Staff in setting priorities for requirements or acquisition programs in light of joint concept development and experimentation.

"(2) A description of the conduct of joint concept development and experimentation activities, and of concept development

and experimentation activities of each of the military departments, during the two-year period ending on the date of such report, including—

"(A) the funding involved;

"(B) the number of activities engaged in;

"(C) the forces involved;

"(D) the national and homeland security challenges addressed;

"(E) the operational concepts assessed;

"(F) the technologies assessed;

"(G) the scenarios and measures of effectiveness utilized; and

"(H) specific interactions under such activities with the commanders of the combatant commands and with other organizations and entities inside and outside the Department.

"(3) A description of the conduct of joint concept development and experimentation, and of the conduct of concept development and experimentation by each of the military departments, during the two-year period ending on the date of such report with respect to the development of warfighting concepts for operational scenarios more than 10 years in the future, including—

"(A) the funding involved;

"(B) the number of activities engaged in;

"(C) the forces involved;

"(D) the challenges addressed;

"(E) the operational concepts assessed;

"(F) the technologies assessed;

"(G) the scenarios and measures of effectiveness utilized; and

"(H) specific interactions with the commanders of the combatant commands and with other organizations and entities inside and outside the Department.

"(4) A description of the mechanisms used to coordinate joint, service, interagency, Coalition, and other appropriate concept development and experimentation activities.

"(5) An assessment of the return on investment in concept development and experimentation activities, including a description of the following:

"(A) Specific outcomes and impacts within the Department of the results of past joint and service concept development and experimentation in terms of new doctrine, operational concepts, organization, training, materiel, leadership, personnel, or the allocation of resources, or in activities that terminated support for legacy concepts, programs, or systems.

"(B) Specific actions taken to implement the recommendations of the Commander of United States Joint Forces Command based on joint concept development and experimentation activities.

"(6) Such recommendations (based primarily on the results of joint and service concept development and experimentation) as the Secretary considers appropriate for enhancing the develop-

ment of joint warfighting capabilities by modifying activities throughout the Department relating to—

"(A) the development or acquisition of specific advanced technologies, systems, or weapons or systems platforms;

"(B) key systems attributes and key performance parameters for the development or acquisition of advanced technologies and systems;

"(C) joint or service doctrine, organization, training, materiel, leadership development, personnel, or facilities;

"(D) the reduction or elimination of redundant equipment and forces, including the synchronization of the development and fielding of advanced technologies among the armed forces to enable the development and execution of joint operational concepts; and

"(E) the development or modification of initial capabilities documents, operational requirements, and relative priorities for acquisition programs to meet joint requirements.

"(7) With respect to improving the effectiveness of joint concept development and experimentation capabilities, such recommendations (based primarily on the results of joint warfighting experimentation) as the Secretary considers appropriate regarding—

"(A) the conduct of, adequacy of resources for, or development of technologies to support such capabilities; and

"(B) changes in support from other elements of the Department responsible for concept development and experimentation by joint or service organizations.

"(8) The coordination of the concept development and experimentation activities of the Commander of the United States Joint Forces Command with the activities of the Commander of the North Atlantic Treaty Organization Supreme Allied Command Transformation.

"(9) Any other matters that the Secretary consider appropriate.

"(c) COORDINATION AND SUPPORT.—The Secretary of Defense shall ensure that the Secretaries of the military departments and the heads of other appropriate elements of the Department of Defense provide such information and support as is required for the preparation of the reports required by this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 485 and inserting the following new item:

"485. Joint and service concept development and experimentation.".

SEC. 242. REPORT ON PARTICIPATION OF THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS IN RESEARCH AND EDUCATIONAL PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall carry out an independent assessment of the participation of covered educational institutions in research and educational programs and activities of the Department of Defense.

(b) REPORT.—Not later than 12 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 assessment required under subsection (a).

(c) MATTERS INCLUDED.—The report required under subsection (b) shall include the following:

(1) A description of research, training, technical assistance, infrastructure support, and educational programs and activities conducted by the Department of Defense in support of covered educational institutions.

(2) A survey of the level of participation of covered educational institutions in programs described in paragraph (1), and lessons learned from the survey.

(3) An assessment of the relevance, including outcomes and effects, of the programs and activities identified in paragraph (1) to the research and educational programs, activities, and missions of the Department of Defense.

(4) An assessment of additional activities by the Department of Defense that support covered educational institutions whose primary focus is the training and educating of minority scientists, engineers, and technicians.

(5) An assessment of barriers to the participation of covered educational institutions in the research and educational programs and activities of the Department of Defense.

(6) Recommendations to increase the capacity of covered educational institutions to participate in research and educational programs and activities that are critical to the national security functions of the Department of Defense.

(7) Any other matters the Secretary of Defense considers appropriate.

(d) COOPERATION OF DEFENSE ORGANIZATIONS.—The Secretary of Defense shall ensure that the relevant elements of the Department of Defense provide all information necessary for the completion of the assessment required under subsection (a).

(e) DEFINITIONS.—In this section:

(1) The term "covered educational institutions" means—

(A) a historically Black college or university that is a part B institution, as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2));

(B) a minority institution, as defined in section 365(3) of that Act (20 U.S.C. 1067k(3));

(C) a Hispanic-serving institution, as defined in section 502(a)(5) of that Act (20 U.S.C. 1101a(a)(5));

(D) a Tribal College or University, as defined in section 316(b)(3) of that Act (20 U.S.C. 1059c(b)(3)); and

(E) other minority postsecondary institutions.

(2) The term "research and educational programs and activities" includes programs and activities relating to research, development, test, and evaluation and education.

SEC. 243. REPORT ON DEPARTMENT OF DEFENSE RESPONSE TO FINDINGS AND RECOMMENDATIONS OF THE DEFENSE SCIENCE BOARD TASK FORCE ON DIRECTED ENERGY WEAPONS.

(a) REPORT REQUIRED.—Not later than January 1, 2010, 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 on the implementation of the recommendations of the Defense Science Board Task Force on Directed Energy Weapons.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of each of the findings and recommendations of the Defense Science Board Task Force on Directed Energy Weapons.

(2) A detailed description of the response of the Department of Defense to each finding and recommendation of the Task Force, including—

(A) for each recommendation that is being implemented or that the Secretary plans to implement—

(i) a summary of actions that have been taken to implement such recommendation; and

(ii) a schedule, with specific milestones, for completing the implementation of such recommendation; and

(B) for each recommendation that the Secretary does not plan to implement—

(i) the reasons for the decision not to implement such recommendation; and

(ii) a summary of the alternative actions the Secretary plans to take to address the purposes underlying such recommendation.

(3) A summary of any additional actions the Secretary plans to take to address concerns raised by the Task Force.

Subtitle E—Other Matters

SEC. 251. MODIFICATION OF SYSTEMS SUBJECT TO SURVIVABILITY TESTING OVERSIGHT BY THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

(a) AUTHORITY TO DESIGNATE ADDITIONAL SYSTEMS AS MAJOR SYSTEMS AND PROGRAMS SUBJECT TO TESTING.—Section 2366(e)(1) of title 10, United States Code, is amended to read as follows:

"(1) The term 'covered system' means—

"(A) a vehicle, weapon platform, or conventional weapon system that—

"(i) includes features designed to provide some degree of protection to users in combat; and

"(ii) is a major system as defined in section 2302(5) of this title; or

"(B) any other system or program designated by the Secretary of Defense for purposes of this section.".

(b) REVISION TO REPORT REQUIREMENT.—Section 2366(d) of such title is amended—

(1) by inserting "(1)" before "At the conclusion"; and

(2) by adding at the end the following new paragraph:

"(2) If a decision is made within the Department of Defense to proceed to operational use of a system, or to make procurement funds available for a system, before Milestone C approval of that system, the Secretary of Defense shall submit to the congressional

defense committees, as soon as practicable after such decision, the following:

"(A) A report describing the status of survivability and live fire testing of that system.

"(B) The report required under paragraph (1).".

(c) FORCE PROTECTION EQUIPMENT.—Section 139(b) of such title is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

SEC. 252. TECHNOLOGY-NEUTRAL INFORMATION TECHNOLOGY GUIDELINES AND STANDARDS TO SUPPORT FULLY INTEROPERABLE ELECTRONIC PERSONAL HEALTH INFORMATION FOR THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

Section 1635 of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 460; 10 U.S.C. 1071 note) is amended—

(1) in subsection (h)(1), by adding at the end the following new subparagraphs:

"(C) A description and analysis of the level of interoperability and security of technologies for sharing healthcare information among the Department of Defense, the Department of Veterans Affairs, and their transaction partners.

"(D) A description and analysis of the problems the Department of Defense and the Department of Veterans Affairs are having with, and the progress such departments are making toward, ensuring interoperable and secure healthcare information systems and electronic healthcare records."; and

(2) by adding at the end the following new subsection:

"(j) TECHNOLOGY-NEUTRAL GUIDELINES AND STANDARDS.—The Director, in consultation with industry and appropriate Federal agencies, shall develop, or shall adopt from industry, technology-neutral information technology infrastructure guidelines and standards for use by the Department of Defense and the Department of Veterans Affairs to enable those departments to effectively select and utilize information technologies to meet the requirements of this section.".

SEC. 253. ASSESSMENT OF TECHNOLOGY TRANSITION PROGRAMS AND REPEAL OF REPORTING REQUIREMENT.

(a) ASSESSMENT AND REPORT REQUIRED.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall assess the feasibility of consolidating the various technology transition programs in the Department of Defense into a unified effort managed by a senior official of the Department.

(2) PROGRAMS INCLUDED.—The assessment required by paragraph (1) shall include—

(A) the technology transition programs managed or overseen by the Secretary of Defense; and

(B) as the Under Secretary considers appropriate, the technology transition programs of the military departments.

(3) REPORT.—Not later than October 1, 2009, the Under Secretary shall submit to the congressional defense committees a report on the assessment required by paragraph (1). The report shall include the following:

(A) A description of each of the technology transition programs considered as part of the assessment.

(B) An evaluation of the extent to which each technology transition program fulfills its intended mission and supports effective and efficient technology transition.

(C) For each technology transition program considered in the assessment, a summary of the funding available for the five fiscal years preceding the date on which the report is submitted.

(D) The conclusion of the Under Secretary as to whether there are any benefits in consolidating the technology transition programs into a unified effort managed by a senior official of the Department of Defense.

(E) Recommendations to add, repeal, or amend statutes or regulations in order to more effectively enable technology transition.

(F) Recommendations regarding the appropriate management structure, fiscal controls, and stakeholder engagement required to ensure that a unified technology transition program will cost-effectively and efficiently enable technology transition.

(b) REPORTING REQUIREMENT REPEALED.—Section 2359a of title 10, United States Code, is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

SEC. 254. TRUSTED DEFENSE SYSTEMS.

(a) VULNERABILITY ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of selected covered acquisition programs to identify vulnerabilities in the supply chain of each program's electronics and information processing systems that potentially compromise the level of trust in the systems. Such assessment shall—

(1) identify vulnerabilities at multiple levels of the electronics and information processing systems of the selected programs, including microcircuits, software, and firmware;

(2) prioritize the potential vulnerabilities and effects of the various elements and stages of the system supply chain to identify the most effective balance of investments to minimize the effects of compromise;

(3) provide recommendations regarding ways of managing supply chain risk for covered acquisition programs; and

(4) identify the appropriate lead person, and supporting elements, within the Department of Defense for the development of an integrated strategy for managing risk in the supply chain for covered acquisition programs.

(b) ASSESSMENT OF METHODS FOR VERIFYING THE TRUST OF SEMICONDUCTORS PROCURED FROM COMMERCIAL SOURCES.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with appropriate elements of the Department of Defense, the intelligence community, private industry, and academia,

shall conduct an assessment of various methods of verifying the trust of semiconductors procured by the Department of Defense from commercial sources for use in mission-critical components of potentially vulnerable defense systems. The assessment shall include the following:

(1) An identification of various methods of verifying the trust of semiconductors, including methods under development at the Defense Agencies, government laboratories, institutions of higher education, and in the private sector.

(2) A determination of the methods identified under paragraph (1) that are most suitable for the Department of Defense.

(3) An assessment of the additional research and technology development needed to develop methods of verifying the trust of semiconductors that meet the needs of the Department of Defense.

(4) Any other matters that the Under Secretary considers appropriate.

(c) STRATEGY REQUIRED.—

(1) IN GENERAL.—The lead person identified under subsection (a)(4), in cooperation with the supporting elements also identified under such subsection, shall develop an integrated strategy—

(A) for managing risk—

(i) in the supply chain of electronics and information processing systems for covered acquisition programs; and

(ii) in the procurement of semiconductors; and

(B) that ensures dependable, continuous, long-term access and trust for all mission-critical semiconductors procured from both foreign and domestic sources.

(2) REQUIREMENTS.—At a minimum, the strategy shall—

(A) address the vulnerabilities identified by the assessment under subsection (a);

(B) reflect the priorities identified by such assessment;

(C) provide guidance for the planning, programming, budgeting, and execution process in order to ensure that covered acquisition programs have the necessary resources to implement all appropriate elements of the strategy;

(D) promote the use of verification tools, as appropriate, for ensuring trust of commercially acquired systems;

(E) increase use of trusted foundry services, as appropriate; and

(F) ensure sufficient oversight in implementation of the plan.

(d) POLICIES AND ACTIONS FOR ASSURING TRUST IN INTEGRATED CIRCUITS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) develop policy requiring that trust assurance be a high priority for covered acquisition programs in all phases of the electronic component supply chain and integrated circuit development and production process, including design and design tools, fabrication of the semiconductors, packaging, final assembly, and test;

(2) develop policy requiring that programs whose electronics and information systems are determined to be vital to operational readiness or mission effectiveness are to employ trusted foundry services to fabricate their custom designed integrated circuits, unless the Secretary specifically authorizes otherwise;

(3) incorporate the strategies and policies of the Department of Defense regarding development and use of trusted integrated circuits into all relevant Department directives and instructions related to the acquisition of integrated circuits and programs that use such circuits; and

(4) take actions to promote the use and development of tools that verify the trust in all phases of the integrated circuit development and production process of mission-critical parts acquired from non-trusted sources.

(e) SUBMISSION TO CONGRESS.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

(1) the assessments required by subsections (a) and (b);

(2) the strategy required by subsection (c); and

(3) a description of the policies developed and actions taken under subsection (d).

(f) DEFINITIONS.—In this section:

(1) The term "covered acquisition programs" means an acquisition program of the Department of Defense that is a major system for purposes of section 2302(5) of title 10, United States Code.

(2) The terms "trust" and "trusted" refer, with respect to electronic and information processing systems, to the ability of the Department of Defense to have confidence that the systems function as intended and are free of exploitable vulnerabilities, either intentionally or unintentionally designed or inserted as part of the system at any time during its life cycle.

(3) The term "trusted foundry services" means the program of the National Security Agency and the Department of Defense, or any similar program approved by the Secretary of Defense, for the development and manufacture of integrated circuits for critical defense systems in secure industrial environments.

SEC. 255. CAPABILITIES-BASED ASSESSMENT TO OUTLINE A JOINT APPROACH FOR FUTURE DEVELOPMENT OF VERTICAL LIFT AIRCRAFT AND ROTORCRAFT.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall carry out a capabilities-based assessment that outlines a joint approach to the future development of vertical lift aircraft and rotorcraft for all of the Armed Forces. The assessment shall—

(1) address critical technologies required for future development, including a technology roadmap;

(2) include the development of a detailed science and technology investment and implementation plan and an identification of the resources required to implement such plan; and

(3) include the development of a strategic plan that—

(A) formalizes the strategic vision of the Department of Defense for the next generation of vertical lift aircraft and rotorcraft;

(B) establishes joint requirements for the next generation of vertical lift aircraft and rotorcraft technology; and

(C) emphasizes the development of common service requirements.

(b) REPORT.—The Secretary and the Chairman shall submit to the congressional defense committees a report on the assessment under subsection (a). The report shall include—

(1) the technology roadmap referred to in subsection (a)(1);

(2) the plan and the identification of resources referred to in subsection (a)(2);

(3) the strategic plan referred to in subsection (a)(3); and

(4) a detailed plan to establish a Joint Vertical Lift Aircraft/Rotorcraft Office based on lessons learned from the Joint Advanced Strike Technology Office.

SEC. 256. EXECUTIVE AGENT FOR PRINTED CIRCUIT BOARD TECHNOLOGY.

(a) EXECUTIVE AGENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior official of the Department of Defense to act as the executive agent for printed circuit board technology.

(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, and in accordance with Directive 5101.1, the Secretary of Defense shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

(2) SPECIFICATION.—The roles and responsibilities of the executive agent designated under subsection (a) shall include each of the following:

(A) Development and maintenance of a printed circuit board and interconnect technology roadmap that ensures that the Department of Defense has access to the manufacturing capabilities and technical expertise necessary to meet future military requirements regarding such technology.

(B) Development of recommended funding strategies necessary to meet the requirements of the roadmap developed under subparagraph (A).

(C) Assessment of the vulnerabilities, trustworthiness, and diversity of the printed circuit board supply chain, including the development of trustworthiness requirements for printed circuit boards used in defense systems, and to develop strategies to address matters that are identified as a result of such assessment.

(D) Such other roles and responsibilities as the Secretary of Defense considers appropriate.

(c) SUPPORT WITHIN DEPARTMENT OF DEFENSE.—In accordance with Directive 5101.1, the Secretary of Defense shall ensure that the military departments, Defense Agencies, and other components of the Department of Defense provide the executive agent designated under subsection (a) with the appropriate support and re-

sources needed to perform the roles, responsibilities, and authorities of the executive agent.

(d) DEFINITIONS.—In this section:

(1) The term "Directive 5101.1" means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

(2) The term "executive agent" has the meaning given the term "DoD Executive Agent" in Directive 5101.1.

SEC. 257. REVIEW OF CONVENTIONAL PROMPT GLOBAL STRIKE TECHNOLOGY APPLICATIONS AND CONCEPTS.

(a) AVAILABILITY OF FUNDS FOR PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT.—Notwithstanding any other provision of this Act, funds for conventional prompt global strike capability development are authorized by this Act only for those activities expressly delineated in the expenditure plan for fiscal years 2008 and 2009 that was required by section 243 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 51; 10 U.S.C. 113 note) and submitted to the congressional defense committees and dated March 24, 2008, those activities for which funds are authorized to be appropriated in this Act, or those activities otherwise expressly authorized by Congress.

(b) REPORT ON TECHNOLOGY APPLICATIONS.—Not later than April 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report that contains—

(1) a description of the technology applications developed pursuant to conventional prompt global strike activities during fiscal year 2009; and

(2) for each such technology application, the conventional prompt global strike concept towards which the application could be applied.

(c) REVIEW OF CONVENTIONAL PROMPT GLOBAL STRIKE CONCEPTS.—The Secretary of Defense shall, in consultation with the Secretary of State, conduct a review of each nonnuclear prompt global strike concept with respect to which the President requests funding in the budget of the President for fiscal year 2010 (as submitted to Congress pursuant to section 1105 of title 31, United States Code).

(d) ELEMENTS OF REVIEW.—The review required by subsection (c) shall include, for each concept described in that subsection, the following:

(1) The full cost of demonstrating such concept.

(2) An assessment of any policy, legal, or treaty-related issues that could arise during the course of, or as a result of, deployment of each concept and recommendations to address such issues.

(3) The extent to which the concept could be misconstrued as a nuclear weapon or delivery system and recommendations to mitigate the risk of such a misconstrual.

(4) An assessment of the potential basing and deployment options for the concept.

(5) A description of the types of targets against which the concept might be used.

(6) An assessment of the adequacy of the intelligence that would be needed to support an attack involving the concept.

(e) REPORT ON CONVENTIONAL PROMPT GLOBAL STRIKE CONCEPTS.—Not later than September 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of the review required by subsection (c).

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Environmental Provisions

Sec. 311. Authorization for Department of Defense participation in conservation banking programs.
Sec. 312. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
Sec. 313. Expand cooperative agreement authority for management of natural resources to include off-installation mitigation.
Sec. 314. Expedited use of appropriate technology related to unexploded ordnance detection.
Sec. 315. Closed loop re-refining of used motor vehicle lubricating oil.
Sec. 316. Comprehensive program for the eradication of the brown tree snake population from military facilities in Guam.

Subtitle C—Workplace and Depot Issues

Sec. 321. Comprehensive analysis and development of single Government-wide definition of inherently governmental function and criteria for critical functions.
Sec. 322. Study on future depot capability.
Sec. 323. Government Accountability Office review of high-performing organizations.
Sec. 324. Consolidation of Air Force and Air National Guard aircraft maintenance.
Sec. 325. Report on Air Force civilian personnel consolidation plan.
Sec. 326. Report on reduction in number of firefighters on Air Force bases.
Sec. 327. Minimum capital investment for certain depots.

Subtitle D—Energy Security

Sec. 331. Annual report on operational energy management and implementation of operational energy strategy.
Sec. 332. Consideration of fuel logistics support requirements in planning, requirements development, and acquisition processes.
Sec. 333. Study on solar and wind energy for use for expeditionary forces.
Sec. 334. Study on alternative and synthetic fuels.
Sec. 335. Mitigation of power outage risks for Department of Defense facilities and activities.

Subtitle E—Reports

Sec. 341. Comptroller General report on readiness of Armed Forces.
Sec. 342. Report on plan to enhance combat skills of Navy and Air Force personnel.
Sec. 343. Comptroller General report on the use of the Army Reserve and National Guard as an operational reserve.
Sec. 344. Comptroller General report on link between preparation and use of Army reserve component forces to support ongoing operations.
Sec. 345. Comptroller General report on adequacy of funding, staffing, and organization of Department of Defense Military Munitions Response Program.

Subtitle F—Other Matters

Sec. 351. Extension of Enterprise Transition Plan reporting requirement.

Sec. 352. Demilitarization of loaned, given, or exchanged documents, historical artifacts, and condemned or obsolete combat materiel.
Sec. 353. Repeal of requirement that Secretary of Air Force provide training and support to other military departments for A–10 aircraft.
Sec. 354. Display of annual budget requirements for Air Sovereignty Alert Mission.
Sec. 355. Revision of certain Air Force regulations required.
Sec. 356. Transfer of C–12 aircraft to California Department of Forestry and Fire Protection.
Sec. 357. Limitation on treatment of retired B–52 aircraft for Air Combat Command headquarters.
Sec. 358. Increase of domestic breeding of military working dogs used by the Department of Defense.

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2009 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, $31,251,702,000.

(2) For the Navy, $34,850,310,000.

(3) For the Marine Corps, $5,604,254,000.

(4) For the Air Force, $35,454,487,000.

(5) For Defense-wide activities, $25,948,864,000.

(6) For the Army Reserve, $2,642,341,000.

(7) For the Naval Reserve, $1,311,085,000.

(8) For the Marine Corps Reserve, $213,131,000.

(9) For the Air Force Reserve, $3,150,692,000.

(10) For the Army National Guard, $5,893,546,000.

(11) For the Air National Guard, $5,882,326,000.

(12) For the United States Court of Appeals for the Armed Forces, $13,254,000.

(13) For Environmental Restoration, Army, $447,776,000.

(14) For Environmental Restoration, Navy, $290,819,000.

(15) For Environmental Restoration, Air Force, $496,277,000.

(16) For Environmental Restoration, Defense-wide, $13,175,000.

(17) For Environmental Restoration, Formerly Used Defense Sites, $257,796,000.

(18) For Overseas Humanitarian, Disaster, and Civic Aid programs, $83,273,000.

(19) For Cooperative Threat Reduction programs, $434,135,000.

(20) For the Overseas Contingency Operations Transfer Fund, $9,101,000.

Subtitle B—Environmental Provisions

SEC. 311. AUTHORIZATION FOR DEPARTMENT OF DEFENSE PARTICIPATION IN CONSERVATION BANKING PROGRAMS.

(a) PARTICIPATION AUTHORIZED.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2694b the following new section:

"§ 2694c. Participation in conservation banking programs

"(a) AUTHORITY TO PARTICIPATE.—Subject to the availability of appropriated funds to carry out this section, the Secretary concerned, when engaged or proposing to engage in an activity described in subsection (b) that may or will result in an adverse impact to one or more species protected (or pending protection) under any applicable provision of law, or habitat for such species, may make payments to a conservation banking program or 'in-lieu-fee' mitigation sponsor approved in accordance with—

"(1) the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605; November 28, 1995);

"(2) the Guidance for the Establishment, Use, and Operation of Conservation Banks (68 Fed. Reg. 24753; May 2, 2003);

"(3) the Federal Guidance on the Use of In-Lieu-Fee Arrangements for Compensatory Mitigation Under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (65 Fed. Reg. 66915; November 7, 2000); or

"(4) any successor or related administrative guidance or regulation.

"(b) COVERED ACTIVITIES.—Payments to a conservation banking program or 'in-lieu-fee' mitigation sponsor under subsection (a) may be made only for the purpose of facilitating one or more of the following activities:

"(1) Military testing, operations, training, or other military activity.

"(2) Military construction.

"(c) TREATMENT OF AMOUNTS FOR CONSERVATION BANKING.—Payments made under subsection (a) to a conservation banking program or 'in-lieu-fee' mitigation sponsor for the purpose of facilitating military construction may be treated as eligible costs of the military construction project.

"(d) SECRETARY CONCERNED DEFINED.—In this section, the term 'Secretary concerned' means—

"(1) the Secretary of a military department; and

"(2) the Secretary of Defense with respect to a Defense Agency.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2694b the following new item:

"2694c. Participation in conservation banking programs.".

(c) EFFECTIVE DATE.—Section 2694c of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2008, and only funds appropriated for fiscal years beginning after September 30, 2008, may be used to carry out such section.

SEC. 312. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH MOSES LAKE WELLFIELD SUPERFUND SITE, MOSES LAKE, WASHINGTON.

(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

$64,049.40 during fiscal year 2009 to the Moses Lake Wellfield Superfund Site 10–6J Special Account.

(2) PURPOSE OF REIMBURSEMENT.—The payment under paragraph (1) is to reimburse the Environmental Protection Agency for its costs incurred in overseeing a remedial investigation/feasibility study performed by the Department of the Army under the Defense Environmental Restoration Program at the former Larson Air Force Base, Moses Lake Superfund Site, Moses Lake, Washington.

(3) INTERAGENCY AGREEMENT.—The reimbursement described in paragraph (2) is provided for in the interagency agreement entered into by the Department of the Army and the Environmental Protection Agency for the Moses Lake Wellfield Superfund Site in March 1999.

(b) SOURCE OF FUNDS.—Any payment under subsection (a) shall be made using funds authorized to be appropriated by section 301(17) 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 Moses Lake Wellfield Superfund Site.

SEC. 313. EXPAND COOPERATIVE AGREEMENT AUTHORITY FOR MANAGEMENT OF NATURAL RESOURCES TO INCLUDE OFF-INSTALLATION MITIGATION.

Section 103a(a) of the Sikes Act (16 U.S.C. 670c–1(a)) is amended—

(1) by striking "to provide for the" and inserting "to provide for the following:

"(1) The"; and

(2) by adding at the end the following new paragraph:

"(2) The maintenance and improvement of natural resources located off of a Department of Defense installation if the purpose of the cooperative agreement is to relieve or eliminate current or anticipated challenges that could restrict, impede, or otherwise interfere with, whether directly or indirectly, current or anticipated military activities.".

SEC. 314. EXPEDITED USE OF APPROPRIATE TECHNOLOGY RELATED TO UNEXPLODED ORDNANCE DETECTION.

(a) EXPEDITED USE OF APPROPRIATE TECHNOLOGIES.—The Secretary shall expedite the use of appropriate unexploded ordnance detection instrument technology developed through research funded by the Department of Defense or developed by entities other than the Department of Defense.

(b) REPORT.—Not later than October 1, 2009, 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 describing and evaluating the following:

(1) The amounts allocated for research, development, test, and evaluation for unexploded ordnance detection technologies.

(2) The amounts allocated for transition of new unexploded ordnance detection technologies.

(3) Activities undertaken by the Department to transition such technologies and train operators on emerging detection instrument technologies.

(4) Any impediments to the transition of new unexploded ordnance detection instrument technologies to regular operation in remediation programs.

(5) The transfer of such technologies to private sector entities involved in the detection of unexploded ordnance.

(6) Activities undertaken by the Department to raise public awareness regarding unexploded ordnance.

(c) UNEXPLODED ORDNANCE DEFINED.—In this section, the term "unexploded ordnance" has the meaning given such term in section 101(e)(5) of title 10, United States Code.

SEC. 315. CLOSED LOOP RE-REFINING OF USED MOTOR VEHICLE LUBRICATING OIL.

(a) STUDY AND EVALUATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report which reviews the Department of Defense's policies concerning the re-use, recycling, sale, and disposal of used motor vehicle lubricating oil, and shall include in the report an evaluation of the feasibility and desirability of implementing policies to require re-use or recycling through closed loop re-refining of used oil as a means of reducing total indirect energy usage and greenhouse gas emissions.

(b) DEFINITION.— For purposes of this section, the term "closed loop re-refining" means the sale of used oil to entities that re-refine used oil into base oil and vehicle lubricants that meet Department of Defense and industry standards, and the purchase of re-refined oil produced through such re-refining process.

SEC. 316. COMPREHENSIVE PROGRAM FOR THE ERADICATION OF THE BROWN TREE SNAKE POPULATION FROM MILITARY FACILITIES IN GUAM.

The Secretary of Defense shall establish a comprehensive program to control and, to the extent practicable, eradicate the brown tree snake population from military facilities in Guam and to ensure that military activities, including the transport of civilian and military personnel and equipment to and from Guam, do not contribute to the spread of brown tree snakes.

Subtitle C—Workplace and Depot Issues

SEC. 321. COMPREHENSIVE ANALYSIS AND DEVELOPMENT OF SINGLE GOVERNMENT-WIDE DEFINITION OF INHERENTLY GOVERNMENTAL FUNCTION AND CRITERIA FOR CRITICAL FUNCTIONS.

(a) DEVELOPMENT AND IMPLEMENTATION.—The Director of the Office of Management and Budget, in consultation with appropriate representatives of the Chief Acquisition Officers Council under section 16A of the Office of Federal Procurement Policy Act (41 U.S.C. 414b) and the Chief Human Capital Officers Council under section 1401 of title 5, United States Code, shall—

(1) review the definitions of the term "inherently governmental function" described in subsection (b) to determine whether such definitions are sufficiently focused to ensure that only officers or employees of the Federal Government or members of the Armed Forces perform inherently governmental

functions or other critical functions necessary for the mission of a Federal department or agency;

(2) develop a single consistent definition for such term that would—

(A) address any deficiencies in the existing definitions, as determined pursuant to paragraph (1);

(B) reasonably apply to all Federal departments and agencies; and

(C) ensure that the head of each such department or agency is able to identify each position within that department or agency that exercises an inherently governmental function and should only be performed by officers or employees of the Federal Government or members of the Armed Forces;

(3) develop criteria to be used by the head of each such department or agency to—

(A) identify critical functions with respect to the unique missions and structure of that department or agency; and

(B) identify each position within that department or agency that, while the position may not exercise an inherently governmental function, nevertheless should only be performed by officers or employees of the Federal Government or members of the Armed Forces to ensure the department or agency maintains control of its mission and operations;

(4) in addition to the actions described under paragraphs (1), (2), and (3), provide criteria that would identify positions within Federal departments and agencies that are to be performed by officers or employees of the Federal Government or members of the Armed Forces to ensure that the head of each Federal department or agency—

(A) develops and maintains sufficient organic expertise and technical capability;

(B) develops guidance to implement the definition of inherently governmental as described in paragraph (2) and the criteria for critical functions as described in paragraph (3) in a manner that is consistent with agency missions and operational goals; and

(C) develops guidance to manage internal decisions regarding staffing in an integrated manner to ensure officers or employees of the Federal Government or members of the Armed Forces are filling critical management roles by identifying—

(i) functions, activities, or positions, or some combination thereof, or

(ii) additional mechanisms and factors, including the management or oversight of awarded contracts, statutory mandates, and international obligations; and

(5) solicit the views of the public regarding the matters identified in this section.

(b) DEFINITIONS OF INHERENTLY GOVERNMENTAL FUNCTION.—The definitions of inherently governmental function described in this subsection are the definitions of such term that are contained in—

(1) the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note);

(2) section 2383 of title 10, United States Code;

(3) Office of Management and Budget Circular A–76;

(4) the Federal Acquisition Regulation; and

(5) any other relevant Federal law or regulation, as determined by the Director of the Office of Management and Budget in consultation with the Chief Acquisition Officers Council and the Chief Human Capital Officers Council.

(c) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Chief Acquisition Officers Council and the Chief Human Capital Officers Council, shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Homeland Security and Governmental Affairs in the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a report on the actions taken by the Director under this section. Such report shall contain each of the following:

(1) A description of the actions taken by the Director under this section to develop a single definition of inherently governmental function and criteria for critical functions.

(2) Such legislative recommendations as the Director determines are necessary to further the purposes of this section.

(3) A description of such steps as may be necessary—

(A) to ensure that the single definition and criteria developed under this section are consistently applied through all Federal regulations, circulars, policy letters, agency guidance, and other documents;

(B) to repeal any existing Federal regulations, circular, policy letters, agency guidance and other documents determined to be superseded by the definition and criteria developed under this section; and

(C) to develop any necessary implementing guidance under this section for agency staffing and contracting decisions, along with appropriate milestones.

(d) REGULATIONS.—Not later than 180 days after submission of the report required by subsection (c), the Director of the Office of Management and Budget shall issue regulations to implement actions taken under this section to develop a single definition of inherently governmental function and criteria for critical functions.

SEC. 322. STUDY ON FUTURE DEPOT CAPABILITY.

(a) STUDY REQUIRED.—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 independent research entity that is a not-for-profit entity or a federally-funded research and development center with appropriate expertise in logistics and logistics analytical capability to carry out a study on the capability and efficiency of the depots of the Department of Defense to provide the logistics capabilities and capacity necessary for national defense.

(b) CONTENTS OF STUDY.—The study carried out under subsection (a) shall—

(1) be a quantitative analysis of the post-reset Department of Defense depot capability required to provide life cycle

sustainment of military legacy systems and new systems and military equipment;

(2) take into consideration direct input from the Secretary of Defense and the logistics and acquisition leadership of the military departments, including materiel support and depot commanders;

(3) take into consideration input from regular and reserve components of the Armed Forces, both with respect to requirements for sustainment-level maintenance and the capability and capacity to perform depot-level maintenance and repair;

(4) identify and address each type of activity carried out at depots, installation directorates of logistics, regional sustainment-level maintenance sites, reserve component maintenance capability sites, theater equipment support centers, and Army field support brigade capabilities;

(5) examine relevant guidance provided and regulations prescribed by the Secretary of Defense and the Secretary of each of the military departments, including with respect to programming and budgeting and the annual budget displays provided to Congress; and

(6) examine any relevant applicable laws, including the relevant body of work performed by the Government Accountability Office.

(c) ISSUES TO BE ADDRESSED.—The study required under subsection (a) shall address each of the following issues with respect to depots and depot capabilities:

(1) The life cycle sustainment maintenance strategies and implementation plans of the Department of Defense and the military departments that cover—

(A) the role of each type of maintenance activity;

(B) business operations;

(C) workload projection;

(D) outcome-based performance management objectives;

(E) the adequacy of information technology systems, including workload management systems;

(F) the workforce, including skills required and development;

(G) budget and fiscal planning policies; and

(H) capital investment strategies, including the implementation of section 2476 of title 10, United States Code.

(2) Current and future maintenance environments, including—

(A) performance-based logistics;

(B) supply chain management;

(C) condition-based maintenance;

(D) reliability-based maintenance;

(E) consolidation and centralization, including—

(i) regionalization;

(ii) two-level maintenance; and

(iii) forward-based depot capacity;

(F) public-private partnerships;

(G) private-sector depot capability and capacity; and

(H) the impact of proprietary technical documentation.

(3) The adequate visibility of the maintenance workload of each military department in reports submitted to Congress, including—

(A) whether the depot budget lines in current budget displays accurately reflect depot level workloads;

(B) the accuracy of core and 50/50 calculations;

(C) the usefulness of current reporting requirements to the oversight function of senior military and congressional leaders; and

(D) whether current budgetary guidelines provide sufficient financial flexibility during the year of execution to permit the heads of the military departments to make best-value decisions between maintenance activities.

(4) Such other information as determined relevant by the entity carrying out the study.

(d) AVAILABILITY OF INFORMATION.—The Secretary of Defense and the Secretaries of each of the military departments shall make available to the entity carrying out the study under subsection (a) all necessary and relevant information to allow the entity to conduct the study in a quantitative and analytical manner.

(e) REPORTS TO COMMITTEES ON ARMED SERVICES.—

(1) INTERIM REPORT.—The contract that the Secretary enters into under subsection (a) shall provide that not later than one year after the commencement of the study conducted under this section, the chief executive officer of the entity that carries out the study pursuant to the contract shall submit to the Committees on Armed Services of the Senate and House of Representatives an interim report on the study.

(2) FINAL REPORT.—Such contract shall provide that not later than 22 months after the date on which the Secretary of Defense enters into the contract under subsection (a), the chief executive officer of the entity that carries out the study pursuant to the contract shall submit to the Committees on Armed Services of the Senate and House of Representatives a final report on the study. The report shall include each of the following:

(A) A description of the depot maintenance environment, as of the date of the conclusion of the study, and the anticipated future environment, together with the quantitative data used in conducting the assessment of such environments under the study.

(B) Recommendations with respect to what would be required to maintain, in a post-reset environment, an efficient and enduring Department of Defense depot capability necessary for national defense.

(C) Recommendations with respect to any changes to any applicable law that would be appropriate for a post-reset depot maintenance environment.

(D) Recommendations with respect to the methodology of the Department of Defense for determining core logistics requirements, including an assessment of risk.

(E) Proposed business rules that would provide incentives for the Secretary of Defense and the Secretaries of the military departments to keep Department of Defense

depots efficient and cost effective, including the workload level required for efficiency.

(F) A proposed strategy for enabling, requiring, and monitoring the ability of the Department of Defense depots to produce performance-driven outcomes and meet materiel readiness goals with respect to availability, reliability, total ownership cost, and repair cycle time.

(G) Comments provided by the Secretary of Defense and the Secretaries of the military departments on the findings and recommendations of the study.

(f) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the report under subsection (e)(2) is submitted, the Comptroller General shall review the report and submit to the Committees on Armed Services of the Senate and House of Representatives an assessment of the feasibility of the recommendations and whether the findings are supported by the data and information examined.

(g) DEFINITIONS.—In this section:

(1) The term "depot-level maintenance and repair" has the meaning given that term under section 2460 of title 10, United States Code.

(2) The term "reset" means actions taken to repair, enhance, or replace military equipment used in support of operations underway as of the date of the enactment of this Act and associated sustainment.

(3) The term "military equipment" includes all weapon systems, weapon platforms, vehicles and munitions of the Department of Defense, and the components of such items.

SEC. 323. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF HIGH-PERFORMING ORGANIZATIONS.

Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a review on the high-performing organization initiatives of the Department of Defense. The review shall include each of the following for each such initiative reviewed:

(1) Any policies or guidance developed to implement the initiative.

(2) Whether the initiative was undertaken pursuant to the pilot project under section 337 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 113 note) or under Office of Management and Budget Circular A–76.

(3) The cost of development and implementation of the initiative.

(4) Any cost savings and overall financial improvements promised or realized by reason of the initiative and an analysis of how such savings or improvements were calculated.

(5) Whether criteria were developed to measure the performance, efficiency, and effectiveness improvements of the initiative.

(6) The effect of the initiative on the workforce, including any relocations, change in collective bargaining status, or reductions in force that may have resulted.

(7) Whether and to what extent employees and their representatives were consulted in the development and implementation of the initiative.

SEC. 324. CONSOLIDATION OF AIR FORCE AND AIR NATIONAL GUARD AIRCRAFT MAINTENANCE.

(a) RESTRICTION ON IMPLEMENTATION OF CONSOLIDATION.—The Secretary of the Air Force shall not implement the consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard or the consolidation of aircraft repair facilities and personnel of the Air National Guard with aircraft repair facilities and personnel of the active Air Force unless and until the Secretary of the Air Force submits the reports required by (b) and (c), the Chief of the National Guard Bureau submits the assessment required by subsection (d), and the Secretary of Defense submits the certification required by subsection (e).

(b) REPORT ON CRITERIA.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report stating all the criteria being used by the Department of the Air Force and the Rand Corporation to evaluate the feasibility of consolidating Air Force maintenance functions into organizations that would integrate active, Guard, and Reserve components into a total-force approach. The report shall include the assumptions that were provided to or developed by the Rand Corporation for their study of the feasibility of the consolidation proposal.

(c) REPORT ON FEASIBILITY STUDY.—At least 90 days before any consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the findings of the Rand Corporation feasibility study and the Rand Corporation's recommendations, the Air Force's assessment of the findings and recommendations, any plans developed for implementation of the consolidation, and a delineation of all infrastructure costs anticipated as a result of implementation.

(d) ASSESSMENT BY CHIEF OF THE NATIONAL GUARD BUREAU.—Not later than 30 days after the date on which the report required by subsection (c) is submitted, the Chief of the National Guard Bureau shall submit to the Committees on Armed Services of the Senate and House of Representatives a written assessment of—

(1) the proposed actions to consolidate aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard by the Secretary of the Air Force; and

(2) the information included in the report required by subsection (c).

(e) CERTIFICATION BY THE SECRETARY OF DEFENSE.—After the Secretary of the Air Force submits the reports required by subsections (b) and (c), and before any consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard by the Secretary

of the Air Force, the Secretary of Defense shall certify that such consolidation is in the national interest and will not adversely affect recruitment, retention, or execution of the Air National Guard mission in the individual States.

SEC. 325. REPORT ON AIR FORCE CIVILIAN PERSONNEL CONSOLIDATION PLAN.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the Air Force plan for implementing the direction of the Base Realignment and Closure Commission for the consolidation of transactional workloads from the civilian personnel offices within the service components and defense agencies, retaining sufficient positions and personnel at the large civilian centers to perform the personnel management advisory services, including non-transactional functions, necessary to support the civilian workforce.

(b) CONTENTS OF REPORT.—At a minimum, the report required by subsection (a) shall address the steps taken by the Air Force to ensure that such direction is implemented in a manner that best meets the future needs of the Air Force, and shall address each of the following:

(1) The anticipated positive or negative effect on the productivity and mission accomplishment of the managed workforces at the different commands.

(2) The potential future efficiencies to be achieved through an enterprise-wide transformation of civilian personnel services.

(3) The size and complexity of the civilian workforce.

(4) The extent to which mission accomplishment is dependent upon the productivity of the civilian workforce.

(5) Input from the commanders of the large civilian centers regarding the effect of consolidation on workforce productivity and costs.

(6) The status of ongoing consolidation efforts at the Air Force Personnel Center at Randolph Air Force Base, Texas, and the target timelines for delivery of services to the various installations.

(7) The advantages and disadvantages of retaining certain personnel management and advisory services functions at the large civilian centers under local command authority to include on-site control of staffing of positions filled through internal or external recruitment processes, employee management relations, labor force planning and management, and managing workers compensation programs.

(8) The standards and timeliness for transitioning the personnel classifications currently performed by large civilian centers, the transition plan, particularly as it assures ready access to classifications needed for staffing and other purposes by the large civilian centers, and the expected performance and evaluation standards for providing classification services to the large civilian centers once the transition is complete.

(c) UPDATES OF REPORT.—The Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and

House of Representatives biannual updates of the report required under subsection (a) until January 3, 2012.

SEC. 326. REPORT ON REDUCTION IN NUMBER OF FIREFIGHTERS ON AIR FORCE BASES.

To ensure that the Air Force is meeting the minimum safety standards for staffing, equipment, and training, as required by Department of Defense Installation and Environment Instruction 6055.6, the Secretary of the Air Force shall submit to Congress, by not later than 90 days after the date of the enactment of this Act, a report on the effects of the reduction in the number of fire fighters on Air Force bases during the three fiscal years preceding the fiscal year in which the report is submitted. Such report shall include each of the following:

(1) An evaluation of current fire fighting capability of the Air Force and whether the reduction in the number of fire fighters on Air Force bases has increased the risk of harm to either fire fighters or those they may serve in response to an emergency.

(2) An evaluation of whether adequate capability exists in the municipal communities surrounding the Air Force bases covered by the report to support a base aircraft rescue or to respond to a fire involving a combat aircraft, cargo aircraft, or weapon system.

(3) An evaluation of the effects that the reductions in fire fighting personnel or functions have had on the certifications of Air Force base fire departments.

(4) If the Secretary determines that reductions in the number of fire fighting personnel during the fiscal years covered by the report have negatively affected the ability of fire fighters on Air Forces bases to perform their missions, a plan to restore the fire fighting personnel needed to adequately support such missions.

SEC. 327. MINIMUM CAPITAL INVESTMENT FOR CERTAIN DEPOTS.

(a) ADDITIONAL ARMY DEPOTS.—Subsection (e)(1) of section 2476 of title 10, United States Code, is amended by adding at the end the following new subparagraphs:

"(F) Watervliet Arsenal, New York.

"(G) Rock Island Arsenal, Illinois.

"(H) Pine Bluff Arsenal, Arkansas.".

(b) SEPARATE CONSIDERATION AND REPORTING OF NAVY DEPOTS AND MARINE CORPS DEPOTS.—Such section is further amended—

(1) in subsection (d)(2), by adding at the end the following new subparagraph:

"(D) Separate consideration and reporting of Navy Depots and Marine Corps depots."; and

(2) in subsection (e)(2)—

(A) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii), respectively, and indenting the margins of such clauses, as so redesignated, 6 ems from the left margin;

(B) by inserting after "Department of the Navy:" the following:

"(A) The following Navy depots:";

(C) by inserting after clause (vii), as redesignated by subparagraph (A), the following:

"(B) The following Marine Corps depots:"; and

(D) by redesignating subparagraphs (H) and (I) as clauses (i) and (ii), respectively, and indenting the margins of such clauses, as so redesignated, 6 ems from the left margin.

Subtitle D—Energy Security

SEC. 331. ANNUAL REPORT ON OPERATIONAL ENERGY MANAGEMENT AND IMPLEMENTATION OF OPERATIONAL ENERGY STRATEGY.

(a) REPORT REQUIRED.—Section 2925 of title 10, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

"(b) ANNUAL REPORT RELATED TO OPERATIONAL ENERGY.—(1) Simultaneous with the annual report required by subsection (a), the Secretary of Defense, acting through the Director of Operational Energy Plans and Programs, shall submit to the congressional defense committees a report on operational energy management and the implementation of the operational energy strategy established pursuant to section 139b of this title.

"(2) The annual report under this subsection shall address and include the following:

"(A) Statistical information on operational energy demands, in terms of expenditures and consumption, for the preceding five fiscal years, including funding made available in regular defense appropriations Acts and any supplemental appropriation Acts.

"(B) An estimate of operational energy demands for the current fiscal year and next fiscal year, including funding requested to meet operational energy demands in the budget submitted to Congress under section 1105 of title 31 and in any supplemental requests.

"(C) A description of each initiative related to the operational energy strategy and a summary of funds appropriated for each initiative in the previous fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

"(D) An evaluation of progress made by the Department of Defense—

"(i) in implementing the operational energy strategy, including the progress of key initiatives and technology investments related to operational energy demand and management; and

"(ii) in meeting the operational energy goals set forth in the strategy.

"(E) Such recommendations as the Director considers appropriate for additional changes in organization or authority within the Department of Defense to enable further implementation of the energy strategy and such other comments and recommendations as the Director considers appropriate.

"(3) If a report under this subsection is submitted in a classified form, the Secretary shall concurrently submit to the congressional

defense committees an unclassified version of the information required by this subsection.

"(4) In this subsection, the term 'operational energy' means the energy required for training, moving, and sustaining military forces and weapons platforms for military operations. The term includes energy used by tactical power systems and generators and weapons platforms.".

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 2925. Annual Department of Defense energy management reports".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter III of chapter 173 of such title is amended by striking the item relating to section 2925 and inserting the following new item:

"2925. Annual Department of Defense energy management reports.".

SEC. 332. CONSIDERATION OF FUEL LOGISTICS SUPPORT REQUIREMENTS IN PLANNING, REQUIREMENTS DEVELOPMENT, AND ACQUISITION PROCESSES.

(a) PLANNING.—In the case of analyses and force planning processes that are used to establish capability requirements and inform acquisition decisions, the Secretary of Defense shall require that analyses and force planning processes consider the requirements for, and vulnerability of, fuel logistics.

(b) CAPABILITY REQUIREMENTS DEVELOPMENT PROCESS.—The Secretary of Defense shall develop and implement a methodology to enable the implementation of a fuel efficiency key performance parameter in the requirements development process for the modification of existing or development of new fuel consuming systems.

(c) ACQUISITION PROCESS.—The Secretary of Defense shall require that the life-cycle cost analysis for new capabilities include the fully burdened cost of fuel during analysis of alternatives and evaluation of alternatives and acquisition program design trades.

(d) IMPLEMENTATION PLAN.—The Secretary of Defense shall prepare a plan for implementing the requirements of this section. The plan shall be completed not later than 180 days after the date of the enactment of this Act and provide for the implementation of the requirements by not later than three years after the date of the enactment of this Act.

(e) PROGRESS REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing progress made to implement the requirements of this section, including an assessment of whether the implementation plan required by section (d) is being carried out on schedule.

(f) NOTIFICATION OF COMPLIANCE.—As soon as practicable during the three-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees that the Secretary has complied with the requirements of this section. If the Secretary is unable to provide the notification, the Secretary shall submit to the congressional defense

committees at the end of the three-year period a report containing—

(1) an explanation of the reasons why the requirements, or portions of the requirements, have not been implemented; and

(2) a revised plan under subsection (d) to complete implementation or a rationale regarding why portions of the requirements cannot or should not be implemented.

(g) FULLY BURDENED COST OF FUEL DEFINED.—In this section, the term "fully burdened cost of fuel" means the commodity price for fuel plus the total cost of all personnel and assets required to move and, when necessary, protect the fuel from the point at which the fuel is received from the commercial supplier to the point of use.

SEC. 333. STUDY ON SOLAR AND WIND ENERGY FOR USE FOR EXPEDITIONARY FORCES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to examine the feasibility of using solar and wind energy to provide electricity for expeditionary forces.

(b) MATTERS EXAMINED.—In conducting the study required by subsection (a), the Secretary shall examine, at a minimum, each of the following:

(1) The potential for solar and wind energy to reduce the fuel supply needed to provide electricity for expeditionary forces and the extent to which such reduction will decrease the risk of casualties by reducing the number of convoys needed to supply fuel to forward operating locations.

(2) The cost of using solar and wind energy to provide electricity.

(3) The potential savings of using solar and wind energy to provide electricity compared to current methods.

(4) The environmental benefits of using solar and wind energy to provide electricity instead of the current methods.

(5) The sustainability and operating requirements of solar and wind energy systems for providing electricity compared to current methods.

(6) Potential opportunities for experimenting with the use of deployable solar and wind energy systems in current training environments, including remote areas of training ranges.

(c) 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 on the results of the study required by subsection (a).

SEC. 334. STUDY ON ALTERNATIVE AND SYNTHETIC FUELS.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on alternatives to reduce the life cycle emissions of alternative and synthetic fuels (including coal-to-liquid fuels).

(b) MATTERS EXAMINED.—The study shall examine, at a minimum, the following:

(1) The potential clean energy alternatives for powering the conversion processes, including nuclear, solar, and wind energies.

(2) The alternatives for reducing carbon emissions during the conversion processes.

(3) The military utility of domestically-produced alternative and synthetic fuels for military operations and for use by expeditionary forces compared with the military utility and life cycle emissions of mobile, in-theater synthetic fuel processes.

(4) The goals and progress of the military departments related to the research, testing, and certification for use of alternative or synthetic fuels in military vehicles and aircraft.

(5) An analysis of trends, levels of investment, and the development of refining capacity in the alternative or synthetic fuel industry capable of meeting fuel requirements for the Department of Defense.

(c) USE OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—The Secretary of Defense shall select a federally funded research and development center to perform the study required by subsection (a).

(d) REPORT.—Not later than March 1, 2009, the federally funded research and development center shall submit to the congressional defense committees and the Secretary of Defense a report on the results of the study required by subsection (a).

SEC. 335. MITIGATION OF POWER OUTAGE RISKS FOR DEPARTMENT OF DEFENSE FACILITIES AND ACTIVITIES.

(a) RISK ASSESSMENT.—The Secretary of Defense shall conduct a comprehensive technical and operational risk assessment of the risks posed to mission critical installations, facilities, and activities of the Department of Defense by extended power outages resulting from failure of the commercial electricity supply or grid and related infrastructure.

(b) RISK MITIGATION PLANS.—

(1) IN GENERAL.—The Secretary of Defense shall develop integrated prioritized plans to eliminate, reduce, or mitigate significant risks identified in the risk assessment under subsection (a).

(2) ADDITIONAL CONSIDERATIONS.—In developing the risk mitigation plans under paragraph (1), the Secretary of Defense shall—

(A) prioritize the mission critical installations, facilities, and activities that are subject to the greatest and most urgent risks; and

(B) consider the cost effectiveness of risk mitigation options.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit a report on the efforts of the Department of Defense to mitigate the risks described in subsection (a) as part of the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2010 and each fiscal year thereafter (as submitted with the budget of the President under section 1105(a) of title 31, United States Code).

(2) CONTENT.—Each report submitted under paragraph (1) shall describe the integrated prioritized plans developed under subsection (b) and the progress made toward achieving the goals established under such subsection.

Subtitle E—Reports

SEC. 341. COMPTROLLER GENERAL REPORT ON READINESS OF ARMED FORCES.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than June 1, 2009, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the readiness of the regular and reserve components of the Armed Forces. The report shall be unclassified but may contain a classified annex.

(2) ONE OR MORE REPORTS.—In complying with the requirements of this section, the Comptroller General may submit a single report addressing all the elements specified in subsection (b) or two or more reports addressing any combination of such elements.

(b) ELEMENTS.—The elements specified in this subsection are the following:

(1) An analysis of the readiness status, as of the date of the enactment of this Act, of the regular and reserve components of the Army and the Marine Corps, including any significant changes in any trends with respect to such components since 2001.

(2) An analysis of the readiness status, as of such date, of the regular and reserve components of the Air Force and the Navy, including a description of any major factors that affect the ability of the Navy or Air Force to provide trained and ready forces for ongoing operations and to meet overall readiness goals.

(3) An analysis of the efforts of the Secretary of each military department to address any major factors affecting the readiness of the regular and reserve components under the jurisdiction of that Secretary.

SEC. 342. REPORT ON PLAN TO ENHANCE COMBAT SKILLS OF NAVY AND AIR FORCE PERSONNEL.

(a) REPORT REQUIRED.—At the same time as the budget for fiscal year 2010 is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on—

(1) the plans of the Secretary of the Navy to improve the combat skills of the members of the Navy; and

(2) the plans of the Secretary of the Air Force to improve the combat skills of the members of the Air Force.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include each of the following:

(1) The criteria that the Secretary of the Air Force and the Secretary of the Navy use to select permanent sites for their Common Battlefield Airmen Training and Expeditionary Combat Skills courses.

(2) An identification of the extent to which the Secretary of the Navy and Secretary of the Air Force coordinated with each other and with the Secretary of the Army and the Com-

mandant of the Marine Corps with respect to their plans to expand combat skills training for members of the Navy and Air Force, respectively, together with a complete list of bases or locations that were considered as possible sites for the coordinated training.

(3) The estimated implementation and sustainment costs for the Air Force Common Battlefield Airmen Training and Navy Expeditionary Combat Skills courses.

(4) The estimated cost savings, if any, which could result by carrying out such combat skills training at existing Department of Defense facilities or by using existing ground combat training resources.

SEC. 343. COMPTROLLER GENERAL REPORT ON THE USE OF THE ARMY RESERVE AND NATIONAL GUARD AS AN OPERATIONAL RESERVE.

(a) REPORT REQUIRED.—Not later than June 1, 2009, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of the Army Reserve and Army National Guard forces as an operational reserve.

(b) ELEMENTS.—The report required by subsection (a) shall include a description of current and programmed resources, force structure, and organizational challenges that the Army Reserve and Army National Guard forces may face serving as an operational reserve, including—

(1) force structure;

(2) manning;

(3) equipment availability, maintenance, and logistics issues;

(4) training constraints limiting access to—

(A) facilities and ranges, including the Combat Training Centers; and

(B) military schools and skill training; and

(5) any conflicts with requirements under title 32, United States Code.

SEC. 344. COMPTROLLER GENERAL REPORT ON LINK BETWEEN PREPARATION AND USE OF ARMY RESERVE COMPONENT FORCES TO SUPPORT ONGOING OPERATIONS.

(a) REPORT REQUIRED.—Not later than June 1, 2009, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the correlation between the preparation and operational use of the Army's reserve component forces.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an analysis of the Army's training relative to the employment of reserve component units—

(A) to execute the wartime or primary missions of the Army for which the units are designed; and

(B) to execute missions to which such units are assigned, as of the date of the enactment of this Act, in support of ongoing operations in Iraq and Afghanistan, including factors affecting unit or individual preparation, the effect of notification timelines, and access to training facilities, including the Combat Training Centers;

(2) an analysis of the effect of mobilization and deployment laws, regulations, goals, and policies on the Army's ability to train and employ reserve component units for the purposes described in paragraph (1); and

(3) any other information that the Comptroller General determines is relevant.

SEC. 345. COMPTROLLER GENERAL REPORT ON ADEQUACY OF FUNDING, STAFFING, AND ORGANIZATION OF DEPARTMENT OF DEFENSE MILITARY MUNITIONS RESPONSE PROGRAM.

(a) 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 House of Representatives a report on the adequacy of the funding, staffing, and organization of the Military Munitions Response Program of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an analysis of the funding, staffing, and organization of the Military Munitions Response Program; and

(2) an assessment of the Program mechanisms for the accountability, reporting, and monitoring of the progress of munitions response projects and methods to reduce the length of time of such projects.

Subtitle F—Other Matters

SEC. 351. EXTENSION OF ENTERPRISE TRANSITION PLAN REPORTING REQUIREMENT.

Section 2222(i) of title 10, United States Code, is amended by striking "2009" and inserting "2013".

SEC. 352. DEMILITARIZATION OF LOANED, GIVEN, OR EXCHANGED DOCUMENTS, HISTORICAL ARTIFACTS, AND CONDEMNED OR OBSOLETE COMBAT MATERIEL.

Section 2572(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by adding at the end the following new sentence: "The Secretary concerned shall ensure that an item authorized to be donated under this section is demilitarized in the interest of public safety, as determined necessary by the Secretary or the Secretary's delegee."; and

(2) in paragraph (2)(A), by inserting before the period at the end the following: ", including any expense associated with demilitarizing an item under paragraph (1), for which the recipient of the item shall be responsible".

SEC. 353. REPEAL OF REQUIREMENT THAT SECRETARY OF AIR FORCE PROVIDE TRAINING AND SUPPORT TO OTHER MILITARY DEPARTMENTS FOR A–10 AIRCRAFT.

(a) REPEAL.—Chapter 901 of title 10, United States Code, is amended by striking section 9316.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 9316.

SEC. 354. DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR AIR SOVEREIGNTY ALERT MISSION.

(a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—For fiscal year 2010 and each subsequent fiscal year, the Secretary of Defense shall submit to the President, for consideration by the President for inclusion with the budget materials submitted to Congress under section 1105(a) of title 31, United States Code, a consolidated budget justification display that covers all programs and activities of the Air Sovereignty Alert mission of the Air Force.

(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget display under subsection (a) for a fiscal year shall include for such fiscal year the following:

(1) The funding requirements for the Air Sovereignty Alert mission, and the associated Command and Control mission, including such requirements for—

(A) military personnel costs;

(B) flying hours; and

(C) any other associated mission costs.

(2) The amount in the budget for the Air Force for each of the items referred to in paragraph (1).

(3) The amount in the budget for the Air National Guard for each such item.

SEC. 355. REVISION OF CERTAIN AIR FORCE REGULATIONS REQUIRED.

(a) REVISION REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall revise the Air Freight Transportation Regulation Number 5, dated January 15, 1999, to conform with Defense Transportation Regulations to ensure that freight covered by Air Freight Transportation Regulation Number 5 is carried in accordance with commercial best practices that are based upon a mode-neutral approach.

(b) MODE-NEUTRAL APPROACH DEFINED.—For purposes of this section, the term "mode-neutral approach" means a method of shipment that allows a shipper to choose a carrier with a time-definite performance standard for delivery without specifying a particular mode of conveyance and allows the carrier to select the mode of conveyance using best commercial practices as long as the mode of conveyance can reasonably be expected to ensure the time-definite delivery requested by the shipper.

SEC. 356. TRANSFER OF C–12 AIRCRAFT TO CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION.

(a) AUTHORITY.—The Secretary of the Army may convey to the California Department of Forestry and Fire Protection (hereinafter in this section referred to as "CAL FIRE") all right, title, and interest of the United States in three C–12 aircraft that the Secretary has determined are surplus to need.

(b) CONVEYANCE AT NO COST TO THE UNITED STATES.—The conveyance of an aircraft authorized by this section shall be made at no cost to the United States. Any costs associated with such conveyance, costs of determining compliance with terms of the conveyance, and costs of operation and maintenance of the aircraft conveyed shall be borne by CAL FIRE.

SEC. 357. LIMITATION ON TREATMENT OF RETIRED B–52 AIRCRAFT FOR AIR COMBAT COMMAND HEADQUARTERS.

Section 131(a)(4) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2111), as amended by section 137(a)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 32), is further amended by striking "may use not more than 2 such aircraft for maintenance ground training" and inserting "may use not more than 4 such aircraft for maintenance ground training".

SEC. 358. INCREASE OF DOMESTIC BREEDING OF MILITARY WORKING DOGS USED BY THE DEPARTMENT OF DEFENSE.

(a) INCREASED CAPACITY.—The Secretary of Defense, acting through the Executive Agent for Military Working Dogs (hereinafter in this section referred to as the "Executive Agent"), shall—

(1) identify the number of military working dogs required to fulfill the various missions of the Department of Defense for which such dogs are used, including force protection, facility and check point security, and explosives and drug detection;

(2) take such steps as are practicable to ensure an adequate number of military working dog teams are available to meet and sustain the mission requirements identified in paragraph (1);

(3) ensure that the Department's needs and performance standards with respect to military working dogs are readily available to dog breeders and trainers; and

(4) coordinate with other Federal, State, or local agencies, nonprofit organizations, universities, or private sector entities, as appropriate, to increase the training capacity for military working dog teams.

(b) MILITARY WORKING DOG PROCUREMENT.—The Secretary, acting through the Executive Agent shall work to ensure that military working dogs are procured as efficiently as possible and at the best value to the Government, while maintaining the necessary level of quality and encouraging increased domestic breeding.

(c) MILITARY WORKING DOG DEFINED.—For purposes of this section, the term "military working dog" means a dog used in any official military capacity, as defined by the Secretary of Defense.

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.

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 2009 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. Additional waiver authority of limitation on number of reserve component members authorized to be on active duty.

Subtitle C—Authorization of Appropriations
Sec. 421. Military personnel.

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, 2009, as follows:

(1) The Army, 532,400.
(2) The Navy, 326,323.
(3) The Marine Corps, 194,000.
(4) The Air Force, 317,050.

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, 532,400.
"(2) For the Navy, 325,300.
"(3) For the Marine Corps, 194,000.
"(4) For the Air Force, 317,050.".

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, 2009, as follows:

(1) The Army National Guard of the United States, 352,600.
(2) The Army Reserve, 205,000.
(3) The Navy Reserve, 66,700.
(4) The Marine Corps Reserve, 39,600.
(5) The Air National Guard of the United States, 106,756.
(6) The Air Force Reserve, 67,400.
(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 au-

thorized 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, 2009, 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, 16,170.

(3) The Navy Reserve, 11,099.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 14,360.

(6) The Air Force Reserve, 2,733.

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 2009 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, 10,003.

(4) For the Air National Guard of the United States, 22,452.

SEC. 414. FISCAL YEAR 2009 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, 2009, 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, 2009, 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, 2009, 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 2009, 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. ADDITIONAL WAIVER AUTHORITY OF LIMITATION ON NUMBER OF RESERVE COMPONENT MEMBERS AUTHORIZED TO BE ON ACTIVE DUTY.

(a) ADDITIONAL WAIVER AUTHORITY.—Subsection (a) of section 123a of title 10, United States Code, is amended—

(1) by inserting "(1)" before "If at the end"; and

(2) by adding at the end the following new paragraph:

"(2) When a designation of a major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) is in effect, the President may waive any statutory limit that would otherwise apply during the period of the designation on the number of members of a reserve component who are authorized to be on active duty under subparagraph (A) or (B) of section 115(b)(1) of this title, if the President determines the waiver is necessary to provide assistance in responding to the major disaster or emergency.".

(b) TERMINATION OF WAIVER.—Subsection (b) of such section is amended—

(1) by striking the subsection heading and inserting the following: "TERMINATION OF WAIVER.—(1)";

(2) by striking "subsection (a)" and inserting "subsection (a)(1)"; and

(3) by adding at the end the following new paragraph:

"(2) A waiver granted under subsection (a)(2) shall terminate not later than 90 days after the date on which the designation of the major disaster or emergency that was the basis for the waiver expires.".

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 123a. Suspension of end-strength and other strength limitations in time of war or national emergency".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 123a and inserting the following new item:

"123a. Suspension of end-strength and other strength limitations in time of war or national emergency.".

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2009 a total of $124,791,336,000. The authorization in the preceding sentence su-

persedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2009.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

Sec. 501. Mandatory separation requirements for regular warrant officers for length of service.
Sec. 502. Requirements for issuance of posthumous commissions and warrants.
Sec. 503. Authorized number of general officers on active duty in the Army and Marine Corps, limited exclusion for joint duty requirements, and increase in number of officers serving in grades above major general and rear admiral.
Sec. 504. Modification of authority on Staff Judge Advocate to the Commandant of the Marine Corps.
Sec. 505. Eligibility of reserve officers to serve on boards of inquiry for separation of regular officers for substandard performance and other reasons.
Sec. 506. Delayed authority to alter distribution requirements for commissioned officers on active duty in general officer and flag officer grades and limitations on authorized strengths of general and flag officers on active duty.

Subtitle B—Reserve Component Management

Sec. 511. Extension to other reserve components of Army authority for deferral of mandatory separation of military technicians (dual status) until age 60.
Sec. 512. Modification of authorized strengths for certain Army National Guard, Marine Corps Reserve, and Air National Guard officers and Army National Guard enlisted personnel serving on full-time reserve component duty.
Sec. 513. Clarification of authority to consider for a vacancy promotion National Guard officers ordered to active duty in support of a contingency operation.
Sec. 514. Increase in mandatory retirement age for certain Reserve officers.
Sec. 515. Age limit for retention of certain Reserve officers on active-status list as exception to removal for years of commissioned service.
Sec. 516. Authority to retain Reserve chaplains and officers in medical and related specialties until age 68.
Sec. 517. Modification of authorities on dual duty status of National Guard officers.
Sec. 518. Study and report regarding Marine Corps personnel policies regarding assignments in Individual Ready Reserve.
Sec. 519. Report on collection of information on civilian skills of members of the reserve components of the Armed Forces.

Subtitle C—Joint Qualified Officers and Requirements

Sec. 521. Joint duty requirements for promotion to general or flag officer.
Sec. 522. Technical, conforming, and clerical changes to joint specialty terminology.
Sec. 523. Promotion policy objectives for joint qualified officers.
Sec. 524. Length of joint duty assignments.
Sec. 525. Designation of general and flag officer positions on Joint Staff as positions to be held only by reserve component officers.
Sec. 526. Modification of limitations on authorized strengths of reserve general and flag officers in active status serving in joint duty assignments.
Sec. 527. Reports on joint education courses available through the Department of Defense.

Subtitle D—General Service Authorities

Sec. 531. Increase in maximum period of reenlistment of regular members of the Armed Forces.
Sec. 532. Paternity leave for members of the Armed Forces.
Sec. 533. Pilot programs on career flexibility to enhance retention of members of the Armed Forces.

Subtitle E—Education and Training

Sec. 540. Authorized strength of military service academies and repeal of prohibition on phased increase in midshipmen and cadet strength limit at Naval Academy and Air Force Academy.
Sec. 541. Promotion of foreign and cultural exchange activities at military service academies.
Sec. 542. Increased authority to enroll defense industry employees in defense product development program.
Sec. 543. Expanded authority for institutions of professional military education to award degrees.
Sec. 544. Tuition for attendance of Federal employees at the United States Air Force Institute of Technology.
Sec. 545. Increase in number of permanent professors at the United States Air Force Academy.
Sec. 546. Requirement of completion of service under honorable conditions for purposes of entitlement to educational assistance for reserve component members supporting contingency operations.
Sec. 547. Consistent education loan repayment authority for health professionals in regular components and Selected Reserve.
Sec. 548. Increase in number of units of Junior Reserve Officers' Training Corps.
Sec. 549. Correction of erroneous Army College Fund benefit amounts.
Sec. 550. Enhancing education partnerships to improve accessibility and flexibility for members of the Armed Forces.

Subtitle F—Defense Dependents' Education

Sec. 551. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 552. Impact aid for children with severe disabilities.
Sec. 553. Transition of military dependent students among local educational agencies.
Sec. 554. Calculation of payments for eligible federally connected children under Department of Education's Impact Aid program.

Subtitle G—Military Justice

Sec. 561. Effective period of military protective orders.
Sec. 562. Mandatory notification of issuance of military protective order to civilian law enforcement.
Sec. 563. Implementation of information database on sexual assault incidents in the Armed Forces.

Subtitle H—Decorations, Awards, and Honorary Promotions

Sec. 571. Replacement of military decorations.
Sec. 572. Authorization and request for award of Medal of Honor to Richard L. Etchberger for acts of valor during the Vietnam War.

Subtitle I—Military Families

Sec. 581. Presentation of burial flag to the surviving spouse and children of deceased members of the Armed Forces.
Sec. 582. Education and training opportunities for military spouses.
Sec. 583. Sense of Congress regarding honor guard details for funerals of veterans.

Subtitle J—Other Matters

Sec. 591. Prohibition on interference in independent legal advice by the Legal Counsel to the Chairman of the Joint Chiefs of Staff.
Sec. 592. Interest payments on certain claims arising from correction of military records.
Sec. 593. Extension of limitation on reductions of personnel of agencies responsible for review and correction of military records.
Sec. 594. Modification of matching fund requirements under National Guard Youth Challenge Program.
Sec. 595. Military salute for the flag during the national anthem by members of the Armed Forces not in uniform and by veterans.
Sec. 596. Military Leadership Diversity Commission.
Sec. 597. Demonstration project on service of retired nurse corps officers as faculty at civilian nursing schools.

Sec. 598. Report on planning for participation and hosting of the Department of Defense in international sports activities, competitions, and events.

Subtitle A—Officer Personnel Policy Generally

SEC. 501. MANDATORY SEPARATION REQUIREMENTS FOR REGULAR WARRANT OFFICERS FOR LENGTH OF SERVICE.

Section 1305(a) of title 10, United States Code, is amended—

(1) by striking "A regular warrant officer who has at least 30 years of active service as a warrant officer that could be credited to him" and inserting "(1) A regular warrant officer (other than a regular Army warrant officer) who has at least 30 years of active service that could be credited to the officer"; and

(2) by adding at the end the following new paragraph:

"(2) In the case of a regular Army warrant officer, the calculation of years of active service under paragraph (1) shall include only years of active service as a warrant officer.".

SEC. 502. REQUIREMENTS FOR ISSUANCE OF POSTHUMOUS COMMISSIONS AND WARRANTS.

(a) POSTHUMOUS COMMISSIONS.—Section 1521 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "in line of duty" each place it appears; and

(2) by adding at the end the following new subsection:

"(c) A commission issued under subsection (a) in connection with the promotion of a deceased member to a higher commissioned grade shall require certification by the Secretary concerned that, at the time of death of the member, the member was qualified for appointment to that higher grade.".

(b) POSTHUMOUS WARRANTS.—Section 1522 of such title is amended—

(1) in subsection (a), by striking "in line of duty"; and

(2) by adding at the end the following new subsection:

"(c) A warrant issued under subsection (a) in connection with the promotion of a deceased member to a higher grade shall require a finding by the Secretary concerned that, at the time of death of the member, the member was qualified for appointment to that higher grade.".

SEC. 503. AUTHORIZED NUMBER OF GENERAL OFFICERS ON ACTIVE DUTY IN THE ARMY AND MARINE CORPS, LIMITED EXCLUSION FOR JOINT DUTY REQUIREMENTS, AND INCREASE IN NUMBER OF OFFICERS SERVING IN GRADES ABOVE MAJOR GENERAL AND REAR ADMIRAL.

(a) INCREASE IN NUMBER OF ARMY GENERAL OFFICERS.—Section 526(a)(1) of title 10, United States Code, is amended by striking "302" and inserting "307".

(b) INCREASE IN NUMBER OF MARINE CORPS GENERAL OFFICERS.—Section 526(a)(4) of such title is amended by striking "80" and inserting "81".

(c) INCREASE IN EXCLUSION FOR JOINT DUTY REQUIREMENTS.—Section 526(b)(1) of such title is amended by striking "12" and inserting "65".

(d) INCREASE IN NUMBER OF OFFICERS SERVING IN GRADES ABOVE MAJOR GENERAL AND REAR ADMIRAL.—Section 525 of such title is amended—

(1) in the first sentence of subsection (a), by striking "that armed force" and inserting "the Army or Air Force, or more than 51 percent of the general officers of the Marine Corps,"; and

(2) in subsection (b)—

(A) in paragraphs (1) and (2)(A), by striking "16.3 percent" each place it appears and inserting "16.4 percent"; and

(B) in paragraph (2)(B), by striking "17.5 percent" and inserting "19 percent".

(e) ACQUISITION AND CONTRACTING BILLETS.—

(1) RESERVATION OF ARMY INCREASE.—The increase in the number of general officers on active duty in the Army, as authorized by the amendment made by subsection (a) is reserved for general officers in the Army who serve in an acquisition position.

(2) RESERVATION OF PORTION OF INCREASE IN JOINT DUTY ASSIGNMENTS EXCLUDED FROM LIMITATION.—Of the increase in the number of general officer and flag officer joint duty assignments that may be designated for exclusion from the limitations on the number of general officers and flag officers on active duty, as authorized by the amendment made by subsection (c), five of the designated assignments are reserved for general officers or flag officers who serve in an acquisition position, including one assignment in the Defense Contract Management Agency.

SEC. 504. MODIFICATION OF AUTHORITY ON STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.

(a) GRADE OF STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.—Section 5046(a) of title 10, United States Code, is amended by striking the last sentence and inserting the following new sentence: "The Staff Judge Advocate to the Commandant of the Marine Corps, while so serving, has the grade of major general.".

(b) EXCLUSION FROM GENERAL OFFICER DISTRIBUTION LIMITATIONS.—Section 525(a) of such title, as amended by section 503, is further amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end the following new paragraph:

"(2) An officer while serving in the position of Staff Judge Advocate to the Commandant of the Marine Corps under section 5046 of this title is in addition to the number that would otherwise be permitted for the Marine Corps for officers in grades above brigadier general under the first sentence of paragraph (1).".

SEC. 505. ELIGIBILITY OF RESERVE OFFICERS TO SERVE ON BOARDS OF INQUIRY FOR SEPARATION OF REGULAR OFFICERS FOR SUBSTANDARD PERFORMANCE AND OTHER REASONS.

(a) ELIGIBILITY.—Section 1187 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(2) in subsection (b), by striking "on active duty" in the matter preceding paragraph (1).

(b) CONFORMING AMENDMENT.—The heading of subsection (a) of such section is amended by striking "ACTIVE DUTY OFFICERS" and inserting "IN GENERAL".

SEC. 506. DELAYED AUTHORITY TO ALTER DISTRIBUTION REQUIREMENTS FOR COMMISSIONED OFFICERS ON ACTIVE DUTY IN GENERAL OFFICER AND FLAG OFFICER GRADES AND LIMITATIONS ON AUTHORIZED STRENGTHS OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

(a) IMPLEMENTATION OF SPECIAL GENERAL OFFICER AND FLAG OFFICER AUTHORITY.—

(1) REPORT ON PROPOSED IMPLEMENTATION.—The Secretary of Defense shall submit to the Committees on Armed Forces of the Senate and House of Representatives a report, reflecting input from the Armed Forces, containing the following:

(A) A statement of the total number of validated and required joint duty assignments for general officers and flag officers and the total number of validated assignments for general officers and flag officers required by the Army, Navy, Air Force, and Marine Corps to meet internal (non-joint) requirements.

(B) A description of the process used by the Secretary of Defense and the Secretary of the military department concerned to validate joint general officer and flag officer requirements and authorizations under the authority provided by this section and how that process will function to make adjustments (increases and reductions) in the numbers of general officers and flag officers required for joint duty assignments and internal requirements of the Armed Force concerned.

(C) A description of how the Secretary of Defense intends to minimize the incremental approaches to increases in the number of general officers and flag officers and the use of exemptions to effect such increases.

(D) A description of how the Secretaries of the military departments intend to manage the increase and development of general officer and flag officer positions under the authority provided by this section.

(E) An explanation of and rationale for the grade distribution of the general and flag officers in the joint pool authorized by subsection (f)(1).

(F) A proposal specifying such legislative changes, including technical and conforming changes, as may be necessary to conform sections 525, 526, and 721 of title 10, United States Code, and such other provisions of such title relating to the management of general officers and flag officers to the authorities provided by this section.

(2) TIME FOR IMPLEMENTATION.—After the end of the one-year period beginning on the date on which the Secretary of Defense submits the report required by paragraph (1), the Sec-

retary of Defense may implement the authorities provided by this section regarding the distribution of commissioned officers on active duty in general officer and flag officer grades and altering the limitations on authorized strengths of general and flag officers on active duty.

(3) EFFECT OF IMPLEMENTATION.—After the implementation date specified in paragraph (2), the authorities provided by this section supersede any requirement of section 525, 526, or 721 of title 10, United States Code, to the contrary.

(b) DISTRIBUTION OF GENERAL AND FLAG OFFICERS.—After the implementation date specified in subsection (a)(2), no appointment of an officer on the active duty list officer may be made—

(1) in the Army, if that appointment would result in more than—

(A) 225 officers serving on active duty above the grade of colonel;

(B) 7 officers in the grade of general;

(C) 45 officers in a grade above the grade of major general; or

(D) 90 officers in the grade of major general;

(2) in the Air Force, if that appointment would result in more than—

(A) 208 officers serving on active duty in a grade above the grade of colonel;

(B) 9 officers in the grade of general;

(C) 43 officers in a grade above the grade of major general; or

(D) 73 officers in the grade of major general;

(3) in the Navy, if that appointment would result in more than—

(A) 160 officers serving on active duty in a grade above the grade of captain;

(B) 6 officers in the grade of admiral;

(C) 32 officers in a grade above the grade of rear admiral; or

(D) 50 officers in the grade of rear admiral; or

(4) in the Marine Corps, if that appointment would result in more than—

(A) 60 officers serving on active duty in a grade above the grade of colonel;

(B) 2 officers in the grade of general;

(C) 15 officers in a grade above the grade of major general; or

(D) 22 officers in the grade of major general.

(c) EXCLUSION OF CERTAIN OFFICERS FROM DISTRIBUTION LIMITS.—

(1) JOINT ASSIGNMENTS.—The limitations contained in subsection (b) do not apply to officers serving in joint duty assignments, as designated by the Secretary of Defense under section 526(b) of title 10, United States Code, or this section or for officers released from joint duty assignments, but only during the 60-day period beginning on the date the officer departs the joint duty assignment. Of the officers serving in such joint duty assignments—

(A) the number of officers in the grade of general or admiral may not exceed 20;

(B) the number of officers in a grade above the grade of major general or rear admiral may not exceed 68; and

(C) the number of officers in the grade of major general or rear admiral may not exceed 144.

(2) OFFICERS AFTER RELIEF FROM CERTAIN POSITIONS.—An officer continuing to hold the grade of general or admiral under section 601(b)(4) of title 10 United States Code, after relief from the position of Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps shall not be counted for purposes of subsection (b).

(3) ATTENDING PHYSICIAN.—An officer while serving as Attending Physician to the Congress is in addition to the number that would otherwise be permitted for that officer's Armed Force for officers serving on active duty in grades above brigadier general or rear admiral (lower half) under subsection (b).

(4) OFFICERS PENDING RETIREMENT OR AFTER RELIEF AND RELATED CIRCUMSTANCES.—The following officers shall not be counted for purposes of subsection (b):

(A) An officer of an Armed Force in the grade of brigadier general or above or, in the case of the Navy, in the grade of rear admiral (lower half) or above, who is on leave pending the retirement, separation, or release of that officer from active duty, but only during the 60-day period beginning on the date of the commencement of such leave of such officer.

(B) An officer of an Armed Force who has been relieved from a position designated under section 601(a) of title 10, United States Code, and is under orders to assume another such position, but only during the 60-day period beginning on the date on which those orders are published.

(d) APPOINTMENTS IN EXCESS OF DISTRIBUTION LIMITS.—

(1) APPOINTMENT AUTHORITY.—Subject to paragraph (3), the President—

(A) may make appointments in the Army, Air Force, and Marine Corps in the grade of lieutenant general and in the Army, Air Force, and Marine Corps in the grade of general in excess of the applicable numbers determined under subsection (b) if each such appointment is made in conjunction with an offsetting reduction under paragraph (2); and

(B) may make appointments in the Navy in the grades of vice admiral and admiral in excess of the applicable numbers determined under subsection (b) if each such appointment is made in conjunction with an offsetting reduction under paragraph (2).

(2) OFFSETTING REDUCTIONS.—For each appointment made under the authority of paragraph (1) in the Army, Air Force, or Marine Corps in the grade of lieutenant general or general or in the Navy in the grade of vice admiral or admiral, the number of appointments that may be made in the equivalent grade in one of the other Armed Forces (other than the Coast Guard) shall be reduced by one. When such an appointment is

made, the President shall specify the Armed Force in which the reduction required by this paragraph is to be made.

(3) MAXIMUM.—The number of officers that may be serving on active duty in the grades of lieutenant general and vice admiral by reason of appointments made under the authority of paragraph (1) may not exceed 15. The number of officers that may be serving on active duty in the grades of general and admiral by reason of appointments made under the authority of paragraph (1) may not exceed 5.

(4) DURATION OF REDUCTION.—Upon the termination of the appointment of an officer in the grade of lieutenant general or vice admiral or general or admiral that was made in connection with an increase under paragraph (1) in the number of officers that may be serving on active duty in that Armed Force in that grade, the reduction made under paragraph (2) in the number of appointments permitted in such grade in another Armed Force by reason of that increase shall no longer be in effect.

(e) AUTHORIZED STRENGTH LIMITS FOR GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.—After the implementation date specified in subsection (a)(2), the number of general officers on active duty in the Army, Air Force, and Marine Corps, and the number of flag officers on active duty in the Navy, may not exceed the number specified for the Armed Force concerned as follows:

(1) For the Army, 225.

(2) For the Navy, 160.

(3) For the Air Force, 208.

(4) For the Marine Corps, 60.

(f) LIMITED EXCLUSION FOR JOINT DUTY REQUIREMENTS.—

(1) DESIGNATION OF POSITIONS.—The Secretary of Defense may designate up to 324 general officer and flag officer positions that are joint duty assignments for the purposes of chapter 38 of title 10, United States Code, for exclusion from the limitations in subsection (e). The Secretary of Defense will allocate these 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) MINIMUM NUMBER OF POSITIONS.—Unless the Secretary of Defense determines that a lower number is in the best interests of the United States, 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.

(g) TEMPORARY EXCLUSION FOR ASSIGNMENT TO CERTAIN TEMPORARY BILLETS.—The limitations in subsection (e) do not apply to a general or flag officer assigned to a temporary joint duty assignment billet designated by the Secretary of Defense for purposes of this section. A general or flag officer assigned to a temporary joint duty assignment as described in this subsection may not be excluded under this subsection from the limitations in subsection (e) for a period longer than one year.

(h) EXCLUSION OF CERTAIN RESERVE OFFICERS.—

(1) DISTRIBUTION LIMITS.—The limitations of subsection (b) do not apply to a reserve component general or flag officer who is on active duty and serving in billets other than joint duty assignments under a call or order specifying a period of not longer than two years.

(2) AUTHORIZED STRENGTH LIMITS.—The limitations in subsection (e) do not apply to a reserve component general or flag officer who is on active duty and serving in a position that is a joint duty assignment for the purposes of chapter 38 of title 10, United States Code, for a period not to exceed three years.

(i) PENDING OR AFTER JOINT DUTY ASSIGNMENTS.—Upon determination by the Secretary of Defense that such action is in the national interest, the Secretary may allow the Secretary of a military department to exceed the distribution of general and flag officers established under subsection (b) and the limitation in subsection (e) for up to one year for officers pending assignment to or return from joint duty assignments designated under section 526(b) of title 10, United States Code, or this section.

Subtitle B—Reserve Component Management

SEC. 511. EXTENSION TO OTHER RESERVE COMPONENTS OF ARMY AUTHORITY FOR DEFERRAL OF MANDATORY SEPARATION OF MILITARY TECHNICIANS (DUAL STATUS) UNTIL AGE 60.

Section 10216(f) of title 10, United States Code, is amended by inserting "and the Secretary of the Air Force" after "Secretary of the Army".

SEC. 512. MODIFICATION OF AUTHORIZED STRENGTHS FOR CERTAIN ARMY NATIONAL GUARD, MARINE CORPS RESERVE, AND AIR NATIONAL GUARD OFFICERS AND ARMY NATIONAL GUARD ENLISTED PERSONNEL SERVING ON FULL-TIME RESERVE COMPONENT DUTY.

(a) ARMY NATIONAL GUARD AND MARINE CORPS RESERVE OFFICERS.—The table in section 12011(a) of title 10, United States Code, relating to the number of officers of a reserve component who may be serving in the grades of major, lieutenant colonel, or colonel given the total number of members of that reserve component serving on full-time reserve component duty, is amended by striking the portion of the table relating to the Army National Guard and the Marine Corps Reserve and inserting the following:

"Army National Guard:

20,000	1,500	850	325
22,000	1,650	930	350
24,000	1,790	1,010	378
26,000	1,930	1,085	395
28,000	2,070	1,168	420
30,000	2,200	1,245	445
32,000	2,330	1,315	460

"Army National Guard:

34,000	2,450	1,385	470
36,000	2,570	1,455	480
38,000	2,670	1,527	490
40,000	2,770	1,590	500
42,000	2,837	1,655	505

"Marine Corps Reserve:

1,000	99	63	20
1,200	103	67	21
1,300	107	70	22
1,400	111	73	23
1,500	114	76	24
1,600	117	79	25
1,700	120	82	26
1,800	123	85	27
1,900	126	88	28
2,000	129	91	29
2,100	132	94	30
2,200	134	97	31
2,300	136	100	32
2,400	138	103	33
2,500	140	106	34
2,600	142	109	35".

(b) AIR NATIONAL GUARD OFFICERS.—The table in such section is further amended by striking the portion of the table relating to the Air National Guard and inserting the following:

"Air National Guard:

5,000	333	335	251
6,000	403	394	260
7,000	472	453	269
8,000	539	512	278
9,000	606	571	287
10,000	673	665	313
11,000	740	759	339
12,000	807	827	353
13,000	873	886	363
14,000	939	945	374
15,000	1,005	1,001	384
16,000	1,067	1,057	394
17,000	1,126	1,113	404
18,000	1,185	1,169	414

"Air National Guard:

19,000	1,235	1,224	424
20,000	1,283	1,280	428".

(c) ARMY NATIONAL GUARD ENLISTED PERSONNEL.—The table in section 12012(a) of such title, relating to the number of members of a reserve component who may be serving in the grade of E–8 or E–9 given the total number of members of that reserve component serving on full-time reserve component duty, is amended by striking the portion of the table relating to the Army National Guard and inserting the following:

"Army National Guard:

20,000	1,650	550
22,000	1,775	615
24,000	1,950	645
26,000	2,100	675
28,000	2,250	715
30,000	2,400	735
32,000	2,500	760
34,000	2,600	780
36,000	2,700	800
38,000	2,800	820
40,000	2,900	830
42,000	3,000	840".

SEC. 513. CLARIFICATION OF AUTHORITY TO CONSIDER FOR A VACANCY PROMOTION NATIONAL GUARD OFFICERS ORDERED TO ACTIVE DUTY IN SUPPORT OF A CONTINGENCY OPERATION.

(a) ADDITIONAL EXCEPTION.—Subsection (d) of section 14317 of title 10, United States Code, is amended—

(1) in the first sentence—

(A) by striking "Except" and inserting "(1) Except";

(B) by striking "unless the officer is ordered" and inserting "unless the officer—

"(A) is ordered";

(C) by striking the period at the end and inserting "; or"; and

(D) by adding at the end the following new subparagraph:

"(B) has been ordered to or is serving on active duty in support of a contingency operation."; and

(2) in the second sentence, by striking "If" and inserting the following:

"(2) If".

(b) CONSIDERATION FOR PROMOTION BY EXAMINATION FOR FEDERAL RECOGNITION.—Subsection (e)(1)(B) of such section is amended by inserting before the period at the end the following: ", or by examination for Federal recognition under title 32".

SEC. 514. INCREASE IN MANDATORY RETIREMENT AGE FOR CERTAIN RESERVE OFFICERS.

(a) SELECTIVE SERVICE AND PROPERTY AND FISCAL OFFICERS.—Section 12647 of title 10, United States Code, is amended by striking "60 years" and inserting "62 years".

(b) CERTAIN RESERVE OFFICERS IN GRADES OF MAJOR THROUGH BRIGADIER GENERAL.—Section 14702(b) of such title is amended—

(1) in the subsection heading, by striking "AT AGE 60" and inserting "FOR AGE"; and

(2) by striking "subsection (a)(1) or (a)(2)." and all that follows through the period at the end of the last sentence and inserting the following: "paragraph (1) or (2) of subsection (a). An officer described in paragraph (1) of such subsection may not be retained under this section after the last day of the month in which the officer becomes 62 years of age. An officer described in paragraph (2) of such subsection may not be retained under this section after the last day of the month in which the officer becomes 60 years of age.".

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 14702 of such title is amended to read as follows:

"§ 14702. Retention on reserve active-status list of certain officers in the grade of major, lieutenant colonel, colonel, or brigadier general".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 1409 of such title is amended by striking the item relating to section 14702 and inserting the following new item:

"14702. Retention on reserve active-status list of certain officers in the grade of major, lieutenant colonel, colonel, or brigadier general.".

SEC. 515. AGE LIMIT FOR RETENTION OF CERTAIN RESERVE OFFICERS ON ACTIVE-STATUS LIST AS EXCEPTION TO REMOVAL FOR YEARS OF COMMISSIONED SERVICE.

Section 14508 of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) RETENTION OF LIEUTENANT GENERALS.—A reserve officer of the Army or Air Force in the grade of lieutenant general who would otherwise be removed from an active status under subsection (c) may, in the discretion of the Secretary of the Army or the Secretary of the Air Force, as the case may be, be retained in an active status, but not later than the date on which the officer becomes 66 years of age.".

SEC. 516. AUTHORITY TO RETAIN RESERVE CHAPLAINS AND OFFICERS IN MEDICAL AND RELATED SPECIALTIES UNTIL AGE 68.

(a) RESERVE CHAPLAINS AND MEDICAL OFFICERS.—Section 14703(b) of title 10, United States Code, is amended by striking "67 years" and inserting "68 years".

(b) NATIONAL GUARD CHAPLAINS AND MEDICAL OFFICERS.—Section 324 of title 32, United States Code, is amended by adding at the end the following new subsection:

"(c) Notwithstanding subsection (a)(1), an officer of the National Guard serving as a chaplain, medical officer, dental officer, nurse, veterinarian, Medical Service Corps officer, or biomedical sciences officer may be retained, with the officer's consent, until the date on which the officer becomes 68 years of age.".

SEC. 517. MODIFICATION OF AUTHORITIES ON DUAL DUTY STATUS OF NATIONAL GUARD OFFICERS.

(a) DUAL DUTY STATUS AUTHORIZED FOR ANY OFFICER ON ACTIVE DUTY.—Subsection (a)(2) of section 325 of title 32, United States Code, is amended by striking "in command of a National Guard unit".

(b) ADVANCE AUTHORIZATION AND CONSENT TO DUAL DUTY STATUS.—Such section is further amended—

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

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

"(b) ADVANCE AUTHORIZATION AND CONSENT.—The President and the Governor of a State or Territory, or of the Commonwealth of Puerto Rico, or the commanding general of the District of Columbia National Guard, as applicable, may give the authorization or consent required by subsection (a)(2) with respect to an officer in advance for the purpose of establishing the succession of command of a unit.".

SEC. 518. STUDY AND REPORT REGARDING MARINE CORPS PERSONNEL POLICIES REGARDING ASSIGNMENTS IN INDIVIDUAL READY RESERVE.

(a) STUDY.—The Secretary of the Navy shall conduct a study to analyze the policies and procedures used by the Marine Corps Reserve during fiscal years 2001 through 2008 to govern the assignment of members of the Marine Corps Reserve in the Individual Ready Reserve.

(b) ELEMENTS.—The study shall contain, at a minimum, the following elements:

(1) A summary of the actual policies and procedures used to assign members of the Marine Corps Reserve to the Individual Ready Reserve and to remove members from the Individual Ready Reserve, to include the grade and authority of the official responsible for making the decision regarding the assignment.

(2) The number of members of the Marine Corps Reserve assigned to the Individual Ready Reserve during fiscal years 2001 through 2008.

(3) The number of members of the Marine Corps Reserve who spent less than 12 months in the Individual Ready Reserve during fiscal years 2001 through 2008, categorized by the reason provided for assigning the members to the Individual Ready Reserve.

(4) The impact of assigning a member of the Marine Corps Reserve to the Individual Ready Reserve on the eligibility of the member for health care coverage under TRICARE.

(5) The policies and procedures used to account for members of the Marine Corps Reserve who are excess to a unit's authorization document, to include members selected for promotion or

command who have not yet been promoted or assumed duties as officers in command.

(6) Recommendations for improvements to policies and procedures used to assign members of the Marine Corps Reserve to the Individual Ready Reserve and to remove members from the Individual Ready Reserve.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and House of Representatives a report containing the results of the study.

SEC. 519. REPORT ON COLLECTION OF INFORMATION ON CIVILIAN SKILLS OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility and advisability, utility, and cost effectiveness of the following:

(1) The collection by the Department of Defense of information on the civilian skills, qualifications, and professional certifications of members of the reserve components of the Armed Forces that are relevant to military manpower requirements.

(2) The establishment by each military department, and by the Department of Defense generally, of a system that would match billets and personnel requirements with members of the reserve components of the Armed Forces who have skills, qualifications, and certifications relevant to such billets and requirements.

(3) The establishment by the Department of Defense of one or more systems accessible by private employers who employ individuals with skills, qualifications, and certifications possessed by members of the reserve components of the Armed Forces to assist such employers in hiring and employing such members.

(4) Actions to ensure that employment information collected for and maintained in the Civilian Employment Information database of the Department of Defense is current and accurate.

(5) Actions to incorporate any matter determined feasible and advisable under paragraphs (1) through (4) into the Defense Integrated Military Human Resources System.

Subtitle C—Joint Qualified Officers and Requirements

SEC. 521. JOINT DUTY REQUIREMENTS FOR PROMOTION TO GENERAL OR FLAG OFFICER.

(a) IN GENERAL.—Section 619a of title 10, United States Code, is amended—

(1) in subsection (a), by striking "unless—" and all that follows through "the joint specialty" and inserting "unless the officer has been designated as a joint qualified officer";

(2) in subsection (b)—

(A) by striking "paragraph (1) or paragraph (2) of subsection (a), or both paragraphs (1) and (2) of subsection

(a)," in the matter preceding paragraph (1) and inserting "subsection (a)"; and

(B) in paragraph (4), by striking "within that immediate organization is not less than two years" and inserting "is not less than two years and the officer has successfully completed a program of education described in subsections (b) and (c) of section 2155 of this title"; and

(3) by striking subsection (h).

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 619a. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to general or flag grade; exceptions".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter II of chapter 36 of such title is amended by striking the item relating to section 619a and inserting the following new item:

"619a. Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to general or flag grade; exceptions.".

SEC. 522. TECHNICAL, CONFORMING, AND CLERICAL CHANGES TO JOINT SPECIALTY TERMINOLOGY.

(a) REFERENCE TO JOINT QUALIFIED OFFICER.—

(1) IN GENERAL.—Subsection (a) of section 661 of title 10, United States Code, is amended in the second sentence by striking "in such manner as the Secretary of Defense directs" and inserting "as a joint qualified officer or in such other manner as the Secretary of Defense directs".

(2) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 661. Management policies for joint qualified officers".

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 38 of such title is amended by striking the item related to section 661 and inserting the following new item:

"661. Management policies for joint qualified officers.".

(b) JOINT DUTY ASSIGNMENTS AFTER COMPLETION OF JOINT PROFESSIONAL MILITARY EDUCATION.—Section 663 of such title is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking "JOINT SPECIALTY" and inserting "JOINT QUALIFIED"; and

(B) by striking "with the joint specialty" and inserting "designated as a joint qualified officer"; and

(2) in subsection (b)(1), by striking "do not have the joint specialty" and inserting "are not designated as a joint qualified officer".

(c) PROCEDURES FOR MONITORING CAREERS OF JOINT QUALIFIED OFFICERS.—

(1) IN GENERAL.—Section 665 of such title is amended—

(A) in subsection (a)(1)(A), by striking "with the joint specialty" and inserting "designated as a joint qualified officer"; and

(B) in subsection (b)(1), by striking "with the joint specialty" and inserting "designated as a joint qualified officer".

(2) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 665. Procedures for monitoring careers of joint qualified officers".

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 38 of such title is amended by striking the item related to section 665 and inserting the following new item:

"665. Procedures for monitoring careers of joint qualified officers.".

(d) JOINT SPECIALTY TERMINOLOGY IN ANNUAL REPORT.—Section 667 of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "selected for the joint specialty" and inserting "designated as a joint qualified officer"; and

(B) in subparagraph (B), by striking "selection for the joint specialty" and inserting "designation as a joint qualified officer,";

(2) in paragraph (2), by striking "with the joint specialty" and inserting "designated as a joint qualified officer";

(3) in paragraph (3), by striking "selected for the joint specialty" each place it appears and inserting "designated as a joint qualified officer";

(4) in paragraph (4)—

(A) in subparagraph (A), by striking "selected for the joint specialty" and inserting "designated as a joint qualified officer"; and

(B) by striking subparagraph (B) and inserting the following new subparagraph:

"(B) 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.";

(5) by striking paragraphs (5) through (10), (13), and (16), and redesignating paragraphs (11), (12), (14) (15), (17), and (18) as paragraphs (7), (8), (9), (10), (12), and (13), respectively;

(6) by inserting after paragraph (4) the following new paragraphs:

"(5) The promotion rate for officers designated as a joint qualified officer, compared with the promotion rate for other officers considered for promotion from within the promotion zone in the same pay grade and the same competitive category. A similar comparison will be made for officers both below the promotion zone and above the promotion zone.

"(6) An analysis of assignments of officers after their designation as a joint qualified officer."; and

(7) by inserting after paragraph (10), as redesignated by paragraph (5) of this subsection, the following new paragraph (11):

"(11) The number of officers in the grade of captain (or in the case of the Navy, lieutenant) and above certified at each level of joint qualification as established in regulation and policy by the Secretary of Defense with the advice of the Chairman of the Joint Chiefs of Staff. Such numbers shall be reported by service and grade of the officer.".

SEC. 523. PROMOTION POLICY OBJECTIVES FOR JOINT QUALIFIED OFFICERS.

Section 662 of title 10, United States Code, is amended—

(1) in subsection (a)(2), by striking "officers who are serving or have served in joint duty assignments" and inserting "officers in the grade of major (or in the case of the Navy, lieutenant commander) or above who have been designated as a joint qualified officer"; and

(2) in subsection (b), by inserting after "joint duty assignments" the following: "or on the Joint Staff, and officers who have been designated as a joint qualified officer in the grades of major (or in the case of the Navy, lieutenant commander) through colonel (or in the case of the Navy, captain)".

SEC. 524. LENGTH OF JOINT DUTY ASSIGNMENTS.

(a) SERVICE EXCLUDED FROM TOUR LENGTH.—Subsection (d) of section 664 of title 10, United States Code, is amended—

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

"(D) a qualifying reassignment from a joint duty assignment—

"(i) for unusual personal reasons, including extreme hardship and medical conditions, beyond the control of the officer or the armed forces; or

"(ii) to another joint duty assignment immediately after—

"(I) the officer was promoted to a higher grade, if the reassignment was made because no joint duty assignment was available within the same organization that was commensurate with the officer's new grade; or

"(II) the officer's position was eliminated in a reorganization."; and

(2) by striking paragraph (3) and inserting the following new paragraph (3):

"(3) Service in a joint duty assignment in a case in which the officer's tour of duty in that assignment brings the officer's accrued service for purposes of subsection (f)(3) to the applicable standard prescribed in subsection (a).".

(b) COMPUTING AVERAGE LENGTH OF JOINT DUTY ASSIGNMENTS.—Subsection (e) of such section is amended by striking paragraph (2) and inserting the following new paragraph (2):

"(2) In computing the average length of joint duty assignments for purposes of paragraph (1), the Secretary may exclude the following service:

"(A) Service described in subsection (c).

"(B) Service described in subsection (d).

"(C) Service described in subsection (f)(6).".

(c) COMPLETION OF TOUR OF DUTY.—Subsection (f) of such section is amended—

(1) in paragraph (3), by striking "Cumulative service" and inserting "Accrued joint experience";

(2) in paragraph (4), by striking "(except" and all that follows through "any time)"; and

(3) by striking paragraph (6) and inserting the following new paragraph (6):

"(6) A second and subsequent joint duty assignment that is less than the period required under subsection (a), but not less than two years.".

(d) ACCRUED JOINT EXPERIENCE AS FULL TOUR OF DUTY.—Subsection (g) of such section is amended to read as follows:

"(g) ACCRUED JOINT EXPERIENCE.—For the purposes of subsection (f)(3), the Secretary of Defense may prescribe, by regulation, certain joint experience, such as temporary duty in joint assignments, joint individual training, and participation in joint exercises, that may be aggregated to equal a full tour of duty. The Secretary shall prescribe the regulations with the advice of the Chairman of the Joint Chiefs of Staff.".

(e) CONSTRUCTIVE CREDIT.—Subsection (h) of such section is amended—

(1) in paragraph (1), by striking "subsection (f)(1), (f)(2), (f)(4), or (g)(2)" and inserting "paragraphs (1), (2), and (4) of subsection (f)"; and

(2) by striking paragraph (3).

(f) REPEAL OF JOINT DUTY CREDIT FOR CERTAIN JOINT TASK FORCE ASSIGNMENTS.—Such section is further amended by striking subsection (i).

SEC. 525. DESIGNATION OF GENERAL AND FLAG OFFICER POSITIONS ON JOINT STAFF AS POSITIONS TO BE HELD ONLY BY RESERVE COMPONENT OFFICERS.

Section 526(b)(2)(A) of title 10, United States Code, is amended by striking "a general and flag officer position" and inserting "up to three general and flag officer positions".

SEC. 526. MODIFICATION OF LIMITATIONS ON AUTHORIZED STRENGTHS OF RESERVE GENERAL AND FLAG OFFICERS IN ACTIVE STATUS SERVING IN JOINT DUTY ASSIGNMENTS.

(a) EXCLUSION OF ARMY AND AIR FORCE OFFICERS SERVING IN JOINT DUTY ASSIGNMENTS.—Subsection (b) of section 12004 of title 10, United States Code, is amended by adding at the end the following new paragraph;

"(4) Those serving in a joint duty assignment for purposes of chapter 38 of this title, except that the number of officers who may be excluded under this paragraph may not exceed the number equal to 20 percent of the number of officers authorized for the armed force concerned by subsection (a).".

(b) EXCLUSION OF NAVY OFFICERS SERVING IN JOINT DUTY ASSIGNMENTS.—Subsection (c) of such section is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(2) in paragraph (1), by striking "(1)" and all that follows through "as follows:" and inserting the following:

"(1) The following Navy reserve officers shall not be counted for purposes of this section:

"(A) Those counted under section 526 of this title.

"(B) Those serving in a joint duty assignment for purposes of chapter 38 of this title, except that the number of officers who may be excluded under this paragraph may not exceed the number equal to 20 percent of the number of officers authorized for the Navy in subsection (a).

"(2) Of the number of Navy reserve officers authorized by subsection (a), 40 are distributed among the line and staff corps as follows:".

(c) EXCLUSION OF MARINE CORPS OFFICERS SERVING IN JOINT DUTY ASSIGNMENTS.—Subsection (d) of such section is amended to read as follows:

"(d) The following Marine Corps reserve officers shall not be counted for purposes of this section:

"(1) Those counted under section 526 of this title.

"(2) Those serving in a joint duty assignment for purposes of chapter 38 of this title, except that the number of officers who may be excluded under this paragraph may not exceed the number equal to 20 percent of the number of officers authorized for the Marine Corps in subsection (a).".

SEC. 527. REPORTS ON JOINT EDUCATION COURSES AVAILABLE THROUGH THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—Not later than April 1 of each of 2009, 2010, and 2011, the Chairman of the Joint Chiefs of Staff shall submit to Congress a report setting forth information on the joint education courses available through the Department of Defense for purposes of the pursuit of joint careers by officers in the Armed Forces.

(b) ELEMENTS.—Each report under subsection (a) shall include, for the preceding year covered by the report, the following:

(1) A list and description of the joint education courses available during the year covered by the report.

(2) A list and description of the joint education courses listed under paragraph (1) that are available to, and may be completed by, officers of the reserve components of the Armed Forces in other than an in-resident duty status under title 10 or 32, United States Code.

(3) For each joint education course listed under paragraph (1), the number of officers from each Armed Force who pursued the course during the year covered by the report, including the number of officers of the Army National Guard and Air National Guard who pursued the course.

Subtitle D—General Service Authorities

SEC. 531. INCREASE IN MAXIMUM PERIOD OF REENLISTMENT OF REGULAR MEMBERS OF THE ARMED FORCES.

(a) INCREASE TO EIGHT-YEAR MAXIMUM.—Section 505(d) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking "six years" and inserting "eight years"; and

(2) in paragraph (3)(A), by striking "six years" and inserting "eight years".

(b) CONFORMING AMENDMENT REGARDING REENLISTMENT BONUS.—Section 308(a)(2)(A)(ii) of title 37, United States Code, is amended by striking "not to exceed six".

SEC. 532. PATERNITY LEAVE FOR MEMBERS OF THE ARMED FORCES.

(a) LEAVE AUTHORIZED.—Section 701 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(j)(1) Under regulations prescribed by the Secretary concerned, a married member of the armed forces on active duty whose wife gives birth to a child shall receive 10 days of leave to be used in connection with the birth of the child.

"(2) Leave under paragraph (1) is in addition to other leave authorized under this section.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and applies only with respect to children born on or after that date.

SEC. 533. PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) PILOT PROGRAMS AUTHORIZED.—

(1) IN GENERAL.—Each Secretary of a military department may carry out pilot programs under which officers and enlisted members of the regular components of the Armed Forces under the jurisdiction of such Secretary may be inactivated from active duty in order to meet personal or professional needs and returned to active duty at the end of such period of inactivation from active duty.

(2) PURPOSE.—The purpose of the pilot programs under this section shall be to evaluate whether permitting inactivation from active duty and greater flexibility in career paths for members of the Armed Forces will provide an effective means to enhance retention of members of the Armed Forces and the capacity of the Department of Defense to respond to the personal and professional needs of individual members of the Armed Forces.

(b) LIMITATION ON ELIGIBLE MEMBERS.—A member of the Armed Forces is not eligible to participate in a pilot program under this section during any period of service required of the member—

(1) under an agreement upon entry of the member on active duty; or

(2) due to receipt by the member of a retention bonus as a member qualified in a critical military skill or assigned to a high priority unit under section 355 of title 37, United States Code.

(c) LIMITATION ON NUMBER OF PARTICIPANTS.—Not more than 20 officers and 20 enlisted members of each Armed Force may be selected during each of calendar years 2009 through 2012 to participate in the pilot programs under this section.

(d) PERIOD OF INACTIVATION FROM ACTIVE DUTY; EFFECT OF INACTIVATION.—

(1) LIMITATION.—The period of inactivation from active duty under a pilot program under this section of a member participating in the pilot program shall be such period as the Secretary of the military department concerned shall specify in the agreement of the member under subsection (e), except that such period may not exceed three years.

(2) EXCLUSION FROM COMPUTATION OF RESERVE OFFICER'S TOTAL YEARS OF SERVICE.—Any service by a Reserve officer while participating in a pilot program under this section shall be excluded from computation of the officer's total years of service pursuant to section 14706(a) of title 10, United States Code.

(3) RETIREMENT AND RELATED PURPOSES.—Any period of participation of a member in a pilot program under this section shall not count toward—

(A) eligibility for retirement or transfer to the Ready Reserve under either chapter 571 or 1223 of title 10, United States Code; or

(B) computation of retired or retainer pay under chapter 71 or 1223 of title 10, United States Code.

(e) AGREEMENT.—Each member of the Armed Forces who participates in a pilot program under this section shall enter into a written agreement with the Secretary of the military department concerned under which agreement that member shall agree as follows:

(1) To accept an appointment or enlist, as applicable, and serve in the Ready Reserve of the Armed Force concerned during the period of the member's inactivation from active duty under the pilot program.

(2) To undergo during the period of the inactivation of the member from active duty under the pilot program such inactive duty training as the Secretary concerned shall require in order to ensure that the member retains proficiency, at a level determined by the Secretary concerned to be sufficient, in the member's military skills, professional qualifications, and physical readiness during the inactivation of the member from active duty.

(3) Following completion of the period of the inactivation of the member from active duty under the pilot program, to serve two months as a member of the Armed Forces on active duty for each month of the period of the inactivation of the member from active duty under the pilot program.

(f) CONDITIONS OF RELEASE.—The Secretary of Defense shall issue regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (e). At a minimum, the Secretary shall prescribe the procedures and standards to be used to instruct a member on the obligations to be assumed by the member under para-

graph (2) of such subsection while the member is released from active duty.

(g) ORDER TO ACTIVE DUTY.—Under regulations prescribed by the Secretary of the military department concerned, a member of the Armed Forces participating in a pilot program under this section may, in the discretion of such Secretary, be required to terminate participation in the pilot program and be ordered to active duty.

(h) PAY AND ALLOWANCES.—

(1) BASIC PAY.—During each month of participation in a pilot program under this section, a member who participates in the pilot program shall be paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the member would otherwise be entitled under section 204 of title 37, United States Code, as a member of the uniformed services on active duty in the grade and years of service of the member when the member commences participation in the pilot program.

(2) PROHIBITION ON RECEIPT OF SPECIAL AND INCENTIVE PAYS.—

(A) PROHIBITION ON RECEIPT DURING PARTICIPATION.—A member who participates in a pilot program shall not, while participating in the pilot program, be paid any special or incentive pay or bonus to which the member is otherwise entitled under an agreement under chapter 5 of title 37, United States Code, that is in force when the member commences participation in the pilot program.

(B) TREATMENT OF REQUIRED SERVICE.—The inactivation from active duty of a member participating in a pilot program shall not be treated as a failure of the member to perform any period of service required of the member in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37, United States Code, that is in force when the member commences participation in the pilot program.

(3) REVIVAL OF SPECIAL PAYS UPON RETURN TO ACTIVE DUTY.—

(A) REVIVAL REQUIRED.—Subject to subparagraph (B), upon the return of a member to active duty after completion by the member of participation in a pilot program—

(i) any agreement entered into by the member under chapter 5 of title 37, United States Code, for the payment of a special or incentive pay or bonus that was in force when the member commenced participation in the pilot program shall be revived, with the term of such agreement after revival being the period of the agreement remaining to run when the member commenced participation in the pilot program; and

(ii) any special or incentive pay or bonus shall be payable to the member in accordance with the terms of the agreement concerned for the term specified in clause (i).

(B) LIMITATIONS.—

(i) LIMITATION AT TIME OF RETURN TO ACTIVE DUTY.—Subparagraph (A) shall not apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to a member if, at the time of the return of the member to active duty as described in that subparagraph—

(I) such pay or bonus is no longer authorized by law; or

(II) the member does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the member to active duty.

(ii) CESSATION DURING LATER SERVICE.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to a member if, during the term of the revived agreement of the member under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

(C) REPAYMENT.—A member who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance with the terms of the applicable agreement of the member under chapter 5 of title 37, United States Code.

(D) CONSTRUCTION OF REQUIRED SERVICE.—Any service required of a member under an agreement covered by this paragraph after the member returns to active duty as described in subparagraph (A) shall be in addition to any service required of the member under an agreement under subsection (e).

(4) CERTAIN TRAVEL AND TRANSPORTATION ALLOWANCES.—

(A) IN GENERAL.—Subject to subparagraph (B), a member who participates in a pilot program is entitled, while participating in the pilot program, to the travel and transportation allowances authorized by section 404 of title 37, United States Code, for—

(i) travel performed from the member's residence, at the time of release from active duty to participate in the pilot program, to the location in the United States designated by the member as his residence during the period of participation in the pilot program; and

(ii) travel performed to the member's residence upon return to active duty at the end of the member's participation in the pilot program.

(B) LIMITATION.—An allowance is payable under this paragraph only with respect to travel of a member to and from a single residence.

(i) PROMOTION.—

(1) OFFICERS.—

(A) LIMITATION ON PROMOTION.—An officer participating in a pilot program under this section shall not, while participating in the pilot program, be eligible for consideration

for promotion under chapter 36 or 1405 of title 10, United States Code.

(B) PROMOTION AND RANK UPON RETURN TO ACTIVE DUTY.—Upon the return of an officer to active duty after completion by the officer of participation in a pilot program—

(i) the Secretary of the military department concerned shall adjust the officer's date of rank in such manner as the Secretary of Defense shall prescribe in regulations for purposes of this section; and

(ii) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

(2) ENLISTED MEMBERS.—An enlisted member participating in a pilot program shall not be eligible for consideration for promotion during the period that—

(A) begins on the date of the member's inactivation from active duty under the pilot program; and

(B) ends at such time after the return of the member to active duty under the pilot program that the member is treatable as eligible for promotion by reason of time in grade and such other requirements as the Secretary of the military department concerned shall prescribe in regulations for purposes of the pilot program.

(j) MEDICAL AND DENTAL CARE.—A member participating in a pilot program under this section shall, while participating in the pilot program, be treated as a member of the Armed Forces on active duty for a period of more than 30 days for purposes of the entitlement of the member and the member's dependents to medical and dental care under the provisions of chapter 55 of title 10, United States Code.

(k) REPORTS.—

(1) INTERIM REPORTS.—Not later than June 1, 2011, and June 1, 2013, the Secretary of each military department shall submit to the congressional defense committees a report on the implementation and current status of the pilot programs conducted by such Secretary under this section.

(2) FINAL REPORT.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the pilot programs conducted under this section.

(3) ELEMENTS OF REPORT.—Each interim report and the final report under this subsection shall include the following:

(A) A description of each pilot program conducted under this section, including a description of the number of applicants for such pilot program and the criteria used to select individuals for participation in such pilot program.

(B) An assessment by the Secretary concerned of the pilot programs, including an evaluation of whether—

(i) the authorities of the pilot programs provided an effective means to enhance the retention of members of the Armed Forces possessing critical skills, talents, and leadership abilities;

(ii) the career progression in the Armed Forces of individuals who participate in the pilot program has been or will be adversely affected; and

(iii) the usefulness of the pilot program in responding to the personal and professional needs of individual members of the Armed Forces.

(C) Such recommendations for legislative or administrative action as the Secretary concerned considers appropriate for the modification or continuation of the pilot programs.

(l) DURATION OF PROGRAM AUTHORITY.—The authority to conduct a pilot program under this section shall commence on January 1, 2009. No member of the Armed Forces may be released from active duty under a pilot program under this section after December 31, 2012.

Subtitle E—Education and Training

SEC. 540. AUTHORIZED STRENGTH OF MILITARY SERVICE ACADEMIES AND REPEAL OF PROHIBITION ON PHASED INCREASE IN MIDSHIPMEN AND CADET STRENGTH LIMIT AT NAVAL ACADEMY AND AIR FORCE ACADEMY.

(a) MILITARY ACADEMY.—Section 4342(a) of title 10, United States Code, is amended by striking "4,000 or such higher number" and inserting "4,400 or such lower number".

(b) NAVAL ACADEMY.—Section 6954 of such title is amended—

(1) in subsection (a), by striking "4,000 or such higher number" and inserting "4,400 or such lower number"; and

(2) in subsection (h)(1), by striking the last sentence.

(c) AIR FORCE ACADEMY.—Section 9342 of such title is amended—

(1) in subsection (a), by striking "4,000 or such higher number" and inserting "4,400 or such lower number"; and

(2) in subsection (j)(1), by striking the last sentence.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to academic years at the United States Military Academy, the United States Naval Academy, and the Air Force Academy after the 2007-2008 academic year.

SEC. 541. PROMOTION OF FOREIGN AND CULTURAL EXCHANGE ACTIVITIES AT MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—

(1) IN GENERAL.—Chapter 403 of title 10, United States Code, is amended by inserting after section 4345 the following new section:

"§ 4345a. Foreign and cultural exchange activities

"(a) ATTENDANCE AUTHORIZED.—The Secretary of the Army may authorize the Academy to permit students, officers, and other representatives of a foreign country to attend the Academy for periods of not more than two weeks if the Secretary determines that the attendance of such persons contributes significantly to the development of foreign language, cross cultural interactions and understanding, and cultural immersion of cadets.

"(b) COSTS AND EXPENSES.—The Secretary may pay the travel, subsistence, and similar personal expenses of persons incurred to attend the Academy under subsection (a).

"(c) EFFECT OF ATTENDANCE.—Persons attending the Academy under subsection (a) are not considered to be students enrolled at the Academy and are in addition to persons receiving instruction at the Academy under section 4344 or 4345 of this title.

"(d) SOURCE OF FUNDS; LIMITATION.—(1) The Academy shall bear the costs of the attendance of persons under subsection (a) from funds appropriated for the Academy and from such additional funds as may be available to the Academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training activities in connection with their attendance.

"(2) Expenditures from appropriated funds in support of activities under this section may not exceed $40,000 during any fiscal year.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4345 the following new item:

"4345a. Foreign and cultural exchange activities.".

(b) NAVAL ACADEMY.—

(1) IN GENERAL.—Chapter 603 of title 10, United States Code, is amended by inserting after section 6957a the following new section:

"§ 6957b. Foreign and cultural exchange activities

"(a) ATTENDANCE AUTHORIZED.—The Secretary of the Navy may authorize the Naval Academy to permit students, officers, and other representatives of a foreign country to attend the Naval Academy for periods of not more than two weeks if the Secretary determines that the attendance of such persons contributes significantly to the development of foreign language, cross cultural interactions and understanding, and cultural immersion of midshipmen.

"(b) COSTS AND EXPENSES.—The Secretary may pay the travel, subsistence, and similar personal expenses of persons incurred to attend the Naval Academy under subsection (a).

"(c) EFFECT OF ATTENDANCE.—Persons attending the Naval Academy under subsection (a) are not considered to be students enrolled at the Naval Academy and are in addition to persons receiving instruction at the Naval Academy under section 6957 or 6957a of this title.

"(d) SOURCE OF FUNDS; LIMITATION.—(1) The Naval Academy shall bear the costs of the attendance of persons under subsection (a) from funds appropriated for the Naval Academy and from such additional funds as may be available to the Naval Academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training activities in connection with their attendance.

"(2) Expenditures from appropriated funds in support of activities under this section may not exceed $40,000 during any fiscal year.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 6957a the following new item:

"6957b. Foreign and cultural exchange activities.".

(c) AIR FORCE ACADEMY.—

(1) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended by inserting after section 9345 the following new section:

"§ 9345a. Foreign and cultural exchange activities

"(a) ATTENDANCE AUTHORIZED.—The Secretary of the Air Force may authorize the Air Force Academy to permit students, officers, and other representatives of a foreign country to attend the Air Force Academy for periods of not more than two weeks if the Secretary determines that the attendance of such persons contributes significantly to the development of foreign language, cross cultural interactions and understanding, and cultural immersion of cadets.

"(b) COSTS AND EXPENSES.—The Secretary may pay the travel, subsistence, and similar personal expenses of persons incurred to attend the Air Force Academy under subsection (a).

"(c) EFFECT OF ATTENDANCE.—Persons attending the Air Force Academy under subsection (a) are not considered to be students enrolled at the Air Force Academy and are in addition to persons receiving instruction at the Air Force Academy under section 9344 or 9345 of this title.

"(d) SOURCE OF FUNDS; LIMITATION.—(1) The Air Force Academy shall bear the costs of the attendance of persons under subsection (a) from funds appropriated for the Air Force Academy and from such additional funds as may be available to the Air Force Academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training activities in connection with their attendance.

"(2) Expenditures from appropriated funds in support of activities under this section may not exceed $40,000 during any fiscal year.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9345 the following new item:

"9345a. Foreign and cultural exchange activities.".

SEC. 542. INCREASED AUTHORITY TO ENROLL DEFENSE INDUSTRY EMPLOYEES IN DEFENSE PRODUCT DEVELOPMENT PROGRAM.

Section 7049(a) of title 10, United States Code, is amended by striking "25" and inserting "125".

SEC. 543. EXPANDED AUTHORITY FOR INSTITUTIONS OF PROFESSIONAL MILITARY EDUCATION TO AWARD DEGREES.

(a) NATIONAL DEFENSE INTELLIGENCE COLLEGE.—

(1) IN GENERAL.—Section 2161 of title 10, United States Code, is amended to read as follows:

"§ 2161. Degree granting authority for National Defense Intelligence College

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the President of the National Defense Intelligence College may, upon the recommendation of the faculty of the National Defense Intelligence College, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the National Defense Intelligence College is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the National Defense Intelligence College to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of such title is amended by striking the item relating to section 2161 and inserting the following new item:

"2161. Degree granting authority for National Defense Intelligence College.".

(b) NATIONAL DEFENSE UNIVERSITY.—

(1) IN GENERAL.—Section 2163 of such title is amended to read as follows:

"§ 2163. Degree granting authority for National Defense University

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the President of the National Defense University may, upon the recommendation of the faculty of the National Defense University, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the National Defense University is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the National Defense University to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of such title is amended by striking the item relating to section 2163 and inserting the following new item:

"2163. Degree granting authority for National Defense University.".

(c) UNITED STATES ARMY COMMAND AND GENERAL STAFF COLLEGE.—

(1) IN GENERAL.—Section 4314 of such title is amended to read as follows:

"§ 4314. Degree granting authority for United States Army Command and General Staff College

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the Commandant of the United States Army Command and General Staff College may, upon the recommendation of the faculty and dean of the college, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the United States Army Command and General Staff College is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the United States Army Command and General Staff College to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 401 of such title is amended by striking the item relating to section 4314 and inserting the following new item:

"4314. Degree granting authority for United States Army Command and General Staff College.".

(d) UNITED STATES ARMY WAR COLLEGE.—

(1) IN GENERAL.—Section 4321 of title 10, United States Code, is amended to read as follows:

"§ 4321. Degree granting authority for United States Army War College

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the Commandant of the United States Army War College may, upon the recommendation of the faculty and dean of the college, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the United States Army War College is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the United States Army War College to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 401 of such title is amended by striking the item relating to section 4321 and inserting the following new item:

"4321. Degree granting authority for United States Army War College.".

(e) UNITED STATES NAVAL POSTGRADUATE SCHOOL.—

(1) IN GENERAL.—Section 7048 of such title is amended to read as follows:

"§ 7048. Degree granting authority for United States Naval Postgraduate School

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Navy, the President of the Naval Postgraduate School may, upon the recommendation of the faculty of the Naval Postgraduate School, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the Naval Postgraduate School is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the Naval Postgraduate School to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 605 of such title is amended by striking the item relating to section 7048 and inserting the following new item:

"7048. Degree granting authority for United States Naval Postgraduate School.".

(f) NAVAL WAR COLLEGE.—

(1) IN GENERAL.—Section 7101 of such title is amended to read as follows:

"§ 7101. Degree granting authority for Naval War College

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Navy, the President of the Naval War College may, upon the recommendation of the faculty of the Naval War College compo-

nents, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the Naval War College is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the Naval War College to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 609 of such title is amended by striking the item relating to section 7101 and inserting the following new item:

"7101. Degree granting authority for Naval War College.".

(g) MARINE CORPS UNIVERSITY.—

(1) IN GENERAL.—Section 7102 of such title is amended to read as follows:

"§ 7102. Degree granting authority for Marine Corps University

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Navy, the President of the Marine Corps University may, upon the recommendation of the directors and faculty of the Marine Corps University, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the Marine Corps University is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the Marine Corps University to award any new or existing degree.

"(d) BOARD OF ADVISORS.—The Secretary of the Navy shall establish a board of advisors for the Marine Corps University. The Secretary shall ensure that the board is established so as to meet all requirements of the appropriate regional accrediting association.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 609 of such title is amended by striking the item relating to section 7102 and inserting the following new item:

"7102. Degree granting authority for Marine Corps University.".

(h) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—

(1) IN GENERAL.—Section 9314 of such title is amended to read as follows:

"§ 9314. Degree granting authority for United States Air Force Institute of Technology

"(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Air Force, the commander of the Air University may, upon the recommendation of the faculty of the United States Air Force Institute of Technology, confer appropriate degrees upon graduates of the United States Air Force Institute of Technology who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the United States Air Force Institute of Technology is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the United States Air Force Institute of Technology to award any new or existing degree.

"(d) CIVILIAN FACULTY.—(1) The Secretary of the Air Force may employ as many civilian faculty members at the United States Air Force Institute of Technology as is consistent with the needs of the Air Force and with Department of Defense personnel limits.

"(2) The Secretary shall prescribe regulations determining—

"(A) titles and duties of civilian members of the faculty; and

"(B) pay of civilian members of the faculty, notwithstanding chapter 53 of title 5, but subject to the limitation set out in section 5373 of title 5.

"(e) REIMBURSEMENT AND TUITION.—(1) The Department of the Army, the Department of the Navy, and the Department of Homeland Security shall bear the cost of the instruction at the Air Force Institute of Technology that is received by members of the armed forces detailed for that instruction by the Secretaries of the Army, Navy, and Homeland Security, respectively.

"(2) Members of the Army, Navy, Marine Corps, and Coast Guard may only be detailed for instruction at the Institute on a space-available basis.

"(3) In the case of an enlisted member of the Army, Navy, Marine Corps, and Coast Guard permitted to receive instruction at the

Institute, the Secretary of the Air Force shall charge that member only for such costs and fees as the Secretary considers appropriate (taking into consideration the admission of enlisted members on a space-available basis).

"(f) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Air Force may authorize the Commandant of the United States Air Force Institute of Technology to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Institute for a scientific, literary, or educational purpose.

"(2) A qualifying research grant under this subsection is a grant that is awarded on a competitive basis by an entity referred to in paragraph (3) for a research project with a scientific, literary, or educational purpose.

"(3) A grant may be accepted under this subsection only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

"(4) The Secretary shall establish an account for administering funds received as research grants under this section. The Commandant of the Institute shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

"(5) Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Institute may be used to pay expenses incurred by the Institute in applying for, and otherwise pursuing, the award of qualifying research grants.

"(6) The Secretary shall prescribe regulations for the administration of this subsection.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 901 of such title is amended by striking the item relating to section 9314 and inserting the following new item:

"9314. Degree granting authority for United States Air Force Institute of Technology.".

(i) AIR UNIVERSITY.—

(1) IN GENERAL.—Section 9317 of such title is amended to read as follows:

"§ 9317. Degree granting authority for Air University

"(a) AUTHORITY.—Except as provided in sections 9314 and 9315 of this title, under regulations prescribed by the Secretary of the Air Force, the commander of the Air University may, upon the recommendation of the faculty of the Air University components, confer appropriate degrees upon graduates who meet the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the Air University is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

"(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education's National Advisory Committee on Institutional Quality and Integrity; and

"(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

"(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

"(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the Air University to award any new or existing degree.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 901 of such title is amended by striking the item relating to section 9317 and inserting the following new item:

"9317. Degree granting authority for Air University.".

(j) EFFECTIVE DATE.—The amendments made by this section shall apply to any degree granting authority established, modified, or redesignated on or after the date of enactment of this Act for an institution of professional military education referred to in such amendments.

SEC. 544. TUITION FOR ATTENDANCE OF FEDERAL EMPLOYEES AT THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

Subsection (e) of section 9314 of title 10, United States Code, as amended by section 543(h), is further amended by adding at the end the following new paragraphs:

"(4)(A) The Institute shall charge tuition for the cost of providing instruction at the Institute for any civilian employee of a military department (other than a civilian employee of the Department of the Air Force), of another component of the Department of Defense, or of another Federal agency who receives instruction at the Institute.

"(B) The cost of any tuition charged an individual under this paragraph shall be borne by the department, agency, or component sending the individual for instruction at the Institute.

"(5) Amounts received by the Institute for the instruction of students under this subsection shall be retained by the Institute. Such amounts shall be available to the Institute to cover the costs of

such instruction. The source and disposition of such amounts shall be specifically identified in the records of the Institute.".

SEC. 545. INCREASE IN NUMBER OF PERMANENT PROFESSORS AT THE UNITED STATES AIR FORCE ACADEMY.

Section 9331(b)(4) of title 10, United States Code, is amended by striking "21 permanent professors" and inserting "23 permanent professors".

SEC. 546. REQUIREMENT OF COMPLETION OF SERVICE UNDER HONORABLE CONDITIONS FOR PURPOSES OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS.

(a) REQUIREMENT OF HONORABLE SERVICE.—Section 16164(a)(2) of title 10, United States Code, is amended by striking "other than dishonorable conditions" and inserting "honorable conditions".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to a person described in section 16163 of title 10, United States Code, who—

(1) separates from a reserve component on or after January 28, 2008, the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008; and

(2) as of the date of the enactment of this Act, has not used any of the person's entitlement to educational assistance under chapter 1607 of such title.

SEC. 547. CONSISTENT EDUCATION LOAN REPAYMENT AUTHORITY FOR HEALTH PROFESSIONALS IN REGULAR COMPONENTS AND SELECTED RESERVE.

Section 16302(c) of title 10, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following new paragraph:

"(2) The annual maximum amount of a loan that may be repaid under this section shall be the same as the maximum amount in effect for the same year under subsection (e)(2) of section 2173 of this title for the education loan repayment program under such section.".

SEC. 548. INCREASE IN NUMBER OF UNITS OF JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) PLAN FOR INCREASE.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall develop and implement a plan to establish and support, not later than September 30, 2020, not less than 3,700 units of the Junior Reserve Officers' Training Corps.

(b) EXCEPTIONS.—The requirement imposed in subsection (a) shall not apply—

(1) if the Secretary fails to receive an adequate number or requests for Junior Reserve Officers' Training Corps units by public and private secondary educational institutions; or

(2) during a time of national emergency when the Secretaries of the military departments determine that funding must be allocated elsewhere.

(c) COOPERATION.—The Secretary of Defense, as part of the plan to establish and support additional Junior Reserve Officers' Training Corps units, shall work with local educational agencies to in-

crease the employment in Junior Reserve Officers' Training Corps units of retired members of the Armed Forces who are retired under chapter 61 of title 10, United States Code, especially members who were wounded or injured while deployed in a contingency operation.

(d) REPORT ON PLAN.—Upon completion of the plan, the Secretary of Defense shall provide a report to the congressional defense committees containing, at a minimum, the following:

(1) A description of how the Secretaries of the military departments expect to achieve the number of units of the Junior Reserve Officers' Training Corps specified in subsection (a), including how many units will be established per year by each service.

(2) The annual funding necessary to support the increase in units, including the personnel costs associated.

(3) The number of qualified private and public schools, if any, who have requested a Junior Reserve Officers' Training Corps unit that are on a waiting list.

(4) Efforts to improve the increased distribution of units geographically across the United States.

(5) Efforts to increase distribution of units in educationally and economically deprived areas.

(6) Efforts to enhance employment opportunities for qualified former military members retired for disability, especially those wounded while deployed in a contingency operation.

(e) TIME FOR SUBMISSION.—The plan required under subsection (a), along with the report required by subsection (d), shall be submitted to the congressional defense committees not later than March 31, 2009. The Secretary of Defense shall submit an up-dated report annually thereafter until the minimum number of units of the Junior Reserve Officers' Training Corps specified in subsection (a) is achieved.

SEC. 549. CORRECTION OF ERRONEOUS ARMY COLLEGE FUND BENEFIT AMOUNTS.

(a) CORRECTION AND PAYMENT AUTHORITY.—

(1) CONSIDERATION OF REQUESTS FOR CORRECTION.—The Secretary of the Army may consider, through the Army Board for the Correction of Military Records, a request for the correction of military records relating to the amount of the Army College Fund benefit to which a member or former member of the Armed Forces may be entitled under an Army Incentive Program contract.

(2) PAYMENT AUTHORITY.—If the Secretary of the Army determines that the correction of military records is appropriate in response to a request received under paragraph (1), the Secretary may pay such amounts as the Secretary considers necessary to ensure fairness and equity with regard to the request.

(b) EXCEPTION TO PAYMENT LIMITS.—A payment under subsection (a)(2) may be made without regard to any limits on the total combined amounts established for the Army College Fund and the Montgomery G.I. Bill.

(c) FUNDING SOURCE.—Payments under subsection (a)(2) shall be made solely from funds appropriated for military personnel programs for fiscal year 2009.

(d) TERMINATION DATE.—No payment may be made under subsection (a)(2) after December 31, 2009.

SEC. 550. ENHANCING EDUCATION PARTNERSHIPS TO IMPROVE ACCESSIBILITY AND FLEXIBILITY FOR MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY.—The Secretary of a military department may enter into one or more education partnership agreements with educational institutions in the United States for the purpose of—

(1) developing plans to improve the accessibility and flexibility of college courses available to eligible members of the Armed Forces;

(2) improving the application process for the Armed Forces tuition assistance programs and raising awareness regarding educational opportunities available to such members;

(3) developing curriculum, distance education programs, and career counseling designed to meet the professional, financial, academic, and social needs of such members; and

(4) assessing how resources may be applied more effectively to meet the educational needs of such members.

(b) COST.—Except as provided in this section, execution of an education partnership agreement with an educational institution shall be at no cost to the Government.

(c) EDUCATIONAL INSTITUTION DEFINED.—In this section, the term "educational institution" means an accredited college, university, or technical school in the United States.

Subtitle F—Defense Dependents' Education

SEC. 551. 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 2009 pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $35,000,000 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 2009 pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $15,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of such section 572.

(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. 552. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2009 pursuant to 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. 553. TRANSITION OF MILITARY DEPENDENT STUDENTS AMONG LOCAL EDUCATIONAL AGENCIES.

Subsection (d) of section 574 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2227; 20 U.S.C. 7703b note) is amended to read as follows:

"(d) TRANSITION OF MILITARY DEPENDENTS AMONG LOCAL EDUCATIONAL AGENCIES.—(1) The Secretary of Defense shall work collaboratively with the Secretary of Education in any efforts to ease the transitions of military dependent students from Department of Defense dependent schools to other schools and among schools of local educational agencies.

"(2) The Secretary of Defense may use funds of the Department of Defense Education Activity for the following purposes:

"(A) To share expertise and experience of the Activity with local educational agencies as military dependent students make the transitions described in paragraph (1), including transitions resulting from the closure or realignment of military installations under a base closure law, global rebasing, and force restructuring.

"(B) To provide programs for local educational agencies with military dependent students undergoing the transitions described in paragraph (1), including—

"(i) distance learning programs; and

"(ii) training programs to improve the ability of military dependent students who attend public schools in the United States and their teachers to meet the educational needs of such students.

"(3) The authority provided by this subsection expires September 30, 2013.".

SEC. 554. CALCULATION OF PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN UNDER DEPARTMENT OF EDUCATION'S IMPACT AID PROGRAM.

In fiscal year 2009, section 8003(a)(2)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(2)(C)(i)) shall be applied by substituting "5,000" for "6,500".

Subtitle G—Military Justice

SEC. 561. EFFECTIVE PERIOD OF MILITARY PROTECTIVE ORDERS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

"SEC. 1567. DURATION OF MILITARY PROTECTIVE ORDERS.

"A military protective order issued by a military commander shall remain in effect until such time as the military commander terminates the order or issues a replacement order.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1567. Duration of military protective orders.".

SEC. 562. MANDATORY NOTIFICATION OF ISSUANCE OF MILITARY PROTECTIVE ORDER TO CIVILIAN LAW ENFORCEMENT.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1567, as added by section 561, the following new section:

"SEC. 1567a. MANDATORY NOTIFICATION OF ISSUANCE OF MILITARY PROTECTIVE ORDER TO CIVILIAN LAW ENFORCEMENT.

"(a) INITIAL NOTIFICATION.—In the event a military protective order is issued against a member of the armed forces and any individual involved in the order does not reside on a military installation at any time during the duration of the military protective order, the commander of the military installation shall notify the appropriate civilian authorities of—

"(1) the issuance of the protective order; and

"(2) the individuals involved in the order.

"(b) NOTIFICATION OF CHANGES OR TERMINATION.—The commander of the military installation also shall notify the appropriate civilian authorities of—

"(1) any change made in a protective order covered by subsection (a); and

"(2) the termination of the protective order.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1567 the following new item:

"1567a. Mandatory notification of issuance of military protective order to civilian law enforcement.".

SEC. 563. IMPLEMENTATION OF INFORMATION DATABASE ON SEXUAL ASSAULT INCIDENTS IN THE ARMED FORCES.

(a) DATABASE REQUIRED.—The Secretary of Defense shall implement a centralized, case-level database for the collection, in a manner consistent with Department of Defense regulations for restricted reporting, and maintenance of information regarding sexual assaults involving a member of the Armed Forces, including information, if available, about the nature of the assault, the victim, the offender, and the outcome of any legal proceedings in connection with the assault.

(b) AVAILABILITY OF DATABASE.—The database required by subsection (a) shall be available to personnel of the Sexual Assault Prevention and Response Office of the Department of Defense.

(c) IMPLEMENTATION.—

(1) PLAN FOR IMPLEMENTATION.—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 plan to provide for the implementation of the database required by subsection (a).

(2) RELATION TO DEFENSE INCIDENT-BASED REPORTING SYSTEM.—Not later than 180 days after the date of 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—

(A) a description of the current status of the Defense Incident-Based Reporting System; and

(B) an explanation of how the Defense Incident-Based Reporting System will relate to the database required by subsection (a)

(3) COMPLETION.—Not later than 15 months after the date of enactment of this Act, the Secretary shall complete implementation of the database required by subsection (a).

(d) REPORTS.—The database required by subsection (a) shall be used to develop and implement congressional reports, as required by—

(1) section 577(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375);

(2) section 596(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163);

(3) section 532 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364); and

(4) sections 4361, 6980, and 9361 of title 10, United States Code.

(e) TERMINOLOGY.—Section 577(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) is amended by adding at the end the following new paragraph:

"(12) The Secretary shall implement clear, consistent, and streamlined sexual assault terminology for use throughout the Department of Defense.".

Subtitle H—Decorations, Awards, and Honorary Promotions

SEC. 571. REPLACEMENT OF MILITARY DECORATIONS.

(a) REPLACEMENT REQUIRED.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1135. Replacement of military decorations

"(a) REPLACEMENT.—In addition to other authorities available to the Secretary concerned to replace a military decoration, the Secretary concerned shall replace, on a one-time basis and without charge, a military decoration upon the request of the recipient of the military decoration or the immediate next of kin of a deceased recipient.

"(b) MILITARY DECORATION DEFINED.—In this section, the term 'decoration' means any decoration or award (other than the medal of honor) that may be presented or awarded by the President or the Secretary concerned to a member of the armed forces.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1135. Replacement of military decorations.".

SEC. 572. AUTHORIZATION AND REQUEST FOR AWARD OF MEDAL OF HONOR TO RICHARD L. ETCHBERGER FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 8744 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 8741 of such title to former Chief Master Sergeant Richard L. Etchberger 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 then Chief Master Sergeant Richard L. Etchberger as Ground Radar Superintendent of Detachment 1, 1043rd Radar Evaluation Squadron on March 11, 1968, during the Vietnam War for which he was originally awarded the Air Force Cross.

Subtitle I—Military Families

SEC. 581. PRESENTATION OF BURIAL FLAG TO THE SURVIVING SPOUSE AND CHILDREN OF DECEASED MEMBERS OF THE ARMED FORCES.

(a) INCLUSION OF SURVIVING SPOUSE AND CHILDREN; CONSOLIDATION OF FLAG-RELATED AUTHORITIES.—Subsection (e) of section 1482 of title 10, United States Code, is amended—

(1) by designating the current text as paragraph (2) and redesignating current paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting before paragraph (2), as so designated, the following:

"(e) PRESENTATION OF FLAG OF THE UNITED STATES.—(1) In the case of a decedent covered by section 1481 of this title, the Secretary concerned may pay the necessary expenses for the presentation of a flag of the United States to the following persons:

"(A) The person designated under subsection (c) to direct disposition of the remains of the decedent.

"(B) The parents or parent of the decedent, if the person to be presented a flag under subparagraph (A) is other than a parent of the decedent.

"(C) The surviving spouse of the decedent (including a surviving spouse who remarries after the decedent's death), if the person to be presented a flag under subparagraph (A) is other than the surviving spouse.

"(D) Each child of the decedent, regardless of whether the person to be presented a flag under subparagraph (A) is a child of the decedent."; and

(3) by inserting at the end the following new paragraphs:

"(3) A flag to be presented to a person under subparagraph (B), (C), or (D) of paragraph (1) shall be of equal size to the flag pre-

sented under subparagraph (A) of such paragraph to the person designated to direct disposition of the remains of the decedent.

"(4) This subsection does not apply to a military prisoner who dies while in the custody of the Secretary concerned and while under a sentence that includes a discharge.

"(5) In this subsection:

"(A) The term 'parent' includes a natural parent, a stepparent, a parent by adoption, or a person who for a period of not less than one year before the death of the decedent stood in loco parentis to the decedent. Preference under paragraph (1)(B) shall be given to the persons who exercised a parental relationship at the time of, or most nearly before, the death of the decedent.

"(B) The term 'child' has the meaning prescribed by section 1477(d) of this title.".

(b) REPEAL OF SUPERSEDED PROVISIONS.—Subsection (a) of such section is amended by striking paragraphs (10) and (11).

SEC. 582. EDUCATION AND TRAINING OPPORTUNITIES FOR MILITARY SPOUSES.

(a) EMPLOYMENT AND PORTABLE CAREER OPPORTUNITIES FOR SPOUSES.—Subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after section 1784 the following new section:

"§ 1784a. Education and training opportunities for military spouses to expand employment and portable career opportunities

"(a) PROGRAMS AND TUITION ASSISTANCE.—(1) The Secretary of Defense may establish programs to assist the spouse of a member of the armed forces described in subsection (b) in achieving—

"(A) the education and training required for a degree or credential at an accredited college, university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

"(B) the education prerequisites and professional licensure or credential required, by a government or government sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

"(2) As an alternative to, or in addition to, establishing a program under this subsection, the Secretary may provide tuition assistance to an eligible spouse who is pursuing education, training, or a license or credential to expand the spouse's employment and portable career opportunities.

"(b) ELIGIBLE SPOUSES.—Assistance under this section is limited to a spouse of a member of the armed forces who is serving on active duty.

"(c) EXCEPTIONS.—Subsection (b) does not include—

"(1) a person who is married to, but legally separated from, a member of the armed forces under court order or statute of any State or territorial possession of the United States; and

"(2) a spouse of a member of the armed forces who is also a member of the armed forces.

"(d) PORTABLE CAREER OPPORTUNITIES DEFINED.—In this section, the term 'portable career' includes an occupation identified by the

Secretary of Defense, in consultation with the Secretary of Labor, as requiring education and training that results in a credential that is recognized nationwide by industry or specific businesses.

"(e) REGULATIONS.—The Secretary of Defense shall prescribe regulations to govern the availability and use of assistance under this section. The Secretary shall ensure that programs established under this section do not result in inequitable treatment for spouses of members of the armed forces who are also members, since they are excluded from participation in the programs under subsection (c)(2).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1784 the following new item:

"1784a. Education and training opportunities for military spouses to expand employment and portable career opportunities.".

SEC. 583. SENSE OF CONGRESS REGARDING HONOR GUARD DETAILS FOR FUNERALS OF VETERANS.

It is the sense of Congress that the Secretaries of the military departments should, to the maximum extent practicable, provide honor guard details for the funerals of veterans as is required under section 1491 of title 10, United States Code, as added by section 567(b) of Public Law 105–261 (112 Stat. 2030).

Subtitle J—Other Matters

SEC. 591. PROHIBITION ON INTERFERENCE IN INDEPENDENT LEGAL ADVICE BY THE LEGAL COUNSEL TO THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

Section 156(d) of title 10, United States Code, is amended—

(1) by inserting "(1)" before "The Legal Counsel"; and

(2) by adding at the end the following new paragraph:

"(2) No officer or employee of the Department of Defense may interfere with the ability of the Legal Counsel to give independent legal advice to the Chairman of the Joint Chiefs of Staff and to the Joint Chiefs of Staff.".

SEC. 592. INTEREST PAYMENTS ON CERTAIN CLAIMS ARISING FROM CORRECTION OF MILITARY RECORDS.

(a) INTEREST PAYABLE ON CLAIMS.—Subsection (c) of section 1552 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) If the correction of military records under this section involves setting aside a conviction by court-martial, the payment of a claim under this subsection in connection with the correction of the records shall include interest at a rate to be determined by the Secretary concerned, unless the Secretary determines that the payment of interest is inappropriate under the circumstances. If the payment of the claim is to include interest, the interest shall be calculated on an annual basis, and compounded, using the amount of the lost pay, allowances, compensation, emoluments, or other pecuniary benefits involved, and the amount of any fine or forfeiture paid, beginning from the date of the conviction through the date on which the payment is made.".

(b) CLERICAL AMENDMENTS.—Subsection (c) of such section is further amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by inserting "(1)" after "(c)";

(3) by striking "If the claimant" and inserting the following: "(2) If the claimant"; and

(4) by striking "A claimant's acceptance" and inserting the following:

"(3) A claimant's acceptance".

(c) RETROACTIVE EFFECTIVENESS OF AMENDMENTS.—The amendment made by subsection (a) shall apply with respect to any sentence of a court-martial set aside by a Corrections Board on or after October 1, 2007, when the Corrections Board includes an order or recommendation for the payment of a claim for the loss of pay, allowances, compensation, emoluments, or other pecuniary benefits, or for the repayment of a fine or forfeiture, that arose as a result of the conviction. In this subsection, the term "Corrections Board" has the meaning given that term in section 1557 of title 10, United States Code.

SEC. 593. EXTENSION OF LIMITATION ON REDUCTIONS OF PERSONNEL OF AGENCIES RESPONSIBLE FOR REVIEW AND CORRECTION OF MILITARY RECORDS.

Section 1559(a) of title 10, United States Code, is amended by striking "October 1, 2008" and inserting "December 31, 2010".

SEC. 594. MODIFICATION OF MATCHING FUND REQUIREMENTS UNDER NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

(a) IN GENERAL.—Subsection (d) of section 509 of title 32, United States Code, is amended to read as follows:

"(d) MATCHING FUNDS REQUIRED.—(1) The amount of assistance provided by the Secretary of Defense to a State program of the Program for a fiscal year under this section may not exceed 60 percent of the costs of operating the State program during that fiscal year.

"(2) The limitation in paragraph (1) may not be construed as a limitation on the amount of assistance that may be provided to a State program of the Program for a fiscal year from sources other than the Department of Defense.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to fiscal years beginning on or after that date.

SEC. 595. MILITARY SALUTE FOR THE FLAG DURING THE NATIONAL ANTHEM BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.

Section 301(b)(1) of title 36, United States Code, is amended by striking subparagraphs (A) through (C) and inserting the following new subparagraphs:

"(A) individuals in uniform should give the military salute at the first note of the anthem and maintain that position until the last note;

"(B) members of the Armed Forces and veterans who are present but not in uniform may render the military salute in the manner provided for individuals in uniform; and

"(C) all other persons present should face the flag and stand at attention with their right hand over the heart,

and men not in uniform, if applicable, should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart; and".

SEC. 596. MILITARY LEADERSHIP DIVERSITY COMMISSION.

(a) ESTABLISHMENT OF COMMISSION.—There is hereby established a commission to be known as the "Military Leadership Diversity Commission" (in this section referred to as the "commission").

(b) COMPOSITION.—

(1) MEMBERSHIP.—The commission shall be composed of the following members:

(A) The Director of the Defense Manpower Management Center.

(B) The Director of the Defense Equal Opportunity Management Institute.

(C) A commissioned officer from each of the Army, Navy, Air Force, and Marine Corps who 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.

(E) A retired noncommissioned officer from each of the Army, Navy, Air Force, and Marine Corps.

(F) Five retired commissioned officers who served in leadership positions with either a military department command or combatant command, of whom no less than three shall represent the views of minority veterans.

(G) Four individuals with expertise in cultivating diverse leaders in private or non-profit organizations.

(H) An attorney with appropriate experience and expertise in constitutional and legal matters related to the duties and responsibilities of the commission.

(2) APPOINTMENT.—The members of the commission referred to in subparagraphs (C) through (H) of paragraph (1) shall be appointed by the Secretary of Defense.

(3) CHAIRMAN.—The Secretary of Defense shall designate one member described in paragraphs (1)(F) or (1)(G) as chairman of the commission.

(4) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the commission. Any vacancy in the commission shall be filled in the same manner as the original appointment.

(5) DEADLINE FOR APPOINTMENT.—All members of the commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(6) QUORUM.—Fifteen members of the commission shall constitute a quorum but a lesser number may hold hearings.

(c) MEETINGS.—

(1) INITIAL MEETING.—The commission shall conduct its first meeting not later than 30 days after the date on which a majority of the appointed members of the commission have been appointed.

(2) MEETINGS.—The commission shall meet at the call of the chairman.

(d) DUTIES.—

(1) STUDY.—The commission shall conduct a comprehensive evaluation and assessment of policies that provide opportunities for the promotion and advancement of minority members of the Armed Forces, including minority members who are senior officers.

(2) SCOPE OF STUDY.—In carrying out the study, the commission shall examine the following:

(A) The efforts to develop and maintain diverse leadership at all levels of the Armed Forces.

(B) The successes and failures of developing and maintaining a diverse leadership, particularly at the general and flag officer positions.

(C) The effect of expanding Department of Defense secondary educational programs to diverse civilian populations, to include military service academy preparatory schools.

(D) The ability of current recruitment and retention practices to attract and maintain a diverse pool of qualified individuals in sufficient numbers in officer pre-commissioning programs.

(E) The ability of current activities to increase continuation rates for ethnic- and gender-specific members of the Armed Forces.

(F) The benefits of conducting an annual conference attended by civilian military, active-duty and retired military, and corporate leaders on diversity, to include a review of current policy and the annual demographic data from the Defense Equal Opportunity Management Institute.

(G) The status of prior recommendations made to the Department of Defense and to Congress concerning diversity initiatives within the Armed Forces.

(H) The incorporation of private sector practices that have been successful in cultivating diverse leadership.

(I) The establishment and maintenance of fair promotion and command opportunities for ethnic- and gender-specific members of the Armed Forces at the O–5 grade level and above.

(J) An assessment of pre-command billet assignments of ethnic-specific members of the Armed Forces.

(K) An assessment of command selection of ethnic-specific members of the Armed Forces.

(L) The development of a uniform definition, to be used throughout the Department of Defense, of diversity that is congruent with the core values and vision of the Department for the future workforce.

(M) The existing metrics and milestones for evaluating the diversity plans of the Department (including the plans of the military departments) and for facilitating future evaluation and oversight.

(N) The existence and maintenance of fair promotion, assignment, and command opportunities for ethnic- and gender-specific members of the Armed Forces at the levels of

warrant officer, chief warrant officer, company and junior grade, field and mid-grade, and general and flag officer.

(O) The current institutional structure of the Office of Diversity Management and Equal Opportunity of the Department, and of similar officers of the military departments, and their ability to ensure effective and accountable diversity management across the Department.

(P) The options available for improving the substance or implementation of current plans and policies of the Department and the military departments.

(3) CONSULTATION WITH PRIVATE PARTIES.—In carrying out the study under this subsection, the commission may consult with appropriate private, for profit, and non-profit organizations and advocacy groups to learn methods for developing, implementing, and sustaining senior diverse leadership within the Department of Defense.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 12 months after the date on which the commission first meets, the commission shall submit to the President and Congress a report on the study. The report shall include the following:

(A) The findings and conclusions of the commission.

(B) The recommendations of the commission for improving diversity within the Armed Forces.

(C) Such other information and recommendations as the commission considers appropriate.

(2) INTERIM REPORTS.—The commission may submit to the President and Congress interim reports as the Commission considers appropriate.

(f) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the commission considers appropriate.

(2) INFORMATION FROM FEDERAL AGENCIES.—Upon request by the chairman of the commission, any department or agency of the Federal Government may provide information that the commission considers necessary to carry out its duties.

(g) INCLUSION OF COAST GUARD.—

(1) COAST GUARD REPRESENTATION.—In addition to the members of the commission required by subsection (b), the commission shall include two additional members, appointed by the Secretary of Homeland Security, in consultation with the Commandant of the Coast Guard, as follows:

(A) A retired flag officer of the Coast Guard.

(B) A commissioned officer or noncommissioned officer of the Coast Guard on active duty.

(2) ARMED FORCES DEFINED.—In this section, the term "Armed Forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

(h) TERMINATION OF COMMISSION.—The commission shall terminate 60 days after the date on which the commission submits the report under subsection (e)(1).

SEC. 597. DEMONSTRATION PROJECT ON SERVICE OF RETIRED NURSE CORPS OFFICERS AS FACULTY AT CIVILIAN NURSING SCHOOLS.

(a) IN GENERAL.—The Secretary of Defense may conduct a demonstration project to encourage retired military nurses to serve as faculty at civilian nursing schools.

(b) ELIGIBILITY REQUIREMENTS.—

(1) INDIVIDUAL.—An individual is eligible to participate in the demonstration project if the individual—

(A) is a retired nurse corps officer of one of the Armed Forces;

(B) has had at least 26 years of active Federal commissioned service before retiring; and

(C) possesses a doctoral or master degree in nursing that qualifies the officer to become a full faculty member of an accredited school of nursing.

(2) INSTITUTION.—An accredited school of nursing is eligible to participate in the demonstration project if the school or its parent institution of higher education—

(A) is a school of nursing that is accredited to award, at a minimum, a bachelor of science in nursing and provides educational programs leading to such degree;

(B) has a resident Reserve Officers' Training Corps unit at the institution of higher education that fulfils the requirements of sections 2101 and 2102 of title 10, United States Code;

(C) does not prevent Reserve Officers' Training Corps access or military recruiting on campus, as defined in section 983 of title 10, United States Code;

(D) provides any retired nurse corps officer participating in the demonstration project a salary and other compensation at the level to which other similarly situated faculty members of the accredited school of nursing are entitled, as determined by the Secretary of Defense; and

(E) agrees to comply with subsection (d).

(c) COMPENSATION.—The Secretary of Defense may authorize a Secretary of a military department to authorize qualified institutions of higher education to employ as faculty those eligible individuals (as described in subsection (b)) who are receiving retired pay, whose qualifications are approved by the Secretary and the institution of higher education concerned, and who request such employment, subject to the following:

(1) A retired nurse corps officer so employed is entitled to receive the officer's retired pay without reduction by reason of any additional amount paid to the officer by the institution of higher education concerned. In the case of payment of any such additional amount by the institution of higher education concerned, the Secretary of the military department concerned may pay to that institution the amount equal to one-half the amount paid to the retired officer by the institution for any period, up to a maximum of one-half of the difference between the officer's retired pay for that period and the active duty pay and allowances that the officer would have received for that period if on active duty. Payments by the Secretary concerned

under this paragraph shall be made from funds specifically appropriated for that purpose.

(2) Notwithstanding any other provision of law contained in title 10, title 32, or title 37, United States Code, such a retired nurse corps officer is not, while so employed, considered to be on active duty or inactive duty training for any purpose.

(d) SCHOLARSHIPS FOR NURSE OFFICER CANDIDATES.—For purposes of the eligibility of an institution under subsection (b)(2)(E), the following requirements apply:

(1) Each accredited school of nursing at which a retired nurse corps officer serves on the faculty under this section shall provide full academic scholarships to individuals undertaking an educational program at such school leading to a bachelor of science in nursing degree who agree, upon completion of such program, to accept a commission as an officer in the nurse corps of one of the Armed Forces.

(2) The total number of scholarships provided by an accredited school of nursing under paragraph (1) for each officer serving on the faculty of that school under this section shall be such number as the Secretary of Defense shall specify for purposes of this section.

(3) Each accredited school of nursing shall pay to the Department of Defense an amount equal to the value of the scholarship for every nurse officer candidate who fails to be accessed as a nurse corps officer into one of the Armed Forces within one year of receiving a bachelor of science degree in nursing from that school.

(4) The Secretary concerned is authorized to discontinue the demonstration project authorized in this section at any institution of higher education that fails to fulfill the requirements of paragraph (3).

(e) REPORT.—

(1) IN GENERAL.—Not later than 24 months after the commencement of any demonstration project under this section, the Secretary of Defense shall submit to the congressional defense committees a report on the demonstration project. The report shall include a description of the project and a description of plans for the continuation of the project, if any.

(2) ELEMENTS.—The report shall also include, at a minimum, the following:

(A) The current number of retired nurse corps officers who have at least 26 years of active Federal commissioned service who would be eligible to participate in the program.

(B) The number of retired nurse corps officers participating in the demonstration project.

(C) The number of accredited schools of nursing participating in the demonstration project.

(D) The number of nurse officer candidates who have accessed into the military as commissioned nurse corps officers.

(E) The number of scholarships awarded to nurse officer candidates.

(F) The number of nurse officer candidates who have failed to access into the military, if any.

(G) The amount paid to the Department of Defense in the event any nurse officer candidates awarded scholarships by the accredited school of nursing fail to access into the military as commissioned nurse corps officers.

(H) The funds expended in the operation of the demonstration project.

(I) The recommendation of the Secretary of Defense as to whether the demonstration project should be extended.

(f) DEFINITIONS.—In this section, the terms "school of nursing" and "accredited" have the meeting given those terms in section 801 of the Public Health Service Act (42 U.S.C. 296).

(g) SUNSET.—The authority in this section shall expire on June 30, 2014.

SEC. 598. REPORT ON PLANNING FOR PARTICIPATION AND HOSTING OF THE DEPARTMENT OF DEFENSE IN INTERNATIONAL SPORTS ACTIVITIES, COMPETITIONS, AND EVENTS.

(a) REPORT REQUIRED.—Not later than October 1, 2009, 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 comprehensive plan for the following:

(1) The participation by personnel of the Department of Defense in international sports activities, competitions, and events (including the Pan American Games, the Olympic Games, the Paralympic Games, the Military World Games, other activities of the International Military Sports Council (CISM), and the Interallied Confederation of Reserve Officers (CIOR)) through fiscal year 2015.

(2) The hosting by the Department of Defense of military international sports activities, competitions, and events through fiscal year 2015.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A discussion of the military international sports activities, competitions, and events that the Department of Defense intends to seek to host, an estimate of the costs of hosting such activities, competitions, and events that the Department intends to seek to host, and a description of the sources of funding for such costs.

(2) A discussion of the use and replenishment of funds in the account in the Treasury for the Support for International Sporting Competitions for the hosting of such activities, competitions, and events that the Department intends to seek to host.

(3) A discussion of the support that may be obtained from other departments and agencies of the Federal Government, State and local governments, and private entities in encouraging participation of members of the Armed Forces in international sports activities, competitions, and events or in hosting of military international sports activities, competitions, and events.

(4) Such recommendations for legislative or administrative action as the Secretary considers appropriate to implement or enhance planning for the matters described in subsection (a).

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Fiscal year 2009 increase in military basic pay.
Sec. 602. Permanent extension of prohibition on charges for meals received at military treatment facilities by members receiving continuous care.
Sec. 603. Increase in maximum authorized payment or reimbursement amount for temporary lodging expenses.
Sec. 604. Availability of second family separation allowance for married couples with dependents.
Sec. 605. Extension of authority for income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. Extension of certain bonus and special pay authorities for Reserve forces.
Sec. 612. Extension of certain bonus and special pay authorities for health care professionals.
Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
Sec. 614. Extension of authorities relating to payment of other title 37 bonuses and special pays.
Sec. 615. Extension of authorities relating to payment of referral bonuses.
Sec. 616. Increase in maximum bonus and stipend amounts authorized under Nurse Officer Candidate Accession Program and health professions stipend program.
Sec. 617. Maximum length of nuclear officer incentive pay agreements for service.
Sec. 618. Technical changes regarding consolidation of special pay, incentive pay, and bonus authorities of the uniformed services.
Sec. 619. Use of new skill incentive pay and proficiency bonus authorities to encourage training in critical foreign languages and foreign cultural studies and authorization of incentive pay for members of precommissioning programs pursuing foreign language proficiency.
Sec. 620. Accession and retention bonuses for the recruitment and retention of officers in certain health professions.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Special weight allowance for transportation of professional books and equipment for spouses.
Sec. 622. Shipment of family pets during evacuation of personnel.

Subtitle D—Retired Pay and Survivor Benefits

Sec. 631. Extension to survivors of certain members who die on active duty of special survivor indemnity allowance for persons affected by required Survivor Benefit Plan annuity offset for dependency and indemnity compensation.
Sec. 632. Correction of unintended reduction in survivor benefit plan annuities due to phased elimination of two-tier annuity computation and supplemental annuity.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

Sec. 641. Use of commissary stores surcharges derived from temporary commissary initiatives for reserve component and retired members.
Sec. 642. Enhanced enforcement of prohibition on sale or rental of sexually explicit material on military installations.

Subtitle F—Other Matters

Sec. 651. Continuation of entitlement to bonuses and similar benefits for members of the uniformed services who die, are separated or retired for disability, or meet other criteria.

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2009 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2009 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, 2009, the rates of monthly basic pay for members of the uniformed services are increased by 3.9 percent.

SEC. 602. PERMANENT EXTENSION OF PROHIBITION ON CHARGES FOR MEALS RECEIVED AT MILITARY TREATMENT FACILITIES BY MEMBERS RECEIVING CONTINUOUS CARE.

Section 402(h) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking "during any month covered by paragraph (3)" and all that follows through "this section"; and

(2) by striking paragraph (3).

SEC. 603. INCREASE IN MAXIMUM AUTHORIZED PAYMENT OR REIMBURSEMENT AMOUNT FOR TEMPORARY LODGING EXPENSES.

Section 404a(e) of title 37, United States Code, is amended by striking "$180 a day" and inserting "$290 a day".

SEC. 604. AVAILABILITY OF SECOND FAMILY SEPARATION ALLOWANCE FOR MARRIED COUPLES WITH DEPENDENTS.

(a) AVAILABILITY.—Section 427(d) of title 37, United States Code, is amended—

(1) by inserting "(1)" before "A member";

(2) by striking "Section 421" and inserting the following: "(3) Section 421";

(3) by striking "However" and inserting "Except as provided in paragraph (2)"; and

(4) by inserting before paragraph (3), as so designated, the following new paragraph:

"(2) If a married couple, both of whom are members of the uniformed services, with dependents are simultaneously assigned to duties described in subparagraph (A), (B), or (C) of subsection (a)(1) and the members resided together with their dependents immediately before their assignments, the Secretary concerned shall pay each of the members the full amount of the monthly allowance specified in such subsection until one of the members is no longer assigned to duties described in such subparagraphs. Upon expiration of the additional allowance, paragraph (1) shall continue to apply to the remaining member so long as the member is assigned to duties described in subparagraph (A), (B), or (C) of such subsection.".

(b) APPLICATION OF AMENDMENT.—Paragraph (2) of subsection (d) of section 427 of title 37, United States Code, as added by sub-

section (a), shall apply with respect to members of the uniformed services described in such paragraph who perform service covered by subparagraph (A), (B), or (C) of subsection (a)(1) such section on or after October 1, 2008.

SEC. 605. EXTENSION OF AUTHORITY FOR INCOME REPLACEMENT PAYMENTS FOR RESERVE COMPONENT MEMBERS EXPERIENCING EXTENDED AND FREQUENT MOBILIZATION FOR ACTIVE DUTY SERVICE.

Section 910(g) of title 37, United States Code, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(g) of title 37, United States Code, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(b) SELECTED RESERVE AFFILIATION OR ENLISTMENT BONUS.—Section 308c(i) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(c) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(d) READY RESERVE ENLISTMENT BONUS FOR PERSONS WITHOUT PRIOR SERVICE.—Section 308g(f)(2) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(e) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Section 308h(e) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(f) SELECTED RESERVE ENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Section 308i(f) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

SEC. 612. EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(b) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of such title is amended—

(1) by striking "before" and inserting "on or before"; and

(2) by striking "January 1, 2009" and inserting "December 31, 2009".

(c) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(d) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(e) SPECIAL PAY FOR SELECTED RESERVE HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(e) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(f) ACCESSION BONUS FOR DENTAL OFFICERS.—Section 302h(a)(1) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(g) ACCESSION BONUS FOR PHARMACY OFFICERS.—Section 302j(a) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(h) ACCESSION BONUS FOR MEDICAL OFFICERS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302k(f) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(i) ACCESSION BONUS FOR DENTAL SPECIALIST OFFICERS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302l(g) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

SEC. 613. EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(f) of title 37, United States Code, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

SEC. 614. EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(b) ASSIGNMENT INCENTIVE PAY.—Section 307a(g) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(c) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(d) ENLISTMENT BONUS.—Section 309(e) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(e) ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS.—Section 324(g) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(f) INCENTIVE BONUS FOR CONVERSION TO MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGE.—Section 326(g) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(g) ACCESSION BONUS FOR OFFICER CANDIDATES.—Section 330(f) of such title is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(h) RETENTION BONUS FOR MEMBERS WITH CRITICAL MILITARY SKILLS OR ASSIGNED TO HIGH PRIORITY UNITS.—Section 355(i) of such title, as redesignated by section 661(c) of the National Defense Authorization Act for Fiscal Year 2008, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

SEC. 615. EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF REFERRAL BONUSES.

(a) HEALTH PROFESSIONS REFERRAL BONUS.—Subsection (i) of section 1030 of title 10, United States Code, as added by section 671(b) of the National Defense Authorization Act for Fiscal Year 2008, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

(b) ARMY REFERRAL BONUS.—Subsection (h) of section 3252 of title 10, United States Code, as added by section 671(a) of the National Defense Authorization Act for Fiscal Year 2008, is amended by striking "December 31, 2008" and inserting "December 31, 2009".

SEC. 616. INCREASE IN MAXIMUM BONUS AND STIPEND AMOUNTS AUTHORIZED UNDER NURSE OFFICER CANDIDATE ACCESSION PROGRAM AND HEALTH PROFESSIONS STIPEND PROGRAM.

(a) BONUS UNDER NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended—

(1) by striking "$10,000" and inserting "$20,000"; and

(2) by striking "$5,000" and inserting "$10,000".

(b) MONTHLY STIPEND UNDER NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(2) of title is amended by striking "of not more than $1,000" and inserting "in an amount not to exceed the stipend rate in effect under section 2121(d) of this title".

(c) MONTHLY STIPEND FOR STUDENTS IN NURSING OR OTHER HEALTH PROFESSIONS UNDER HEALTH PROFESSIONS STIPEND PROGRAM.—Section 16201(e)(2)(A) of title is amended by striking "stipend of $100 per month" and inserting "monthly stipend in an amount not to exceed the stipend rate in effect under section 2121(d) of this title".

SEC. 617. MAXIMUM LENGTH OF NUCLEAR OFFICER INCENTIVE PAY AGREEMENTS FOR SERVICE.

Section 312(a)(3) of title 37, United States Code, is amended by striking "three, four, or five years" and inserting "not less than three years".

SEC. 618. TECHNICAL CHANGES REGARDING CONSOLIDATION OF SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES OF THE UNIFORMED SERVICES.

(a) ELIGIBILITY REQUIREMENTS FOR NUCLEAR OFFICER BONUS AND INCENTIVE PAY.—Section 333 of title 37, United States Code, is amended—

(1) in subsection (a)(2), by striking "and operational"; and

(2) in subsection (b)(2), by striking "and operational".

(b) RELATIONSHIP OF AVIATION INCENTIVE PAY TO OTHER PAY AND ALLOWANCES.—Section 334(f)(1) of such title is amended by striking "section 351" and inserting "section 351(a)(2)".

(c) HEALTH PROFESSIONS INCENTIVE PAY.—Section 335(e)(1)(D)(i) of such title is amended by striking "dental surgeons" and inserting "dental officers".

(d) NO PRO-RATED PAYMENT OF CERTAIN HAZARDOUS DUTY PAYS.—Section 351(c) of such title is amended by striking "subsection (a)" and inserting "paragraph (1) or (3) of subsection (a)".

(e) AVAILABILITY OF HAZARDOUS DUTY PAY.—Section 351(f) of such title is amended—

(1) by striking "in administering subsection (a)" and inserting "in connection with determining whether a triggering event has occurred for the provision of hazardous duty pay under subsection (a)(1)"; and

(2) by striking the last sentence.

SEC. 619. USE OF NEW SKILL INCENTIVE PAY AND PROFICIENCY BONUS AUTHORITIES TO ENCOURAGE TRAINING IN CRITICAL FOREIGN LANGUAGES AND FOREIGN CULTURAL STUDIES AND AUTHORIZATION OF INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.

(a) ELIGIBILITY FOR SKILL PROFICIENCY BONUS.—

(1) ELIGIBILITY.—Subsection (b) of section 353 of title 37, United States Code, is amended to read as follows:

"(b) SKILL PROFICIENCY BONUS.—

"(1) AVAILABILITY; ELIGIBLE PERSONS.—The Secretary concerned may pay a proficiency bonus to a member of a regular or reserve component of the uniformed services who—

"(A) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title or is enrolled in an officer training program; and

"(B) is determined to have, and maintains, certified proficiency under subsection (d) in a skill designated as critical by the Secretary concerned or is in training to acquire proficiency in a critical foreign language or expertise in foreign cultural studies or a related skill designated as critical by the Secretary concerned.

"(2) INCLUSION OF CERTAIN SENIOR ROTC MEMBERS.—A proficiency bonus may be paid under this subsection to a student who is enrolled in the Senior Reserve Officers' Training Corps program even though the student is in the first year of the four-year course under the program. During the period covered by the proficiency bonus, the student shall also be entitled to a monthly subsistence allowance under section 209(c) of this title even though the student has not entered into an agreement under section 2103a of title 10. However, if the student receives incentive pay under subsection (g)(2) for the same period, the student may receive only a single monthly subsistence allowance under section 209(c) of this title.".

(2) AVAILABILITY OF INCENTIVE PAY FOR PARTICIPATION IN FOREIGN LANGUAGE EDUCATION OR TRAINING PROGRAMS.—Such section is further amended—

(A) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(B) by inserting after subsection (f) the following new subsection (g):

"(g) FOREIGN LANGUAGE STUDIES IN OFFICER TRAINING PROGRAMS.—

"(1) AVAILABILITY OF INCENTIVE PAY.—The Secretary concerned may pay incentive pay to a person enrolled in an officer training program to also participate in an education or training program to acquire proficiency in a critical foreign language or expertise in foreign cultural studies or a related skill designated as critical by the Secretary concerned.

"(2) INCLUSION OF CERTAIN SENIOR ROTC MEMBERS.—Incentive pay may be paid under this subsection to a student who is enrolled in the Senior Reserve Officers' Training Corps program even though the student is in the first year of the four-year course under the program. While the student receives the incentive pay, the student shall also be entitled to a monthly subsistence allowance under section 209(c) of this title even though the student has not entered into an agreement under section 2103a of title 10. However, if the student receives a proficiency bonus under subsection (b)(2) covering the same month, the student may receive only a single monthly subsistence allowance under section 209(c) of this title.

"(3) CRITICAL FOREIGN LANGUAGE DEFINED.—In this section, the term 'critical foreign language' includes Arabic, Korean, Japanese, Chinese, Pashto, Persian-Farsi, Serbian-Croatian, Russian, Portuguese, or other language designated as critical by the Secretary concerned.".

(b) INCENTIVE PAY AUTHORIZED.—

(1) IN GENERAL.—Chapter 5 of title 37, United States Code, is amended by inserting after section 316 the following new section:

"§ 316a. Special pay: incentive pay for members of precommissioning programs pursuing foreign language proficiency

"(a) INCENTIVE PAY.—The Secretary of Defense may pay incentive pay under this section to an individual who—

"(1) is enrolled as a member of the Senior Reserve Officers' Training Corps or the Marine Corps Platoon Leaders Class, as determined in accordance with regulations prescribed by the Secretary of Defense under subsection (e); and

"(2) participates in a language immersion program approved for purposes of the Senior Reserve Officers' Training Corps, or in study abroad, or is enrolled in an academic course that involves instruction in a foreign language of strategic interest to the Department of Defense as designated by the Secretary of Defense for purposes of this section.

"(b) PERIOD OF PAYMENT.—Incentive pay is payable under this section to an individual described in subsection (a) for the period of the individual's participation in the language program or study described in paragraph (2) of that subsection.

"(c) AMOUNT.—The amount of incentive pay payable to an individual under this section may not exceed $3,000 per year.

"(d) REPAYMENT.—An individual who is paid incentive pay under this section but who does not satisfactorily complete participation in the individual's language program or study as described in sub-

section (a)(2), or who does not complete the requirements of the Senior Reserve Officers' Training Corps or the Marine Corps Platoon Leaders Class, as applicable, shall be subject to the repayment provisions of section 303a(e) of this title.

"(e) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense.

"(f) REPORTS.—Not later than January 1, 2010, and annually thereafter through 2014, the Secretary of Defense shall submit to the Director of the Office of Management and Budget, and to Congress, a report on the payment of incentive pay under this section during the preceding fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

"(1) The number of individuals paid incentive pay under this section, the number of individuals commencing receipt of incentive pay under this section, and the number of individuals ceasing receipt of incentive pay under this section.

"(2) The amount of incentive pay paid to individuals under this section.

"(3) The aggregate amount recouped under section 303a(e) of this title in connection with receipt of incentive pay under this section.

"(4) The languages for which incentive pay was paid under this section, including the total amount paid for each such language.

"(5) The effectiveness of incentive pay under this section in assisting the Department of Defense in securing proficiency in foreign languages of strategic interest to the Department of Defense, including a description of how recipients of pay under this section are assigned and utilized following completion of the program of study.

"(g) TERMINATION OF AUTHORITY.—No incentive pay may be paid under this section after December 31, 2013.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 316 the following new item:

"316a. Special pay: incentive pay for members of precommissioning programs pursuing foreign language proficiency.".

(c) PILOT PROGRAM FOR FOREIGN LANGUAGE PROFICIENCY TRAINING FOR RESERVE MEMBERS.—

(1) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall conduct a pilot program to provide a skill proficiency bonus under section 353(b) of title 37, United States Code, to a member of a reserve component of the uniformed services who is entitled to compensation under section 206 of such title while the member participates in an education or training program to acquire proficiency in a critical foreign language or expertise in foreign cultural studies or a related skill designated as critical under such section 353.

(2) DURATION OF PILOT PROGRAM.—The Secretary shall conduct the pilot program during the period beginning on October 1, 2008, and ending on December 31, 2013. Incentive pay may not be provided under the pilot program after December 31, 2013.

(3) REPORTING REQUIREMENT.—Not later than March 31, 2012, the Secretary shall submit to Congress a report containing the results of the pilot program and the recommendations of the Secretary regarding whether to continue or expand the pilot program.

(d) EXPEDITED IMPLEMENTATION.—Notwithstanding section 662 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 180; 37 U.S.C. 301 note), the Secretary of a military department may immediately implement the amendments made by subsection (a) in order to ensure the prompt availability of proficiency bonuses and incentive pay under section 353 of title 37, United States Code, as amended by such subsections, for persons enrolled in officer training programs.

SEC. 620. ACCESSION AND RETENTION BONUSES FOR THE RECRUITMENT AND RETENTION OF OFFICERS IN CERTAIN HEALTH PROFESSIONS.

(a) TARGETED BONUS AUTHORITY TO INCREASE DIRECT ACCESSIONS.—

(1) DESIGNATION OF CRITICALLY SHORT WARTIME HEALTH SPECIALTIES.—For purposes of section 335 of title 37, United States Code, as added by section 661 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 169), the following health professions are designated as a critically short wartime specialty under subsection (a)(2) of such section:

(A) Psychologists who have been awarded a diploma as a Diplomate in Psychology by the American Board of Professional Psychology and are fully licensed and such other mental health practitioners as the Secretary concerned determines to be necessary.

(B) Registered nurses.

(2) SPECIAL AGREEMENT AUTHORITY.—Under the authority provided by this section, the Secretary concerned may enter into an agreement under subsection (f) of section 335 of title 37, United States Code, to pay a health professions bonus under such section to a person who accepts a commission or appointment as an officer and whose health profession specialty is specified in paragraph (1) of this subsection.

(3) SECRETARY CONCERNED DEFINED.—In this subsection, the term "Secretary concerned" has the meaning given that term in section 101(5) of title 37, United States Code.

(4) EFFECTIVE PERIOD.—The designations made by this subsection and the authority to enter into an agreement under paragraph (2) of this subsection expire on September 30, 2010.

(b) ACCESSION AND RETENTION BONUSES FOR PSYCHOLOGISTS.—

(1) IN GENERAL.—Chapter 5 of title 37, United States Code, is amended by inserting after section 302c the following new section:

"§ 302c–1. Special pay: accession and retention bonuses for psychologists

"(a) ACCESSION BONUS.—

"(1) ACCESSION BONUS AUTHORIZED.—A person described in paragraph (2) who executes a written agreement described in

subsection (d) to accept a commission as an officer of the armed forces and remain on active duty for a period of not less than four consecutive years may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount, subject to subsection (c)(1), determined by the Secretary concerned.

"(2) ELIGIBLE PERSONS.—A person described in paragraph (1) is any person who—

"(A) is a graduate of an accredited school of psychology; and

"(B) holds a valid State license to practice as a doctoral level psychologist.

"(3) LIMITATION ON ELIGIBILITY.—A person may not be paid a bonus under this subsection if—

"(A) the person, in exchange for an agreement to accept an appointment as an officer, received financial assistance from the Department of Defense to pursue a course of study in psychology; or

"(B) the Secretary concerned determines that the person is not qualified to become and remain certified as a psychologist.

"(b) MULTIYEAR RETENTION BONUS.—

"(1) RETENTION BONUS AUTHORIZED.—An officer described in paragraph (2) who executes a written agreement described in subsection (d) to remain on active duty for up to four years after completion of any other active-duty service commitment may, upon acceptance of the agreement by the Secretary concerned, be paid a retention bonus as provided in this section.

"(2) ELIGIBLE OFFICERS.—An officer described in paragraph (1) is an officer of the armed forces who—

"(A) is a psychologist of the armed forces;

"(B) is in a pay grade below pay grade O–7;

"(C) has at least eight years of creditable service (computed as described in section 302b(f) of this title) or has completed any active-duty service commitment incurred for psychology education and training;

"(D) has completed initial residency training (or will complete such training before September 30 of the fiscal year in which the officer enters into the agreement under this subsection); and

"(E) holds a valid State license to practice as a doctoral level psychologist.

"(c) MAXIMUM AMOUNT OF BONUS.—

"(1) ACCESSION BONUS.—The amount of an accession bonus under subsection (a) may not exceed $400,000.

"(2) RETENTION BONUS.—The amount of a retention bonus under subsection (b) may not exceed $25,000 for each year of the agreement of the officer concerned.

"(d) AGREEMENT.—The agreement referred to in subsections (a) and (b) shall provide that, consistent with the needs of the armed force concerned, the person or officer executing the agreement will be assigned to duty, for the period of obligated service covered by the agreement, as an officer of such armed force as a psychologist.

"(e) REPAYMENT.—

"(1) ACCESSION BONUS.—A person who, after signing an agreement under subsection (a), is not commissioned as an officer of the armed forces, does not become licensed as a psychologist, or does not complete the period of active duty specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.

"(2) RETENTION BONUS.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b) shall be subject to the repayment provisions of section 303a(e) of this title.

"(f) TERMINATION OF AUTHORITY.—No agreement under subsection (a) or (b) may be entered into after December 31, 2009.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 302c the following new item:

"302c–1. Special pay: accession and retention bonuses for psychologists.".

Subtitle C—Travel and Transportation Allowances

SEC. 621. SPECIAL WEIGHT ALLOWANCE FOR TRANSPORTATION OF PROFESSIONAL BOOKS AND EQUIPMENT FOR SPOUSES.

Section 406(b)(1)(D) of title 37, United States Code, is amended—

(1) by inserting "(i)" after "(D)";

(2) in the second sentence of clause (i), as designated by paragraph (1), by striking "this subparagraph" and inserting "this clause";

(3) by designating the last sentence as clause (iii) and indenting the margin of such clause, as so designated, two ems from the left margin; and

(4) by inserting after clause (i), as designated by paragraph (1), the following new clause:

"(ii) In addition to the weight allowance authorized for such member with dependents under paragraph (C), the Secretary concerned may authorize up to an additional 500 pounds in weight allowance for shipment of professional books and equipment belonging to the spouse of such member.".

SEC. 622. SHIPMENT OF FAMILY PETS DURING EVACUATION OF PERSONNEL.

Section 406(b)(1) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

"(H)(i) Except as provided in paragraph (2) and subject to clause (iii), in connection with an evacuation from a permanent station located in a foreign area, a member is entitled to transportation (including shipment and payment of any quarantine costs) of family household pets.

"(ii) A member entitled to transportation under clause (i) may be paid reimbursement or, at the member's request, a monetary allowance in accordance with the provisions of subparagraph (F) if the member secures by commercial means shipment and any quarantining of the pets otherwise subject to transportation under clause (i).

"(iii) The provision of transportation under clause (i) and the payment of reimbursement under clause (ii) shall be subject to such regulations as the Secretary of Defense shall prescribe with respect to members of the armed forces for purposes of this subparagraph. Such regulations may specify limitations on the types, size, and number of pets for which transportation may be provided or reimbursement paid.".

Subtitle D—Retired Pay and Survivor Benefits

SEC. 631. EXTENSION TO SURVIVORS OF CERTAIN MEMBERS WHO DIE ON ACTIVE DUTY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE FOR PERSONS AFFECTED BY REQUIRED SURVIVOR BENEFIT PLAN ANNUITY OFFSET FOR DEPENDENCY AND INDEMNITY COMPENSATION.

(a) EXTENSION.—Subsection (m) of section 1450 of title 10, United States Code, as added by section 644 of the National Defense Authorization Act for Fiscal Year 2008, is amended in paragraph (1)(B) by striking "section 1448(a)(1) of this title" and inserting "subsection (a)(1) of section 1448 of this title or by reason of coverage under subsection (d) of such section".

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply with respect to the month beginning on October 1, 2008, and subsequent months as provided by paragraph (6) of subsection (m) of section 1450 of title 10, United States Code, as added by section 644 of the National Defense Authorization Act for Fiscal Year 2008.

SEC. 632. CORRECTION OF UNINTENDED REDUCTION IN SURVIVOR BENEFIT PLAN ANNUITIES DUE TO PHASED ELIMINATION OF TWO-TIER ANNUITY COMPUTATION AND SUPPLEMENTAL ANNUITY.

Effective as of October 28, 2004, and as if included therein as enacted, section 644(c) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1961; 10 U.S.C. 1450 note) is amended by adding at the end the following new paragraph:

"(3) SAVINGS PROVISION.—If, as a result of the recomputation of annuities under section 1450 of title 10, United States Code, and supplemental survivor annuities under section 1457 of such title, as required by paragraph (1), the total amount of both annuities to be paid to an annuitant for a month would be less (because of the offset required by section 1450(c) of such title for dependency and indemnity compensation) than the amount that would be paid to the annuitant in the absence of recomputation, the Secretary of Defense shall take such actions as are necessary to adjust the annuity amounts to eliminate the reduction.".

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 641. USE OF COMMISSARY STORES SURCHARGES DERIVED FROM TEMPORARY COMMISSARY INITIATIVES FOR RESERVE COMPONENT AND RETIRED MEMBERS.

Section 2484(h) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(2) in such paragraph (4), as so redesignated, by striking "paragraph (1) or (2)" and inserting "paragraph (1), (2), or (3)"; and

(3) by inserting after paragraph (2) the following new paragraph:

"(3)(A) The Secretary of Defense may use the proceeds derived from surcharges imposed under subsection (d) in connection with sales of commissary merchandise through initiatives described in subparagraph (B) to offset the cost of such initiatives.

"(B) Subparagraph (A) applies with respect to initiatives, utilizing temporary and mobile equipment, intended to provide members of reserve components, retired members, and other persons eligible for commissary benefits, but without reasonable access to commissary stores, improved access to commissary merchandise.".

SEC. 642. ENHANCED ENFORCEMENT OF PROHIBITION ON SALE OR RENTAL OF SEXUALLY EXPLICIT MATERIAL ON MILITARY INSTALLATIONS.

(a) ESTABLISHMENT OF RESALE ACTIVITIES REVIEW BOARD.—Section 2495b of title 10, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection:

"(c) RESALE ACTIVITIES REVIEW BOARD.—(1) The Secretary of Defense shall establish a nine-member board to make recommendations to the Secretary regarding whether material sold or rented, or proposed for sale or rental, on property under the jurisdiction of the Department of Defense is barred from sale or rental by subsection (a).

"(2)(A) The Secretary of Defense shall appoint six members of the board to broadly represent the interests of the patron base served by the defense commissary system and the exchange system. The Secretary shall appoint one of the members to serve as the chairman of the board. At least one member appointed under this subparagraph shall be a person with experience managing or advocating for military family programs and who is also an eligible patron of the defense commissary system and the exchange system.

"(B) The Secretary of each of the military departments shall appoint one member of the board.

"(C) A vacancy on the board shall be filled in the same manner as the original appointment.

"(3) The Secretary of Defense may detail persons to serve as staff for the board. At a minimum, the Secretary shall ensure that the board is assisted at meetings by military resale and legal advisors.

"(4) The recommendations made by the board under paragraph (1) shall be made available to the public. The Secretary of Defense shall publicize the availability of such recommendations by such means as the Secretary considers appropriate.

"(5) Members of the board shall be allowed travel expense, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5 while away from their homes or regular places of business in the performance of services for the board.".

(b) DEADLINE FOR ESTABLISHMENT AND INITIAL MEETING.—

(1) ESTABLISHMENT.—The board required by subsection (c) of section 2495b of title 10, United States Code, as added by subsection (a), shall be established, and its initial nine members appointed, not later than 120 days after the date of the enactment of this Act.

(2) MEETINGS.—The board shall conduct an initial meeting within one year after the date of the appointment of the initial members of the board. At the discretion of the board, the board may consider all materials previously reviewed under such section as available for reconsideration for a minimum of 180 days following the initial meeting of the board.

Subtitle F—Other Matters

SEC. 651. CONTINUATION OF ENTITLEMENT TO BONUSES AND SIMILAR BENEFITS FOR MEMBERS OF THE UNIFORMED SERVICES WHO DIE, ARE SEPARATED OR RETIRED FOR DISABILITY, OR MEET OTHER CRITERIA.

(a) DISCRETION TO PROVIDE EXCEPTION TO TERMINATION AND REPAYMENT REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES.—Section 303a(e) of title 37, United States Code, is amended—

(1) in the subsection heading, by inserting "; TERMINATION OF ENTITLEMENT TO UNPAID AMOUNTS" after "MET";

(2) in paragraph (1)—

(A) by striking "A member" and inserting "(A) Except as provided in paragraph (2), a member"; and

(B) by striking "the requirements, except in certain circumstances authorized by the Secretary concerned." and inserting "the eligibility requirements and may not receive any unpaid amounts of the bonus or similar benefit after the member fails to satisfy the requirements, unless the Secretary concerned determines that the imposition of the repayment requirement and termination of the payment of unpaid amounts of the bonus or similar benefit with regard to the member 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."; and

(3) by redesignating paragraph (2) as subparagraph (B) of paragraph (1).

(b) MANDATORY PAYMENT OF UNPAID AMOUNTS UNDER CERTAIN CIRCUMSTANCES; NO REPAYMENT OF UNEARNED AMOUNTS.—Section 303a(e) of title 37, United States Code, is amended by inserting after paragraph (1), as amended by subsection (a), the following new paragraph (2):

"(2)(A) If a member of the uniformed services dies or is retired or separated with a combat-related disability, the Secretary concerned—

"(i) shall not require repayment by the member or the member's estate of the unearned portion of any bonus or similar benefit previously paid to the member; and

"(ii) shall require the payment to the member or the member's estate of the remainder of any bonus or similar benefit that was not yet paid to the member, but to which the member was entitled immediately before the death, retirement, or separation of the member, and would be paid if not for the death, retirement, or separation of the member.

"(B) Subparagraph (A) does not apply if the death or disability of the member is the result the member's misconduct.

"(C) The amount to be paid under subparagraph (A)(ii) shall be equal to the full amount specified by the agreement or contract applicable to the bonus or similar benefit as if the member continued to be entitled to the bonus or similar benefit following the death, retirement, or separation.

"(D) Amounts to be paid to a member or the member's estate under subparagraph (A)(ii) shall be paid in a lump sum not later than 90 days after the date of the death, retirement, or separation of the member, whichever applies.

"(E) In this paragraph, the term 'combat-related disability' has the meaning given that term in section 1413a(e) of title 10.".

(c) CONFORMING AMENDMENTS REFLECTING CONSOLIDATED SPECIAL PAY AND BONUS AUTHORITIES.—

(1) CONFORMING AMENDMENTS.—Section 373 of title 37, United States Code, as added by section 661 of the National Defense Authorization Act for Fiscal Year 2008, is amended—

(A) in subsection (a)—

(i) in the subsection heading, by inserting "AND TERMINATION" after "REPAYMENT"; and

(ii) by inserting before the period at the end the following: ", and the member may not receive any unpaid amounts of the bonus, incentive pay, or similar benefit after the member fails to satisfy such service or eligibility requirement"; and

(B) by striking subsection (b) and inserting the following new subsection:

"(b) EXCEPTIONS.—

"(1) DISCRETION TO PROVIDE EXCEPTION TO TERMINATION AND REPAYMENT REQUIREMENTS.—Pursuant to the regulations prescribed to administer this section, the Secretary concerned may grant an exception to the repayment requirement and requirement to terminate the payment of unpaid amounts of a bonus, incentive pay, or similar benefit if the Secretary concerned determines that the imposition of the repayment and termination requirements with regard to a member of the uniformed serv-

ices 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.

"(2) MANDATORY PAYMENT OF UNPAID AMOUNTS UNDER CERTAIN CIRCUMSTANCES; NO REPAYMENT OF UNEARNED AMOUNTS.—(A) If a member of the uniformed services dies or is retired or separated with a combat-related disability, the Secretary concerned—

"(i) shall not require repayment by the member or the member's estate of the unearned portion of any bonus, incentive pay, or similar benefit previously paid to the member; and

"(ii) shall require the payment to the member or the member's estate of the remainder of any bonus, incentive pay, or similar benefit that was not yet paid to the member, but to which the member was entitled immediately before the death, retirement, or separation of the member, and would be paid if not for the death, retirement, or separation of the member.

"(B) Subparagraph (A) does not apply if the death or disability of the member is the result the member's misconduct.

"(C) The amount to be paid under subparagraph (A)(ii) shall be equal to the full amount specified by the agreement or contract applicable to the bonus, incentive pay, or similar benefit as if the member continued to be entitled to the bonus, incentive pay, or similar benefit following the death, retirement, or separation.

"(D) Amounts to be paid to a member or the member's estate under subparagraph (A)(ii) shall be paid in a lump sum not later than 90 days after the date of the death, retirement, or separation of the member, whichever applies.

"(E) In this paragraph, the term 'combat-related disability' has the meaning given that term in section 1413a(e) of title 10.".

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 373. Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met".

(B) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by striking the item relating to section 373 and inserting the following new item:

"373. Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met.".

TITLE VII—HEALTH CARE AND WOUNDED WARRIORS PROVISIONS

Subtitle A—Improvements to Health Benefits

Sec. 701. One-year extension of prohibition on increases in certain health care costs for members of the uniformed services.
Sec. 702. Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program.
Sec. 703. Chiropractic health care for members on active duty.
Sec. 704. Calculation of monthly premiums for coverage under TRICARE Reserve Select after 2008.
Sec. 705. Program for health care delivery at military installations projected to grow.
Sec. 706. Guidelines for combined medical facilities of the Department of Defense and the Department of Veterans Affairs.

Subtitle B—Preventive Care

Sec. 711. Waiver of copayments for preventive services for certain TRICARE beneficiaries.
Sec. 712. Military health risk management demonstration project.
Sec. 713. Smoking cessation program under TRICARE.
Sec. 714. Preventive health allowance.
Sec. 715. Additional authority for studies and demonstration projects relating to delivery of health and medical care.

Subtitle C—Wounded Warrior Matters

Sec. 721. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injuries.
Sec. 722. Clarification to center of excellence relating to military eye injuries.
Sec. 723. Center of Excellence in the Mitigation, Treatment, and Rehabilitation of Traumatic Extremity Injuries and Amputations.
Sec. 724. Additional responsibilities for the wounded warrior resource center.
Sec. 725. Sense of Congress on research on traumatic brain injury.
Sec. 726. Extension of Senior Oversight Committee with respect to wounded warrior matters.
Sec. 727. Modification of utilization of veterans' presumption of sound condition in establishing eligibility of members of the Armed Forces for retirement for disability.

Subtitle D—Other Matters

Sec. 731. Report on providing the Extended Care Health Option Program to dependents of military retirees.
Sec. 732. Increase in cap on extended benefits under extended health care option (ECHO).
Sec. 733. Department of Defense task force on the prevention of suicide by members of the Armed Forces.
Sec. 734. Transitional health care for certain members of the Armed Forces who agree to serve in the Selected Reserve of the Ready Reserve.
Sec. 735. Enhancement of medical and dental readiness of members of the Armed Forces.

Subtitle A—Improvements to Health Benefits

SEC. 701. ONE-YEAR EXTENSION OF PROHIBITION ON INCREASES IN CERTAIN HEALTH CARE COSTS FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) CHARGES UNDER CONTRACTS FOR MEDICAL CARE.—Section 1097(e) of title 10, United States Code, is amended by striking "September 30, 2008" and inserting "September 30, 2009".

(b) CHARGES FOR INPATIENT CARE.—Section 1086(b)(3) of such title is amended by striking "September 30, 2008" and inserting "September 30, 2009".

SEC. 702. TEMPORARY PROHIBITION ON INCREASE IN COPAYMENTS UNDER RETAIL PHARMACY SYSTEM OF PHARMACY BENEFITS PROGRAM.

During the period beginning on October 1, 2008, and ending on September 30, 2009, the cost sharing requirements established under paragraph (6) of section 1074g(a) of title 10, United States Code, for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) of such section may not exceed amounts as follows:

(1) In the case of generic agents, $3.

(2) In the case of formulary agents, $9.

(3) In the case of nonformulary agents, $22.

SEC. 703. CHIROPRACTIC HEALTH CARE FOR MEMBERS ON ACTIVE DUTY.

Not later than September 30, 2009, the Secretary of Defense shall provide chiropractic services to active duty military personnel at 11 additional military treatment facilities that do not currently provide chiropractic services.

SEC. 704. CALCULATION OF MONTHLY PREMIUMS FOR COVERAGE UNDER TRICARE RESERVE SELECT AFTER 2008.

(a) CALCULATION OF MONTHLY PREMIUMS FOR YEARS AFTER 2009.—Section 1076d(d)(3) of title 10, United States Code, is amended—

(1) by inserting "(A)" after "(3)";

(2) in subparagraph (A), as so designated—

(A) by striking "that the Secretary determines" and inserting "determined"; and

(B) by striking the second sentence; and

(3) by adding at the end the following new subparagraph:

"(B) The appropriate actuarial basis for purposes of subparagraph (A) shall be determined, for each calendar year after calendar year 2009, by utilizing the actual cost of providing benefits under this section to members and their dependents during the calendar years preceding such calendar year.".

(b) CALCULATION OF MONTHLY PREMIUMS FOR 2009.—For purposes of section 1076d(d)(3) of title 10, United States Code, the appropriate actuarial basis for purposes of subparagraph (A) of that section shall be determined for calendar year 2009 by utilizing the reported cost of providing benefits under that section to members and their dependents during calendar years 2006 and 2007, except that the monthly amount of the premium determined pursuant to this subsection may not exceed the amount in effect for the month of March 2007.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of October 1, 2008.

SEC. 705. PROGRAM FOR HEALTH CARE DELIVERY AT MILITARY INSTALLATIONS PROJECTED TO GROW.

(a) PROGRAM.—The Secretary of Defense is authorized to develop a plan to establish a program to build cooperative health care arrangements and agreements between military installations pro-

jected to grow and local and regional non-military health care systems.

(b) REQUIREMENTS OF PLAN.—In developing the plan, the Secretary of Defense shall—

(1) identify and analyze health care delivery options involving the private sector and health care services in military facilities located on military installations;

(2) develop methods for determining the cost avoidance or savings resulting from innovative partnerships between the Department of Defense and the private sector;

(3) develop requirements for Department of Defense health care providers to deliver health care in civilian community hospitals; and

(4) collaborate with State and local authorities to create an arrangement to share and exchange, between the Department of Defense and nonmilitary health care systems, personal health information, and data of military personnel and their families.

(c) COORDINATION WITH OTHER ENTITIES.—The plan shall include requirements for coordination with Federal, State, and local entities, TRICARE managed care support contractors, and other contracted assets around installations selected for participation in the program.

(d) CONSULTATION REQUIREMENTS.—The Secretary of Defense shall develop the plan in consultation with the Secretaries of the military departments.

(e) SELECTION OF MILITARY INSTALLATIONS.—Each selected military installation shall meet the following criteria:

(1) The military installation has members of the Armed Forces on active duty and members of reserve components of the Armed Forces that use the installation as a training and operational base, with members routinely deploying in support of the global war on terrorism.

(2) The military population of an installation will significantly increase by 2013 due to actions related to either Grow the Force initiatives or recommendations of the Defense Base Realignment and Closure Commission.

(3) There is a military treatment facility on the installation that has—

(A) no inpatient or trauma center care capabilities; and

(B) no current or planned capacity that would satisfy the proposed increase in military personnel at the installation.

(4) There is a civilian community hospital near the military installation, and the military treatment facility has—

(A) no inpatient services or limited capability to expand inpatient care beds, intensive care, and specialty services; and

(B) limited or no capability to provide trauma care.

(f) REPORTS.—Not later than one year after the date of the enactment of this Act, and every year thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on any plan developed under subsection (a).

SEC. 706. GUIDELINES FOR COMBINED MEDICAL FACILITIES OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

Before a facility may be designated a combined Federal medical facility of the Department of Defense and the Department of Veterans Affairs, the Secretary of Defense and the Secretary of Veterans Affairs shall execute a signed agreement that specifies, at a minimum, a binding operational agreement on the following areas:

(1) Governance.
(2) Patient priority categories.
(3) Budgeting.
(4) Staffing and training.
(5) Construction.
(6) Physical plant management.
(7) Contingency planning.
(8) Quality assurance.
(9) Information technology.

Subtitle B—Preventive Care

SEC. 711. WAIVER OF COPAYMENTS FOR PREVENTIVE SERVICES FOR CERTAIN TRICARE BENEFICIARIES.

(a) WAIVER OF CERTAIN COPAYMENTS.—Subject to subsection (b) and under regulations prescribed by the Secretary of Defense, the Secretary shall—

(1) waive all copayments under sections 1079(b) and 1086(b) of title 10, United States Code, for preventive services for all beneficiaries who would otherwise pay copayments; and

(2) ensure that a beneficiary pays nothing for preventive services during a year even if the beneficiary has not paid the amount necessary to cover the beneficiary's deductible for the year.

(b) EXCLUSION FOR MEDICARE-ELIGIBLE BENEFICIARIES.—Subsection (a) shall not apply to a medicare-eligible beneficiary.

(c) REFUND OF COPAYMENTS.—

(1) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary may pay a refund to a medicare-eligible beneficiary excluded by subsection (b), subject to the availability of appropriations specifically for such refunds, consisting of an amount up to the difference between—

(A) the amount the beneficiary pays for copayments for preventive services during fiscal year 2009; and

(B) the amount the beneficiary would have paid during such fiscal year if the copayments for preventive services had been waived pursuant to subsection (a) during that year.

(2) COPAYMENTS COVERED.—The refunds under paragraph (1) are available only for copayments paid by medicare-eligible beneficiaries during fiscal year 2009.

(d) DEFINITIONS.—In this section:

(1) PREVENTIVE SERVICES.—The term "preventive services" includes, taking into consideration the age and gender of the beneficiary:

(A) Colorectal screening.

(B) Breast screening.
(C) Cervical screening.
(D) Prostate screening.
(E) Annual physical exam.
(F) Vaccinations.
(G) Other services as determined by the Secretary of Defense.

(2) MEDICARE-ELIGIBLE.—The term "medicare-eligible" has the meaning provided by section 1111((b) of title 10, United States Code.

SEC. 712. MILITARY HEALTH RISK MANAGEMENT DEMONSTRATION PROJECT.

(a) DEMONSTRATION PROJECT REQUIRED.—The Secretary of Defense shall conduct a demonstration project designed to evaluate the efficacy of providing incentives to encourage healthy behaviors on the part of eligible military health system beneficiaries.

(b) ELEMENTS OF DEMONSTRATION PROJECT.—

(1) WELLNESS ASSESSMENT.—The Secretary shall develop a wellness assessment to be offered to beneficiaries enrolled in the demonstration project. The wellness assessment shall incorporate nationally recognized standards for health and healthy behaviors and shall be offered to determine a baseline and at appropriate intervals determined by the Secretary. The wellness assessment shall include the following:

(A) A self-reported health risk assessment.
(B) Physiological and biometric measures, including at least—
(i) blood pressure;
(ii) glucose level;
(iii) lipids;
(iv) nicotine use; and
(v) weight.

(2) POPULATION ENROLLED.—Non-medicare eligible retired beneficiaries of the military health system and their dependents who are enrolled in TRICARE Prime and who reside in the demonstration project service area shall be offered the opportunity to enroll in the demonstration project.

(3) GEOGRAPHIC COVERAGE OF DEMONSTRATION PROJECT.—The demonstration project shall be conducted in at least three geographic areas within the United States where TRICARE Prime is offered, as determined by the Secretary. The area covered by the project shall be referred to as the demonstration project service area.

(4) PROGRAMS.—The Secretary shall develop programs to assist enrollees to improve healthy behaviors, as identified by the wellness assessment.

(5) INCLUSION OF INCENTIVES REQUIRED.—For the purpose of conducting the demonstration project, the Secretary may offer monetary and non-monetary incentives to enrollees to encourage participation in the demonstration project.

(c) EVALUATION OF DEMONSTRATION PROJECT.—The Secretary shall annually evaluate the demonstration project for the following:

(1) The extent to which the health risk assessment and the physiological and biometric measures of beneficiaries are im-

proved from the baseline (as determined in the wellness assessment).

(2) In the case of baseline health risk assessments and physiological and biometric measures that reflect healthy behaviors, the extent to which the measures are maintained.

(d) IMPLEMENTATION PLAN.—The Secretary of Defense shall submit a plan to implement the health risk management demonstration project required by this section not later than 90 days after the date of the enactment of this Act.

(e) DURATION OF PROJECT.—The health risk management demonstration project shall be implemented for a period of three years, beginning not later than March 1, 2009, and ending three years after that date.

(f) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report on the effectiveness of the health risk management demonstration project in improving the health risk measures of military health system beneficiaries enrolled in the demonstration project. The first report shall be submitted not later than one year after the date of the enactment of this Act, and subsequent reports shall be submitted for each year of the demonstration project with the final report being submitted not later than 90 days after the termination of the demonstration project.

(2) MATTERS COVERED.—Each report shall address, at a minimum, the following:

(A) The number of beneficiaries who were enrolled in the project.

(B) The number of enrolled beneficiaries who participate in the project.

(C) The incentives to encourage healthy behaviors that were provided to the beneficiaries in each beneficiary category, and the extent to which the incentives encouraged healthy behaviors.

(D) An assessment of the effectiveness of the demonstration project.

(E) Recommendations for adjustments to the demonstration project.

(F) The estimated costs avoided as a result of decreased health risk conditions on the part of each of the beneficiary categories.

(G) Recommendations for extending the demonstration project or implementing a permanent wellness assessment program.

(H) Identification of legislative authorities required to implement a permanent program.

SEC. 713. SMOKING CESSATION PROGRAM UNDER TRICARE.

(a) TRICARE SMOKING CESSATION PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a smoking cessation program under the TRICARE program, to be made available to all beneficiaries under the TRICARE program, subject to subsection (b). The Secretary

may prescribe such regulations as may be necessary to implement the program.

(b) EXCLUSION FOR MEDICARE-ELIGIBLE BENEFICIARIES.—The smoking cessation program shall not be made available to medicare-eligible beneficiaries.

(c) ELEMENTS.—The program shall include, at a minimum, the following elements:

(1) The availability, at no cost to the beneficiary, of pharmaceuticals used for smoking cessation, with a limitation on the availability of such pharmaceuticals to the national mail-order pharmacy program under the TRICARE program if appropriate.

(2) Counseling.

(3) Access to a toll-free quit line that is available 24 hours a day, 7 days a week.

(4) Access to printed and Internet web-based tobacco cessation material.

(d) CHAIN OF COMMAND INVOLVEMENT.—In establishing the program, the Secretary of Defense shall provide for involvement by officers in the chain of command of participants in the program who are on active duty.

(e) PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan to implement the program.

(f) REFUND OF COPAYMENTS.—

(1) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary may pay a refund to a medicare-eligible beneficiary otherwise excluded by this section, subject to the availability of appropriations specifically for such refunds, consisting of an amount up to the difference between—

(A) the amount the beneficiary pays for copayments for smoking cessation services described in subsection (c) during fiscal year 2009; and

(B) the amount the beneficiary would have paid during such fiscal year if the beneficiary had not been excluded under subsection (b) from the smoking cessation program under subsection (a).

(2) COPAYMENTS COVERED.—The refunds under paragraph (1) are available only for copayments paid by medicare-eligible beneficiaries during fiscal year 2009.

(g) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report covering the following:

(1) The status of the program.

(2) The number of participants in the program.

(3) The cost of the program.

(4) The costs avoided that are attributed to the program.

(5) The success rates of the program compared to other nationally recognized smoking cessation programs.

(6) Findings regarding the success rate of participants in the program.

(7) Recommendations to modify the policies and procedures of the program.

(8) Recommendations concerning the future utility of the program.

(h) DEFINITIONS.—In this section:

(1) TRICARE PROGRAM.—The term "TRICARE program" has the meaning provided by section 1072(7) of title 10, United States Code.

(2) MEDICARE-ELIGIBLE.—The term "medicare-eligible" has the meaning provided by section 1111(b) of title 10, United States Code.

SEC. 714. PREVENTIVE HEALTH ALLOWANCE.

(a) ALLOWANCE.—Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 438. Preventive health services allowance

"(a) DEMONSTRATION PROJECT.—During the period beginning on January 1, 2009, and ending on December 31, 2011, the Secretary of Defense shall conduct a demonstration project designed to evaluate the efficacy of providing an annual allowance (to be known as a 'preventive health services allowance') to members of the armed forces described in subsection (b) to increase the use of preventive health services by such members and their dependents.

"(b) ELIGIBLE MEMBERS.—(1) Subject to the numerical limitations specified in paragraph (2), a member of the armed forces who is serving on active duty for a period of more than 30 days and meets the medical and dental readiness requirements for the armed force of the member may receive a preventive health services allowance.

"(2) Not more than 1,500 members of each of the Army, Navy, Air Force, and Marine Corps may receive a preventive health services allowance during any year, of which half in each armed force shall be members without dependents and half shall be members with dependents.

"(c) AMOUNT OF ALLOWANCE.—The Secretary of the military department concerned shall pay a preventive health services allowance to a member selected to receive the allowance in an amount equal to—

"(1) $500 per year, in the case of a member without dependents; and

"(2) $1,000 per year, in the case of a member with dependents.

"(d) AUTHORIZED PREVENTIVE HEALTH SERVICES.—(1) The Secretary of Defense shall specify the types of preventive health services that may be procured using a preventive health services allowance and the frequency at which such services may be procured.

"(2) At a minimum, authorized preventive health services shall include, taking into consideration the age and gender of the member and dependents of the member:

"(A) Colorectal screening.

"(B) Breast screening.

"(C) Cervical screening.

"(D) Prostate screening.

"(E) Annual physical exam.

"(F) Annual dental exam.

"(G) Weight and body mass screening.

"(H) Vaccinations.

"(3) The Secretary of Defense shall ensure that members selected to receive the preventive health services allowance and their dependents are provided a reasonable opportunity to receive the services authorized under this subsection in their local area.

"(e) DATA COLLECTION.—At a minimum, the Secretary of Defense shall monitor and record the health of members receiving a preventive health services allowance and their dependents and the results of the testing required to qualify for payment of the allowance, if conducted. The Secretary shall assess the medical utility of the testing required to qualify for payment of a preventive health allowance.

"(f) REPORTING REQUIREMENT.—Not later than March 31, 2010, and March 31, 2012, the Secretary of Defense shall submit to Congress a report on the status of the demonstration project, including findings regarding the medical status of participants, recommendations to modify the policies and procedures of the program, and recommendations concerning the future utility of the project.

"(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"438. Preventive health care allowance.".

SEC. 715. ADDITIONAL AUTHORITY FOR STUDIES AND DEMONSTRATION PROJECTS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE.

Section 1092(a) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(3) The Secretary of Defense may include in the studies and demonstration projects conducted under paragraph (1) studies and demonstration projects to provide awards and incentives to members of the armed forces and covered beneficiaries who obtain health promotion and disease prevention health care services under the TRICARE program in accordance with terms and schedules prescribed by the Secretary. Such awards and incentives may include cash awards and, in the case of members of the armed forces, personnel incentives.

"(4)(A) The Secretary of Defense may, in consultation with the other administering Secretaries, include in the studies and demonstration projects conducted under paragraph (1) studies and demonstration projects to provide awards or incentives to individual health care professionals under the authority of such Secretaries, including members of the uniformed services, Federal civilian employees, and contractor personnel, to encourage and reward effective implementation of innovative health care programs designed to improve quality, cost-effectiveness, health promotion, medical readiness, and other priority objectives. Such awards and incentives may include cash awards and, in the case of members of the armed forces and Federal civilian employees, personnel incentives.

"(B) Amounts available for the pay of members of the uniformed services shall be available for awards and incentives under this paragraph with respect to members of the uniformed services.

"(5) The Secretary of Defense may include in the studies and demonstration projects conducted under paragraph (1) studies and demonstration projects to improve the medical and dental readiness of members of reserve components of the armed forces, including the provision of health care services to such members for which they are not otherwise entitled or eligible under this chapter.

"(6) The Secretary of Defense may include in the studies and demonstration projects conducted under paragraph (1) studies and demonstration projects to improve the continuity of health care services for family members of mobilized members of the reserve components of the armed forces who are eligible for such services under this chapter, including payment of a stipend for continuation of employer-provided health coverage during extended periods of active duty.".

Subtitle C—Wounded Warrior Matters

SEC. 721. CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEARING LOSS AND AUDITORY SYSTEM INJURIES.

(a) IN GENERAL.—The Secretary of Defense shall establish within the Department of Defense a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injury to carry out the responsibilities specified in subsection (c).

(b) PARTNERSHIPS.—The Secretary shall ensure that the center collaborates to the maximum extent practicable with the Secretary of Veterans Affairs, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (c).

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The center shall—

(A) implement a comprehensive plan and strategy for the Department of Defense, as developed by the Secretary of Defense, for a registry of information for the tracking of the diagnosis, surgical intervention or other operative procedure, other treatment, and follow up for each case of hearing loss and auditory system injury incurred by a member of the Armed Forces while serving on active duty;

(B) ensure the electronic exchange with the Secretary of Veterans Affairs of information obtained through tracking under subparagraph (A); and

(C) enable the Secretary of Veterans Affairs to access the registry and add information pertaining to additional treatments or surgical procedures and eventual hearing outcomes for veterans who were entered into the registry and subsequently received treatment through the Veterans Health Administration.

(2) DESIGNATION OF REGISTRY.—The registry under this subsection shall be known as the "Hearing Loss and Auditory System Injury Registry" (hereinafter referred to as the "Registry").

(3) CONSULTATION IN DEVELOPMENT.—The center shall develop the Registry in consultation with audiologists, speech and language pathologists, otolaryngologists, and other spe-

cialist personnel of the Department of Defense and the audiologists, speech and language pathologists, otolaryngologists, and other specialist personnel of the Department of Veterans Affairs. The mechanisms and procedures of the Registry shall reflect applicable expert research on military and other hearing loss.

(4) MECHANISMS.—The mechanisms of the Registry for tracking under paragraph (1)(A) shall ensure that each military medical treatment facility or other medical facility shall submit to the center for inclusion in the Registry information on the diagnosis, surgical intervention or other operative procedure, other treatment, and follow up for each case of hearing loss and auditory system injury described in that paragraph as follows (to the extent applicable):

(A) Not later than 30 days after surgery or other operative intervention, including a surgery or other operative intervention carried out as a result of a follow-up examination.

(B) Not later than 180 days after the hearing loss and auditory system injury is reported or recorded in the medical record.

(5) COORDINATION OF CARE AND BENEFITS.—(A) The center shall provide notice to the National Center for Rehabilitative Auditory Research (NCRAR) of the Department of Veterans Affairs and to the auditory system impairment services of the Veterans Health Administration on each member of the Armed Forces described in subparagraph (B) for purposes of ensuring the coordination of the provision of ongoing auditory system rehabilitation benefits and services by the Department of Veterans Affairs after the separation or release of such member from the Armed Forces.

(B) A member of the Armed Forces described in this subparagraph is a member of the Armed Forces with significant hearing loss or auditory system injury incurred while serving on active duty, including a member with auditory dysfunction related to traumatic brain injury.

(d) UTILIZATION OF REGISTRY INFORMATION.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly ensure that information in the Registry is available to appropriate audiologists, speech and language pathologists, otolaryngologists, and other specialist personnel of the Department of Defense and the Department of Veterans Affairs for purposes of encouraging and facilitating the conduct of research, and the development of best practices and clinical education, on hearing loss or auditory system injury incurred by members of the Armed Forces.

(e) INCLUSION OF RECORDS OF OIF/OEF VETERANS.—The Secretary of Defense shall take appropriate actions to include in the Registry such records of members of the Armed Forces who incurred a hearing loss or auditory system injury while serving on active duty on or after September 11, 2001, but before the establishment of the Registry, as the Secretary considers appropriate for purposes of the Registry.

SEC. 722. CLARIFICATION TO CENTER OF EXCELLENCE RELATING TO MILITARY EYE INJURIES.

Section 1623(d) of Public Law 110–181 is amended by striking "in combat" at the end.

SEC. 723. CENTER OF EXCELLENCE IN THE MITIGATION, TREATMENT, AND REHABILITATION OF TRAUMATIC EXTREMITY INJURIES AND AMPUTATIONS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish a center of excellence in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations.

(b) PARTNERSHIPS.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly ensure that the center collaborates with the Department of Defense, the Department of Veterans Affairs, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (c).

(c) RESPONSIBILITIES.—The center shall have the responsibilities as follows:

(1) To implement a comprehensive plan and strategy for the Department of Defense and the Department ofVeterans Affairs for the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations.

(2) To conduct research to develop scientific information aimed at saving injured extremities, avoiding amputations, and preserving and restoring the function of injured extremities. Such research shall address military medical needs and include the full range of scientific inquiry encompassing basic, translational, and clinical research.

(3) To carry out such other activities to improve and enhance the efforts of the Department of Defense and the Department of Veterans Affairs for the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations as the Secretary of Defense and the Secretary of Veterans Affairs consider appropriate.

(d) REPORTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the activities of the center.

(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) In the case of the first report under this subsection, a description of the implementation of the requirements of this Act.

(B) A description and assessment of the activities of the center during the one-year period ending on the date of such report, including an assessment of the role of such activities in improving and enhancing the efforts of the Department of Defense and the Department of Veterans Affairs for the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations.

SEC. 724. ADDITIONAL RESPONSIBILITIES FOR THE WOUNDED WARRIOR RESOURCE CENTER.

Section 1616(a) of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 447; 10 U.S.C. 1071 note) is amended in the first sentence by inserting "receiving legal assistance referral information (where appropriate), receiving other appropriate referral information," after "receiving benefits information,".

SEC. 725. SENSE OF CONGRESS ON RESEARCH ON TRAUMATIC BRAIN INJURY.

It is the sense of Congress that the requirement under section 1621(c)(7) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 453; 10 U.S.C. 1071 note) to conduct basic science and translational research on traumatic brain injury includes pilot programs designed to test the efficacy of clinical approaches, including the use of pharmacological agents. Congress urges continued studies of the efficacy of pharmacological agents for treatment of traumatic brain injury and supports continued joint research with the National Institutes of Health in this area.

SEC. 726. EXTENSION OF SENIOR OVERSIGHT COMMITTEE WITH RESPECT TO WOUNDED WARRIOR MATTERS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly take such actions as are appropriate, including the allocation of appropriate personnel, funding, and other resources, to continue the operations of the Senior Oversight Committee until December 31, 2009.

(b) REPORT ON FURTHER EXTENSION OF COMMITTEE.—Not later than August 31, 2009, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report setting forth the joint recommendation of the Secretaries as to the advisability of continuing the operations of the Senior Oversight Committee after December 31, 2009. If the Secretaries recommend that continuing the operations of the Senior Oversight Committee after December 31, 2009, is advisable, the report may include such recommendations for the modification of the responsibilities, composition, or support of the Senior Oversight Committee as the Secretaries jointly consider appropriate.

(c) SENIOR OVERSIGHT COMMITTEE DEFINED.—In this section, the term "Senior Oversight Committee" means the Senior Oversight Committee jointly established by the Secretary of Defense and the Secretary of Veterans Affairs in May 2007. The Senior Oversight Committee was established to address concerns related to the treatment of wounded, ill, and injured members of the Armed Forces and veterans and serves as the single point of contact for oversight, strategy, and integration of proposed strategies for the efforts of the Department of Defense and the Department of Veterans Affairs to improve support throughout the recovery, rehabilitation, and reintegration of wounded, ill, or injured members of the Armed Forces.

SEC. 727. MODIFICATION OF UTILIZATION OF VETERANS' PRESUMPTION OF SOUND CONDITION IN ESTABLISHING ELIGIBILITY OF MEMBERS OF THE ARMED FORCES FOR RETIREMENT FOR DISABILITY.

(a) RETIREMENT OF REGULARS AND MEMBERS ON ACTIVE DUTY FOR MORE THAN 30 DAYS.—Section 1201(b)(3)(B)(i) of title 10, United States Code, is amended—

(1) by striking "the member has six months or more of active military service and"; and

(2) by striking "(unless compelling evidence" and all that follows through "active duty)" and inserting "(unless clear and unmistakable evidence demonstrates that the disability existed before the member's entrance on active duty and was not aggravated by active military service)".

(b) SEPARATION OF REGULARS AND MEMBERS ON ACTIVE DUTY FOR MORE THAN 30 DAYS.—Section 1203(b)(4)(B) of such title is amended—

(1) by striking "the member has six months or more of active military service, and"; and

(2) by striking "(unless compelling evidence" and all that follows through "active duty)" and inserting "(unless clear and unmistakable evidence demonstrates that the disability existed before the member's entrance on active duty and was not aggravated by active military service)".

Subtitle D—Other Matters

SEC. 731. REPORT ON PROVIDING THE EXTENDED CARE HEALTH OPTION PROGRAM TO DEPENDENTS OF MILITARY RETIREES.

(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 on including dependents of military retirees in the ECHO program for a limited transitional period following retirement.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include the following:

(1) The most current data on the number of military retirees with dependents who are eligible to receive extended benefits under the ECHO program and an estimate of the number of future military retirees with dependents who are eligible to receive such benefits.

(2) The cost estimates of providing extended benefits under the ECHO program to dependents of all current and future military retirees.

(3) The feasibility of including dependents of military retirees in any ongoing demonstration or pilot programs within the ECHO program.

(4) The statutory and regulatory impediments to including dependents of military retirees in the ECHO program.

(c) ECHO PROGRAM.—In this section, the term "ECHO program" means the Extended Care Health Option program provided pursuant to subsections (d), (e), and (f) of section 1079 of title 10, United States Code.

SEC. 732. INCREASE IN CAP ON EXTENDED BENEFITS UNDER EXTENDED HEALTH CARE OPTION (ECHO).

Section 1079(f) of title 10, United States Code is amended—

(1) in paragraph (2)(A), by striking "month shall not exceed $2,500," and inserting "year shall not exceed $36,000, prorated as determined by the Secretary of Defense,"; and

(2) in paragraph (2)(B), by striking "month" and inserting "year.".

SEC. 733. DEPARTMENT OF DEFENSE TASK FORCE ON THE PREVENTION OF SUICIDE BY MEMBERS OF THE ARMED FORCES.

(a) REQUIREMENT TO ESTABLISH.—The Secretary of Defense shall establish within the Department of Defense a task force to examine matters relating to prevention of suicide by members of the Armed Forces.

(b) COMPOSITION.—

(1) MEMBERS.—The task force shall consist of not more than 14 members appointed by the Secretary of Defense from among individuals described in paragraph (2) who have demonstrated expertise in the area of suicide prevention and response.

(2) RANGE OF MEMBERS.—The individuals appointed to the task force shall include—

(A) at least one member of each of the Army, Navy, Air Force, and Marine Corps;

(B) 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;

(C) persons who have experience in—

(i) national suicide prevention policy;

(ii) military personnel policy;

(iii) research in the field of suicide prevention;

(iv) clinical care in mental health; or

(v) military chaplaincy or pastoral care; and

(D) at least one family member of a member of the Armed Forces who has experience working with military families.

(3) INDIVIDUALS APPOINTED OUTSIDE DEPARTMENT OF DEFENSE.—Individuals appointed to the task force from outside the Department of Defense may include officers or employees of other departments or agencies of the Federal Government, officers or employees of State and local governments, or individuals from the private sector.

(4) DEADLINE FOR APPOINTMENT.—All appointments of individuals to the task force shall be made not later than 180 days after the date of the enactment of this Act.

(5) CO-CHAIRS OF TASK FORCE.—There shall be two co-chairs of the task force. One of the co-chairs shall be designated by the Secretary of the Defense at the time of appointment from among the Department of Defense personnel appointed to the task force. The other co-chair shall be selected from among the members appointed from outside the Department of Defense by members so appointed.

(c) ASSESSMENT AND RECOMMENDATIONS ON SUICIDE PREVENTION POLICY.—

(1) IN GENERAL.—Not later than 12 months after the date on which all members of the task force have been appointed, the task force shall submit to the Secretary a report containing recommendations regarding a comprehensive policy designed to prevent suicide by members of the Armed Forces.

(2) UTILIZATION OF OTHER EFFORTS.—In preparing the report, the task force shall take into consideration completed and ongoing efforts by the military departments to improve the efficacy of suicide prevention programs.

(3) ELEMENTS.—The recommendations (including recommendations for legislative or administrative action) shall include measures to address the following:

(A) Methods to identify trends and common causal factors in suicides by members of the Armed Forces.

(B) Methods to establish or update suicide education and prevention programs conducted by each military department based on identified trends and causal factors.

(C) An assessment of current suicide education and prevention programs of each military department.

(D) An assessment of suicide incidence by military occupation to include identification of military occupations with a high incidence of suicide.

(E) The appropriate type and method of investigation to determine the causes and factors surrounding each suicide by a member of the Armed Forces.

(F) The qualifications of the individual appointed to conduct an investigation of a suicide by a member of the Armed Forces.

(G) The required information to be determined by an investigation in order to determine the causes and factors surrounding suicides by members of the Armed Forces.

(H) The appropriate reporting requirements following an investigation conducted on a suicide by a member of the Armed Forces.

(I) The appropriate official or executive agent within the military department and Department of Defense to receive and analyze reports on investigations of suicides by members of the Armed Forces.

(J) The appropriate use of the information gathered during investigations of suicides by members of the Armed Forces.

(K) Methods for protecting confidentiality of information contained in reports of investigations of suicides by members of the Armed Forces.

(d) 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 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 treated for purposes of section 3161 of title 5, United States

Code, as having been appointed under subsection (b) of such section.

(2) OVERSIGHT.—The Under Secretary of Defense for Personnel and Readiness shall oversee the activities of the task force.

(3) ADMINISTRATIVE SUPPORT.—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.

(4) ACCESS TO FACILITIES.—The Under Secretary of Defense for Personnel and Readiness shall, in coordination with the Secretaries of the military departments, ensure appropriate access by the task force to military installations and facilities for purposes of the discharge of the duties of the task force.

(e) REPORT.—

(1) IN GENERAL.—The task force shall submit to the Secretary of Defense a report on its activities under this section. The report shall include—

(A) a description of the activities of the task force;

(B) the assessment and recommendations required by subsection (c); and

(C) such other matters relating to the activities of the task force that the task force considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after receipt of the report under paragraph (1), the Secretary shall transmit the report to the Committees on Armed Services of the Senate and the House of Representatives. The Secretary may include in the transmittal such comments on the report as the Secretary considers appropriate.

(f) PLAN REQUIRED.—Not later than March 1, 2010, the Secretary of Defense shall develop a plan based on the recommendations of the task force and submit the plan to the congressional defense committees.

(g) TERMINATION.—The task force shall terminate 90 days after the date on which the report of the task force is submitted to Congress under subsection (e)(2).

SEC. 734. TRANSITIONAL HEALTH CARE FOR CERTAIN MEMBERS OF THE ARMED FORCES WHO AGREE TO SERVE IN THE SELECTED RESERVE OF THE READY RESERVE.

(a) PROVISION OF TRANSITIONAL HEALTH CARE.—Section 1145(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(F) A member who is separated from active duty who agrees to become a member of the Selected Reserve of the Ready Reserve of a reserve component.".

(b) EFFECTIVE DATE.—Subparagraph (F) of section 1145(a)(2) of title 10, United States Code, as added by subsection (a), shall apply with respect to members of the Armed Forces separated from active duty after the date of the enactment of this Act.

SEC. 735. ENHANCEMENT OF MEDICAL AND DENTAL READINESS OF MEMBERS OF THE ARMED FORCES.

(a) EXPANSION OF AVAILABILITY OF MEDICAL AND DENTAL SERVICES FOR RESERVES.—

(1) EXPANSION OF AVAILABILITY FOR RESERVES ASSIGNED TO UNITS SCHEDULED FOR DEPLOYMENT WITHIN 75 DAYS OF MOBILIZATION.—Subsection (d)(1) of section 1074a of title 10, United States Code, is amended by striking "The Secretary of the Army shall provide to members of the Selected Reserve of the Army" and inserting "The Secretary concerned shall provide to members of the Selected Reserve".

(2) AVAILABILITY FOR CERTAIN OTHER RESERVES.—Such section is further amended by adding at the end the following new subsection:

"(g)(1) The Secretary concerned may provide to any member of the Selected Reserve not described in subsection (d)(1) or (f), and to any member of the Individual Ready Reserve described in section 10144(b) of this title the medical and dental services specified in subsection (d)(1) if the Secretary determines that the receipt of such services by such member is necessary to ensure that the member meets applicable standards of medical and dental readiness.

"(2) Services may not be provided to a member under this subsection for a condition that is the result of the member's own misconduct.

"(3) The services provided under this subsection shall be provided at no cost to the member.".

(3) FUNDING.—Such section is further amended by adding at the end the following new subsection:

"(h) Amounts available for operation and maintenance of a reserve component of the armed forces may be available for purposes of this section to ensure the medical and dental readiness of members of such reserve component.".

(b) WAIVER OF CERTAIN COPAYMENTS FOR DENTAL CARE FOR RESERVES FOR READINESS PURPOSES.—Section 1076a(e) of such title is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by striking "A member or dependent" and inserting "(1) Except as provided pursuant to paragraph (2), a member or dependent"; and

(3) by adding at the end the following new paragraph:

"(2)(A) During a national emergency declared by the President or Congress and subject to regulations prescribed by the Secretary of Defense, the Secretary may waive, in whole or in part, the charges otherwise payable by a member of the Selected Reserve of the Ready Reserve or a member of the Individual Ready Reserve under paragraph (1) for the coverage of the member alone under the dental insurance plan established under subsection (a)(1) if the Secretary determines that such waiver of the charges would facilitate or ensure the readiness of a unit or individual for deployment.

"(B) The waiver under subparagraph (A) may apply only with respect to charges for coverage of dental care required for readiness.".

(c) REPORT ON POLICIES AND PROCEDURES IN SUPPORT OF MEDICAL AND DENTAL READINESS.—

(1) IN GENERAL.—Not later than March 1, 2009, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the policies and procedures of the Department of De-

fense to ensure the medical and dental readiness of members of the Armed Forces.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the current standards of each military department with respect to the medical and dental readiness of individual members of the Armed Forces (including members of the regular components and members of the reserve components), and with respect to the medical and dental readiness of units of the Armed Forces (including units of the regular components and units of the reserve components), under the jurisdiction of such military department.

(B) A description of the manner in which each military department applies the standards described under subparagraph (A) with respect to each of the following:

(i) Performance evaluation.

(ii) Promotion.

(iii) In the case of the members of the reserve components, eligibility to attend annual training.

(iv) Continued retention in the Armed Forces.

(v) Such other matters as the Secretary considers appropriate.

(C) A statement of the number of members of the Armed Forces (including members of the regular components and members of the reserve components) who were determined to be not ready for deployment at any time during the period beginning on October 1, 2001, and ending on September 30, 2008, due to failure to meet applicable medical or dental standards, and an assessment of whether the unreadiness of such members for deployment could reasonably have been mitigated by actions of the members concerned to maintain individual medical or dental readiness.

(D) A description of any actual or perceived barriers to the achievement of full medical and dental readiness in the Armed Forces (including among the regular components and the reserve components), including barriers associated with the following:

(i) Quality or cost of, or access to, medical and dental care.

(ii) Availability of programs and incentives intended to prevent medical or dental problems.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate to ensure the medical and dental readiness of individual members of the Armed Forces and units of the Armed Forces, including recommendations regarding the following:

(i) The advisability of requiring that fitness reports of members of the Armed Forces include—

(I) a statement of whether or not a member meets medical and dental readiness standards for deployment; and

(II) in cases in which a member does not meet such standard, a statement of actions being taken

to ensure that the member meets such standards and the anticipated schedule for meeting such standards.

(ii) The advisability of establishing a mandatory promotion standard relating to individual medical and dental readiness and, in the case of a unit commander, unit medical and dental readiness.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Sec. 801. Assessment of urgent operational needs fulfillment.
Sec. 802. Implementation of statutory requirements regarding the national technology and industrial base.
Sec. 803. Commercial software reuse preference.
Sec. 804. Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

Sec. 811. Inclusion of major subprograms to major defense acquisition programs under acquisition reporting requirements.
Sec. 812. Inclusion of certain major information technology investments in acquisition oversight authorities for major automated information system programs.
Sec. 813. Transfer of sections of title 10 relating to Milestone A and Milestone B for clarity.
Sec. 814. Configuration steering boards for cost control under major defense acquisition programs.
Sec. 815. Preservation of tooling for major defense acquisition programs.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 821. Definition of system for Defense Acquisition Challenge Program.
Sec. 822. Technical data rights.
Sec. 823. Revision to the application of Cost Accounting Standards.
Sec. 824. Modification and extension of pilot program for transition to follow-on contracts under authority to carry out certain prototype projects.
Sec. 825. Clarification of status of Government rights in the designs of Department of Defense vessels, boats, craft, and components thereof.

Subtitle D—Provisions Relating to Acquisition Workforce and Inherently Governmental Functions

Sec. 831. Development of guidance on personal services contracts.
Sec. 832. Sense of Congress on performance by private security contractors of certain functions in an area of combat operations.
Sec. 833. Acquisition workforce expedited hiring authority.
Sec. 834. Career path and other requirements for military personnel in the acquisition field.

Subtitle E—Department of Defense Contractor Matters

Sec. 841. Ethics safeguards related to contractor conflicts of interest.
Sec. 842. Information for Department of Defense contractor employees on their whistleblower rights.
Sec. 843. Requirement for Department of Defense to adopt an acquisition strategy for Defense Base Act insurance.
Sec. 844. Report on use of off-shore subsidiaries by defense contractors.
Sec. 845. Defense industrial security.

Subtitle F—Matters Relating to Iraq and Afghanistan

Sec. 851. Clarification and modification of authorities relating to the Commission on Wartime Contracting in Iraq and Afghanistan.
Sec. 852. Comprehensive audit of spare parts purchases and depot overhaul and maintenance of equipment for operations in Iraq and Afghanistan.
Sec. 853. Additional matters required to be reported by contractors performing security functions in areas of combat operations.
Sec. 854. Additional contractor requirements and responsibilities relating to alleged crimes by or against contractor personnel in Iraq and Afghanistan.
Sec. 855. Suspension of statutes of limitations when Congress authorizes the use of military force.

Subtitle G—Governmentwide Acquisition Improvements

Sec. 861. Short title.
Sec. 862. Limitation on length of certain noncompetitive contracts.
Sec. 863. Requirements for purchase of property and services pursuant to multiple award contracts.
Sec. 864. Regulations on the use of cost-reimbursement contracts.
Sec. 865. Preventing abuse of interagency contracts.
Sec. 866. Limitations on tiering of subcontractors.
Sec. 867. Linking of award and incentive fees to acquisition outcomes.
Sec. 868. Minimizing abuse of commercial services item authority.
Sec. 869. Acquisition workforce development strategic plan.
Sec. 870. Contingency Contracting Corps.
Sec. 871. Access of Government Accountability Office to contractor employees.
Sec. 872. Database for Federal agency contract and grant officers and suspension and debarment officials.
Sec. 873. Role of Interagency Committee on Debarment and Suspension.
Sec. 874. Improvements to the Federal procurement data system.

Subtitle H—Other Matters

Sec. 881. Expansion of authority to retain fees from licensing of intellectual property.
Sec. 882. Report on market research.
Sec. 883. Report relating to munitions.
Sec. 884. Motor carrier fuel surcharges.
Sec. 885. Procurement by State and local governments of equipment for homeland security and emergency response activities through the Department of Defense.
Sec. 886. Review of impact of covered subsidies on acquisition of KC-45 aircraft.
Sec. 887. Report on the implementation of earned value management at the Department of Defense.

Subtitle A—Acquisition Policy and Management

SEC. 801. ASSESSMENT OF URGENT OPERATIONAL NEEDS FULFILLMENT.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall commission a study and report by an independent commission or a federally funded research and development center to assess the effectiveness of the processes used by the Department of Defense for the generation of urgent operational need requirements, and the acquisition processes used to fulfill such requirements. Such assessment shall include the following:

(1) A description and evaluation of the effectiveness of the procedures used to generate, validate, and fulfill warfighting requirements through the urgent operational need and joint urgent operational need processes, including—

(A) the extent to which joint and urgent operational need statements are used to document required capability

gaps or are used to request specific acquisition outcomes, such as specific systems or equipment;

(B) the effectiveness of the processes used by each of the military departments and the various elements of the Department of Defense to prioritize and fulfill joint and urgent operational needs, including the rapid acquisition processes of the military departments, as well as the joint improvised explosive device defeat organization and the joint rapid acquisition cell; and

(C) the timeliness and responsiveness of the processes used by the military departments and the various elements of the Department of Defense to review and validate urgent operational needs statements and joint urgent operational needs statements.

(2) An evaluation of the extent to which joint urgent operational need statements are used to avoid using service-specific urgent operational need and acquisition processes or to document non-urgent capability gaps.

(3) An evaluation of the extent to which joint acquisition entities maintain oversight, once a military department or defense agency has been designated as responsible for execution and fielding of a capability in response to a joint urgent operational need statement, including oversight of—

(A) the responsiveness of the military department or agency in execution;

(B) the field performance of the capability delivered in response to the joint urgent operational need statement; and

(C) the concurrent development of a long term acquisition and sustainment strategy.

(8) Recommendations regarding—

(A) best practices and process improvements to ensure that urgent operational needs statements and joint urgent operational needs statements are presented to appropriate authorities for review and validation not later than 60 days after the documents are submitted;

(B) common definitions and standards for urgent operational needs statements and joint urgent operational need statements;

(C) best practices and process improvements for the creation, evaluation, prioritization, and fulfillment of urgent operational need statements and joint urgent operational need statements; and

(D) the extent to which rapid acquisition processes should be consolidated or expanded.

(b) SUBMISSION TO CONGRESS.—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 the report resulting from the study conducted pursuant to subsection (a).

SEC. 802. IMPLEMENTATION OF STATUTORY REQUIREMENTS REGARDING THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) GUIDANCE REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance regarding—

(1) the appropriate application of the authority in sections 2304(b) and 2304(c)(3)(A) of title 10, United States Code, in connection with major defense acquisition programs; and

(2) the appropriate timing and performance of the requirement in section 2440 of title 10, United States Code, to consider the national technology and industrial base in the development and implementation of acquisition plans for each major defense acquisition program.

(b) DEFINITIONS.—In this section;

(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term "major defense acquisition program" has the meaning provided in section 2430 of title 10, United States Code.

(2) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—The term "national technology and industrial base" has the meaning provided in section 2500(1) of title 10, United States Code.

SEC. 803. COMMERCIAL SOFTWARE REUSE PREFERENCE.

(a) IN GENERAL.—The Secretary of Defense shall ensure that contracting officials identify and evaluate, at all stages of the acquisition process (including concept refinement, concept decision, and technology development), opportunities for the use of commercial computer software and other non-developmental software.

(b) REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report on actions taken to implement subsection (a), including a description of any relevant regulations and policy guidance.

SEC. 804. INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE BY CERTAIN NON-DEFENSE AGENCIES.

(a) INCLUSION OF ADDITIONAL NON-DEFENSE AGENCIES IN REVIEW.—The covered non-defense agencies specified in subsection (c) of this section shall be considered covered non-defense agencies as defined in subsection (i) of section 817 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2326) for purposes of such section.

(b) DEADLINES AND APPLICABILITY FOR ADDITIONAL NON-DEFENSE AGENCIES.—For each covered non-defense agency specified in subsection (c) of this section, section 817 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2326) shall apply to such agency as follows:

(1) The review and determination required by subsection (a)(1) of such section shall be completed by not later than March 15, 2009.

(2) The review and determination required by subsection (a)(2) of such section, if necessary, shall be completed by not later than June 15, 2010, and such review and determination shall be a review and determination of such agency's procurement of property and services on behalf of the Department of Defense in fiscal year 2009.

(3) The memorandum of understanding required by subsection (c)(1) of such section shall be entered into by not later than 60 days after the date of the enactment of this Act.

(4) The limitation specified in subsection (d)(1) of such section shall apply after March 15, 2009, and before June 16, 2010.

(5) The limitation specified in subsection (d)(2) of such section shall apply after June 15, 2010.

(6) The limitation required by subsection (d)(3) of such section shall commence, if necessary, on the date that is 60 days after the date of the enactment of this Act.

(c) DEFINITION OF COVERED NON-DEFENSE AGENCY.—In this section, the term "covered non-defense agency" means each of the following:

(1) The Department of Commerce.

(2) The Department of Energy.

(d) MODIFICATION OF CERTAIN ADDITIONAL AUTHORITIES ON INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF DOD.—Section 801 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 202; 10 U.S.C. 2304 note) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by striking "each of the Department of the Treasury, the Department of the Interior, and the National Aeronautics and Space Administration" and inserting "the Department of the Interior"; and

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

"(D) In the case of each of the Department of Commerce and the Department of Energy, by not later than March 15, 2015."; and

(2) in subsection (f)(2)—

(A) by striking subparagraphs (B) and (D);

(B) by redesignating subparagraphs (C), (E), and (F) as subparagraphs (B), (C), and (D), respectively; and

(C) by adding at the end the following new subparagraphs:

"(E) The Department of Commerce.

"(F) The Department of Energy.".

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

SEC. 811. INCLUSION OF MAJOR SUBPROGRAMS TO MAJOR DEFENSE ACQUISITION PROGRAMS UNDER ACQUISITION REPORTING REQUIREMENTS.

(a) AUTHORITY TO DESIGNATE MAJOR SUBPROGRAMS AS SUBJECT TO ACQUISITION REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2430 the following new section:

"§ 2430a. Major subprograms

"(a) AUTHORITY TO DESIGNATE MAJOR SUBPROGRAMS AS SUBJECT TO ACQUISITION REPORTING REQUIREMENTS.—(1) If the Secretary of Defense determines that a major defense acquisition program re-

quires the delivery of two or more categories of end items which differ significantly from each other in form and function, the Secretary may designate each such category of end items as a major subprogram for the purposes of acquisition reporting under this chapter.

"(2) The Secretary shall notify the congressional defense committees in writing of any proposed designation pursuant to paragraph (1) not less than 30 days before the date such designation takes effect.

"(b) REPORTING REQUIREMENTS.—If the Secretary designates a major subprogram of a major defense acquisition program in accordance with subsection (a), Selected Acquisition Reports, unit cost reports, and program baselines under this chapter shall reflect cost, schedule, and performance information—

"(1) for the major defense acquisition program as a whole; and

"(2) for each major subprogram of the major defense acquisition program so designated.

"(c) REQUIREMENT TO COVER ENTIRE MAJOR DEFENSE ACQUISITION PROGRAM.—If a subprogram of a major defense acquisition program is designated as a major subprogram under subsection (a), all other elements of the major defense acquisition program shall be appropriately organized into one or more subprograms under the major defense acquisition program, each of which subprograms, as so organized, shall be treated as a major subprogram under subsection (a).

"(d) DEFINITIONS.—Notwithstanding paragraphs (1) and (2) of section 2432(a) of this title, in the case of a major defense acquisition program for which the Secretary has designated one or more major subprograms under this section for the purposes of this chapter—

"(1) the term 'program acquisition unit cost' applies at the level of the subprogram and means the total cost for the development and procurement of, and specific military construction for, the major defense acquisition program that is reasonably allocable to each such major subprogram, divided by the relevant number of fully-configured end items to be produced under such major subprogram;

"(2) the term 'procurement unit cost' applies at the level of the subprogram and means the total of all funds programmed to be available for obligation for procurement for each such major subprogram, divided by the number of fully-configured end items to be procured under such major subprogram;

"(3) the term 'major contract', with respect to a designated major subprogram, means each of the six largest prime, associate, or Government furnished equipment contracts under the subprogram that is in excess of $40,000,000 and that is not a firm-fixed price contract; and

"(4) the term 'life cycle cost', with respect to a designated major subprogram, means all costs of development, procurement, military construction, and operations and support, without regard to funding source or management control.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 144 of such title is amended by inserting after the item relating to section 2430 the following new item:

"2430a. Major subprograms.".

(b) CONFORMING AMENDMENTS TO SECTION 2432.—Section 2432 of such title is amended—

(1) in subsection (b)(2)(A), by inserting "for the program (or for each designated subprogram under the program)" after "procurement unit cost";

(2) in subsection (c)—

(A) in paragraph (1)(B)—

(i) by inserting "or designated major subprogram" after "for each major defense acquisition program"; and

(ii) by inserting "or subprogram" after "the program";

(B) in paragraph (1)(C)—

(i) by inserting "or designated major subprogram" after "major defense acquisition program"; and

(ii) by inserting "or subprogram" after "the program"; and

(C) in paragraph (3)(A), by inserting "and each designated major subprogram" after "for each major defense acquisition program";

(3) in subsection (e)—

(A) in paragraph (3), by inserting before the period the following: "for the program (or for each designated major subprogram under the program)";

(B) in paragraph (5), by inserting before the period the following: "(or for each designated major subprogram under the program)";

(C) in paragraph (7), by inserting "or subprogram" after "of the program" each place it appears; and

(D) in paragraph (8), by inserting "and designated major subprograms under the program" after "the program";

(4) in subsection (g)—

(A) by inserting "or designated major subprogram" after "major defense acquisition program"; and

(B) by inserting "or subprogram" after "the program" each place it appears; and

(5) in subsection (h)(2)(C), by inserting "and designated major subprograms under the program" after "the development program".

(c) CONFORMING AMENDMENTS TO SECTION 2433.—Section 2433 of such title is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "The terms" and inserting "Except as provided in section 2430a(c) of this title, the terms";

(B) in paragraph (2)—

(i) by inserting "or designated major subprogram" after "major defense acquisition program"; and

(ii) by inserting "or subprogram" after "the program";

(C) in paragraph (4)—

(i) by inserting "or designated major defense subprogram" after "major defense acquisition program" each place it appears; and

(ii) by inserting "or subprogram" after "for the program" each place it appears; and

(D) in paragraph (5)—

(i) by inserting "or designated major defense subprogram" after "major defense acquisition program" each place it appears; and

(ii) by inserting "or subprogram" after "for the program" each place it appears;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting "(or of each designated major subprogram under the program)" after "unit costs of the program";

(B) in paragraph (1), by inserting before the period the following: "for the program (or for each designated major subprogram under the program)";

(C) in paragraph (2), by inserting before the period the following: "for the program (or for each designated major subprogram under the program)"; and

(D) in paragraph (5), by inserting "or subprogram" after "the program" each place it appears (other than the last place it appears);

(3) in subsection (c)—

(A) by striking "the program acquisition unit cost for the program or the procurement unit cost for the program" and inserting "the program acquisition unit cost for the program (or for a designated major subprogram under the program) or the procurement unit cost for the program (or for such a subprogram)"; and

(B) by striking "for the program" after "significant cost growth threshold";

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting "or any designated major subprogram under the program" after "major defense acquisition program"; and

(ii) by inserting "or subprogram" after "for the program" each place it appears;

(B) in paragraph (2)—

(i) by inserting "or any designated major subprogram under the program" after "major defense acquisition program"; and

(ii) by inserting "or subprogram" after "for the program" each place it appears; and

(C) in paragraph (3), by striking "such program" and inserting "the program or subprogram concerned";

(5) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by inserting "or designated major subprogram" after "major defense acquisition program"; and

(II) by inserting "or subprogram" after "for the program"; and

(ii) in subparagraph (B)—

(I) by inserting "or designated major subprogram" after "major defense acquisition program"; and

(II) by inserting "or subprogram" after "that program"; and

(B) in paragraph (2), in the matter preceding subparagraph (A)—

(i) by inserting "or designated major subprogram" after "major defense acquisition program"; and

(ii) by inserting "or subprogram" after "for the program"; and

(6) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (D)—

(I) by inserting "(and for each designated major subprogram under the program)" after "for the program"; and

(II) by inserting "or subprogram" after "in which the program";

(ii) in subparagraph (E), by inserting "for the program (and for each designated major subprogram under the program)" after "program acquisition cost";

(iii) in subparagraph (F), by inserting before the period the following: "for the program (or for any designated major subprogram under the program)";

(iv) in subparagraph (G)—

(I) by inserting "and each designated major subprogram under the program" after of "the program"; and

(II) by inserting "or subprogram" after "for the program" each place it appears;

(v) in subparagraph (H)—

(I) by inserting "and each designated major subprogram under the program" after "the program" the first place it appears; and

(II) by inserting "or subprogram" after "the program" the second place it appears;

(vi) in subparagraph (J), by inserting "for the program (or for each designated major subprogram under the program)" after "program acquisition unit cost";

(vii) in subparagraph (K), by inserting "for the program (or for each designated major subprogram under the program)" after "procurement unit cost" each place it appears;

(viii) in subparagraph (O), by inserting before the period the following: "for the program (or for any designated major subprogram under the program)";

(ix) in subparagraph (P)—

(I) by inserting "or subprogram" after "the program" the first place it appears; and

(II) by inserting "and any designated major subprogram under the program" after "the program" the second place it appears; and

(x) in subparagraph (Q), by inserting "or any designated major subprogram under the program" after "the program"; and

(B) in paragraph (2)—

(i) by inserting "or designated major subprogram" after "major defense acquisition program";

(ii) by inserting "or subprogram" after "the entire program"; and

(iii) by inserting "or subprogram" after "a program".

(d) CONFORMING AMENDMENTS TO SECTION 2435.—Section 2435 of such title is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "and for each designated major subprogram under the program" after "major defense acquisition program"; and

(B) in paragraph (2), by inserting "or designated major subprogram" after "major defense acquisition program";

(2) in subsection (b)—

(A) by inserting "or any designated major subprogram under the program" after "major defense acquisition program"; and

(B) by inserting "or subprogram" after "the program";

(3) in subsection (c)—

(A) by inserting "or any designated major subprogram under the program" after "major defense acquisition program"; and

(B) by inserting "or subprogram" after "the program" each place it appears;

(4) in subsection (d)—

(A) by inserting "or any designated major subprogram under the program" after "major defense acquisition program" each place it appears;

(B) in paragraph (1)—

(i) by inserting "or subprogram" after "the program" each place it appears; and

(ii) by inserting "or subprogram" after "at program"; and

(C) in paragraph (2), by inserting "or subprogram" after "for the program" each place it appears; and

(5) in subsection (e)—

(A) by inserting "(or in the case of a major defense acquisition program with one or more designated major subprograms, approved baseline descriptions for such subprograms)" after "baseline description";

(B) by striking "the baseline" and inserting "any such baseline description"; and

(C) by inserting "or subprogram" after "of the program".

SEC. 812. INCLUSION OF CERTAIN MAJOR INFORMATION TECHNOLOGY INVESTMENTS IN ACQUISITION OVERSIGHT AUTHORITIES FOR MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 2445a of title 10, United States Code, is amended—

(A) in subsection (a), by striking "IN GENERAL" and inserting "MAJOR AUTOMATED INFORMATION SYSTEM PROGRAM"; and

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

"(d) OTHER MAJOR INFORMATION TECHNOLOGY INVESTMENT PROGRAM.—In this chapter, the term 'other major information technology investment program' means the following:

"(1) An investment that is designated by the Secretary of Defense, or a designee of the Secretary, as a 'pre-Major Automated Information System' or 'pre-MAIS' program.

"(2) Any other investment in automated information system products or services that is expected to exceed the thresholds established in subsection (a), as adjusted under subsection (b), but is not considered to be a major automated information system program because a formal acquisition decision has not yet been made with respect to such investment.".

(2) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

"§ 2445a. Definitions".

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 144A of such title is amended by striking the item relating to section 2445a and inserting the following new item:

"2445a. Definitions.".

(b) COST, SCHEDULE, AND PERFORMANCE INFORMATION.—Section 2445b of such title is amended—

(1) in subsection (a), by inserting "and each other major information technology investment program" after "each major automated information system program";

(2) in subsection (b), by inserting "REGARDING MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS" after "ELEMENTS"; and

(3) by adding at the end the following new subsection:

"(d) ELEMENTS REGARDING OTHER MAJOR INFORMATION TECHNOLOGY INVESTMENT PROGRAMS.—With respect to each other major information technology investment program, the information required by subsection (a) may be provided in the format that is most appropriate to the current status of the program.".

(c) QUARTERLY REPORTS.—Section 2445c of such title is amended—

(1) in subsection (a)—

(A) by inserting "or other major information technology investment program" after "major automated information system program"; and

(B) by inserting "or information technology investment" after "the major automated information system";

(2) in subsection (b)—

(A) by inserting "or other major information technology investment program" after "major automated information system program" in the matter preceding paragraph (1); and

(B) by inserting "or information technology investment" after "automated information system" each place it appears in paragraphs (1) and (2);

(3) in subsection (d)—

(A) in paragraph (1) and in paragraph (2) in the matter preceding subparagraph (A), by inserting "or other major information technology investment program" after "major automated information system program"; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

"(A) the automated information system or information technology investment failed to achieve initial operational capability within five years after funds were first obligated for the program;";

(ii) in subparagraph (B), by inserting before the semicolon the following: "or section 2445b(d) of this title, as applicable";

(iii) in subparagraph (C), by inserting before the semicolon the following: "or section 2445b(d) of this title, as applicable"; and

(iv) in subparagraph (D)—

(I) by inserting "or major information technology investment" after "major automated information system"; and

(II) by inserting before the period the following: "or section 2445b(d) of this title, as applicable";

(4) in subsection (e), by inserting "or other major information technology investment program" after "major automated information system program"; and

(5) in subsection (f)—

(A) by inserting "or other major information technology investment program" after "major automated information system program" in the matter preceding paragraph (1);

(B) in paragraph (1), by inserting "or information technology investment" after "automated information system";

(C) in paragraph (2), by inserting "or information technology investment" after "the system"; and

(D) in paragraph (3), by inserting "or information technology investment, as applicable," after "the program and system".

SEC. 813. TRANSFER OF SECTIONS OF TITLE 10 RELATING TO MILESTONE A AND MILESTONE B FOR CLARITY.

(a) REVERSAL OF ORDER OF SECTIONS.—Section 2366b of title 10, United States Code, is transferred so as to appear before section 2366a of such title.

(b) REDESIGNATION OF SECTIONS.—Section 2366b (relating to Milestone A) and section 2366a (relating to Milestone B) of such

title, as so transferred, are redesignated as sections 2366a and 2366b, respectively.

(c) TECHNICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by striking the items relating sections 2366a and 2366b and inserting the following new items:

"2366a. Major defense acquisition programs: certification required before Milestone A or Key Decision Point A approval.
"2366b. Major defense acquisition programs: certification required before Milestone B or Key Decision Point B approval.".

(d) CONFORMING AMENDMENTS.—

(1) SECTION 181 OF TITLE 10, UNITED STATES CODE.—Section 181(b)(4) of title 10, United States Code, is amended by striking "section 2366a(a)(4), section 2366b(b)," and inserting "section 2366a(b), section 2366b(a)(4),".

(2) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(A) in section 212(1) by striking "2366a" and inserting "2366b"; and

(B) in section 816—

(i) in subsection (a)(2) by striking "2366a" and inserting "2366b";

(ii) in subsection (a)(3) by striking "2366b of title 10, United States Code, as added by section 943 of this Act" and inserting "2366a of title 10, United States Code"; and

(iii) in subsection (c)(2) by striking "2366a" each place such term appears (including in the paragraph heading) and inserting "2366b".

(3) JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007.—The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) is amended in section 812 (120 Stat. 2317), in each of subsections (c)(2)(A) and (d)(2), by striking "2366a" and inserting "2366b".

(e) ADDITIONAL TECHNICAL AMENDMENTS.—

(1) Section 2366a of title 10, United States Code, as transferred and redesignated by this section, is amended—

(A) in paragraphs (1), (2), and (4) of subsection (a), by striking "system" each place it appears and inserting "program";

(B) in paragraph (3) of subsection (a)—

(i) by striking "if the system" and inserting "if the program"; and

(ii) by striking "such system" and inserting "such program";

(C) in subsection (b)—

(i) by striking "major system" and inserting "major defense acquisition program"; and

(ii) by striking "the system" each place it appears and inserting "the program"; and

(D) in paragraph (1) of subsection (c)—

(i) by striking "major system" and inserting "major defense acquisition program"; and

(ii) by striking "2302(5)" and inserting "2430".

(2) Section 943 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 288) is amended—

(A) in subsection (b), by striking "major weapon system" and inserting "major defense acquisition program"; and

(B) in subsection (c)—

(i) by striking "major systems" and inserting "major defense acquisition programs"; and

(ii) by adding at the end the following: "In the case of the certification required by paragraph (2) of subsection (a) of such section, during the period prior to the completion of the first quadrennial roles and missions review required by section 118b of title 10, United States Code, the certification required by that paragraph shall be that the system is being executed by an entity with a relevant core competency as identified by the Secretary of Defense.".

SEC. 814. CONFIGURATION STEERING BOARDS FOR COST CONTROL UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) CONFIGURATION STEERING BOARDS.—Each Secretary of a military department shall establish one or more boards (to be known as a "Configuration Steering Board") for the major defense acquisition programs of such department.

(b) COMPOSITION.—

(1) CHAIR.—Each Configuration Steering Board under this section shall be chaired by the service acquisition executive of the military department concerned.

(2) PARTICULAR MEMBERS.—Each Configuration Steering Board under this section shall include a representative of the following:

(A) The Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(B) The Chief of Staff of the Armed Force concerned.

(C) Other Armed Forces, as appropriate.

(D) The Joint Staff.

(E) The Comptroller of the military department concerned.

(F) The military deputy to the service acquisition executive concerned.

(G) The program executive officer for the major defense acquisition program concerned.

(H) Other senior representatives of the Office of the Secretary of Defense and the military department concerned, as appropriate.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Configuration Steering Board for a major defense acquisition program under this section shall be responsible for the following:

(A) Preventing unnecessary changes to program requirements and system configuration that could have an adverse impact on program cost or schedule.

(B) Mitigating the adverse cost and schedule impact of any changes to program requirements or system configuration that may be required.

(C) Ensuring that the program delivers as much planned capability as possible, at or below the relevant program baseline.

(2) DISCHARGE OF RESPONSIBILITIES.—In discharging its responsibilities under this section with respect to a major defense acquisition program, a Configuration Steering Board shall—

(A) review and approve or disapprove any proposed changes to program requirements or system configuration that have the potential to adversely impact program cost or schedule; and

(B) review and recommend proposals to reduce program requirements that have the potential to improve program cost or schedule in a manner consistent with program objectives.

(3) PRESENTATION OF RECOMMENDATIONS ON REDUCTION IN REQUIREMENTS.—Any recommendation for a proposed reduction in requirements that is made by a Configuration Steering Board under paragraph (2)(B) shall be presented to appropriate organizations of the Joint Staff and the military departments responsible for such requirements for review and approval in accordance with applicable procedures.

(4) ANNUAL CONSIDERATION OF EACH MAJOR DEFENSE ACQUISITION PROGRAM.—The Secretary of the military department concerned shall ensure that a Configuration Steering Board under this section meets to consider each major defense acquisition program of such military department at least once each year.

(5) CERTIFICATION OF COST AND SCHEDULE DEVIATIONS DURING SYSTEM DESIGN AND DEVELOPMENT.—For a major defense acquisition program that received an initial Milestone B approval during fiscal year 2008, a Configuration Steering Board may not approve any proposed alteration to program requirements or system configuration if such an alteration would—

(A) increase the cost (including any increase for expected inflation or currency exchange rates) for system development and demonstration by more than 25 percent; or

(B) extend the schedule for key events by more than 15 percent of the total number of months between the award of the system development and demonstration contract and the scheduled Milestone C approval date,

unless the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to the congressional defense committees, and includes in the certification supporting rationale, that approving such alteration to program requirements or system configuration is in the best interest of the Department of Defense despite the cost and schedule impacts to system development and demonstration of such program.

(d) APPLICABILITY.—

(1) IN GENERAL.—The requirements of this section shall apply with respect to any major defense acquisition program

that is commenced before, on, or after the date of the enactment of this Act.

(2) CURRENT PROGRAMS.—In the case of any major defense acquisition program that is ongoing as of the date of the enactment of this Act, a Configuration Steering Board under this section shall be established for such program not later than 60 days after the date of the enactment of this Act.

(e) GUIDANCE ON AUTHORITIES OF PROGRAM MANAGERS AFTER MILESTONE B.—

(1) MODIFICATION OF GUIDANCE ON AUTHORITIES.—Paragraph (2) of section 853(d) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2343) is amended to read as follows:

"(2) authorities available to the program manager, including—

"(A) the authority to object to the addition of new program requirements that would be inconsistent with the parameters established at Milestone B (or Key Decision Point B in the case of a space program) and reflected in the performance agreement, unless such requirements are approved by the appropriate Configuration Steering Board; and

"(B) the authority to recommend to the appropriate Configuration Steering Board reduced program requirements that have the potential to improve program cost or schedule in a manner consistent with program objectives; and".

(2) APPLICABILITY.—The Secretary of Defense shall modify the guidance described in section 853(d) of the John Warner National Defense Authorization Act for Fiscal Year 2007 in order to take into account the amendment made by paragraph (1) not later than 60 days after the date of the enactment of this Act.

(f) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term "major defense acquisition program" has the meaning given that term in section 2430(a) of title 10, United States Code.

SEC. 815. PRESERVATION OF TOOLING FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) GUIDANCE REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance requiring the preservation and storage of unique tooling associated with the production of hardware for a major defense acquisition program through the end of the service life of the end item associated with such a program. Such guidance shall—

(1) require that the milestone decision authority approve a plan, including the identification of any contract clauses, facilities, and funding required, for the preservation and storage of such tooling prior to Milestone C approval;

(2) require that the milestone decision authority periodically review the plan required by paragraph (1) prior to the end of the service life of the end item, to ensure that the preservation and storage of such tooling remains adequate and in the best interest of the Department of Defense;

(3) provide a mechanism for the Secretary to waive the requirement for preservation and storage of unique production tooling, or any category of unique production tooling, if the Secretary—

(A) makes a written determination that such a waiver is in the best interest of the Department of Defense; and

(B) notifies the congressional defense committees of the waiver upon making such determination; and

(4) provide such criteria as necessary to guide a determination made pursuant to paragraph (3)(A).

(b) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term "major defense acquisition program" has the meaning provided in section 2430 of title 10, United States Code.

(2) MILESTONE DECISION AUTHORITY.—The term "milestone decision authority" has the meaning provided in section 2366a(f)(2) of such title.

(3) MILESTONE C APPROVAL.—The term "Milestone C approval" has the meaning provided in section 2366(e)(8) of such title.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. DEFINITION OF SYSTEM FOR DEFENSE ACQUISITION CHALLENGE PROGRAM.

Section 2359b of title 10, United States Code, is amended by adding at the end the following new subsection:

"(l) SYSTEM DEFINED.—In this section, the term 'system'—

"(1) means—

"(A) the organization of hardware, software, material, facilities, personnel, data, and services needed to perform a designated function with specified results (such as the gathering of specified data, its processing, and its delivery to users); or

"(B) a combination of two or more interrelated pieces (or sets) of equipment arranged in a functional package to perform an operational function or to satisfy a requirement; and

"(2) includes a major system (as defined in section 2302(5) of this title).".

SEC. 822. TECHNICAL DATA RIGHTS.

(a) POLICY GUIDANCE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall issue policy guidance with respect to rights in technical data under a non-FAR agreement. The guidance shall—

(1) establish criteria for defining the legitimate interests of the United States and the party concerned in technical data pertaining to an item or process to be developed under the agreement;

(2) require that specific rights in technical data be established during agreement negotiations and be based upon negotiations between the United States and the potential party to the agreement, except in any case in which the Secretary of Defense determines, on the basis of criteria established in such policy guidance, that the establishment of rights during or through agreement negotiations would not be practicable; and

(3) require the program manager for a major weapon system or an item of personnel protective equipment that is to be developed using a non-FAR agreement to assess the long-term technical data needs of such system or item.

(b) REQUIREMENT TO INCLUDE PROVISIONS IN NON-FAR AGREEMENTS.—A non-FAR agreement shall contain appropriate provisions relating to rights in technical data consistent with the policy guidance issued pursuant to subsection (a).

(c) DEFINITIONS.—In this section:

(1) The term "non-FAR agreement" means an agreement that is not subject to laws pursuant to which the Federal Acquisition Regulation is prescribed, including—

(A) a transaction authorized under section 2371 of this title; and

(B) a cooperative research and development agreement.

(2) The term "party", with respect to a non-FAR agreement, means a non-Federal entity and includes any of the following:

(A) A contractor and its subcontractors (at any tier).

(B) A joint venture.

(C) A consortium.

(d) REPORT ON LIFE CYCLE PLANNING FOR TECHNICAL DATA NEEDS.—Not later than 270 days after the date of 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 implementation of the requirements in section 2320(e) of title 10, United States Code, for the assessment of long-term technical data needs to sustain major weapon systems. Such report shall include—

(1) a description of all relevant guidance or policies issued;

(2) a description of the extent to which program managers have received training to better assess the long-term technical data needs of major weapon systems and subsystems; and

(3) a description of one or more examples, if any, where a priced contract option has been used on major weapon systems for the future delivery of technical data and one or more examples, if any, where all relevant technical data were acquired upon contract award.

SEC. 823. REVISION TO THE APPLICATION OF COST ACCOUNTING STANDARDS.

(a) REQUIREMENT FOR REVIEW OF EXEMPTIONS TO THE COST ACCOUNTING STANDARDS.—The Cost Accounting Standards Board shall—

(1) review the inapplicability of the cost accounting standards, in accordance with existing exemptions, to any contract or subcontract that is executed and performed outside the United States when such a contract or subcontract is performed by a contractor that, but for the fact that the contract

or subcontract is being executed and performed entirely outside the United States, would be required to comply with such standards; and

(2) determine whether the application of the standards to such a contract or subcontract (or any category of such contracts and subcontracts) would benefit the Government.

(b) PUBLICATION OF REQUEST FOR INFORMATION.—The Cost Accounting Standards Board shall publish a request for information as part of the review required by subsection (a) and shall provide a copy of the request to the appropriate committees of Congress not less than five days before the publication of such request.

(c) REPORT TO CONGRESS UPON COMPLETION OF THE REVIEW.—Not later than 270 days after the date of the enactment of this Act, the Cost Accounting Standards Board shall submit to the appropriate committees of Congress a report containing—

(1) any revision to the cost accounting standards proposed as a result of the review required by subsection (a) and a copy of any proposed rulemaking implementing the revision; or

(2) if no revision and rulemaking are proposed, a detailed justification for such decision.

(d) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means the Committees on Armed Services of the Senate and of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

(2) The term "cost accounting standards" means the standards promulgated under section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422).

(3) The term "Cost Accounting Standards Board" means the Board established pursuant to section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422).

SEC. 824. MODIFICATION AND EXTENSION OF PILOT PROGRAM FOR TRANSITION TO FOLLOW-ON CONTRACTS UNDER AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) EXPANSION OF SCOPE OF PILOT PROGRAM.—Paragraph (1) of section 845(e) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended by striking "under prototype projects carried out under this section" and inserting "developed under prototype projects carried out under this section or research projects carried out pursuant to section 2371 of title 10, United States Code".

(b) TWO-YEAR EXTENSION OF AUTHORITY.—Paragraph (4) of such section is amended by striking "September 30, 2008" and inserting "September 30, 2010".

SEC. 825. CLARIFICATION OF STATUS OF GOVERNMENT RIGHTS IN THE DESIGNS OF DEPARTMENT OF DEFENSE VESSELS, BOATS, CRAFT, AND COMPONENTS THEREOF.

(a) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7317. Status of Government rights in the designs of vessels, boats, and craft, and components thereof

"(a) IN GENERAL.—Government rights in the design of a vessel, boat, or craft, and its components, including the hull, decks, superstructure, and all shipboard equipment and systems, shall be determined solely as follows:

"(1) In the case of a vessel, boat, craft, or component procured through a contract, in accordance with the provisions of section 2320 of this title.

"(2) In the case of a vessel, boat, craft, or component procured through an instrument not governed by section 2320 of this title, by the terms of the instrument (other than a contract) under which the design for such vessel, boat, craft, or component, as applicable, was developed for the Government.

"(b) CONSTRUCTION OF SUPERSEDING AUTHORITIES.—This section may be modified or superseded by a provision of statute only if such provision expressly refers to this section in modifying or superseding this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 633 of such title is amended by adding at the end the following new item:

"7317. Status of Government rights in the designs of vessels, boats, and craft, and components thereof".

Subtitle D—Provisions Relating to Acquisition Workforce and Inherently Governmental Functions

SEC. 831. DEVELOPMENT OF GUIDANCE ON PERSONAL SERVICES CONTRACTS.

(a) GUIDANCE REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall develop guidance related to personal services contracts to—

(1) require a clear distinction between employees of the Department of Defense and employees of Department of Defense contractors;

(2) provide appropriate safeguards with respect to when, where, and to what extent the Secretary may enter into a contract for the procurement of personal services; and

(3) assess and take steps to mitigate the risk that, as implemented and administered, non-personal services contracts may become personal services contracts.

(b) DEFINITION OF PERSONAL SERVICES CONTRACT.—In this section, the term "personal services contract" has the meaning given that term in section 2330a(g)(5) of title 10, United States Code.

SEC. 832. SENSE OF CONGRESS ON PERFORMANCE BY PRIVATE SECURITY CONTRACTORS OF CERTAIN FUNCTIONS IN AN AREA OF COMBAT OPERATIONS.

It is the sense of Congress that—

(1) security operations for the protection of resources (including people, information, equipment, and supplies) in uncontrolled or unpredictable high-threat environments should ordi-

narily be performed by members of the Armed Forces if they will be performed in highly hazardous public areas where the risks are uncertain and could reasonably be expected to require deadly force that is more likely to be initiated by personnel performing such security operations than to occur in self-defense;

(2) it should be in the sole discretion of the commander of the relevant combatant command to determine whether or not the performance by a private security contractor under a contract awarded by any Federal agency of a particular activity, a series of activities, or activities in a particular location, within a designated area of combat operations is appropriate and such a determination should not be delegated to any person who is not in the military chain of command;

(3) the Secretaries of the military departments and the Chiefs of Staff of the Armed Forces should ensure that the United States Armed Forces have appropriate numbers of trained personnel to perform the functions described in paragraph (1) without the need to rely upon private security contractors; and

(4) the regulations issued by the Secretary of Defense pursuant to section 862(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 254; 10 U.S.C. 2302 note) should ensure that private security contractors are not authorized to perform inherently governmental functions in an area of combat operations.

SEC. 833. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

Section 1705 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) EXPEDITED HIRING AUTHORITY.—

"(1) For purposes of sections 3304, 5333, and 5753 of title 5, United States Code, the Secretary of Defense may—

"(A) designate any category of acquisition positions within the Department of Defense as shortage category positions; and

"(B) utilize the authorities in such sections to recruit and appoint highly qualified persons directly to positions so designated.

"(2) The Secretary may not appoint a person to a position of employment under this subsection after September 30, 2012.".

SEC. 834. CAREER PATH AND OTHER REQUIREMENTS FOR MILITARY PERSONNEL IN THE ACQUISITION FIELD.

(a) ACQUISITION PERSONNEL REQUIREMENTS.—

(1) IN GENERAL.—Chapter 87 of title 10, United States Code, is amended by inserting after section 1722 the following new section:

"§ 1722a. Special requirements for military personnel in the acquisition field

"(a) REQUIREMENT FOR POLICY AND GUIDANCE REGARDING MILITARY PERSONNEL IN ACQUISITION.—The Secretary of Defense shall require the Secretary of each military department (with respect to such military department) and the Under Secretary of Defense for

Acquisition, Technology, and Logistics (with respect to the Office of the Secretary of Defense, the unified combatant commands, the Defense Agencies, and the Defense Field Activities) to establish policies and issue guidance to ensure the proper development, assignment, and employment of members of the armed forces in the acquisition field to achieve the objectives of this section as specified in subsection (b).

"(b) OBJECTIVES.—Policies established and guidance issued pursuant to subsection (a) shall ensure, at a minimum, the following:

"(1) A career path in the acquisition field that attracts the highest quality officers and enlisted personnel.

"(2) A number of command positions and senior noncommissioned officer positions, including acquisition billets reserved for general officers and flag officers under subsection (c), sufficient to ensure that members of the armed forces have opportunities for promotion and advancement in the acquisition field.

"(3) A number of qualified, trained members of the armed forces eligible for and active in the acquisition field sufficient to ensure the optimum management of the acquisition functions of the Department of Defense and the appropriate use of military personnel in contingency contracting.

"(c) RESERVATION OF ACQUISITION BILLETS FOR GENERAL OFFICERS AND FLAG OFFICERS.—(1) The Secretary of Defense shall—

"(A) establish for each military department a sufficient number of billets coded or classified for acquisition personnel that are reserved for general officers and flag officers that are needed for the purpose of ensuring the optimum management of the acquisition functions of the Department of Defense; and

"(B) ensure that the policies established and guidance issued pursuant to subsection (a) by the Secretary of each military department reserve at least that minimum number of billets and fill the billets with qualified and trained general officers and flag officers who have significant acquisition experience.

"(2) The Secretary of Defense shall ensure—

"(A) a sufficient number of billets for acquisition personnel who are general officers or flag officers exist within the Office of the Secretary of Defense, the unified combatant commands, the Defense Agencies, and the Defense Field Activities to ensure the optimum management of the acquisition functions of the Department of Defense; and

"(B) that the policies established and guidance issued pursuant to subsection (a) by the Secretary reserve within the Office of the Secretary of Defense, the unified combatant commands, the Defense Agencies, and the Defense Field Activities at least that minimum number of billets and fill the billets with qualified and trained general officers and flag officers who have significant acquisition experience.

"(3) The Secretary of Defense shall ensure that a portion of the billets referred to in paragraphs (1) and (2) involve command of organizations primarily focused on contracting and are reserved for general officers and flag officers who have significant contracting experience.

"(d) RELATIONSHIP TO LIMITATION ON PREFERENCE FOR MILITARY PERSONNEL.—Any designation or reservation of a position for a member of the armed forces as a result of a policy established or guidance issued pursuant to this section shall be deemed to meet the requirements for an exception under paragraph (2) of section 1722(b) of this title from the limitation in paragraph (1) of such section.

"(e) REPORT.—Not later than January 1 of each year, the Secretary of each military department shall submit to the Under Secretary of Defense for Acquisition, Technology, and Logistics a report describing how the Secretary fulfilled the objectives of this section in the preceding calendar year. The report shall include information on the reservation of acquisition billets for general officers and flag officers within the department concerned.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 87 of such title is amended by inserting after the item relating to section 1722 the following new item:

"1722a. Special requirements for military personnel in the acquisition field.".

(b) ADDITIONAL ITEM IN STRATEGIC PLAN.—Section 543(f)(3)(E) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat 116) is amended by inserting after "officer assignments and grade requirements" the following: ", including requirements relating to the reservation of billets in the acquisition field for general and flag officers,".

(c) ANNUAL REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, and not later than March 1 of 2010, 2011, and 2012, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the number acquisition and contracting billets in each of the Armed Forces and joint activities that are reserved for general officers and flag officers; and

(2) the extent to which these billets have been filled by general officers and flag officers with significant acquisition experience and significant contracting experience, as applicable.

Subtitle E—Department of Defense Contractor Matters

SEC. 841. ETHICS SAFEGUARDS RELATED TO CONTRACTOR CONFLICTS OF INTEREST.

(a) POLICY ON PERSONAL CONFLICTS OF INTEREST BY EMPLOYEES OF FEDERAL GOVERNMENT CONTRACTORS.—Not later than 270 days after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall develop and issue a standard policy to prevent personal conflicts of interest by contractor employees performing acquisition functions closely associated with inherently governmental functions (including the development, award, and administration of Government contracts) for or on behalf of a Federal agency or department.

(1) ELEMENTS OF POLICY.—The policy required under subsection (a) shall—

(A) provide a definition of the term "personal conflict of interest" as it relates to contractor employees performing

acquisition functions closely associated with inherently governmental functions; and

(B) require each contractor whose employees perform acquisition functions closely associated with inherently governmental functions to—

(i) identify and prevent personal conflicts of interest for employees of the contractor who are performing such functions;

(ii) prohibit contractor employees who have access to non-public government information obtained while performing such functions from using such information for personal gain;

(iii) report any personal conflict-of-interest violation by such an employee to the applicable contracting officer or contracting officer's representative as soon as it is identified;

(iv) maintain effective oversight to verify compliance with personal conflict-of-interest safeguards;

(v) have procedures in place to screen for potential conflicts of interest for all employees performing such functions; and

(vi) take appropriate disciplinary action in the case of employees who fail to comply with policies established pursuant to this section.

(2) CONTRACT CLAUSE.—

(A) The Administrator shall develop a personal conflicts-of-interest clause or a set of clauses for inclusion in solicitations and contracts (and task or delivery orders) for the performance of acquisition functions closely associated with inherently governmental functions that sets forth the personal conflicts-of-interest policy developed under this subsection and that sets forth the contractor's responsibilities under such policy.

(B) Subparagraph (A) shall take effect 300 days after the date of the enactment of this Act and shall apply to—

(i) contracts entered into on or after that effective date; and

(ii) task or delivery orders awarded on or after that effective date, regardless of whether the contracts pursuant to which such task or delivery orders are awarded are entered before, on, or after the date of the enactment of this Act.

(3) APPLICABILITY.—

(A) Except as provided in subparagraph (B), this subsection shall apply to any contract for an amount in excess of the simplified acquisition threshold (as defined in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)) if the contract is for the performance of acquisition functions closely associated with inherently governmental functions.

(B) If only a portion of a contract described in subparagraph (A) is for the performance of acquisition functions described in that subparagraph, then this subsection applies only to that portion of the contract.

(b) REVIEW OF FEDERAL ACQUISITION REGULATION RELATING TO CONFLICTS OF INTEREST.—

(1) REVIEW.—Not later than 12 months after the date of the enactment of this Act, the Administrator for Federal Procurement Policy, in consultation with the Director of the Office of Government Ethics, shall review the Federal Acquisition Regulation to—

(A) identify contracting methods, types and services that raise heightened concerns for potential personal and organizational conflicts of interest; and

(B) determine whether revisions to the Federal Acquisition Regulation are necessary to—

(i) address personal conflicts of interest by contractor employees with respect to functions other than those described in subsection (a); or

(ii) achieve sufficiently rigorous, comprehensive, and uniform government-wide policies to prevent and mitigate organizational conflicts of interest in Federal contracting.

(2) REGULATORY REVISIONS.—If the Administrator determines pursuant to the review under paragraph (1)(B) that revisions to the Federal Acquisition Regulation are necessary, the Administrator shall work with the Federal Acquisition Regulatory Council to prescribe appropriate revisions to the regulations, including the development of appropriate contract clauses.

(3) REPORT.—Not later than March 1, 2010, the Administrator shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Homeland Security and Governmental Affairs in the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a report setting forth such findings and determinations under subparagraphs (A) and (B) of paragraph (1), together with an assessment of any revisions to the Federal Acquisition Regulation that may be necessary.

(c) BEST PRACTICES.—The Administrator for Federal Procurement Policy shall, in consultation with the Director of the Office Government Ethics, develop and maintain a repository of best practices relating to the prevention and mitigation of organizational and personal conflicts of interest in Federal contracting.

SEC. 842. INFORMATION FOR DEPARTMENT OF DEFENSE CONTRACTOR EMPLOYEES ON THEIR WHISTLEBLOWER RIGHTS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that contractors of the Department of Defense inform their employees in writing of employee whistleblower rights and protections under section 2409 of title 10, United States Code, as implemented by subpart 3.9 of part I of title 48, Code of Federal Regulations.

(b) CONTRACTOR DEFINED.—In this section, the term "contractor" has the meaning given that term in section 2409(e)(4) of title 10, United States Code.

SEC. 843. REQUIREMENT FOR DEPARTMENT OF DEFENSE TO ADOPT AN ACQUISITION STRATEGY FOR DEFENSE BASE ACT INSURANCE.

(a) IN GENERAL.—The Secretary of Defense shall adopt an acquisition strategy for insurance required by the Defense Base Act (42 U.S.C. 1651 et seq.) which minimizes the cost of such insurance to the Department of Defense and to defense contractors subject to such Act.

(b) CRITERIA.—The Secretary shall ensure that the acquisition strategy adopted pursuant to subsection (a) addresses the following criteria:

(1) Minimize overhead costs associated with obtaining such insurance, such as direct or indirect costs for contract management and contract administration.

(2) Minimize costs for coverage of such insurance consistent with realistic assumptions regarding the likelihood of incurred claims by contractors of the Department.

(3) Provide for a correlation of premiums paid in relation to claims incurred that is modeled on best practices in government and industry for similar kinds of insurance.

(4) Provide for a low level of risk to the Department.

(5) Provide for a competitive marketplace for insurance required by the Defense Base Act to the maximum extent practicable.

(c) OPTIONS.—In adopting the acquisition strategy pursuant to subsection (a), the Secretary shall consider such options (including entering into a single Defense Base Act insurance contract) as the Secretary deems to best satisfy the criteria identified under subsection (b).

(d) REPORT.—(1) Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives, 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 on the acquisition strategy adopted pursuant to subsection (a).

(2) The report shall include a discussion of each of the options considered pursuant to subsection (c) and the extent to which each option addresses the criteria identified under subsection (b), and shall include a plan to implement within 18 months after the date of enactment of this Act the acquisition strategy adopted by the Secretary.

(e) REVIEW OF ACQUISITION STRATEGY.—As considered appropriate by the Secretary, but not less often than once every 3 years, the Secretary shall review and, as necessary, update the acquisition strategy adopted pursuant to subsection (a) to ensure that it best addresses the criteria identified under subsection (b).

SEC. 844. REPORT ON USE OF OFF-SHORE SUBSIDIARIES BY DEFENSE CONTRACTORS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall provide a report to the Committees on Armed Services of the Senate and the House of Representatives on the use of off-shore subsidiaries by contractors of the Department of Defense.

(b) MATTERS COVERED.—The report shall comprehensively examine the rationale, implications, and costs and benefits for both the contractor and the Department of Defense in using off-shore subsidiaries, particularly in respect to—

(1) tax liability (including corporate income taxes and payroll taxes);

(2) legal liability;

(3) compliance with cost accounting standards;

(4) efficiency in contract performance;

(5) contract management and contract oversight; and

(6) such other areas as the Comptroller General determines appropriate.

SEC. 845. DEFENSE INDUSTRIAL SECURITY.

(a) DEFENSE INDUSTRIAL SECURITY.—

(1) IN GENERAL.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 438. Defense industrial security

"(a) RESPONSIBILITY FOR DEFENSE INDUSTRIAL SECURITY.—The Secretary of Defense shall be responsible for the protection of classified information disclosed to contractors of the Department of Defense.

"(b) CONSISTENCY WITH EXECUTIVE ORDERS AND DIRECTIVES.—The Secretary shall carry out the responsibility assigned under subsection (a) in a manner consistent with Executive Order 12829 (or any successor order to such executive order) and consistent with policies relating to the National Industrial Security Program (or any successor to such program).

"(c) PERFORMANCE OF INDUSTRIAL SECURITY FUNCTIONS FOR OTHER AGENCIES.—The Secretary may perform industrial security functions for other agencies of the Federal government upon request or upon designation of the Department of Defense as executive agent for the National Industrial Security Program (or any successor to such program).

"(d) REGULATIONS AND POLICY GUIDANCE.—The Secretary shall prescribe, and from time to time revise, such regulations and policy guidance as are necessary to ensure the protection of classified information disclosed to contractors of the Department of Defense.

"(e) DEDICATION OF RESOURCES.—The Secretary shall ensure that sufficient resources are provided to staff, train, and support such personnel as are necessary to fully protect classified information disclosed to contractors of the Department of Defense.

"(f) BIENNIAL REPORT.—The Secretary shall report biennially to the congressional defense committees on expenditures and activities of the Department of Defense in carrying out the requirements of this section. The Secretary shall submit the report at or about the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code, in odd numbered years. The report shall be in an unclassified form (with a classified annex if necessary) and shall cover the activities of the Department of Defense in the preceding two fiscal years, including the following:

"(1) The workforce responsible for carrying out the requirements of this section, including the number and experience of such workforce; training in the performance of industrial security functions; performance metrics; and resulting assessment of overall quality.

"(2) A description of funds authorized, appropriated, or reprogrammed to carry out the requirements of this section, the budget execution of such funds, and the adequacy of budgets provided for performing such purpose.

"(3) Statistics on the number of contractors handling classified information of the Department of Defense, and the percentage of such contractors who are subject to foreign ownership, control, or influence.

"(4) Statistics on the number of violations identified, enforcement actions taken, and the percentage of such violations occurring at facilities of contractors subject to foreign ownership, control, or influence.

"(5) An assessment of whether major contractors implementing the program have adequate enforcement programs and have trained their employees adequately in the requirements of the program.

"(6) Trend data on attempts to compromise classified information disclosed to contractors of the Department of Defense to the extent that such data are available.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end the following new item:

"438. Defense industrial security.".

(b) SUBMISSION OF FIRST BIENNIAL REPORT.—Notwithstanding the deadline in subsection (f) of section 438 of title 10, United States Code, as added by this section, the first biennial report submitted after the date of the enactment of this Act pursuant to such subsection shall be submitted not later than September 1, 2009, and shall address the period from the date of the enactment of this Act to the issuance of such report.

(c) REPORT ON IMPROVING INDUSTRIAL SECURITY.—Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report on improving industrial security, including, at a minimum, the following:

(1) The actions taken or actions planned to implement the recommendations of the Comptroller General as embodied in the report entitled "Industrial Security: DOD Cannot Ensure Its Oversight of Contractors Under Foreign Influence Is Sufficient" (GAO–05–681; July 2005).

(2) Other actions taken or action planned to improve industrial security.

(3) An analysis of the impact of emerging financial arrangements such as sovereign wealth funds, hedge funds, and other new financial debt and credit arrangements on the Department's ability to identify and mitigate foreign ownership, control, or influence.

(4) Any recommendations of the Secretary for modifying regulations and policy guidance prescribed pursuant to section

438(d) of title 10, United States Code, or other regulations or policy guidance addressing industrial security, to extend best practices for industrial security across the broadest possible range of defense contractors, and to improve industrial security generally.

Subtitle F—Matters Relating to Iraq and Afghanistan

SEC. 851. CLARIFICATION AND MODIFICATION OF AUTHORITIES RELATING TO THE COMMISSION ON WARTIME CONTRACTING IN IRAQ AND AFGHANISTAN.

(a) NATURE OF COMMISSION.—Subsection (a) of section 841 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 230) is amended by inserting "in the legislative branch" after "There is hereby established".

(b) PAY AND ANNUITIES OF MEMBERS AND STAFF ON FEDERAL REEMPLOYMENT.—Subsection (e) of such is amended by adding at the end the following new paragraph:

"(8) PAY AND ANNUITIES OF MEMBERS AND STAFF ON FEDERAL REEMPLOYMENT.—If warranted by circumstances described in subparagraph (A) or (B) of section 8344(i)(1) of title 5, United States Code, or by circumstances described in subparagraph (A) or (B) of section 8468(f)(1) of such title, as applicable, a co-chairman of the Commission may exercise, with respect to the members and staff of the Commission, the same waiver authority as would be available to the Director of the Office of Personnel Management under such section.".

(c) EFFECTIVE DATE.—

(1) NATURE OF COMMISSION.—The amendment made by subsection (a) shall take effect as of January 28, 2008, as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2008.

(2) PAY AND ANNUITIES.—The amendment made by subsection (b) shall apply to members and staff of the Commission on Wartime Contracting in Iraq and Afghanistan appointed or employed, as the case may be, on or after that date.

SEC. 852. COMPREHENSIVE AUDIT OF SPARE PARTS PURCHASES AND DEPOT OVERHAUL AND MAINTENANCE OF EQUIPMENT FOR OPERATIONS IN IRAQ AND AFGHANISTAN.

(a) AUDITS REQUIRED.—The Army Audit Agency, the Navy Audit Service, and the Air Force Audit Agency shall each conduct thorough audits to identify potential waste, fraud, and abuse in the performance of the following:

(1) Department of Defense contracts, subcontracts, and task and delivery orders for—

(A) depot overhaul and maintenance of equipment for the military in Iraq and Afghanistan; and

(B) spare parts for military equipment used in Iraq and Afghanistan; and

(2) Department of Defense in-house overhaul and maintenance of military equipment used in Iraq and Afghanistan.

(b) COMPREHENSIVE AUDIT PLAN.—

(1) PLANS.—The Army Audit Agency, the Navy Audit Service, and the Air Force Audit Agency shall, in coordination with the Inspector General of the Department of Defense, develop a comprehensive plan for a series of audits to discharge the requirements of subsection (a).

(2) INCORPORATION INTO REQUIRED AUDIT PLAN.—The plan developed under paragraph (1) shall be submitted to the Inspector General of the Department of Defense for incorporation into the audit plan required by section 842(b)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 234; 10 U.S.C. 2302 note).

(c) INDEPENDENT CONDUCT OF AUDIT FUNCTIONS.—All audit functions performed under this section, including audit planning and coordination, shall be performed in an independent manner.

(d) AVAILABILITY OF RESULTS.—All audit reports resulting from audits under this section shall be made available to the Commission on Wartime Contracting in Iraq and Afghanistan established pursuant to section 841 of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 230).

(e) CONSTRUCTION.—Nothing in this section shall be construed to require any agency of the Federal Government to duplicate audit work that an agency of the Federal Government has already performed.

SEC. 853. ADDITIONAL MATTERS REQUIRED TO BE REPORTED BY CONTRACTORS PERFORMING SECURITY FUNCTIONS IN AREAS OF COMBAT OPERATIONS.

Section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 254; 10 U.S.C. 2302 note) is amended—

(1) in subsection (a)(2)(D)—

(A) by striking "or" at the end of clause (ii); and

(B) by inserting after clause (iii) the following new clauses:

"(iv) a weapon is discharged against personnel performing private security functions in an area of combat operations or personnel performing such functions believe a weapon was so discharged; or

"(v) active, non-lethal countermeasures (other than the discharge of a weapon) are employed by the personnel performing private security functions in an area of combat operations in response to a perceived immediate threat to such personnel;"; and

(2) in subsection (b)(2)(B) in the matter preceding clause (i)—

(A) by inserting "comply with and" before "ensure"; and

(B) by striking "comply with—" and inserting "act in accordance with—".

SEC. 854. ADDITIONAL CONTRACTOR REQUIREMENTS AND RESPONSIBILITIES RELATING TO ALLEGED CRIMES BY OR AGAINST CONTRACTOR PERSONNEL IN IRAQ AND AFGHANISTAN.

(a) IN GENERAL.—Section 861(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 253; 10 U.S.C. 2302 note) is amended by adding the following new paragraphs:

"(7) Mechanisms for ensuring that contractors are required to report offenses described in paragraph (6) that are alleged to have been committed by or against contractor personnel to appropriate investigative authorities.

"(8) Responsibility for providing victim and witness protection and assistance to contractor personnel in connection with alleged offenses described in paragraph (6).

"(9) Development of a requirement that a contractor shall provide to all contractor personnel who will perform work on a contract in Iraq or Afghanistan, before beginning such work, information on the following:

"(A) How and where to report an alleged offense described in paragraph (6).

"(B) Where to seek the assistance required by paragraph (8).".

(b) IMPLEMENTATION.—

(1) THROUGH MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding required by section 861(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 253; 10 U.S.C. 2302 note) shall be modified to address the requirements under the amendment made by subsection (a) not later than 120 days after the date of the enactment of this Act.

(2) AS CONDITION OF CURRENT AND FUTURE CONTRACTS.—The requirements under the amendment made by subsection (a) shall be included in each contract in Iraq or Afghanistan (as defined in section 864(a)(2) of Public Law 110–181; 2302 note) awarded on or after the date that is 180 days after the date of the enactment of this Act. Federal agencies shall make best efforts to provide for the inclusion of such requirements in covered contracts awarded before such date.

(c) REPORTING REQUIREMENT.—Beginning not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall make publicly available a numerical accounting of alleged offenses described in section 861(b)(6) of Public Law 110–181 that have been reported under that section that occurred after the date of the enactment of this Act. The information shall be updated no less frequently than semi-annually.

(d) DEFINITIONS.—Section 864(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 253; 10 U.S.C. 2302 note) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(2) by inserting after paragraph (4) the following new paragraph:

"(5) CONTRACTOR PERSONNEL.—The term 'contractor personnel' means any person performing work under contract for the Department of Defense, the Department of State, or the United States Agency for International Development, in Iraq or Afghanistan, including individuals and subcontractors at any tier.".

SEC. 855. SUSPENSION OF STATUTES OF LIMITATIONS WHEN CONGRESS AUTHORIZES THE USE OF MILITARY FORCE.

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

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

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

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

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

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

Subtitle G—Governmentwide Acquisition Improvements

SEC. 861. SHORT TITLE.

This subtitle may be cited as the "Clean Contracting Act of 2008".

SEC. 862. LIMITATION ON LENGTH OF CERTAIN NONCOMPETITIVE CONTRACTS.

(a) CIVILIAN AGENCY CONTRACTS.—Section 303(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(d)) is amended by adding at the end the following new paragraph:

"(3)(A) The contract period of a contract described in subparagraph (B) that is entered into by an executive agency pursuant to the authority provided under subsection (c)(2)—

"(i) may not exceed the time necessary—

"(I) to meet the unusual and compelling requirements of the work to be performed under the contract; and

"(II) for the executive agency to enter into another contract for the required goods or services through the use of competitive procedures; and

"(ii) may not exceed one year unless the head of the executive agency entering into such contract determines that exceptional circumstances apply.

"(B) This paragraph applies to any contract in an amount greater than the simplified acquisition threshold.".

(b) DEFENSE CONTRACTS.—Section 2304(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3)(A) The contract period of a contract described in subparagraph (B) that is entered into by an agency pursuant to the authority provided under subsection (c)(2)—

"(i) may not exceed the time necessary—

"(I) to meet the unusual and compelling requirements of the work to be performed under the contract; and

"(II) for the agency to enter into another contract for the required goods or services through the use of competitive procedures; and

"(ii) may not exceed one year unless the head of the agency entering into such contract determines that exceptional circumstances apply.

"(B) This paragraph applies to any contract in an amount greater than the simplified acquisition threshold.".

SEC. 863. REQUIREMENTS FOR PURCHASE OF PROPERTY AND SERVICES PURSUANT TO MULTIPLE AWARD CONTRACTS.

(a) REGULATIONS REQUIRED.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to require enhanced competition in the purchase of property and services by all executive agencies pursuant to multiple award contracts.

(b) CONTENT OF REGULATIONS.—

(1) IN GENERAL.—The regulations required by subsection (a) shall provide, at a minimum, that each individual purchase of property or services in excess of the simplified acquisition threshold that is made under a multiple award contract shall be made on a competitive basis unless a contracting officer—

(A) waives the requirement on the basis of a determination that—

(i) one of the circumstances described in paragraphs (1) through (4) of section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)) or section 2304c(b) of title 10, United States Code, applies to such individual purchase; or

(ii) a law expressly authorizes or requires that the purchase be made from a specified source; and

(B) justifies the determination in writing.

(2) COMPETITIVE BASIS PROCEDURES.—For purposes of this subsection, an individual purchase of property or services is made on a competitive basis only if it is made pursuant to procedures that—

(A) except as provided in paragraph (3), require fair notice of the intent to make that purchase (including a description of the work to be performed and the basis on which the selection will be made) to be provided to all contractors offering such property or services under the multiple award contract; and

(B) afford all contractors responding to the notice a fair opportunity to make an offer and have that offer fairly considered by the official making the purchase.

(3) EXCEPTION TO NOTICE REQUIREMENT.—

(A) IN GENERAL.—Notwithstanding paragraph (2), and subject to subparagraph (B), notice may be provided to fewer than all contractors offering such property or services under a multiple award contract as described in subsection (d)(2)(A) if notice is provided to as many contractors as practicable.

(B) LIMITATION ON EXCEPTION.—A purchase may not be made pursuant to a notice that is provided to fewer than all contractors under subparagraph (A) unless—

(i) offers were received from at least 3 qualified contractors; or

(ii) a contracting officer of the executive agency determines in writing that no additional qualified contractors were able to be identified despite reasonable efforts to do so.

(c) PUBLIC NOTICE REQUIREMENTS RELATED TO SOLE SOURCE TASK OR DELIVERY ORDERS.—

(1) PUBLIC NOTICE REQUIRED.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to require the head of each executive agency to—

(A) publish on FedBizOpps notice of all sole source task or delivery orders in excess of the simplified acquisition threshold that are placed against multiple award contracts not later than 14 days after such orders are placed, except in the event of extraordinary circumstances or classified orders; and

(B) disclose the determination required by subsection (b)(1) related to sole source task or delivery orders in excess of the simplified acquisition threshold placed against multiple award contracts through the same mechanism and to the same extent as the disclosure of documents containing a justification and approval required by section 2304(f)(1) of title 10, United States Code, and section 303(f)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)), except in the event of extraordinary circumstances or classified orders.

(2) EXEMPTION.—This subsection does not require the public availability of information that is exempt from public disclosure under section 552(b) of title 5, United States Code.

(d) DEFINITIONS.—In this section:

(1) 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)).

(2) The term "individual purchase" means a task order, delivery order, or other purchase.

(3) The term "multiple award contract" means—

(A) a contract that is entered into by the Administrator of General Services under the multiple award schedule program referred to in section 2302(2)(C) of title 10, United States Code;

(B) a multiple award task order contract that is entered into under the authority of sections 2304a through 2304d of title 10, United States Code, or sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k); and

(C) any other indefinite delivery, indefinite quantity contract that is entered into by the head of an executive agency with 2 or more sources pursuant to the same solicitation.

(4) The term "sole source task or delivery order" means any order that does not follow the competitive procedures in subsection (b)(2) or (b)(3).

(e) APPLICABILITY.—The regulations required by subsection (a) shall apply to all individual purchases of property or services that are made under multiple award contracts on or after the effective date of such regulations, without regard to whether the multiple award contracts were entered into before, on, or after such effective date.

(f) REPEAL OF REDUNDANT PROVISION.—Section 803 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 2304 note) is repealed.

SEC. 864. REGULATIONS ON THE USE OF COST-REIMBURSEMENT CONTRACTS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to address the use of cost-reimbursement contracts.

(b) CONTENT.—The regulations promulgated under subsection (a) shall include, at a minimum, guidance regarding—

(1) when and under what circumstances cost-reimbursement contracts are appropriate;

(2) the acquisition plan findings necessary to support a decision to use cost-reimbursement contracts; and

(3) the acquisition workforce resources necessary to award and manage cost-reimbursement contracts.

(c) INSPECTOR GENERAL REVIEW.—Not later than one year after the regulations required by subsection (a) are promulgated, the Inspector General for each executive agency shall review the use of cost-reimbursement contracts by such agency for compliance with such regulations and shall include the results of the review in the Inspector General's next semiannual report.

(d) REPORT.—Subject to subsection (f), the Director of the Office of Management and Budget shall submit an annual report to Congressional committees identified in subsection (e) on the use of cost-reimbursement contracts and task or delivery orders by all executive agencies. The report shall be submitted no later than March 1 and shall cover the fiscal year ending September 30 of the prior year. The report shall include—

(1) the total number and value of contracts awarded and orders issued during the covered fiscal year;

(2) the total number and value of cost-reimbursement contracts awarded and orders issued during the covered fiscal year; and

(3) an assessment of the effectiveness of the regulations promulgated pursuant to subsection (a) in ensuring the appropriate use of cost-reimbursement contracts.

(e) CONGRESSIONAL COMMITTEES DEFINED.—The report required by subsection (d) shall be submitted to the Committee on Oversight and Government Reform of the House of Representatives; the Committee on Homeland Security and Governmental Affairs of the Senate; the Committees on Appropriations of the House of Representatives and the Senate; and, in the case of the Department of Defense and the Department of Energy, the Committees on Armed Services of the Senate and the House of Representatives.

(f) REQUIREMENTS LIMITED TO CERTAIN AGENCIES AND YEARS.—

(1) AGENCIES.—The requirement in subsection (c) shall apply only to those executive agencies that awarded contracts or

issued orders (under contracts previously awarded) in a total amount of at least $1,000,000,000 in the fiscal year proceeding the fiscal year in which the assessments and reports are submitted.

(2) YEARS.—The report required by subsection (d) shall be submitted from March 1, 2009, until March 1, 2014.

(g) EXECUTIVE AGENCY DEFINED.—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)).

SEC. 865. PREVENTING ABUSE OF INTERAGENCY CONTRACTS.

(a) OFFICE OF MANAGEMENT AND BUDGET POLICY GUIDANCE.—

(1) REPORT AND GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall—

(A) submit to Congress a comprehensive report on interagency acquisitions, including their frequency of use, management controls, cost-effectiveness, and savings generated; and

(B) issue guidelines to assist the heads of executive agencies in improving the management of interagency acquisitions.

(2) MATTERS COVERED BY GUIDELINES.—For purposes of paragraph (1)(B), the Director shall include guidelines on the following matters:

(A) Procedures for the use of interagency acquisitions to maximize competition, deliver best value to executive agencies, and minimize waste, fraud, and abuse.

(B) Categories of contracting inappropriate for interagency acquisition.

(C) Requirements for training acquisition workforce personnel in the proper use of interagency acquisitions.

(b) REGULATIONS REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require that all interagency acquisitions—

(A) include a written agreement between the requesting agency and the servicing agency assigning responsibility for the administration and management of the contract;

(B) include a determination that an interagency acquisition is the best procurement alternative; and

(C) include sufficient documentation to ensure an adequate audit.

(2) MULTI-AGENCY CONTRACTS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require any multi-agency contract entered into by an executive agency after the effective date of such regulations to be supported by a business case analysis detailing the administration of such contract, including an analysis of all direct and indirect costs to the Federal Government of awarding and administering such contract and the impact such contract will have on the ability of the Federal Government to leverage its purchasing power.

(c) AGENCY REPORTING REQUIREMENT.—The senior procurement executive for each executive agency shall, as directed by the Direc-

tor of the Office of Management and Budget, submit to the Director annual reports on the actions taken by the executive agency pursuant to the guidelines issued under subsection (a).

(d) DEFINITIONS.—In this section:

(1) 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 that, in the case of a military department, it means the Department of Defense.

(2) The term "head of executive agency" means the head of an executive agency except that, in the case of a military department, the term means the Secretary of Defense.

(3) The term "interagency acquisition" means a procedure by which an executive agency needing supplies or services (the requesting agency) obtains them from another executive agency (the servicing agency). The term includes acquisitions under section 1535 of title 31, United States Code (commonly referred to as the "Economy Act"), Federal Supply Schedules above $500,000, and Governmentwide acquisition contracts.

(4) The term "multi-agency contract" means a task or delivery order contract established for use by more than one executive agency to obtain supplies and services, consistent with section 1535 of title 31, United States Code (commonly referred to as the "Economy Act").

SEC. 866. LIMITATIONS ON TIERING OF SUBCONTRACTORS.

(a) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended, for executive agencies other than the Department of Defense, to minimize the excessive use by contractors of subcontractors, or of tiers of subcontractors, that add no or negligible value, and to ensure that neither a contractor nor a subcontractor receives indirect costs or profit on work performed by a lower-tier subcontractor to which the higher-tier contractor or subcontractor adds no, or negligible, value (but not to limit charges for indirect costs and profit based on the direct costs of managing lower-tier subcontracts).

(b) COVERED CONTRACTS.—This section applies to any cost-reimbursement type contract or task or delivery order in an amount greater than the simplified acquisition threshold (as defined by section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of the Department of Defense to implement more restrictive limitations on the tiering of subcontractors.

(d) APPLICABILITY.—The Department of Defense shall continue to be subject to guidance on limitations on tiering of subcontractors issued by the Department pursuant to section 852 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2340).

(e) EXECUTIVE AGENCY DEFINED.—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)).

SEC. 867. LINKING OF AWARD AND INCENTIVE FEES TO ACQUISITION OUTCOMES.

(a) GUIDANCE FOR EXECUTIVE AGENCIES ON LINKING OF AWARD AND INCENTIVE FEES TO ACQUISITION OUTCOMES.—Not later than 1 year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to provide executive agencies other than the Department of Defense with instructions, including definitions, on the appropriate use of award and incentive fees in Federal acquisition programs.

(b) ELEMENTS.—The regulations under subsection (a) shall—

(1) ensure that all new contracts using award fees link such fees to acquisition outcomes (which shall be defined in terms of program cost, schedule, and performance);

(2) establish standards for identifying the appropriate level of officials authorized to approve the use of award and incentive fees in new contracts;

(3) provide guidance on the circumstances in which contractor performance may be judged to be "excellent" or "superior" and the percentage of the available award fee which contractors should be paid for such performance;

(4) establish standards for determining the percentage of the available award fee, if any, which contractors should be paid for performance that is judged to be "acceptable", "average", "expected", "good", or "satisfactory";

(5) ensure that no award fee may be paid for contractor performance that is judged to be below satisfactory performance or performance that does not meet the basic requirements of the contract;

(6) provide specific direction on the circumstances, if any, in which it may be appropriate to roll over award fees that are not earned in one award fee period to a subsequent award fee period or periods;

(7) ensure consistent use of guidelines and definitions relating to award and incentive fees across the Federal Government;

(8) ensure that each executive agency—

(A) collects relevant data on award and incentive fees paid to contractors; and

(B) has mechanisms in place to evaluate such data on a regular basis;

(9) include performance measures to evaluate the effectiveness of award and incentive fees as a tool for improving contractor performance and achieving desired program outcomes; and

(10) provide mechanisms for sharing proven incentive strategies for the acquisition of different types of products and services among contracting and program management officials.

(c) GUIDANCE FOR DEPARTMENT OF DEFENSE.—The Department of Defense shall continue to be subject to guidance on award and incentive fees issued by the Secretary of Defense pursuant to section 814 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2321).

(d) EXECUTIVE AGENCY DEFINED.—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)).

SEC. 868. MINIMIZING ABUSE OF COMMERCIAL SERVICES ITEM AUTHORITY.

(a) REGULATIONS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended with respect to the procurement of commercial services.

(b) APPLICABILITY OF COMMERCIAL PROCEDURES.—

(1) SERVICES OF A TYPE SOLD IN MARKETPLACE.—The regulations modified pursuant to subsection (a) shall ensure that services that are not offered and sold competitively in substantial quantities in the commercial marketplace, but are of a type offered and sold competitively in substantial quantities in the commercial marketplace, may be treated as commercial items for purposes of section 254b of title 41, United States Code (relating to truth in negotiations), only if the contracting officer determines in writing that the offeror has submitted sufficient information to evaluate, through price analysis, the reasonableness of the price for such services.

(2) INFORMATION SUBMITTED.—To the extent necessary to make a determination under paragraph (1), the contracting officer may request the offeror to submit—

(A) prices paid for the same or similar commercial items under comparable terms and conditions by both government and commercial customers; and

(B) if the contracting officer determines that the information described in subparagraph (A) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

SEC. 869. ACQUISITION WORKFORCE DEVELOPMENT STRATEGIC PLAN.

(a) PURPOSE.—The purpose of this section is to authorize the preparation and completion of a plan (to be known as the "Acquisition Workforce Development Strategic Plan") for Federal agencies other than the Department of Defense to develop a specific and actionable 5-year plan to increase the size of the acquisition workforce, and to operate a government-wide acquisition intern program, for such Federal agencies.

(b) ESTABLISHMENT OF PLAN.—The Associate Administrator for Acquisition Workforce Programs designated under section 855(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 251; 41 U.S.C. 433(a)) shall be responsible for the management, oversight, and administration of the Acquisition Workforce Development Strategic Plan in cooperation and consultation with the Office of Federal Procurement Policy and the assistance of the Federal Acquisition Institute.

(c) CRITERIA.—The Acquisition Workforce Development Strategic Plan shall include, at a minimum, an examination of the following matters:

(1) The variety and complexity of acquisitions conducted by each Federal agency covered by the plan, and the workforce needed to effectively carry out such acquisitions.

(2) The development of a sustainable funding model to support efforts to hire, retain, and train an acquisition workforce of appropriate size and skill to effectively carry out the acquisition programs of the Federal agencies covered by the plan, including an examination of interagency funding methods and a discussion of how the model of the Defense Acquisition Workforce Development Fund could be applied to civilian agencies.

(3) Any strategic human capital planning necessary to hire, retain, and train an acquisition workforce of appropriate size and skill at each Federal agency covered by the plan.

(4) Methodologies that Federal agencies covered by the plan can use to project future acquisition workforce personnel hiring requirements, including an appropriate distribution of such personnel across each category of positions designated as acquisition workforce personnel under section 37(j) of the Office of Federal Procurement Policy Act (41 U.S.C. 433(j)).

(5) Government-wide training standards and certification requirements necessary to enhance the mobility and career opportunities of the Federal acquisition workforce within the Federal agencies covered by the plan.

(6) If the Associate Administrator recommends as part of the plan a growth in the acquisition workforce of the Federal agencies covered by the plan below 25 percent over the next 5 years, an examination of each of the matters specified in paragraphs (1) through (5) in the context of a 5-year plan that increases the size of such acquisition workforce by not less than 25 percent, or an explanation why such a level of growth would not be in the best interest of the Federal Government.

(d) DEADLINE FOR COMPLETION.—The Acquisition Workforce Development Strategic Plan shall be completed not later than one year after the date of the enactment of this Act and in a fashion that allows for immediate implementation of its recommendations and guidelines.

(e) FUNDS.—The Acquisition Workforce Development Strategic Plan shall be funded from the Acquisition Workforce Training Fund under section 37(h)(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 433(h)(3)).

SEC. 870. CONTINGENCY CONTRACTING CORPS.

(a) ESTABLISHMENT.—The Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.) is amended by adding at the end the following new section:

"SEC. 44. CONTINGENCY CONTRACTING CORPS.

"(a) ESTABLISHMENT.—The Administrator of General Services, pursuant to policies established by the Office of Management and Budget, and in consultation with the Secretary of Defense and the Secretary of Homeland Security, shall establish a Governmentwide Contingency Contracting Corps (in this section referred to as the 'Corps'). The members of the Corps shall be available for deployment in responding to an emergency or major disaster, or a contin-

gency operation, both within or outside the continental United States.

"(b) APPLICABILITY.—The authorities provided in this section apply with respect to any procurement of property or services by or for an executive agency that, as determined by the head of such executive agency, are to be used—

"(1) in support of a contingency operation as defined in section 101(a)(13) of title 10, United States Code; or

"(2) to respond to an emergency or major disaster as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

"(c) MEMBERSHIP.—Membership in the Corps shall be voluntary and open to all Federal employees and members of the Armed Forces who are members of the Federal acquisition workforce.

"(d) EDUCATION AND TRAINING.—The Administrator may, in consultation with the Director of the Federal Acquisition Institute and the Chief Acquisition Officers Council, establish educational and training requirements for members of the Corps. Education and training carried out pursuant to such requirements shall be paid for from funds available in the acquisition workforce training fund established pursuant to section 37(h)(3) of this Act.

"(e) SALARY.—The salary for a member of the Corps shall be paid—

"(1) in the case of a member of the Armed Forces, out of funds available to the Armed Force concerned; and

"(2) in the case of a Federal employee, out of funds available to the employing agency.

"(f) AUTHORITY TO DEPLOY THE CORPS.—(1) The Director of the Office of Management and Budget shall have the authority, upon request by an executive agency, to determine when members of the Corps shall be deployed, with the concurrence of the head of the agency or agencies employing the members to be deployed.

"(2) Nothing in this section shall preclude the Secretary of Defense or the Secretary's designee from deploying members of the Armed Forces or civilian personnel of the Department of Defense in support of a contingency operation as defined in section 101(a)(13) of title 10, United States Code.

"(g) ANNUAL REPORT.—

"(1) IN GENERAL.—The Administrator of General Services shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate and the Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives an annual report on the status of the Contingency Contracting Corps as of September 30 of each fiscal year.

"(2) CONTENT.—At a minimum, each report under paragraph (1) shall include the number of members of the Contingency Contracting Corps, the total cost of operating the program, the number of deployments of members of the program, and the performance of members of the program in deployment.".

(b) CLERICAL AMENDMENT.—The table of contents for that Act (contained in section 1(b) of that Act) is amended by adding at the end the following new item:

"Sec. 44. Contingency Contracting Corps.".

SEC. 871. ACCESS OF GOVERNMENT ACCOUNTABILITY OFFICE TO CONTRACTOR EMPLOYEES.

(a) CIVILIAN AGENCIES.—Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d) is amended in subsection (c)(1) by inserting before the period the following: "and to interview any current employee regarding such transactions".

(b) DEFENSE AGENCIES.—Section 2313 of title 10, United States Code, is amended in subsection (c)(1) by inserting before the period the following: "and to interview any current employee regarding such transactions".

SEC. 872. DATABASE FOR FEDERAL AGENCY CONTRACT AND GRANT OFFICERS AND SUSPENSION AND DEBARMENT OFFICIALS.

(a) IN GENERAL.—Subject to the authority, direction, and control of the Director of the Office of Management and Budget, the Administrator of General Services shall establish, not later than one year after the date of the enactment of this Act, and maintain a database of information regarding the integrity and performance of certain persons awarded Federal agency contracts and grants for use by Federal agency officials having authority over contracts and grants.

(b) PERSONS COVERED.—The database shall cover the following:

(1) Any person awarded a Federal agency contract or grant in excess of $500,000, if any information described in subsection (c) exists with respect to such person.

(2) Any person awarded such other category or categories of Federal agency contract as the Federal Acquisition Regulation may provide, if such information exists with respect to such person.

(c) INFORMATION INCLUDED.—With respect to a covered person the database shall include information (in the form of a brief description) for the most recent 5-year period regarding the following:

(1) Each civil or criminal proceeding, or any administrative proceeding, in connection with the award or performance of a contract or grant with the Federal Government with respect to the person during the period to the extent that such proceeding results in the following dispositions:

(A) In a criminal proceeding, a conviction.

(B) 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.

(C) In an administrative proceeding, a finding of fault and liability that results in—

(i) the payment of a monetary fine or penalty of $5,000 or more; or

(ii) the payment of a reimbursement, restitution, or damages in excess of $100,000.

(D) 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 subparagraph (A), (B), or (C).

(2) Each Federal contract and grant awarded to the person that was terminated in such period due to default.

(3) Each Federal suspension and debarment of the person in that period.

(4) Each Federal administrative agreement entered into by the person and the Federal Government in that period to resolve a suspension or debarment proceeding.

(5) Each final finding by a Federal official in that period that the person has been determined not to be a responsible source under subparagraph (C) or (D) of section 4(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(7)).

(6) Such other information as shall be provided for purposes of this section in the Federal Acquisition Regulation.

(7) To the maximum extent practical, information similar to the information covered by paragraphs (1) through (4) in connection with the award or performance of a contract or grant with a State government.

(d) REQUIREMENTS RELATING TO INFORMATION IN DATABASE.—

(1) DIRECT INPUT AND UPDATE.—The Administrator shall design and maintain the database in a manner that allows the appropriate Federal agency officials to directly input and update information in the database relating to actions such officials have taken with regard to contractors or grant recipients.

(2) TIMELINESS AND ACCURACY.—The Administrator shall develop policies to require—

(A) the timely and accurate input of information into the database;

(B) the timely notification of any covered person when information relevant to the person is entered into the database; and

(C) opportunities for any covered person to submit comments pertaining to information about such person for inclusion in the database.

(e) USE OF DATABASE.—

(1) AVAILABILITY TO GOVERNMENT OFFICIALS.—The Administrator shall ensure that the information in the database is available to appropriate acquisition officials of Federal agencies, to such other government officials as the Administrator determines appropriate, and, upon request, to the Chairman and Ranking Member of the committees of Congress having jurisdiction.

(2) REVIEW AND ASSESSMENT OF DATA.—

(A) IN GENERAL.—Before awarding a contract or grant in excess of the simplified acquisition threshold under section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)), the Federal agency official responsible for awarding the contract or grant shall review the database and shall consider all information in the database with regard to any offer or proposal, and, in the case of a contract, shall consider other past performance information available with respect to the offeror in making any responsibility determination or past performance evaluation for such offeror.

(B) DOCUMENTATION IN CONTRACT FILE.—The contract file for each contract of a Federal agency in excess of the simplified acquisition threshold shall document the manner in which the material in the database was considered in any responsibility determination or past performance evaluation.

(f) DISCLOSURE IN APPLICATIONS.—Not later than one year after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to require that persons with Federal agency contracts and grants valued in total greater than $10,000,000 shall—

(1) submit to the Administrator, in a manner determined appropriate by the Administrator, the information subject to inclusion in the database as listed in subsection (c) current as of the date of submittal of such information under this subsection; and

(2) update such information on a semiannual basis.

(g) RULEMAKING.—The Administrator shall promulgate such regulations as may be necessary to carry out this section.

SEC. 873. ROLE OF INTERAGENCY COMMITTEE ON DEBARMENT AND SUSPENSION.

(a) REQUIREMENT.—The Interagency Committee on Debarment and Suspension shall—

(1) resolve issues regarding which of several Federal agencies is the lead agency having responsibility to initiate suspension or debarment proceedings;

(2) coordinate actions among interested agencies with respect to such action;

(3) encourage and assist Federal agencies in entering into cooperative efforts to pool resources and achieve operational efficiencies in the Governmentwide suspension and debarment system;

(4) recommend to the Office of Management and Budget changes to Government suspension and debarment system and its rules, if such recommendations are approved by a majority of the Interagency Committee;

(5) authorize the Office of Management and Budget to issue guidelines that implement those recommendations;

(6) authorize the chair of the Committee to establish subcommittees as appropriate to best enable the Interagency Committee to carry out its functions; and

(7) submit to Congress an annual report on—

(A) the progress and efforts to improve the suspension and debarment system;

(B) member agencies' active participation in the committee's work; and

(C) a summary of each agency's activities and accomplishments in the Governmentwide debarment system.

(b) DEFINITION.—The term "Interagency Committee on Debarment and Suspension" means such committee constituted under sections 4 and 5 and of Executive Order No. 12549.

SEC. 874. IMPROVEMENTS TO THE FEDERAL PROCUREMENT DATA SYSTEM.

(a) ENHANCED TRANSPARENCY ON INTERAGENCY CONTRACTING AND OTHER TRANSACTIONS.—Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall direct appropriate revisions to the Federal Procurement Data System or any successor system to facilitate the collection of complete, timely, and reliable data on interagency contracting actions and on transactions other than contracts, grants, and cooperative agreements issued pursuant to section 2371 of title 10, United States Code, or similar authorities. The Director shall ensure that data, consistent with what is collected for contract actions, is obtained on—

(1) interagency contracting actions, including data at the task or delivery-order level; and

(2) other transactions, including the initial award and any subsequent modifications awarded or orders issued (other than transactions that are reported through the Federal Assistance Awards Data System).

(b) AMENDMENT.—Subsection (d) of section 19 of the Office of Federal Procurement Policy Act (41 U.S.C. 417(d)) is amended to read as follows:

"(d) TRANSMISSION AND DATA ENTRY OF INFORMATION.—The head of each executive agency shall ensure the accuracy of the information included in the record established and maintained by such agency under subsection (a) and shall transmit in a timely manner such information to the General Services Administration for entry into the Federal Procurement Data System referred to in section 6(d)(4), or any successor system.".

(c) REPORT TO CONGRESS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall submit to Congress a report.

(2) CONTENTS OF REPORT.—The report shall contain the following:

(A) A list of all databases that include information about Federal contracting and Federal grants.

(B) Recommendations for further legislation or administrative action that the Administrator considers appropriate to create a centralized, comprehensive Federal contracting and Federal grant database.

Subtitle H—Other Matters

SEC. 881. EXPANSION OF AUTHORITY TO RETAIN FEES FROM LICENSING OF INTELLECTUAL PROPERTY.

Section 2260 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting "or the Secretary of Homeland Security" after "Secretary of Defense"; and

(2) in subsection (f)—

(A) by striking "(f) DEFINITIONS.—In this section, the" and inserting the following:

"(f) DEFINITIONS.—In this section:

"(1) The"; and

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

"(2) The term 'Secretary concerned' has the meaning provided in section 101(a)(9) of this title and also includes—

"(A) the Secretary of Defense, with respect to matters concerning the Defense Agencies and Department of Defense Field Activities; and

"(B) the Secretary of Homeland Security, with respect to matters concerning the Coast Guard when it is not operating as a service in the Department of the Navy.".

SEC. 882. REPORT ON MARKET RESEARCH.

Not later than October 1, 2009, 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 section 826 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2377 note) and the amendments made by that section. The report shall address—

(1) actions taken by the Department of Defense to implement the amendments made by section 826(a) of such Act to section 2377 of title 10, United States Code, with a particular focus on—

(A) the guidance issued by the Department on the performance of market research;

(B) the market research being performed pursuant to such guidance; and

(C) the results of such guidance and market research;

(2) training tools the Secretary of Defense has developed to assist contracting officials in performing market research in accordance with section 826(b) of such Act;

(3) actions the Department of Defense intends to take to further implement such section 826 and the amendments made by that section, including dissemination of best practices and corrective actions where necessary; and

(4) such other matters as the Secretary considers appropriate.

SEC. 883. REPORT RELATING TO MUNITIONS.

Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report detailing how 60mm and 81mm munitions used by the Armed Forces are procured, including, where relevant, an explanation of the decision to procure such munitions from non-domestic sources and the justification for awarding contracts to non-domestic sources.

SEC. 884. MOTOR CARRIER FUEL SURCHARGES.

(a) PASS THROUGH TO COST BEARER.—The Secretary of Defense shall take appropriate actions to ensure that, to the maximum extent practicable, in all carriage contracts in which a fuel-related adjustment is provided for, any fuel-related adjustment is passed through to the person who bears the cost of the fuel that the adjustment relates to.

(b) USE OF CONTRACT CLAUSE.—The actions taken by the Secretary under subsection (a) shall include the insertion of a contract clause, with appropriate flow-down requirements, into all contracts with motor carriers, brokers, or freight forwarders providing or ar-

ranging truck transportation or services in which a fuel-related adjustment is provided for.

(c) DISCLOSURE.—The Secretary shall publicly disclose any decision by the Department of Defense to pay fuel-related adjustments under contracts (or a category of contracts) covered by this section.

(d) REPORT.—Not later than 270 days 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 actions taken in accordance with the requirements of subsection (a).

SEC. 885. PROCUREMENT BY STATE AND LOCAL GOVERNMENTS OF EQUIPMENT FOR HOMELAND SECURITY AND EMERGENCY RESPONSE ACTIVITIES THROUGH THE DEPARTMENT OF DEFENSE.

(a) EXPANSION OF PROCUREMENT AUTHORITY TO INCLUDE EQUIPMENT FOR HOMELAND SECURITY AND EMERGENCY RESPONSE ACTIVITIES.—

(1) PROCEDURES.—Subsection (a)(1) of section 381 of title 10, United States Code, is amended—

(A) in subsection (a)(1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking "law enforcement"; and

(II) by inserting ", homeland security, and emergency response" after "counter-drug";

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ", homeland security, or emergency response" after "counter-drug"; and

(II) in clause (i), by striking "law enforcement";

(iii) in subparagraph (C), by striking "law enforcement" each place it appears; and

(iv) in subparagraph (D), by striking "law enforcement".

(2) GSA CATALOG.—Subsection (c) of such section is amended—

(A) by striking "law enforcement"; and

(B) by inserting ", homeland security, and emergency response" after "counter-drug".

(3) DEFINITIONS.—Subsection (d) of such section is amended—

(A) in paragraph (2), by inserting "or emergency response" after "law enforcement" both places it appears; and

(B) in paragraph (3)—

(i) by striking "law enforcement";

(ii) by inserting ", homeland security, and emergency response" after "counter-drug"; and

(iii) by inserting "and, in the case of equipment for homeland security activities, may not include any equipment that is not found on the Authorized Equipment List published by the Department of Homeland Security" after "purposes".

(b) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

"§ 381. Procurement of equipment by State and local governments through the Department of Defense: equipment for counter-drug, homeland security, and emergency response activities".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 18 of such title is amended by striking the item relating to section 381 and inserting the following new item:

"381. Procurement of equipment by State and local governments through the Department of Defense: equipment for counter-drug, homeland security, and emergency response activities.".

SEC. 886. REVIEW OF IMPACT OF COVERED SUBSIDIES ON ACQUISITION OF KC–45 AIRCRAFT.

(a) REVIEW OF COVERED SUBSIDIES REQUIRED.—The Secretary of Defense, not later than 10 days after a ruling by the World Trade Organization that the United States, the European Union, or any political entity within the United States or the European Union, has provided a covered subsidy to a manufacturer of large commercial aircraft, shall begin a review, as described in subsection (b), of the impact of such covered subsidy on the source selection for the KC–45 Aerial Refueling Aircraft Program.

(b) PERFORMANCE OF THE REVIEW.—In performing the review required by subsection (a), the Secretary of Defense shall consult with experts within the Department of Defense, the Office of Management and Budget, the Office of the United States Trade Representative, and other agencies and offices of the Federal Government, and with such other experts outside the Government as the Secretary considers appropriate, on the potential impact of a covered subsidy on the source selection process for the KC–45 Aerial Refueling Aircraft Program.

(c) COMPLETION OF REVIEW.—The Secretary of Defense shall complete the review required by subsection (a) not later than 90 days after the World Trade Organization has completed ruling on all cases involving the allegation of a covered subsidy provided to a manufacturer of large commercial aircraft pending at the World Trade Organization as of the date of the enactment of this Act.

(d) REPORT ON REVIEW.—Not later than 30 days after the completion of the review required by subsection (a), the Secretary of Defense shall provide a report to the congressional defense committees on the findings of the review, together with any recommendations the Secretary considers appropriate.

(e) DEFINITIONS.—In this section:

(1) The term "covered subsidy" means a subsidy found to constitute a violation of the Agreement on Subsidies and Countervailing Measures.

(2) The term "Agreement on Subsidies and Countervailing Measures" means the agreement described in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).

(3) The term "source selection", with respect to a program of the Department of Defense, means the selection, through the use of competitive procedures or such other procurement proce-

dures as may be applicable, of a contractor to perform a contract to carry out the program.

SEC. 887. REPORT ON THE IMPLEMENTATION OF EARNED VALUE MANAGEMENT AT THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall prepare a report on the implementation by the Department of Defense of earned value management. The report shall include, at a minimum, the following:

(1) A discussion of the regulations and guidance of the Department applicable to the use and implementation of earned value management.

(2) A discussion of the relative value of earned value management as a tool for program managers and senior Department officials.

(3) A discussion of specific challenges the Department faces in successfully using earned value management because of the nature of the culture, history, systems, and activities of the Department, particularly with regard to requirements and funding instability.

(4) A discussion of the methodology of the Department for earned value management implementation, including data quality issues, training, and information technology systems used to integrate and transmit earned value management data.

(5) An evaluation of the accuracy of the earned value management data provided by vendors to the Federal Government concerning acquisition categories I and II programs, with a discussion of the impact of this data on the ability of the Department to achieve program objectives.

(6) A description of the criteria used by the Department to evaluate the success of earned value management in delivering program objectives, with illustrative data and examples covering not less than three years.

(7) Recommendations for improving earned value management and its implementation within the Department, including a discussion of the merits of possible alternatives.

(b) SUBMISSION OF REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit the report required by subsection (a) to the Committees on Armed Services of the Senate and of the House of Representatives.

(c) DEFINITION.—In this section, the term "earned value management" has the meaning given that term in section 300 of part 7 of Office of Management and Budget Circular A–11 as published in June 2008.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Plan required for personnel management of special operations forces.
Sec. 902. Director of Operational Energy Plans and Programs.
Sec. 903. Corrosion control and prevention executives for the military departments.

Sec. 904. Participation of Deputy Chief Management Officer of the Department of Defense on Defense Business System Management Committee.
Sec. 905. Modification of status of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.
Sec. 906. Requirement for the Secretary of Defense to prepare a strategic plan to enhance the role of the National Guard and Reserves.
Sec. 907. General Counsel to the Inspector General of the Department of Defense.
Sec. 908. Business transformation initiatives for the military departments.

Subtitle B—Space Activities

Sec. 911. Extension of authority for pilot program for provision of space surveillance network services to entities outside United States Government.
Sec. 912. Investment and acquisition strategy for commercial satellite capabilities.
Sec. 913. Space posture review.

Subtitle C—Chemical Demilitarization Program

Sec. 921. Responsibilities for Chemical Demilitarization Citizens' Advisory Commissions in Colorado and Kentucky.
Sec. 922. Cost-benefit analysis of future treatment of hydrolysate at Pueblo Chemical Depot, Colorado.

Subtitle D—Intelligence-Related Matters

Sec. 931. Technical changes following the redesignation of National Imagery and Mapping Agency as National Geospatial-Intelligence Agency.
Sec. 932. Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.
Sec. 933. Technical amendments relating to the Associate Director of the CIA for Military Affairs.

Subtitle E—Other Matters

Sec. 941. Enhancement of authorities relating to Department of Defense regional centers for security studies.
Sec. 942. Restriction on obligation of funds for United States Southern Command development assistance activities.
Sec. 943. Authorization of non-conventional assisted recovery capabilities.
Sec. 944. Report on homeland defense and civil support issues.
Sec. 945. Report on National Guard resource requirements.

Subtitle A—Department of Defense Management

SEC. 901. PLAN REQUIRED FOR PERSONNEL MANAGEMENT OF SPECIAL OPERATIONS FORCES.

(a) REQUIREMENT FOR PLAN.—The commander of the special operations command, in consultation with the secretaries of the military departments, shall prepare and submit to the Secretary of Defense a plan relating to personnel management of special operations forces.

(b) MATTERS COVERED.—The plan under subsection (a) shall address the following:

(1) Coordination among the military departments in order to enhance the manpower management and improve overall readiness of special operations forces.

(2) Coordination by the commander of the special operations command with the Secretaries of the military departments in order to better execute his responsibility to maintain readiness of special operations forces, including in the areas of accessions, assignments, compensation, promotions, professional development, retention, sustainment, and training.

(c) SUBMISSION OF PLAN TO CONGRESSIONAL DEFENSE COMMITTEES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit the plan required under subsection (a) to the congressional defense committees, together with such additional comments as the Secretary and the Chairman of the Joint Chiefs of Staff consider appropriate.

SEC. 902. DIRECTOR OF OPERATIONAL ENERGY PLANS AND PROGRAMS.

(a) ESTABLISHMENT OF POSITION; DUTIES.—Chapter 4 of title 10, United States Code, is amended by inserting after section 139a the following new section:

"§ 139b. Director of Operational Energy Plans and Programs

"(a) APPOINTMENT.—There is a Director of Operational Energy Plans and Programs in the Department of Defense (in this section referred to as the 'Director'), appointed by the President, by and with the advice and consent of the Senate. The Director shall be appointed without regard to political affiliation and solely on the basis of fitness to perform the duties of the office of Director.

"(b) DUTIES.—The Director shall—

"(1) provide leadership and facilitate communication regarding, and conduct oversight to manage and be accountable for, operational energy plans and programs within the Department of Defense and the Army, Navy, Air Force, and Marine Corps;

"(2) establish the operational energy strategy;

"(3) coordinate and oversee planning and program activities of the Department of Defense and the Army, Navy, Air Force, and the Marine Corps related to—

"(A) implementation of the operational energy strategy;

"(B) the consideration of operational energy demands in defense planning, requirements, and acquisition processes; and

"(C) research and development investments related to operational energy demand and supply technologies; and

"(4) monitor and review all operational energy initiatives in the Department of Defense.

"(c) PRINCIPAL ADVISOR FOR OPERATIONAL ENERGY PLANS AND PROGRAMS.—(1) The Director is the principal adviser to the Secretary of Defense and the Deputy Secretary of Defense regarding operational energy plans and programs and the principal policy official within the senior management of the Department of Defense regarding operational energy plans and programs.

"(2) The Director may communicate views on matters related to operational energy plans and programs and the operational energy strategy required by subsection (d) directly to the Secretary of Defense and the Deputy Secretary of Defense without obtaining the approval or concurrence of any other official within the Department of Defense.

"(d) OPERATIONAL ENERGY STRATEGY.—(1) The Director shall be responsible for the establishment and maintenance of a department-wide transformational strategy for operational energy. The strategy shall establish near-term, mid-term, and long-term goals, performance metrics to measure progress in meeting the goals, and a plan for implementation of the strategy within the military de-

partments, the Office of the Secretary of Defense, and Defense Agencies.

"(2) Not later than 90 days after the date on which the Director is first appointed, the Secretary of each of the military departments shall designate a senior official within each armed force under the jurisdiction of the Secretary who will be responsible for operational energy plans and programs for that armed force. The officials shall be responsible for coordinating with the Director and implementing initiatives pursuant to the strategy with regard to that official's armed force.

"(3) By authority of the Secretary of Defense, the Director shall prescribe policies and procedures for the implementation of the strategy. The Director shall provide guidance to, and consult with, the Secretary of Defense, the Deputy Secretary of Defense, the Secretaries of the military departments, and the officials designated under paragraph (2) with respect to specific operational energy plans and programs to be carried out pursuant to the strategy.

"(4) The initial strategy shall be submitted to the congressional defense committees not later than 180 days after the date on which the Director is first appointed. Subsequent updates to the strategy shall be submitted to the congressional defense committees as soon as practicable after the modifications to the strategy are made.

"(e) BUDGETARY AND FINANCIAL MATTERS.—(1) The Director shall review and make recommendations to the Secretary of Defense regarding all budgetary and financial matters relating to the operational energy strategy.

"(2) The Secretary of Defense shall require that the Secretary of each military department and the head of each Defense Agency with responsibility for executing activities associated with the strategy transmit their proposed budget for those activities for a fiscal year to the Director for review before submission of the proposed budget to the Under Secretary of Defense (Comptroller).

"(3) The Director shall review a proposed budget transmitted under paragraph (2) for a fiscal year and, not later than January 31 of the preceding fiscal year, shall submit to the Secretary of Defense a report containing the comments of the Director with respect to the proposed budget, together with the certification of the Director regarding whether the proposed budget is adequate for implementation of the strategy.

"(4) Not later than 10 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report on the proposed budgets for that fiscal year that the Director has not certified under paragraph (3). The report shall include the following:

"(A) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address the inadequacy of the proposed budgets.

"(B) Any additional comments that the Secretary considers appropriate regarding the inadequacy of the proposed budgets.

"(5) The report required by paragraph (4) shall also include a separate statement of estimated expenditures and requested appro-

priations for that fiscal year for the activities of the Director in carrying out the duties of the Director.

"(f) ACCESS TO INITIATIVE RESULTS AND RECORDS.—(1) The Secretary of a military department shall submit to the Director the results of all studies and initiatives conducted by the military department in connection with the operational energy strategy.

"(2) The Director shall have access to all records and data in the Department of Defense (including the records and data of each military department) necessary in order to permit the Director to carry out the duties of the Director.

"(g) STAFF.—The Director shall have a dedicated professional staff of military and civilian personnel in a number sufficient to enable the Director to carry out the duties and responsibilities of the Director.

"(h) DEFINITIONS.—In this section:

"(1) OPERATIONAL ENERGY.—The term 'operational energy' means the energy required for training, moving, and sustaining military forces and weapons platforms for military operations. The term includes energy used by tactical power systems and generators and weapons platforms.

"(2) OPERATIONAL ENERGY STRATEGY.—The terms 'operational energy strategy' and 'strategy' mean the operational energy strategy developed under subsection (d).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 139a the following new item:

"139b. Director of Operational Energy Plans and Programs.".

SEC. 903. CORROSION CONTROL AND PREVENTION EXECUTIVES FOR THE MILITARY DEPARTMENTS.

(a) REQUIREMENT TO DESIGNATE CORROSION CONTROL AND PREVENTION EXECUTIVE.—Not later than 90 days after the date of the enactment of this Act, the Assistant Secretary of each military department with responsibility for acquisition, technology, and logistics shall designate an employee of the military department as the corrosion control and prevention executive. Such executive shall be the senior official in the department with responsibility for coordinating department-level corrosion control and prevention program activities (including budget programming) with the military department and the Office of the Secretary of Defense, the program executive officers of the military departments, and relevant major subordinate commands of the military departments.

(b) DUTIES.—(1) The corrosion control and prevention executive of a military department shall ensure that corrosion control and prevention is maintained in the department's policy and guidance for management of each of the following:

(A) System acquisition and production, including design and maintenance.

(B) Research, development, test, and evaluation programs and activities.

(C) Equipment standardization programs, including international standardization agreements.

(D) Logistics research and development initiatives.

(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

(F) Military infrastructure design, construction, and maintenance.

(2) The corrosion control and prevention executive of a military department shall be responsible for identifying the funding levels necessary to accomplish the items listed in subparagraphs (A) through (F) of paragraph (1).

(3) The corrosion control and prevention executive of a military department shall, in cooperation with the appropriate staff of the department, develop, support, and provide the rationale for resources—

(A) to initiate and sustain an effective corrosion control and prevention program in the department;

(B) to evaluate the program's effectiveness; and

(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the department for the formulation, management, and evaluation of personnel and programs for the entire department, including its reserve components.

(4) The corrosion control and prevention executive of a military department shall be the principal point of contact of the department to the Director of Corrosion Policy and Oversight (as assigned under section 2228 of title 10, United States Code).

(5) The corrosion control and prevention executive of a military department shall submit an annual report, not later than December 31 of each year, to the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the military department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

SEC. 904. PARTICIPATION OF DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE ON DEFENSE BUSINESS SYSTEM MANAGEMENT COMMITTEE.

(a) PARTICIPATION.—Subsection (a) of section 186 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively;

(2) by inserting after paragraph (1) the following new paragraph (2):

"(2) The Deputy Chief Management Officer of the Department of Defense."; and

(3) by striking paragraph (7), as redesignated by paragraph (1), and inserting the following new paragraph:

"(7) The Chief Management Officers of the military departments and the heads of such Defense Agencies as may be designated by the Secretary of Defense.".

(b) SERVICE AS VICE CHAIRMAN.—The second sentence of subsection (b) of such section is amended to read as follows: "The Deputy Chief Management Officer of the Department of Defense shall serve as the vice chairman of the Committee, and shall act as chairman in the absence of the Deputy Secretary of Defense.".

SEC. 905. MODIFICATION OF STATUS OF ASSISTANT TO THE SECRETARY OF DEFENSE FOR NUCLEAR AND CHEMICAL AND BIOLOGICAL DEFENSE PROGRAMS.

Section 142 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) The Assistant to the Secretary shall be considered an Assistant Secretary of Defense for purposes of section 138(d) of this title.".

SEC. 906. REQUIREMENT FOR THE SECRETARY OF DEFENSE TO PREPARE A STRATEGIC PLAN TO ENHANCE THE ROLE OF THE NATIONAL GUARD AND RESERVES.

(a) PLAN.—Not later than April 1, 2009, the Secretary of Defense shall prepare a plan for enhancing the roles of the National Guard and Reserve—

(1) when federalized in the case of the National Guard, or activated in the case of the Reserves, in support of operations conducted under title 10, United States Code, including the transition of the reserve component of the Armed Forces from a strategic force to an operational reserve;

(2) in support of operations conducted under title 32, United States Code, or in support to civil authorities; and

(3) with respect to the achievement of a fully-integrated total force (including further development of a continuum of service).

(b) CONSULTATION.—In preparing the plan under subsection (a), the Secretary of Defense shall take into consideration the advice of the Chairman of the Joint Chiefs of Staff, the Secretary and Chief of Staff of the Army, the Secretary and Chief of Staff of the Air Force, the commander of the United States Northern Command, the Chief of the National Guard Bureau, and other appropriate officials, as determined by the Secretary of Defense.

(c) MATTERS TO BE ASSESSED.—In preparing the plan, the Secretary shall assess—

(1) the findings, conclusions, and recommendations of the Final Report to Congress and the Secretary of Defense of the Commission on the National Guard and Reserves, dated January 31, 2008, and titled "Transforming the National Guard and Reserves into a 21st-Century Operational Force"; and

(2) the provisions of H.R. 5603 and S. 2706 of the 110th Congress, as introduced on March 13, 2008 (the National Guard Empowerment and State-National Defense Integration Act of 2008).

(d) REPORT.—Not later than April 1, 2009, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plan required under this section. The report shall include recommendations on—

(1) any changes to the current Department of Defense organization, structure, command relationships, budget authority, procurement authority, and compensation and benefits;

(2) any legislation that the Secretary considers necessary; and

(3) any other matter the Secretary considers appropriate.

SEC. 907. GENERAL COUNSEL TO THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

Section 8 of the Inspector General Act of 1978 (50 U.S.C. App. 8) is amended by adding at the end the following new subsection:

"(h)(1) There is a General Counsel to the Inspector General of the Department of Defense, who shall be appointed by the Inspector General of the Department of Defense.

"(2)(A) Notwithstanding section 140(b) of title 10, United States Code, the General Counsel is the chief legal officer of the Office of the Inspector General.

"(B) The Inspector General is the exclusive legal client of the General Counsel.

"(C) The General Counsel shall perform such functions as the Inspector General may prescribe.

"(D) The General Counsel shall serve at the discretion of the Inspector General.

"(3) There is an Office of the General Counsel to the Inspector General of the Department of Defense. The Inspector General may appoint to the Office to serve as staff of the General Counsel such legal counsel as the Inspector General considers appropriate.".

SEC. 908. BUSINESS TRANSFORMATION INITIATIVES FOR THE MILITARY DEPARTMENTS.

(a) IN GENERAL.—The Secretary of each military department shall, acting through the Chief Management Officer of such military department, carry out an initiative for the business transformation of such military department.

(b) OBJECTIVES.—The objectives of the business transformation initiative of a military department under this section shall include, at a minimum, the following:

(1) The development of a comprehensive business transformation plan, with measurable performance goals and objectives, to achieve an integrated management system for the business operations of the military department.

(2) The development of a well-defined enterprise-wide business systems architecture and transition plan encompassing end-to-end business processes and capable of providing accurately and timely information in support of business decisions of the military department.

(3) The implementation of the business transformation plan developed pursuant to paragraph (1) and the business systems architecture and transition plan developed pursuant to paragraph (2).

(c) BUSINESS TRANSFORMATION OFFICES.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall establish within such military department an office (to be known as the "Office of Business Transformation" of such military department) to assist the Chief Management Officer of such military department in carrying out the initiative required by this section for such military department.

(2) HEAD.—The Office of Business Transformation of a military department under this subsection shall be headed by a Director of Business Transformation, who shall be appointed by the Chief Management Officer of the military department, in

consultation with the Director of the Business Transformation Agency of the Department of Defense, from among individuals with significant experience managing large-scale organizations or business transformation efforts.

(3) SUPERVISION.—The Director of Business Transformation of a military department under paragraph (2) shall report directly to the Chief Management Officer of the military department, subject to policy guidance from the Director of the Business Transformation Agency of the Department of Defense.

(4) AUTHORITY.—In carrying out the initiative required by this section for a military department, the Director of Business Transformation of the military department under paragraph (2) shall have the authority to require elements of the military department to carry out actions that are within the purpose and scope of the initiative.

(d) RESPONSIBILITIES OF BUSINESS TRANSFORMATION OFFICES.—The Office of Business Transformation of a military department established pursuant to subsection (b) may be responsible for the following:

(1) Transforming the budget, finance, accounting, and human resource operations of the military department in a manner that is consistent with the business transformation plan developed pursuant to subsection (b)(1).

(2) Eliminating or replacing financial management systems of the military department that are inconsistent with the business systems architecture and transition plan developed pursuant to subsection (b)(2).

(3) Ensuring that the business transformation plan and the business systems architecture and transition plan are implemented in a manner that is aggressive, realistic, and accurately measured.

(4) Such other responsibilities as the Secretary of that military department determines are appropriate.

(e) REQUIRED ELEMENTS.—In carrying out the initiative required by this section for a military department, the Chief Management Officer and the Director of Business Transformation of the military department shall ensure that each element of the initiative is consistent with—

(1) the requirements of the Business Enterprise Architecture and Transition Plan developed by the Secretary of Defense pursuant to section 2222 of title 10, United States Code;

(2) the Standard Financial Information Structure of the Department of Defense;

(3) the Federal Financial Management Improvement Act of 1996 (and the amendments made by that Act); and

(4) other applicable requirements of law and regulation.

(f) REPORTS ON IMPLEMENTATION.—

(1) INITIAL REPORTS.—Not later than nine months after the date of the enactment of this Act, the Chief Management Officer of each military department shall submit to the congressional defense committees a report on the actions taken, and on the actions planned to be taken, by such military department to implement the requirements of this section.

(2) UPDATES.—Not later than March 1 of each of 2010, 2011, and 2012, the Chief Management Officer of each military department shall submit to the congressional defense committees a current update of the report submitted by such Chief Management Officer under paragraph (1).

Subtitle B—Space Activities

SEC. 911. EXTENSION OF AUTHORITY FOR PILOT PROGRAM FOR PROVISION OF SPACE SURVEILLANCE NETWORK SERVICES TO ENTITIES OUTSIDE UNITED STATES GOVERNMENT.

Section 2274(i) of title 10, United States Code, is amended by striking "September 30, 2009" and inserting "September 30, 2010".

SEC. 912. INVESTMENT AND ACQUISITION STRATEGY FOR COMMERCIAL SATELLITE CAPABILITIES.

(a) REQUIREMENT.—The Secretary of Defense shall conduct an assessment to determine a recommended investment and acquisition strategy for commercial satellite capabilities.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following:

(1) Review of national and defense policy relevant to the requirements for, acquisition of, and use of commercial satellite capabilities, and the relationship with commercial satellite providers.

(2) Assessment of the manner in which commercial satellite capabilities are used by the Department of Defense and options for expanding such use or identifying new means to leverage commercial satellite capabilities, such as hosting payloads.

(3) Review of military requirements for satellite communications and remote sensing by quantity, quality, timeline, and any other metric considered appropriate.

(4) Description of current and planned commercial satellite capabilities and an assessment of their ability to meet the requirements identified in paragraph (3).

(5) Assessment of the ability of commercial satellite capabilities to meet other military requirements not identified in paragraph (3).

(6) Description of the use of and resources allocated to commercial satellite communications and remote sensing needed to meet the requirements identified in paragraph (3) during—

(A) the five-year period preceding the date of the assessment;

(B) the period from the date of the assessment through the fiscal years covered under the future-years defense program under section 221 of title 10, United States Code; and

(C) the period beyond the fiscal years covered under the future-years defense program under such section 221.

(7) Assessment of purchasing patterns that may lead to recommendations in which the Department may consolidate requirements, centralize operations, aggregate purchases, or leverage purchasing power (including the use of multiyear contracting).

(8) Assessment of various models for acquiring commercial satellite capabilities, including funding, management, and operations models.

(c) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2010, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of the assessment required under subsection (a) and provide recommendations, including—

(A) the recommended investment and acquisition strategy of the Department for commercial satellite capabilities;

(B) how the investment and acquisition strategy should be addressed in fiscal years after fiscal year 2010; and

(C) a proposal for such legislative action as the Secretary considers necessary to acquire appropriate types and amounts of commercial satellite capabilities.

(2) FORM.—The report shall be in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term "commercial satellite capabilities" means the system, capability, or service provided by a commercial satellite provider.

(2) The term "commercial satellite provider" refers to privately owned and operated space systems, their technology, components, products, data, services, and related information, as well as foreign systems whose products and services are sold commercially.

SEC. 913. SPACE POSTURE REVIEW.

(a) REQUIREMENT FOR COMPREHENSIVE REVIEW.—In order to clarify the national security space policy and strategy of the United States for the near term, the Secretary of Defense and the Director of National Intelligence shall jointly conduct a comprehensive review of the space posture of the United States over the posture review period.

(b) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall include, for the posture review period, the following:

(1) The definition, policy, requirements, and objectives for each of the following:

(A) Space situational awareness.

(B) Space control.

(C) Space superiority, including defensive and offensive counterspace and protection.

(D) Force enhancement and force application.

(E) Space-based intelligence and surveillance and reconnaissance from space.

(F) Integration of space and ground control and user equipment.

(G) Any other matter the Secretary considers relevant to understanding the space posture of the United States.

(2) A description of current and planned space acquisition programs that are in acquisition categories 1 and 2, including how each program will address the policy, requirements, and

objectives described under each of subparagraphs (A) through (G) of paragraph (1).

(3) A description of future space systems and technology development (other than such systems and technology in development as of the date of the enactment of this Act) necessary to address the policy, requirements, and objectives described under each of subparagraphs (A) through (G) of paragraph (1).

(4) An assessment of the relationship among the following:

(A) Military space policy.

(B) National security space policy.

(C) National security space objectives.

(D) Arms control policy.

(E) Export control policy.

(F) Industrial base policy.

(5) An assessment of the effect of the military and national security space policy of the United States on the proliferation of weapons capable of targeting objects in space or objects on Earth from space.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 1, 2009, the Secretary of Defense and the Director of National Intelligence shall jointly submit to the congressional committees specified in paragraph (3) a report on the review conducted under subsection (a).

(2) FORM OF REPORT.—The report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(3) COMMITTEES.—The congressional committees specified in this paragraph are—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) POSTURE REVIEW PERIOD DEFINED.—In this section, the term "posture review period" means the 10-year period beginning on February 1, 2009.

Subtitle C—Chemical Demilitarization Program

SEC. 921. RESPONSIBILITIES FOR CHEMICAL DEMILITARIZATION CITIZENS' ADVISORY COMMISSIONS IN COLORADO AND KENTUCKY.

Section 172 of the National Defense Authorization Act for Fiscal Year 1993 (50 U.S.C. 1521 note) is 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) COLORADO AND KENTUCKY CHEMICAL DEMILITARIZATION CITIZENS' ADVISORY COMMISSIONS.—(1) Notwithstanding subsections (b), (g), and (h), and consistent with section 142 of the Strom Thur-

mond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1521 note) and section 8122 of the Department of Defense Appropriations Act, 2003 (Public Law 107–248; 116 Stat. 1566; 50 U.S.C. 1521 note), the Secretary of the Army shall transfer responsibilities for the Chemical Demilitarization Citizens' Advisory Commissions in Colorado and Kentucky to the Program Manager for Assembled Chemical Weapons Alternatives.

"(2) In carrying out the responsibilities transferred under paragraph (1), the Program Manager for Assembled Chemical Weapons Alternatives shall take appropriate actions to ensure that each Commission referred to in paragraph (1) retains the capacity to receive citizen and State concerns regarding the ongoing chemical demilitarization program in the State concerned.

"(3) A representative of the Office of the Assistant to the Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs shall meet with each Commission referred to in paragraph (1) not less often than twice a year.

"(4) Funds appropriated for the Assembled Chemical Weapons Alternatives Program shall be available for travel and associated travel costs for Commissioners on the Commissions referred to in paragraph (1) when such travel is conducted at the invitation of the Special Assistant for Chemical and Biological Defense and Chemical Demilitarization Programs of the Department of Defense.".

SEC. 922. COST-BENEFIT ANALYSIS OF FUTURE TREATMENT OF HYDROLYSATE AT PUEBLO CHEMICAL DEPOT, COLORADO.

(a) FINDINGS.—Congress makes the following findings:

(1) The Pueblo Chemical Agent Destruction Pilot Plant, Colorado, is not planned to begin chemical agent destruction operations until 2015.

(2) There will be no hydrolysate byproduct of chemical agent neutralization at the Pueblo Chemical Depot, Colorado, until after chemical agent destruction operations begin.

(3) The Department of Defense has no plans to produce, treat, store, or transport hydrolysate at the Pueblo Chemical Depot, Colorado, during fiscal year 2009.

(4) A January 10, 2007, Department of Defense Acquisition Decision Memorandum requires the Program Manager for the Assembled Chemical Weapons Alternatives to continue to pursue off-site treatment and disposal of hydrolysate as long as doing so would be safe, efficient, and economically beneficial.

(b) COST-BENEFIT ANALYSIS.—The Secretary of Defense shall perform a cost-benefit analysis of future on-site and off-site options for treatment and disposal of hydrolysate expected to be produced at the Pueblo Chemical Depot, Colorado.

(c) REPORT.—Together with the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2010 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the cost-benefit analysis required by subsection (b).

(d) NOTICE AND WAIT.—After the submission of the report required by subsection (c), if the Secretary of Defense decides to

transport hydrolysate from Pueblo Chemical Depot, Colorado, to an off-site location during fiscal year 2009, the Department shall not commence such transport until 60 days after the Secretary provides written notice to the congressional defense committees of the Department's intent to conduct such transport.

Subtitle D—Intelligence-Related Matters

SEC. 931. TECHNICAL CHANGES FOLLOWING THE REDESIGNATION OF NATIONAL IMAGERY AND MAPPING AGENCY AS NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) TECHNICAL CHANGES TO UNITED STATES CODE.—

(1) TITLE 5.—Title 5, United States Code, is amended by striking "National Imagery and Mapping Agency" each place it appears and inserting "National Geospatial-Intelligence Agency".

(2) TITLE 44.—Title 44, United States Code, is amended by striking "National Imagery and Mapping Agency" each place it appears and inserting "National Geospatial-Intelligence Agency".

(b) TECHNICAL CHANGES TO OTHER ACTS.—

(1) ETHICS IN GOVERNMENT ACT OF 1978.—Section 105(a)(1) of the Ethics in Government Act of 1978 (Public Law 95–521; 5 U.S.C. App. 4) is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

(2) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) is amended—

(A) in subsection (a)(1)(A), by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency"; and

(B) in subsection (g)(1), by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

(3) EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988.—Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2006(b)(2)(A)(i)) is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

(4) LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1993.—Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993 (Public Law 102–392; 44 U.S.C. 501 note), is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

(5) HOMELAND SECURITY ACT OF 2002.—Section 201(e)(2) of the Homeland Security Act of 2002 (6 U.S.C. 121(e)(2)) is amended by striking "National Imagery and Mapping Agency" and inserting "National Geospatial-Intelligence Agency".

SEC. 932. TECHNICAL AMENDMENTS TO TITLE 10, UNITED STATES CODE, ARISING FROM ENACTMENT OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) REFERENCES TO HEAD OF INTELLIGENCE COMMUNITY.—Title 10, United States Code, is amended by striking "Director of Central Intelligence" each place it appears and inserting "Director of National Intelligence" in the following:

(1) Section 193(d)(2).
(2) Section 193(e).
(3) Section 201(a).
(4) Section 201(b)(1).
(5) Section 201(c)(1).
(6) Section 425(a).
(7) Section 431(b)(1).
(8) Section 441(c).
(9) Section 441(d).
(10) Section 443(d).
(11) Section 2273(b)(1).
(12) Section 2723(a).

(b) CLERICAL AMENDMENTS.—Such title is further amended by striking "DIRECTOR OF CENTRAL INTELLIGENCE" each place it appears and inserting "DIRECTOR OF NATIONAL INTELLIGENCE" in the following:

(1) Section 441(c).
(2) Section 443(d).

(c) REFERENCE TO HEAD OF CENTRAL INTELLIGENCE AGENCY.—Section 444 of such title is amended by striking "Director of Central Intelligence" each place it appears and inserting "Director of the Central Intelligence Agency".

SEC. 933. TECHNICAL AMENDMENTS RELATING TO THE ASSOCIATE DIRECTOR OF THE CIA FOR MILITARY AFFAIRS.

Section 528(c) of title 10, United States Code, is amended—

(1) in the heading, by striking "MILITARY SUPPORT" and inserting "MILITARY AFFAIRS"; and
(2) by striking "Military Support" and inserting "Military Affairs".

Subtitle E—Other Matters

SEC. 941. ENHANCEMENT OF AUTHORITIES RELATING TO DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—

(1) IN GENERAL.—Section 184(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(6) Funds available to carry out this section, including funds accepted under paragraph (4) and funds available under paragraph (5), shall be available, to the extent provided in appropriations Acts, for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2008, and shall apply with respect to programs and activities under section 184 of title 10, United States Code (as so amended), that begin on or after that date.

(b) TEMPORARY WAIVER OF REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL.—

(1) AUTHORITY FOR TEMPORARY WAIVER.—In fiscal years 2009 and 2010, the Secretary of Defense may, with the concurrence of the Secretary of State, waive reimbursement otherwise required under subsection (f) of section 184 of title 10, United States Code, of the costs of activities of Regional Centers under such section for personnel of nongovernmental and international organizations who participate in activities of the Regional Centers that enhance cooperation of nongovernmental organizations and international organizations with United States forces if the Secretary of Defense determines that attendance of such personnel without reimbursement is in the national security interests of the United States.

(2) LIMITATION.—The amount of reimbursement that may be waived under paragraph (1) in any fiscal year may not exceed $1,000,000.

(3) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report under section 184(h) of title 10, United States Code, in 2010 and 2011 information on the attendance of personnel of nongovernmental and international organizations in activities of the Regional Centers during the preceding fiscal year for which a waiver of reimbursement was made under paragraph (1), including information on the costs incurred by the United States for the participation of personnel of each nongovernmental or international organization that so attended.

SEC. 942. RESTRICTION ON OBLIGATION OF FUNDS FOR UNITED STATES SOUTHERN COMMAND DEVELOPMENT ASSISTANCE ACTIVITIES.

(a) REPORT AND CERTIFICATION 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 describing the development assistance activities carried out by the United States Southern Command during fiscal year 2008 and planned for fiscal year 2009 and containing a certification by the Secretary that such development assistance activities—

(1) will not adversely diminish the ability of the United States Southern Command or its components to carry out its combat or military missions;

(2) do not divert resources from funded or unfunded requirements of the United States Southern Command in connection with the role of the Department of Defense under section 124 of title 10, United States Code, as the single lead agency of the Federal Government for the detection and monitoring of aerial and maritime transit of illegal drugs into the United States;

(3) are not unnecessarily duplicative of activities already conducted or planned to be conducted by any other Federal department or agency during fiscal year 2009; and

(4) are designed, planned, and conducted to complement joint training and exercises, host-country capacity building, or similar activities directly connected to the responsibilities of the United States Southern Command.

(b) RESTRICTION ON OBLIGATION OF FUNDS PENDING CERTIFICATION.—Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for fiscal year 2009 for operation and maintenance for the United States Southern Command, not more than 90 percent may be obligated or expended until 30 days after the certification required by subsection (a) is received by the congressional defense committees.

(c) DEVELOPMENT ASSISTANCE ACTIVITIES DEFINED.—In this section, the term "development assistance activities" means assistance activities carried out by the United States Southern Command that are comparable to the assistance activities carried out by the United States under—

(1) chapters 1, 10, 11, and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151, 2293, 2295, and 2296 et seq.); and

(2) any other provision of law for purposes comparable to the purposes for which assistance activities are carried out under the provisions of law referred to in paragraph (1).

SEC. 943. AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.—Upon a determination by a commander of a combatant command that an action is necessary in connection with a non-conventional assisted recovery effort, and with the concurrence of the relevant Chief of Mission or Chiefs of Mission, an amount not to exceed $20,000,000 of the funds appropriated pursuant to an authorization of appropriations or otherwise made available for "Operation and Maintenance, Navy" may be used to establish, develop, and maintain non-conventional assisted recovery capabilities.

(b) PROCEDURES.—The Secretary of Defense shall establish procedures for the exercise of the authority under subsection (a). The Secretary shall notify the congressional defense committees of those procedures before any exercise of that authority.

(c) AUTHORIZED ACTIVITIES.—Non-conventional assisted recovery capabilities authorized under subsection (a) may, in limited and special circumstances, include the provision of support to foreign forces, irregular forces, groups, or individuals in order to facilitate the recovery of Department of Defense or Coast Guard military or civilian personnel, or other individuals who, while conducting activities in support of United States military operations, become separated or isolated and cannot rejoin their units without the assistance authorized in subsection (a). Such support may include the provision of limited amounts of equipment, supplies, training, transportation, or other logistical support or funding.

(d) NOTICE TO CONGRESS ON USE OF AUTHORITY.—Upon using the authority in subsection (a) to make funds available for support of non-conventional assisted recovery activities, the Secretary of Defense shall notify the congressional defense committees within 72 hours of the use of such authority with respect to support of such activities. Any such notice shall be in writing.

(e) ANNUAL REPORT.—Not later than 30 days after the close of each fiscal year during which subsection (a) is in effect, the Secretary of Defense shall submit to the congressional defense committees a report on support provided under that subsection during that fiscal year. Each such report shall describe the support provided, including a statement of the recipient of support and the amount obligated to provide the support.

(f) LIMITATION ON INTELLIGENCE ACTIVITIES.—This section does not constitute authority to conduct a covert action, as such term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 413b(e)).

(g) LIMITATION ON FOREIGN ASSISTANCE ACTIVITIES.—This section does not constitute authority—

(1) to build the capacity of foreign military forces or provide security and stabilization assistance, as described in sections 1206 and 1207 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456 and 3458), respectively; and

(2) to provide assistance that is otherwise prohibited by any other provision in law, including any provision of law relating to the control of exports of defense articles or defense services.

(h) PERIOD OF AUTHORITY.—The authority under this section is in effect during each of the fiscal years 2009 through 2011.

SEC. 944. REPORT ON HOMELAND DEFENSE AND CIVIL SUPPORT ISSUES.

(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 certain homeland defense and civil support issues.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) A description of the progress made by the Department of Defense to address the concerns related to the United States Northern Command identified in the Comptroller General reports GAO–08–251 and GAO–08–252, including improved coordination with other agencies.

(2) A detailed description of the plans and progress made by the Department of Defense to establish forces assigned the mission of managing the consequences of an incident in the United States homeland involving a chemical, biological, radiological, or nuclear device, or high-yield explosives.

SEC. 945. REPORT ON NATIONAL GUARD RESOURCE REQUIREMENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Chief of the National Guard Bureau shall submit to the Secretary of Defense a report—

(1) detailing the extent to which the various provisions in title XVIII of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) have been effective in giving the Chief of the National Guard Bureau the authorities and resources needed to perform the responsibilities and duties of the Chief; and

(2) assessing the adequacy of Department of Defense funding for the resource requirements of the National Guard.

(b) REPORT TO CONGRESS.—Not later than 30 days after the Secretary of Defense receives the report under subsection (a), the Secretary shall submit to Congress such report, along with any explanatory comments the Secretary considers necessary.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. One-time shift of military retirement payments.
Sec. 1003. Management of purchase cards.
Sec. 1004. Codification of recurring authority on United States contributions to the North Atlantic Treaty Organization common-funded budgets.
Sec. 1005. Incorporation of funding decisions into law.

Subtitle B—Policy Relating to Vessels and Shipyards

Sec. 1011. Conveyance, Navy drydock, Aransas Pass, Texas.
Sec. 1012. Report on repair of naval vessel in foreign shipyards.
Sec. 1013. Report on plan for disposal of certain vessels stricken from the Naval Vessel Register.
Sec. 1014. Reimbursement of expenses for certain Navy mess operations.
Sec. 1015. Policy relating to major combatant vessels of the strike forces of the United States Navy.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1022. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 1023. Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia and continuation of numerical limitation on assignment of United States personnel.
Sec. 1024. Expansion and extension of authority to provide additional support for counter-drug activities of certain foreign governments.
Sec. 1025. Comprehensive Department of Defense strategy for counter-narcotics efforts for United States Africa Command.
Sec. 1026. Comprehensive Department of Defense strategy for counter-narcotics efforts in South and Central Asian regions.

Subtitle D—Miscellaneous Authorities and Limitations

Sec. 1031. Enhancement of the capacity of the United States Government to conduct complex operations.
Sec. 1032. Crediting of admiralty claim receipts for damage to property funded from a Department of Defense working capital fund.
Sec. 1033. Minimum annual purchase requirements for charter air transportation services from carriers participating in the Civil Reserve Air Fleet.
Sec. 1034. Semi-annual reports on status of Navy Next Generation Enterprise Networks program.
Sec. 1035. Sense of Congress on nuclear weapons management.
Sec. 1036. Sense of Congress on joint Department of Defense-Federal Aviation Administration executive committee on conflict and dispute resolution.
Sec. 1037. Sense of Congress on sale of new outsize cargo, strategic airlift aircraft for civilian use.

Subtitle E—Studies and Reports

Sec. 1041. Report on corrosion control and prevention.
Sec. 1042. Study on using Modular Airborne Fire Fighting Systems (MAFFS) in a Federal response to wildfires.
Sec. 1043. Study on rotorcraft survivability.
Sec. 1044. Report on nuclear weapons.
Sec. 1045. Report on compliance by Department of Defense with Guam tax and licensing laws.
Sec. 1046. Report on detention operations in Iraq.

Sec. 1047. Review of bandwidth capacity requirements of the Department of Defense and the intelligence community.
Sec. 1048. Review of findings and recommendations applicable to the Department of Defense regarding electromagnetic pulse attack.

Subtitle F—Other Matters

Sec. 1051. Additional information under annual submissions of information regarding information technology capital assets.
Sec. 1052. Submission to Congress of revision to regulation on enemy prisoners of war, retained personnel, civilian internees, and other detainees.
Sec. 1053. Barnegat Inlet to Little Egg Inlet, New Jersey.
Sec. 1054. Standing advisory panel on improving coordination among the Department of Defense, the Department of State, and the United States Agency for International Development on matters of national security.
Sec. 1055. Reports on strategic communication and public diplomacy activities of the Federal Government.
Sec. 1056. Prohibitions relating to propaganda.
Sec. 1057. Sense of Congress on interrogation of detainees by contractor personnel.
Sec. 1058. Sense of Congress with respect to 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. 1059. Modification of deadlines for standards required for entry to military installations in the United States.
Sec. 1060. Extension of certain dates for Congressional Commission on the Strategic Posture of the United States.
Sec. 1061. Technical and clerical amendments.
Sec. 1062. Notification of Committees on Armed Services with respect to certain nonproliferation and proliferation activities.
Sec. 1063. Assessment of security measures at consolidated center for North American Aerospace Defense Command and United States Northern Command.

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 2009 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 $4,200,000,000.

(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. ONE-TIME SHIFT OF MILITARY RETIREMENT PAYMENTS.

(a) REDUCTION OF PAYMENTS.—Notwithstanding any other provision of law, any amounts that would otherwise be payable from the fund to individuals for the month of August 2013 (with disbursements scheduled for September 2013) shall be reduced by 1 percent.

(b) REVERSION.—Beginning on September 1, 2013 (with disbursements beginning in October 2013), amounts payable to individuals from the fund shall revert back to amounts as specified in law as if the reduction in subsection (a) did not take place.

(c) REFUND.—Any individual who has a payment reduced under subsection (a) shall receive a one-time payment, from the fund, in an amount equal to the amount of such reduction. This one-time payment shall be included with disbursements from the fund scheduled for October 2013.

(d) FUND.—In this section, the term "fund" refers to the Department of Defense Military Retirement Fund established by section 1461 of title 10, United States Code.

(e) TRANSFER.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall transfer $40,000,000 from the unobligated balances of the National Defense Stockpile Transaction Fund to the Miscellaneous Receipts Fund of the United States Treasury to offset estimated costs arising from section 702 and the amendments made by such section.

SEC. 1003. MANAGEMENT OF PURCHASE CARDS.

(a) PENALTIES FOR VIOLATIONS.—Section 2784(c)(1) of title 10, United States Code, is amended by striking "(1) provide for" and inserting the following:

"(1) provide—

"(A) for the reimbursement of charges for unauthorized or erroneous purchases, in appropriate cases; and

"(B) for".

(b) REQUIRED 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 the House of Representatives a report detailing actions to be taken by the Department of Defense to implement the recommendations of the Government Accountability Office in its report titled "Actions Needed to Strengthen Internal Controls to Reduce Fraudulent, Improper, and Abusive Purchases" (GAO–08–333) to improve safeguards and internal controls on the use of agency purchase cards.

SEC. 1004. CODIFICATION OF RECURRING AUTHORITY ON UNITED STATES CONTRIBUTIONS TO THE NORTH ATLANTIC TREATY ORGANIZATION COMMON-FUNDED BUDGETS.

(a) CODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—Subchapter II of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2263. United States contributions to the North Atlantic Treaty Organization common-funded budgets

"(a) IN GENERAL.—The total amount contributed by the Secretary of Defense in any fiscal year for the common-funded budgets of NATO may be an amount in excess of the maximum amount that would otherwise be applicable to those contributions in such fiscal year under the fiscal year 1998 baseline limitation.

"(b) REPORTS.—(1) Not later than October 30 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the contributions made by the Secretary to the common-funded budgets of NATO in the preceding fiscal year.

"(2) Each report under paragraph (1) shall include, for the fiscal year covered by such report, the following:

"(A) The amounts contributed by the Secretary to each of the separate budgets and programs of the North Atlantic Treaty Organization under the common-funded budgets of NATO.

"(B) For each budget and program to which the Secretary made such a contribution, the percentage of such budget or program during the fiscal year that such contribution represented.

"(c) DEFINITIONS.—In this section:

"(1) COMMON-FUNDED BUDGETS OF NATO.—The term 'common-funded budgets of NATO' means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

"(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term 'fiscal year 1998 baseline limitation' means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 134 of such title is amended by adding at the end the following new item:

"2263. United States contributions to the North Atlantic Treaty Organization common-funded budgets.".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008, and shall apply to fiscal years that begin on or after that date.

SEC. 1005. INCORPORATION OF FUNDING DECISIONS INTO LAW.

(a) AMOUNTS SPECIFIED IN JOINT EXPLANATORY STATEMENT ARE AUTHORIZED BY LAW.—Wherever a funding table in the Joint Explanatory Statement which is to be printed in the Congressional Record on or about September 23, 2008, to explain the Duncan

Hunter National Defense Authorization Act for Fiscal Year 2009 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 to be carried out to the same extent as if included in the text of the Act, 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 incorporated into the Act by this section 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 to the Joint Explanatory Statement referred to in subsection (a).

(e) ORAL AND WRITTEN COMMUNICATION.—No oral or written communication concerning any amount specified in the Joint Explanatory Statement referred to in subsection (a) shall supersede the requirements of this section.

Subtitle B—Policy Relating to Vessels and Shipyards

SEC. 1011. CONVEYANCE, NAVY DRYDOCK, ARANSAS PASS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy is authorized to convey the floating drydock AFDL–23, located in Aransas Pass, Texas, to Gulf Copper Ship Repair, that company being the current lessee of the drydock.

(b) CONDITION OF CONVEYANCE.—The Secretary shall require as a condition of the conveyance under subsection (a) that the drydock remain at the facilities of Gulf Copper Ship Repair, at Aransas Pass, Texas, until at least September 30, 2010.

(c) CONSIDERATION.—As consideration for the conveyance of the drydock under subsection (a), the purchaser shall provide compensation to the United States the value of which, as determined by the Secretary, is equal to the fair market value of the drydock, as determined by the Secretary. The Secretary shall take into account amounts paid by, or due and owing from, the lessee.

(d) TRANSFER AT NO COST TO UNITED STATES.—The provisions of section 7306(c) of title 10, United States Code, shall apply to the conveyance under this section.

(e) 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.

SEC. 1012. REPORT ON REPAIR OF NAVAL VESSEL IN FOREIGN SHIPYARDS.

Section 7310 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) REPORT.—(1) The Secretary of the Navy shall submit to Congress each year, at the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, a report listing all repairs and maintenance performed on any covered naval vessel that has undergone work for the repair of the vessel in any shipyard outside the United States or Guam (in this section referred to as a 'foreign shipyard') during the fiscal year preceding the fiscal year in which the report is submitted.

"(2) The report shall include the percentage of the annual ship repair budget of the Navy that was spent on repair of covered naval vessels in foreign shipyards during the fiscal year covered by the report.

"(3) The report also shall include the following with respect to each covered naval vessel:

"(A) The justification under law for the repair in a foreign shipyard.

"(B) The name and class of vessel repaired.

"(C) The category of repair and whether the repair qualified as voyage repair as defined in Commander Military Sealift Command Instruction 4700.15C (September 13, 2007) or Joint Fleet Maintenance Manual (Commander Fleet Forces Command Instruction 4790.3 Revision A, Change 7), Volume III. Scheduled availabilities are to be considered as a composite and reported as a single entity without individual repair and maintenance items listed separately.

"(D) The shipyard where the repair work was carried out.

"(E) The number of days the vessel was in port for repair.

"(F) The cost of the repair and the amount (if any) that the cost of the repair was less than or greater than the cost of the repair provided for in the contract.

"(G) The schedule for repair, the amount of work accomplished (stated in terms of work days), whether the repair was accomplished on schedule, and, if not so accomplished, the reason for the schedule over-run.

"(H) The homeport or location of the vessel prior to its voyage for repair.

"(I) Whether the repair was performed under a contract awarded through the use of competitive procedures or procedures other than competitive procedures.

"(4) In this subsection, the term 'covered naval vessel' means any of the following:

"(A) A naval vessel.

"(B) Any other vessel under the jurisdiction of the Secretary of the Navy.".

SEC. 1013. REPORT ON PLAN FOR DISPOSAL OF CERTAIN VESSELS STRICKEN FROM THE NAVAL VESSEL REGISTER.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy, in consultation with the Adminis-

trator of the Maritime Administration, shall submit to the congressional defense committees a report containing—

(1) a plan for the sale and disposal of each vessel over 50,000 tons light ship displacement stricken from the Naval Vessel Register but not yet disposed of by the Navy or the Maritime Administration; and

(2) the estimated contribution to the domestic market for steel and other metals that might be made from the scrapping of such vessels.

SEC. 1014. REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS.

(a) AUTHORITY FOR PAYMENT.—Of the amounts appropriated for operation and maintenance for the Navy, not more that $1,000,000 may be used to pay the charge established under section 1011 of title 37, United States Code, for meals sold by messes for United States Navy and Naval Auxiliary vessels to the following:

(1) Members of nongovernmental organizations and officers or employees of host and foreign nations when participating in or providing support to United States civil-military operations.

(2) Foreign national patients treated on Naval vessels during the conduct of United States civil-military operations, and their escorts.

(b) EXPIRATION OF AUTHORITY.—The authority to pay for meals under subsection (a) shall expire on September 30, 2010.

(c) REPORT.—Not later than March 31 of each year during which the authority to pay for meals under subsection (a) is in effect, the Secretary of Defense shall submit to Congress a report on the use of such authority.

SEC. 1015. POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.

Section 1012(c)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended by adding at the end the following:

"(D) Amphibious assault ships, including dock landing ships (LSD), amphibious transport–dock ships (LPD), helicopter assault ships (LHA/LHD), and amphibious command ships (LCC), if such vessels exceed 15,000 dead weight ton light ship displacement.".

Subtitle C—Counter-Drug Activities

SEC. 1021. EXTENSION OF REPORTING REQUIREMENT REGARDING DEPARTMENT OF DEFENSE 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 1024 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2383), is further amended by striking "and February 15, 2008" and inserting "February 15, 2008, and February 15, 2009".

SEC. 1022. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 371 note), as amended by section 1021 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 304), is amended by striking "2008" and inserting "2009".

SEC. 1023. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA AND CONTINUATION OF NUMERICAL LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as amended by section 1023 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2382), is further amended—

(1) in subsection (a), by striking "2008" and inserting "2009"; and

(2) in subsection (c), by striking "2008" and inserting "2009".

SEC. 1024. EXPANSION AND EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) EXTENSION OF AUTHORITY.—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as amended by section 1021 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 117 Stat. 1593), section 1022 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2137), and section 1022 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 304), is further amended by striking "2008" and inserting "2009".

(b) ADDITIONAL GOVERNMENTS ELIGIBLE TO RECEIVE SUPPORT.—Subsection (b) of such section is amended by adding at the end the following new paragraphs:

"(19) The Government of Guinea-Bissau.

"(20) The Government of Senegal.

"(21) The Government of El Salvador.

"(22) The Government of Honduras.".

(c) MAXIMUM ANNUAL AMOUNT OF SUPPORT.—Subsection (e)(2) of such section is amended—

(1) by striking "or" after "2006,"; and

(2) by striking the period at the end and inserting ", or $75,000,000 during fiscal year 2009.".

(d) CONDITION ON PROVISION OF SUPPORT.—Subsection (f) of such section is amended—

(1) in paragraph (2), by inserting after "In the case of" the following: "funds appropriated for fiscal year 2009 to carry out this section and"; and

(2) in paragraph (4)(B), by striking "Committee on International Relations" and inserting "Committee on Foreign Affairs".

(e) COUNTER-DRUG PLAN.—Subsection (h) of such section is amended—

(1) in the matter preceding paragraph (1), by striking "fiscal year 2004" and inserting "fiscal year 2009"; and

(2) in subparagraph (7), by striking "For the first fiscal year" and inserting "For fiscal year 2009, and thereafter, for the first fiscal year".

SEC. 1025. COMPREHENSIVE DEPARTMENT OF DEFENSE STRATEGY FOR COUNTER-NARCOTICS EFFORTS FOR UNITED STATES AFRICA COMMAND.

(a) REPORT REQUIRED.—Not later than June 30, 2009, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy of the Department of the Defense with regard to counter-narcotics efforts in Africa, with an emphasis on West Africa and the Maghreb. The Secretary of Defense shall prepare the strategy in consultation with the Secretary of State.

(b) MATTERS TO BE INCLUDED.—The comprehensive strategy shall consist of a general overview and a separate detailed section for each of the following:

(1) A description of the overall United States counter-narcotics policy for Africa.

(2) The roles and missions of the Department of Defense in support of the overall United States counter-narcotics policy for Africa.

(3) The priorities for the Department of Defense to meet programmatic objectives one-year, three-years, and five-years after the end of fiscal year 2009, including a description of the expected allocation of resources of the Department of Defense to accomplish these priorities.

(4) The efforts of the Secretary of Defense to coordinate the Department of Defense counter-narcotics activities in Africa with Department of Defense building capacity programs, including programs carried out under the authority of the Secretary under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456).

(5) The efforts to coordinate the counter-narcotics activities of the Department of Defense with the counter-narcotics activities of the governments eligible to receive support under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881) and the counter-narcotics activities in Africa of European countries and other international and regional partners.

(c) PLANS.—The comprehensive strategy shall also include the following plans:

(1) A detailed and comprehensive plan to utilize the capabilities and assets of the combatant commands that geographically surround the United States Africa Command for the counter-narcotics efforts and activities of the United States Africa Command on a temporary basis until the United States Africa Command develops its own commensurate capabilities and assets, including in the plan a description of what measures will be taken to effectuate the transition of the missions.

(2) A detailed and comprehensive plan to enhance cooperation with certain African countries, which are often geographically contiguous to other African countries that have a signifi-

cant narcotics-trafficking challenges, to increase the effectiveness of the counter-narcotics activities of the Department of Defense and its international and regional partners.

SEC. 1026. COMPREHENSIVE DEPARTMENT OF DEFENSE STRATEGY FOR COUNTER-NARCOTICS EFFORTS IN SOUTH AND CENTRAL ASIAN REGIONS.

(a) REPORT REQUIRED.—Not later than June 30, 2009, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy of the Department of the Defense with regard to counter-narcotics efforts in the South and Central Asian regions, including the countries of Afghanistan, Turkmenistan, Tajikistan, Kyrgyzstan, Kazakhstan, Pakistan, and India, as well as the countries of Armenia, Azerbaijan, and China.

(b) MATTERS TO BE INCLUDED.—The comprehensive strategy shall consist of a general overview and a separate detailed section for each of the following:

(1) The roles and missions of the Department of Defense in support of the overall United States counter-narcotics policy for countries of the South and Central Asian regions and the other countries specified in subsection (a).

(2) The priorities for the Department of Defense to meet programmatic objectives for fiscal year 2010, including a description of the expected allocation of resources of the Department of Defense to accomplish these priorities.

(3) The ongoing and planned counter-narcotics activities funded by the Department of Defense for such regions and countries.

(4) The efforts to coordinate the counter-narcotics activities of the Department of Defense with the counter-narcotics activities of such regions and countries and the counter-narcotics activities of other international partners in such regions and countries.

(5) The specific metrics used by the Department of Defense to evaluate progress of activities to reduce the production and trafficking of illicit narcotics in such regions and countries.

Subtitle D—Miscellaneous Authorities and Limitations

SEC. 1031. ENHANCEMENT OF THE CAPACITY OF THE UNITED STATES GOVERNMENT TO CONDUCT COMPLEX OPERATIONS.

(a) IN GENERAL.—Chapter 20 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 409. Center for Complex Operations

"(a) CENTER AUTHORIZED.—The Secretary of Defense may establish a center to be known as the 'Center for Complex Operations' (in this section referred to as the 'Center').

"(b) PURPOSES.—The purposes of the Center established under subsection (a) shall be the following:

"(1) To provide for effective coordination in the preparation of Department of Defense personnel and other United States Government personnel for complex operations.

"(2) To foster unity of effort during complex operations among—

"(A) the departments and agencies of the United States Government;

"(B) foreign governments and militaries;

"(C) international organizations and international nongovernmental organizations; and

"(D) domestic nongovernmental organizations.

"(3) To conduct research; collect, analyze, and distribute lessons learned; and compile best practices in matters relating to complex operations.

"(4) To identify gaps in the education and training of Department of Defense personnel, and other relevant United States Government personnel, relating to complex operations, and to facilitate efforts to fill such gaps.

"(c) CONCURRENCE OF THE SECRETARY OF STATE.—The Secretary of Defense shall seek the concurrence of the Secretary of State to the extent the efforts and activities of the Center involve the entities referred to in subparagraphs (B) and (C) of subsection (b)(2).

"(d) SUPPORT FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS OR AGENCIES.—The head of any non-Department of Defense department or agency of the United States Government may—

"(1) provide to the Secretary of Defense services, including personnel support, to support the operations of the Center; and

"(2) transfer funds to the Secretary of Defense to support the operations of the Center.

"(e) ACCEPTANCE OF GIFTS AND DONATIONS.—(1) Subject to paragraph (3), the Secretary of Defense may accept from any source specified in paragraph (2) any gift or donation for purposes of defraying the costs or enhancing the operations of the Center.

"(2) The sources specified in this paragraph are the following:

"(A) The government of a State or a political subdivision of a State.

"(B) The government of a foreign country.

"(C) A foundation or other charitable organization, including a foundation or charitable organization that is organized or operates under the laws of a foreign country.

"(D) Any source in the private sector of the United States or a foreign country.

"(3) The Secretary may not accept a gift or donation under this subsection if acceptance of the gift or donation would compromise or appear to compromise—

"(A) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out the responsibility or duty of the Department in a fair and objective manner; or

"(B) the integrity of any program of the Department or of any person involved in such a program.

"(4) The Secretary shall provide written guidance setting forth the criteria to be used in determining the applicability of paragraph (3) to any proposed gift or donation under this subsection.

"(f) CREDITING OF FUNDS TRANSFERRED OR ACCEPTED.—Funds transferred to or accepted by the Secretary of Defense under this

section shall be credited to appropriations available to the Department of Defense for the Center, and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged. Any funds so transferred or accepted shall remain available until expended.

"(g) DEFINITIONS.—In this section:

"(1) The term 'complex operation' means an operation as follows:

"(A) A stability operation.

"(B) A security operation.

"(C) A transition and reconstruction operation.

"(D) A counterinsurgency operation.

"(E) An operation consisting of irregular warfare.

"(2) The term 'gift or donation' means any gift or donation of funds, materials (including research materials), real or personal property, or services (including lecture services and faculty services).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by adding at the end the following new item:

"409. Center for Complex Operations.".

SEC. 1032. CREDITING OF ADMIRALTY CLAIM RECEIPTS FOR DAMAGE TO PROPERTY FUNDED FROM A DEPARTMENT OF DEFENSE WORKING CAPITAL FUND.

Section 7623(b) of title 10, United States Code, is amended—

(1) by inserting "(1)" after "(b)";

(2) in paragraph (1), as so designated, by striking the last sentence; and

(3) by adding at the end the following new paragraph:

"(2)(A) Except as provided in subparagraph (B), amounts received under this section shall be covered into the Treasury as miscellaneous receipts.

"(B) Amounts received under this section for damage or loss to property operated and maintained with funds from a Department of Defense working capital fund or account shall be credited to that fund or account.".

SEC. 1033. MINIMUM ANNUAL PURCHASE REQUIREMENTS FOR CHARTER AIR TRANSPORTATION SERVICES FROM CARRIERS PARTICIPATING IN THE CIVIL RESERVE AIR FLEET.

(a) IN GENERAL.—Chapter 931 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 9515. Charter air transportation services: minimum annual purchase amount for carriers participating in Civil Reserve Air Fleet

"(a) IN GENERAL.—The Secretary of Defense shall take steps to—

"(1) improve the predictability in Department of Defense charter requirements;

"(2) strengthen Civil Reserve Airlift Fleet participation to assure adequate capacity is available to meet steady-state, surge and mobilization requirements; and

"(3) provide incentives for commercial air passenger carriers to provide newer, more efficient and reliable aircraft for De-

partment of Defense service rather than older, fully depreciated aircraft.

"(b) CONSIDERATION OF RECOMMENDATIONS.—In carrying out subsection (a), the Secretary of Defense shall consider the recommendations on courses of action for the Civil Reserve Air Fleet as outlined in the report required by Section 356 of the National Defense Authorization Act for 2008 (Public Law 110–181).

"(c) CONTRACTS FOR CHARTER AIR TRANSPORTATION SERVICES.—The Secretary of Defense may award to an air carrier or an air carrier contractor team arrangement participating in the Civil Reserve Air Fleet on a fiscal year basis a one-year contract for charter air transportation services with a minimum purchase amount under such contract determined in accordance with this section.

"(d) ELIGIBLE CHARTER AIR TRANSPORTATION CARRIERS.—In order to be eligible for payments under the minimum purchase amount provided by this section, an air carrier (or any air carrier participating in an air carrier contractor team arrangement)—

"(1) if under contract with the Department of Defense in the prior fiscal year, shall have an average on-time pick up rate, based on factors within such air carrier's control, of at least 90 percent;

"(2) shall offer such amount of commitment to the Civil Reserve Air Fleet in excess of the minimum required for participation in the Civil Reserve Air Fleet as the Secretary of Defense shall specify for purposes of this section; and

"(3) may not have refused a Department of Defense request to act as a host for other Civil Reserve Air Fleet carriers at intermediate staging bases during the prior fiscal year.

"(e) AGGREGATE MINIMUM PURCHASE AMOUNT.—(1) The aggregate amount of the minimum purchase amount for all contracts awarded under subsection (c) for a fiscal year shall be based on forecast needs, but may not exceed the amount equal to 80 percent of the average annual expenditure of the Department of Defense for charter air transportation services during the five-fiscal year period ending in the fiscal year before the fiscal year for which such contracts are awarded.

"(2) In calculating the average annual expenditure of the Department of Defense for charter air transportation services for purposes of paragraph (1), the Secretary of Defense shall omit from the calculation any fiscal year exhibiting unusually high demand for charter air transportation services if the Secretary determines that the omission of such fiscal year from the calculation will result in a more accurate forecast of anticipated charter air transportation services for purposes of that paragraph.

"(f) ALLOCATION OF MINIMUM PURCHASE AMONG CHARTER AIR TRANSPORTATION CONTRACTS.—(1) The aggregate amount of the minimum purchase amount for all contracts awarded under subsection (c) for a fiscal year, as determined under subsection (e), shall be allocated among all air carriers and air carrier contractor team arrangements awarded contracts under subsection (c) for such fiscal year in proportion to the commitments of such carriers to the Civil Reserve Air Fleet for such fiscal year.

"(2) In determining the minimum purchase amount payable under paragraph (1) under a contract under subsection (c) for char-

ter air transportation services provided by an air carrier or air carrier contractor team arrangement during the fiscal year covered by such contract, the Secretary of Defense may adjust the amount allocated to such carrier or arrangement under paragraph (2) to take into account periods during such fiscal year when charter air transportation services of such carrier or a carrier in such arrangement are unavailable for usage by the Department of Defense, including during periods of refused business or suspended operations or when such carrier is placed in nonuse status pursuant to section 2640 of this title for safety reasons.

"(g) DISTRIBUTION OF AMOUNTS.—If any amount available under this section for the minimum purchase of charter air transportation services from a carrier or air carrier contractor team arrangement for a fiscal year under a contract under subsection (c) is not utilized to purchase charter air transportation services from the carrier or arrangement in such fiscal year, such amount shall be provided to the carrier or arrangement before the first day of the following fiscal year.

"(h) COMMITMENT OF FUNDS.—(1) The Secretary of each military department shall transfer to the transportation working capital fund a percentage of the total amount anticipated to be required in such fiscal year for the payment of minimum purchase amounts under all contracts awarded under subsection (c) for such fiscal year equivalent to the percentage of the anticipated use of charter air transportation services by such military department during such fiscal year from all carriers under contracts awarded under subsection (c) for such fiscal year.

"(2) Any amounts required to be transferred under paragraph (1) shall be transferred by the last day of the fiscal year concerned to meet the requirements of subsection (g) unless minimum purchase amounts have already been distributed by the Secretary of Defense under subsection (g) as of that date.

"(i) AVAILABILITY OF AIRLIFT SERVICES.—(1) From the total amount of charter air transportation services available for a fiscal year under all contracts awarded under subsection (c) for such fiscal year, a military department shall be entitled to obtain a percentage of such services equal to the percentage of the contribution of the military department to the transportation working capital fund for such fiscal year under subsection (h).

"(2) A military department may transfer any entitlement to charter air transportation services under paragraph (1) to any other military department or to any other agency, element, or component of the Department of Defense.

"(j) DEFINITION.—In this section, the term 'charter air transportation' has the meaning given such term in section 40102(14) of title 49, United States Code, except that it only means such transportation for which the Secretary of Defense has entered into a contract for the purpose of passenger travel.

"(k) SUNSET.—The authorities in this section shall expire on December 31, 2015.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 941 of such title is amended by adding at the end the following new item:

"9515. Charter air transportation services: minimum annual purchase amount for carriers participating in Civil Reserve Air Fleet.".

(c) REPORT TO CONGRESS; LIMITATION ON EXERCISE OF AUTHORITY.—

(1) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a written report on the actions taken under subsections (a) and (b) of section 9515 of title 10, United States Code, as added by subsection (a), along with the anticipated risks and benefits of such actions.

(2) LIMITATION.—No authority under subsections (c) through (I) of such section may be implemented until 30 days after the date on which the Secretary submits the report required under paragraph (1).

SEC. 1034. SEMI-ANNUAL REPORTS ON STATUS OF NAVY NEXT GENERATION ENTERPRISE NETWORKS PROGRAM.

(a) SEMI-ANNUAL REPORTS REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees semi-annual reports on the status of the development, testing, and deployment of the Navy Next Generation Enterprise Networks program and the transition of the capabilities provided by the Navy Marine Corps Intranet program to the Next Generation Enterprise Networks program. Each such report shall cover such status during the two fiscal quarters preceding the fiscal quarter in which the report is submitted.

(b) COORDINATION.—The Secretary of Defense shall develop each of the semi-annual reports required under subsection (a) in coordination with the Secretary of the Navy, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Assistant Secretary of Defense for Networks and Information Integration, and the Director of Operational Test and Evaluation.

(c) CONTENTS OF REPORTS.—Each of the reports required under subsection (a) shall address the following matters for the period covered by the report:

(1) For each Next Generation Enterprise Networks contract entered into by the Secretary of Defense—

(A) the metrics used for quantitatively measuring the performance of the entity with which the Secretary has entered into the contract and, based on such metrics, an assessment of the performance of such entity during such period;

(B) the qualitative measures used to assess the performance of such entity and, based on such qualitative measures, an assessment of the performance of such entity during such period;

(C) the mechanisms for providing incentives to improve the performance of such entity, the processes for determining incentive payments, and the use of incentive payments made during such period; and

(D) the mechanisms for penalizing such entity for poor performance, the processes for determining penalties, and the use of such penalties during such period.

(2) Any progress made during such period to transition information technology services from the Navy Marine Corps Intranet program to the Next Generation Enterprise Networks

program, including the transfer of intellectual property and infrastructure, and a description of contracting mechanisms used to facilitate such transition and the provision of services related to such transition.

(3) An assessment of any issues arising during such period that relate to the valuation and ownership of intellectual property and infrastructure in the Navy Marine Corps Intranet program.

(4) Any activities carried out by the Next Generation Enterprise Networks Governance Board to resolve issues related to the Next Generation Enterprise Network program.

(5) An assessment of the operational effectiveness and suitability of the Next Generation Enterprise Networks program during such period based on testing activities and other assessments.

(6) A description of the information security and information assurance posture and performance of the Next Generation Enterprise Networks program during such period.

(7) The schedule, status, and goals of the early transition activities between the Navy Marine Corps Intranet program and the Next Generation Enterprise Networks program carried out during such period.

(8) A description of the role of the Next Generation Enterprise Networks program with the Navy's network environment.

(9) An updated acquisition milestone schedule, including any changes from previous planned schedules, the status of achieving milestones, and mitigation strategies for maintaining program schedule performance.

(d) DEADLINE FOR SUBMITTAL OF REPORTS.—The Secretary of Defense shall submit the semi-annual reports required under this section by not later than April 1 and October 1 of each year, and shall submit the first report required under this section by not later than April 1, 2009.

(e) TERMINATION.—The requirement to submit semi-annual reports under this section shall terminate on the date that is one year after the date on which the Secretary of Defense completes the full transition of the provision of services from the Navy Marine Corps Intranet program and other transition programs to the Next Generation Enterprise Networks program.

SEC. 1035. SENSE OF CONGRESS ON NUCLEAR WEAPONS MANAGEMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) The unauthorized transfer of nuclear weapons from Minot Air Force Base, North Dakota, to Barksdale Air Force Base, Louisiana, in August 2007 was an extraordinary breach of the command and control and security of nuclear weapons.

(2) The reviews conducted following that unauthorized transfer found that the ability of the Department of Defense to provide oversight of nuclear weapons matters had degenerated and that senior level attention to nuclear weapons management is minimal at best.

(3) The lack of attention to nuclear weapons and related equipment by the Department of Defense was demonstrated again when it was discovered in March 2008 that classified

equipment from Minuteman III intercontinental ballistic missiles was inadvertently shipped to Taiwan in 2006.

(4) The Department of Defense has insufficient capability and staffing in the Office of the Under Secretary of Defense for Policy to provide the necessary oversight of the nuclear weapons functions of the Department.

(5) The key senior position responsible for nuclear weapons matters in the Department of Defense, the Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs, a position filled by appointment by and with the advice and consent of the Senate, was vacant for more than 18 months before being filled in July 2008.

(6) The inability to provide consistent senior level emphasis on nuclear weapons policy has contributed to an erosion in the level of attention paid to nuclear weapons matters across the Department of Defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should maintain clear and unambiguous command and control of its nuclear weapons;

(2) the safety and security of nuclear weapons and related equipment should be a high priority as long as the United States maintains a stockpile of nuclear weapons;

(3) these objectives will be more successfully attained if greater attention is paid to nuclear weapons matters within the Office of the Secretary of Defense, the Office of the Under Secretary of Defense for Policy, and the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics;

(4) the Secretary of Defense should consider establishing and filling a senior position, at the level of Assistant Secretary of Defense or Deputy Under Secretary of Defense, within the Office of the Under Secretary of Defense for Policy to hold primary responsibility for the strategic and nuclear weapons policy of the Department of Defense; and

(5) the Secretary of Defense should clarify the lines of responsibility and accountability for nuclear weapons matters within the Office of the Secretary of Defense to place greater emphasis on strategic and nuclear weapons policy and management.

SEC. 1036. SENSE OF CONGRESS ON JOINT DEPARTMENT OF DEFENSE-FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.

(a) FINDINGS.—Congress makes the following findings:

(1) Unmanned aerial systems (UAS) of the Department of Defense, like the Predator and the Global Hawk, have become a critical component of military operations. Unmanned aerial systems are indispensable in the conflict against terrorism and the campaigns in Afghanistan and Iraq.

(2) Unmanned aerial systems of the Department of Defense must operate in the National Airspace System (NAS) for training, operational support to the combatant commands, and support to domestic authorities in emergencies and national disasters.

(3) The Department of Defense has been lax in developing certifications of airworthiness for unmanned aerial systems,

qualifications for operators of unmanned aerial systems, databases on safety matters relating to unmanned aerial systems, and standards, technology, and procedures that are necessary for routine access of unmanned aerial systems to the National Airspace System.

(4) As recognized in a Memorandum of Agreement for Operation of Unmanned Aircraft Systems in the National Airspace System signed by the Deputy Secretary of Defense and the Administrator of the Federal Aviation Administration in September 2007, it is vital for the Department of Defense and the Federal Aviation Administration to collaborate closely to achieve progress in gaining access for unmanned aerial systems to the National Airspace System to support military requirements.

(5) The Department of Defense and the Federal Aviation Administration have jointly and separately taken significant actions to improve the access of unmanned aerial systems of the Department of Defense to the National Airspace System, but overall, the pace of progress in access of such systems to the National Airspace System has been insufficient and poses a threat to national security.

(6) Techniques and procedures can be rapidly acquired or developed to temporarily permit safe operations of unmanned aerial systems in the National Airspace System until permanent safe operations of such systems in the National Airspace System can be achieved.

(7) Identifying, developing, approving, implementing, and monitoring the adequacy of these techniques and procedures may require the establishment of a joint Department of Defense-Federal Aviation Administration executive committee reporting to the highest levels of the Department of Defense and the Federal Aviation Administration on matters relating to the access of unmanned aerial systems of the Department of Defense to the National Airspace System.

(8) Joint management attention at the highest levels of the Department of Defense and the Federal Aviation Administration may also be required on other important issues, such as type ratings for aerial refueling aircraft.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should seek an agreement with the Administrator of the Federal Aviation Administration to jointly establish within the Department of Defense and the Federal Aviation Administration a joint Department of Defense–Federal Aviation Administration executive committee on conflict and dispute resolution which would—

(1) act as a focal point for the resolution of disputes on matters of policy and procedures between the Department of Defense and the Federal Aviation Administration with respect to—

(A) airspace, aircraft certifications, and aircrew training; and

(B) other issues brought before the joint executive committee by the Department of Defense or the Department of Transportation;

(2) identify solutions to the range of technical, procedural, and policy concerns arising in the disputes described in paragraph (1); and

(3) identify solutions to the range of technical, procedural, and policy concerns arising in the integration of Department of Defense unmanned aerial systems into the National Airspace System in order to achieve the increasing, and ultimately routine, access of such systems into the National Airspace System.

SEC. 1037. SENSE OF CONGRESS ON SALE OF NEW OUTSIZE CARGO, STRATEGIC AIRLIFT AIRCRAFT FOR CIVILIAN USE.

(a) FINDINGS.—Congress makes the following findings:

(1) The 2006 Quadrennial Defense Review and the 2005 Mobility Capability Study determined that the United States Transportation Command requires a force of 292 to 383 organic strategic airlift aircraft, augmented by procurement of airlift service from commercial air carriers participating in the Civil Reserve Air Fleet, to meet the demands of the National Military Strategy. Congress has authorized and appropriated funds for 316 strategic airlift aircraft.

(2) The commander of the United States Transportation Command has testified to Congress that it is essential to safeguard the capabilities and capacity of the Civil Reserve Air Fleet to meet wartime surge demands in connection with major combat operations and that procurement by the Air Force of excess organic strategic airlift aircraft could be harmful to the health of the Civil Reserve Air Fleet.

(3) The C–17 aircraft is used extensively by the Air Mobility Command in the Global War on Terror. Production of the C–17 aircraft is scheduled to cease in August, 2010.

(4) The Federal Aviation Administration has informed Congress that no fewer than six commercial operators have expressed interest in operating a commercial variant of the C–17 aircraft. Commercial sale of the new C–17 aircraft would require that the Department of Defense determine that it is in the national interest for the Federal Aviation Administration to proceed with the issuance of a type certificate for C–17 aircraft in accordance with section 21.27 of title 14, Code of Federal Regulations.

(5) New C–17 aircraft sold for commercial use could be made available to the Civil Reserve Air Fleet, thus strengthening the capabilities and capacity of the Civil Reserve Air Fleet.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, in consultation with the Secretary of Transportation, should—

(1) review the benefits and feasibility of pursuing a new production commercial cargo capability with new C–17 commercial variant aircraft and determine whether such capability is in the national interest; and

(2) if the Secretary of Defense determines that such a capability is in the national interest, take appropriate actions to coordinate with the Federal Aviation Administration to achieve the type certification for a commercial variant of the C-17 required by section 21.27 of title 14, Code of Federal Regulations.

Subtitle E—Studies and Reports

SEC. 1041. REPORT ON CORROSION CONTROL AND PREVENTION.

(a) REPORT REQUIRED.—The Secretary of Defense, acting through the Director of Corrosion Policy and Oversight, shall prepare and submit to the Committees on Armed Services of the Senate and the House of Representatives a report on corrosion control and prevention in weapons systems and equipment.

(b) MATTERS COVERED.—The report shall include the comments and recommendations of the Department of Defense regarding potential improvements in corrosion control and prevention through earlier planning. In particular, the report shall include an evaluation and business case analysis of options for improving corrosion control and prevention in the requirements and acquisition processes of the Department of Defense for weapons systems and equipment. The evaluation shall include an analysis of the impact of such potential improvements on system acquisition costs and life cycle sustainment. The options for improved corrosion control and prevention shall include corrosion control and prevention—

(1) as a key performance parameter for assessing the selection of materials and processes;

(2) as a key performance parameter for sustainment;

(3) as part of the capability development document in the joint capabilities integration and development system; and

(4) as a requirement for weapons systems managers to assess their corrosion control and prevention requirements over a system's life cycle and incorporate the results into their acquisition strategies prior to issuing a solicitation for contracts.

(c) DEADLINE.—The report shall be submitted not later than 120 days after the date of the enactment of this Act.

(d) REVIEW BY COMPTROLLER GENERAL.—The Comptroller General shall review the report required under subsection (a), including the methodology used in the Department's analysis, and shall provide the results of the review to the Committees on Armed Services of the Senate and the House of Representatives not later than 60 days after the Department submits the report.

SEC. 1042. STUDY ON USING MODULAR AIRBORNE FIRE FIGHTING SYSTEMS (MAFFS) IN A FEDERAL RESPONSE TO WILDFIRES.

(a) IN GENERAL.—The Secretary of Defense shall carry out a study to determine—

(1) how to utilize the Department's Modular Airborne Fire Fighting Systems (MAFFS) in all contingencies where there is a Federal response to wildfires; and

(2) how to decrease the costs of using the Department's MAFFS when supporting National Interagency Fire Center (NIFC) fire fighting operations.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the study.

SEC. 1043. STUDY ON ROTORCRAFT SURVIVABILITY.

(a) STUDY REQUIRED.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall carry out a study on Department of Defense rotorcraft survivability. The study shall—

(1) with respect to actual losses of rotorcraft in combat—

(A) identify the rates of such losses from 1965 through 2008, measured in total annual losses by type of aircraft and by cause, with rates for loss per flight hour and loss per sortie provided;

(B) identify by category of hostile action (such as small arms, Man-Portable Air Defense Systems, and so on), the causal factors for the losses; and

(C) propose candidate solutions for survivability (such as training, tactics, speed, countermeasures, maneuverability, lethality, technology, and so on), in a prioritized list with explanations, to mitigate each such causal factor, along with recommended funding adequate to achieve rates at least equal to the experience in the Vietnam conflict;

(2) with respect to actual losses of rotorcraft in combat theater not related to hostile action—

(A) identify the causal factors of loss in a ranked list; and

(B) propose candidate solutions for survivability (such as training, tactics, speed, countermeasures, maneuverability, lethality, technology, and so on), in a prioritized list, to mitigate each such causal factor, along with recommended funding adequate to achieve the Secretary's Mishap Reduction Initiative goal of not more than 0.5 mishaps per 100,000 flight hours;

(3) with respect to losses of rotorcraft in training or other non-combat operations during peacetime or interwar years—

(A) identify by category (such as inadvertent instrument meteorological conditions, wire strike, and so on) the causal factors of loss in a ranked list; and

(B) identify candidate solutions for survivability and performance (such as candidate solutions referred to in paragraph (2)(B) as well as maintenance, logistics, systems development, and so on) in a prioritized list, to mitigate each such causal factor, along with recommended funding adequate to achieve the goal of rotorcraft loss rates to non-combat causes being reduced to 1.0;

(4) identify the key technical factors (causes of mishaps that are not related to human factors) negatively impacting the rotorcraft mishap rates and survivability trends, to include reliability, availability, maintainability, and other logistical considerations; and

(5) identify what TACAIR is and has done differently to have such a decrease in losses per sortie when compared to rotorcraft, to include—

(A) examination of aircraft, aircraft maintenance, logistics, operations, and pilot and operator training;

(B) an emphasis on the development of common service requirements that TACAIR has implemented already which are minimizing losses within TACAIR; and

(C) candidate solutions, in a prioritized list, to mitigate each causal factor with recommended funding adequate to achieve the goal of rotorcraft loss rates stated above.

(b) REPORT.—Not later than August 1, 2009, the Secretary and the Chairman shall submit to the congressional defense committees a report on the results of the study.

SEC. 1044. REPORT ON NUCLEAR WEAPONS.

(a) FINDINGS.—Congress finds that—

(1) numerous nuclear weapons are held in the arsenals of various countries around the world;

(2) some of these weapons make attractive targets for theft and for use by terrorist organizations;

(3) the United States should identify, track, and monitor these weapons as a matter of national security;

(4) the United States should assess the security risks associated with existing stockpiles of nuclear weapons and should assess the risks of nuclear weapons being developed, acquired, or utilized by other countries, particularly rogue states, and by terrorists and other non-state actors; and

(5) the United States should work cooperatively with other countries to improve the security of nuclear weapons and to promote multilateral reductions in the numbers of nuclear weapons.

(b) REVIEW.—The President, in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Energy, and the Director of National Intelligence, shall conduct a review of nuclear weapons world-wide that includes—

(1) an inventory of the nuclear arsenals of all countries that possess, or are believed to possess, nuclear weapons, which indicates, as accurately as possible, the nuclear weapons that are known, or are believed, to exist according to nationality, type, yield, and form of delivery, and an assessment of the methods that are currently employed to identify, track, and monitor nuclear weapons and their component materials;

(2) an assessment of the risks associated with the deployment, transfer, and storage of nuclear weapons deemed to be attractive to terrorists, rogue states, and other state or non-state actors on account of their size or portability, or on account of their accessibility due to the manner of their deployment or storage; and

(3) recommendations for—

(A) mechanisms and procedures to improve security and safeguards for the nuclear weapons deemed to be attractive to terrorists, rogue states, and other state or non-state actors;

(B) mechanisms and procedures to improve the ability of the United States to identify, track, and monitor the nuclear weapons deemed to be attractive to terrorists, rogue states, and other state or non-state actors;

(C) mechanisms and procedures for implementing transparent multilateral reductions in nuclear weapons arsenals; and

(D) methods for consolidating, dismantling, and disposing of the nuclear weapons in each country that possesses, or is believed to possess, nuclear weapons, including methods of monitoring and verifying consolidation, dismantlement, and disposal.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the President shall submit to Congress a report on the findings and recommendations of the review required under subsection (b).

(2) CLASSIFICATION OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, but it may be accompanied by a classified annex.

SEC. 1045. REPORT ON COMPLIANCE BY DEPARTMENT OF DEFENSE WITH GUAM TAX AND LICENSING LAWS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Navy and the Joint Guam Program Office, shall submit to the congressional defense committees a report on the steps that the Department of Defense is taking to ensure that contractors of the Department performing work on Guam comply with local tax and licensing requirements.

SEC. 1046. REPORT ON DETENTION OPERATIONS IN IRAQ.

(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 on detention operations at theater internment facilities in Iraq.

(b) ELEMENTS.—The report required by subsection (a) shall include each of the following:

(1) A detailed description of how counterinsurgency doctrine has been incorporated at theater internment facilities in Iraq.

(2) A detailed description of the policies and programs instituted to prepare detainees for reintegration following their release from detention in theater internment facilities in Iraq.

(3) A description and assessment of the effects of changes in detention operations and reintegration programs at theater internment facilities in Iraq during the period beginning on January 1, 2007, and ending on the date of the completion of the report, including changes in levels of violence within internment facilities and in rates of recapture of detainees released from detention in internment facilities.

(4) A description of—

(A) the lessons learned regarding detention operations in a counterinsurgency operation, an assessment of how such lessons could be applied to detention operations elsewhere (including in Afghanistan and at Guantanamo Bay, Cuba); and

(B) any efforts to integrate such lessons into Department of Defense directives, joint doctrine, mission rehearsal exercises for deploying forces, and training for units involved in detention and interrogation operations.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1047. REVIEW OF BANDWIDTH CAPACITY REQUIREMENTS OF THE DEPARTMENT OF DEFENSE AND THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall conduct a joint review of the bandwidth

capacity requirements of the Department of Defense and the intelligence community in the near term, mid term, and long term.

(b) ELEMENTS.—The review required by subsection (a) shall include an assessment of the following:

(1) The current bandwidth capacities and capabilities of the Department of Defense and the intelligence community to transport data, including Government and commercial ground networks, airborne relays, and satellite systems.

(2) The bandwidth capacities and capabilities anticipated to be available to the Department of Defense and the intelligence community to transport data in the near term, mid term, and long term.

(3) Innovative technologies available to the Department of Defense and the intelligence community to increase data transport capacity of existing bandwidth (such as compression techniques or intelligent software agents) that can be applied in the near term, mid term, and long term.

(4) The bandwidth and data requirements of current major operational systems of the Department of Defense and the intelligence community, including an assessment of—

(A) whether such requirements are being appropriately met by the bandwidth capacities and capabilities described in paragraph (1); and

(B) the degree to which any such requirements are not being met by such bandwidth capacities and capabilities.

(5) The anticipated bandwidth and data requirements of major operational systems of the Department of Defense and the intelligence community planned for each of the near term, mid term, and long term, including an assessment of—

(A) whether such anticipated requirements will be appropriately met by the bandwidth capacities and capabilities described in paragraph (2); and

(B) the degree to which any such requirements are not anticipated to be met by such bandwidth capacities and capabilities.

(6) Any mitigation concepts that could be used to satisfy any unmet bandwidth and data requirements.

(7) The costs of meeting the bandwidth and data requirements described in paragraphs (4) and (5).

(8) Any actions necessary to integrate or consolidate the information networks of the Department of Defense and the intelligence community.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly 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 setting forth the results of the review required by subsection (a).

(d) FORMAL REVIEW PROCESS FOR BANDWIDTH REQUIREMENTS.—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—

(1) the bandwidth requirements needed to support such program are or will be met; and

(2) a determination will be made with respect to how to meet the bandwidth requirements for such program.

(e) DEFINITIONS.—In this section:

(1) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) LONG TERM.—The term "long term" means the five-year period beginning on the date that is 10 years after the date of the enactment of this Act.

(3) MID TERM.—The term "mid term" means the five-year period beginning on the date that is five years after the date of the enactment of this Act.

(4) NEAR TERM.—The term "near term" means the five-year period beginning on the date of the enactment of this Act.

SEC. 1048. REVIEW OF FINDINGS AND RECOMMENDATIONS APPLICABLE TO THE DEPARTMENT OF DEFENSE REGARDING ELECTROMAGNETIC PULSE ATTACK.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the findings and recommendations applicable to the Department of Defense made in the reports of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack established under title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 165A–345).

(b) REPORTS.—

(1) IN GENERAL.—The Secretary shall submit to the congressional defense committees a report on the review required by subsection (a) that shall include the following:

(A) A description of the findings and recommendations described in that subsection that are applicable to the Department of Defense.

(B) A plan for addressing the applicable findings and implementing the applicable recommendations to the extent practicable and feasible.

(C) If the Secretary determines that it is not practicable or feasible to address an applicable finding or implement an applicable recommendation, an explanation clearly explaining each such determination.

(D) A description of the capabilities of the Department of Defense needed to protect and recover from an electromagnetic pulse attack.

(E) Any research and development needed to address any applicable finding or recommendation to enable the Department of Defense to implement such recommendations in the future.

(F) A description of the plans and programs that the Department of Defense has in place or plans to put in place to address the threat from electromagnetic pulse attack.

(G) A description of the organizational and management structure that the Department of Defense has in place or

plans to have in place to address the threat from an electromagnetic pulse attack.

(H) A description of any impediments to implementing any applicable recommendations.

(2) SUBMITTAL DATES.—The report required by paragraph (1) shall be submitted not later than September 1 of each odd numbered year beginning in 2009 and ending in 2015.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle F—Other Matters

SEC. 1051. ADDITIONAL INFORMATION UNDER ANNUAL SUBMISSIONS OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.

Section 351 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2516; 10 U.S.C. 221 note) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1);

(B) by redesignating paragraph (2) as paragraph (1);

(C) in paragraph (1), as so redesignated, by striking "and an estimated total life cycle cost" and inserting "or an estimated total cost"; and

(D) by adding at the end the following new paragraph (2):

"(2) Information technology capital assets not covered by paragraph (1) that have been determined by the Chief Information Officer of the Department of Defense to be significant investments.";

(2) by striking subsection (b);

(3) by redesignating subsection (c) as subsection (b);

(4) in subsection (b), as so redesignated, by striking "subsection (a)(2)" and inserting "subsection (a)(1)";

(5) by inserting after subsection (b) the following new subsection (c):

"(c) REQUIRED INFORMATION FOR SIGNIFICANT INVESTMENTS.—With respect to each information technology capital asset not covered by paragraph (1) of subsection (a), but covered by paragraph (2) of that subsection, the Secretary of Defense shall include such information in a format that is appropriate to the current status of such asset."; and

(6) in subsection (d), by striking "life cycle".

SEC. 1052. SUBMISSION TO CONGRESS OF REVISION TO REGULATION ON ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, CIVILIAN INTERNEES, AND OTHER DETAINEES.

(a) SUBMISSION TO CONGRESS.—A successor regulation to Army Regulation 190–8 Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees (dated October 1, 1997) may not be carried out or implemented until the date that is 60 days after the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives such successor regulation.

(b) SAVINGS CLAUSE.—Nothing in this section shall affect the continued effectiveness of Army Regulation 190–8 Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees (dated October 1, 1997).

SEC. 1053. BARNEGAT INLET TO LITTLE EGG INLET, NEW JERSEY.

(a) PROJECT MODIFICATION.—The project for hurricane and storm damage reduction, Barnegat Inlet to Little Egg Inlet, New Jersey, authorized by section 101(a)(1) of the Water Resources Development Act of 2000 (114 Stat. 2576), is modified to authorize the Secretary of the Army to undertake, at Federal expense, such measures as the Secretary determines to be necessary and appropriate in the public interest to address the handling of munitions placed on the beach during construction of the project before the date of enactment of this section.

(b) TREATMENT OF COSTS.—Costs incurred in carrying out subsection (a) shall not be considered to be a cost of constructing the project.

(c) CREDIT.—The Secretary shall credit, in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), toward the non-Federal share of the cost of the project the costs incurred by the non-Federal interest with respect to the removal and handling of the munitions referred to in subsection (a).

(d) ELIGIBLE ACTIVITIES.—Measures authorized by subsection (a) include monitoring, removal, and disposal of the munitions referred to in subsection (a).

SEC. 1054. STANDING ADVISORY PANEL ON IMPROVING COORDINATION AMONG THE DEPARTMENT OF DEFENSE, THE DEPARTMENT OF STATE, AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ON MATTERS OF NATIONAL SECURITY.

(a) ESTABLISHMENT OF ADVISORY PANEL.—The Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development (USAID) may jointly establish an advisory panel to advise, review, and make recommendations on ways to improve coordination among the Department of Defense, the Department of State, and the United States Agency for International Development on matters relating to national security, including reviewing their respective roles and responsibilities.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The advisory panel shall be composed of 12 members, of whom—

(A) three shall be appointed by the Secretary of Defense, in consultation with the Secretary of State and the Administrator;

(B) three shall be appointed by the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, and in consultation with the Secretary of State and the Administrator;

(C) three shall be appointed by the Secretary of State, in consultation with the Secretary of Defense and the Administrator; and

(D) three shall be appointed by the Administrator, in consultation with the Secretary of Defense and the Secretary of State.

(2) CHAIRMAN.—The Secretary of Defense, the Secretary of State, and the Administrator shall jointly designate one member as chairman.

(3) VICE CHAIRMAN.—The Secretary of Defense, the Secretary of State, and the Administrator shall jointly designate one member as vice chairman. The vice chairman may not be a member appointed to the advisory panel under paragraph (1) by the same Secretary or Administrator who appointed the member under such paragraph who is designated as the chairman under paragraph (2).

(4) EXPERTISE.—Members of the advisory panel shall be private citizens of the United States with national recognition and significant experience in the Federal Government, the Armed Forces, public administration, foreign affairs, or development.

(5) DEADLINE FOR APPOINTMENT.—All members of the advisory panel should be appointed not earlier than January 20, 2009, and not later than March 20, 2009.

(6) TERMS.—The term of each member of the advisory panel is for the life of the advisory panel.

(7) VACANCIES.—A vacancy in the advisory panel shall be filled not later than 30 days after such vacancy occurs and in the manner in which the original appointment was made.

(8) SECURITY CLEARANCES.—The appropriate departments or agencies of the Federal Government shall cooperate with the advisory panel in expeditiously providing to the members and staff of the advisory panel appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this section without the appropriate security clearances.

(9) STATUS.—A member of the advisory panel who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee, except for the purposes of chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(10) EXPENSES.—The members of the advisory 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, while away from their homes or regular places of business in the performance of services for the advisory panel.

(c) MEETINGS AND PROCEDURES.—

(1) INITIAL MEETING.—The advisory panel shall conduct its first meeting not later than 30 days after the date that all appointments to the advisory panel have been made under subsection (b).

(2) MEETINGS.—The advisory panel shall meet not less often than once every three months. The advisory panel may also meet at the call of the Secretary of Defense, the Secretary of State, or the Administrator.

(3) PROCEDURES.—The advisory panel shall carry out its duties under procedures established under subsection (d).

(d) SUPPORT OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—If the advisory panel is established under subsection (a), the Secretary of Defense, in consultation with the Secretary of State and the Administrator, shall, not later than 60 days after the date of the final appointment of the members of the advisory panel pursuant to subsection (b)(5), enter into a contract with a federally funded research and development center for the provision of administrative and logistical support and assistance to the advisory panel in carrying out its duties under this section. Such support and assistance shall include the establishment of the procedures of the advisory panel.

(e) DUTIES OF PANEL.—The advisory panel shall—

(1) analyze the roles and responsibilities of the Department of Defense, the Department of State, and the USAID regarding—

(A) stability operations;

(B) foreign assistance (including security assistance); and

(C) other areas the Secretary of Defense, the Secretary of State, and the Administrator jointly agree are appropriate;

(2) review—

(A) the structures and systems that coordinate policymaking;

(B) the national security-related roles and responsibilities of the Department of Defense, the Department of State, USAID, and, as appropriate, other relevant agencies to ensure effective coordination;

(C) the efforts of the Department of Defense, the Department of State, USAID, and such other relevant agencies to ensure that lessons learned and expertise that is developed in carrying out programs related to national security are shared among the departments and agencies of the Federal Government, as appropriate; and

(D) the coordination of activities conducted abroad and carried out by personnel of the Department of Defense, Department of State, USAID, and such other relevant agencies; and

(3) provide advice and make recommendations for otherwise improving coordination between and among the Department of Defense, the Department of State and USAID on matters of national security.

(f) COOPERATION OF OTHER AGENCIES.—Upon request by the advisory panel, any department or agency of the Federal Government shall provide information that the advisory panel considers necessary to carry out its duties.

(g) REPORTS.—

(1) INTERIM REPORT.—Not later than 180 days after the first meeting of the advisory panel, the advisory panel shall submit to the Secretary of Defense, the Secretary of State, and the Administrator a report that identifies—

(A) aspects of the interagency structure and processes relating to matters of national security that should take priority in any effort to improve the coordination among the Department of Defense, the Department of State, and USAID; and

(B) methods to better coordinate the interagency structure and processes relating to matters of national security.

(2) ANNUAL REPORTS.—Not later than December 31 of the year in which the interim report is submitted under paragraph (1), the advisory panel shall submit to the Secretary of Defense, the Secretary of State, and the Administrator a report on—

(A) the activities of the advisory panel;

(B) any deficiencies relating to coordination among the Department of Defense, Department of States and USAID and other relevant agencies on matters of national security;

(C) any improvements made during the period covered by the report to the coordination among the Department of Defense, the Department of State, USAID, and other relevant agencies on matters of national security;

(D) methods to better coordinate the interagency structure and processes among the Department of Defense, the Department of State, USAID, and other relevant agencies on matters relating to national security; and

(E) such findings, conclusions, and recommendations as the advisory panel considers appropriate.

(3) SUBMISSION OF REPORT TO CONGRESS.—The Secretary of Defense, the Secretary of State, and the Administrator shall submit to the appropriate congressional committees the reports required under this subsection and any additional information considered appropriate.

(4) CONGRESSIONAL BRIEFINGS.—Not later than 30 days after the submission of each report required under this subsection, the members of the advisory panel shall make themselves available to meet with the appropriate congressional committees to brief such committees on the matters contained in the report.

(5) APPROPRIATE COMMITTEES.—For the purposes of this subsection, the appropriate congressional committees are the following:

(A) The Committees on Foreign Affairs, Armed Services, and Appropriations of the House of Representatives.

(B) The Committees on Foreign Relations, Armed Services, and Appropriations of the Senate.

(h) TERMINATION OF ADVISORY PANEL.—The advisory panel shall terminate on December 31, 2012.

(i) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the United States Agency for International Development.

(2) STABILITY OPERATIONS.—The term "stability operations" means stability and reconstruction operations conducted by departments or agencies of the Federal Government described by

Department of Defense Directive 3000.05, National Security Presidential Directive 1, or National Security Presidential Directive 44.

(3) FEDERAL AGENCY.—The term "Federal agency" means any entity included in chapter 1 of title 5, United States code.

SEC. 1055. REPORTS ON STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY ACTIVITIES OF THE FEDERAL GOVERNMENT.

(a) REPORT BY PRESIDENT.—

(1) INITIAL REPORT.—Not later than December 31, 2009, the President shall submit to the appropriate committees of Congress a report on a comprehensive interagency strategy for public diplomacy and strategic communication of the Federal Government, including benchmarks and a timetable for achieving such benchmarks.

(2) ELEMENTS OF REPORT.—The report required under paragraph (1) shall include the following elements:

(A) STRATEGY.—A comprehensive interagency strategy, which shall include the following:

(i) Prioritizing the mission of supporting specific foreign policy objectives, such as counterterrorism and efforts to combat extremist ideology, in parallel and in complement with, as appropriate, the broad mission of communicating the policies and values of the United States to foreign audiences.

(ii) Consolidating and elevating, as appropriate, Federal Government leadership to prioritize, manage, and implement the strategy required by this subsection, including consideration of whether to establish strategic communication and public diplomacy positions at the National Security Council and to establish a single office to coordinate strategic communication and public diplomacy efforts.

(iii) Improving coordination across departments and agencies of the Federal Government on strategic communications and public diplomacy.

(iv) Consideration of whether resources devoted to strategic communication and public diplomacy efforts should be increased.

(B) STUDY.—A study of whether to establish an independent, not-for-profit organization responsible for providing independent assessment and strategic guidance to the Federal Government on strategic communication and public diplomacy, as recommended by the Task Force on Strategic Communication of the Defense Science Board.

(C) ROLES OF DEPARTMENTS OR AGENCIES OF THE FEDERAL GOVERNMENT.—A description of the respective roles of the National Security Council, the Department of Defense, and the Department of State regarding strategic communication and public diplomacy, including—

(i) a description of the roles of the offices within the National Security Council, the Department of Defense, and the Department of State engaged in message outreach to audiences abroad; and

(ii) an explanation of how the National Security Council, the Department of Defense, and the Department of State coordinate strategic communication and public diplomacy activities.

(3) SUBSEQUENT REPORT.—Two years after the submission of the initial report under paragraph (1), the President shall submit to the appropriate committees of Congress a report on—

(A) the status of the implementation of the strategy;

(B) progress toward achievement of benchmarks; and

(C) any changes to the strategy since the submission of the initial report.

(b) REPORT BY SECRETARY OF DEFENSE.—Not later than December 31, 2009, the Secretary of Defense shall review, and submit to the congressional defense committees a report on, the organizational structure within the Department of Defense for advising the Secretary on the direction and priorities for strategic communication activities, including an assessment of the option of establishing a board, composed of representatives from among the organizations within the Department responsible for strategic communications, public diplomacy, and public affairs, and including advisory members from the broader interagency community as appropriate, for purposes of—

(1) providing strategic direction for Department of Defense efforts related to strategic communications and public diplomacy; and

(2) setting priorities for the Department of Defense in the areas of strategic communications and public diplomacy.

(c) FORM AND AVAILABILITY OF REPORTS.—

(1) FORM.—The reports required by this section may be submitted in a classified form.

(2) AVAILABILITY.—Any unclassified portions of the reports required by this section shall be made available to the public.

(d) APPROPRIATE COMMITTEES.—For the purposes of this section, the appropriate committees of Congress are the following:

(1) The Committees on Foreign Relations, Armed Services, and Appropriations of the Senate.

(2) The Committees on Foreign Affairs, Armed Services, and Appropriations of the House of Representatives.

SEC. 1056. PROHIBITIONS RELATING TO PROPAGANDA.

(a) PROHIBITION.—No part of any funds authorized to be appropriated in this or any other Act shall be used by the Department of Defense for publicity or propaganda purposes within the United States not otherwise specifically authorized by law.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to Congress a report on the findings of their project number D2008–DIPOEF–0209.000, entitled "Examination of Allegations Involving DoD Office of Public Affairs Outreach Program".

(c) LEGAL OPINION.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall issue a legal opinion to Congress on whether the Department of Defense violated appropriations prohibitions on publicity or propaganda activities established in Public Laws 107–117,

107–248, 108–87, 108–287, 109–148, 109–289, and 110–116, the Department of Defense Appropriations Acts for fiscal years 2002 through 2008, respectively, by offering special access to prominent persons in the private sector who serve as media analysts, including briefings and information on war efforts, meetings with high level government officials, and trips to Iraq and Guantanamo Bay, Cuba.

(d) RULE OF CONSTRUCTION RELATED TO INTELLIGENCE ACTIVITIES.—Nothing in this section shall be construed to apply to any lawful and authorized intelligence activity of the United States Government.

SEC. 1057. SENSE OF CONGRESS ON INTERROGATION OF DETAINEES BY CONTRACTOR PERSONNEL.

It is the sense of Congress that—

(1) the interrogation of enemy prisoners of war, civilian internees, retained persons, other detainees, terrorists, and criminals when captured, transferred, confined, or detained during or in the aftermath of hostilities is an inherently governmental function and cannot appropriately be transferred to private sector contractors;

(2) not later than one year after the date of the enactment of this Act, the Secretary of Defense should develop the resources needed to ensure that interrogations described in paragraph (1) can be conducted by government personnel and not by private sector contractors; and

(3) properly trained and cleared contractors may appropriately be used as linguists, interpreters, report writers, information technology technicians, and other employees filling ancillary positions, if the private sector contractors are subject to the same rules, procedures, policies, and laws pertaining to detainee operations and interrogations that govern the execution of these positions by government personnel.

SEC. 1058. SENSE OF CONGRESS WITH RESPECT TO 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) IN GENERAL.—It is the sense of Congress that the Secretary of Defense should take such actions as are necessary to 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) 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.

SEC. 1059. MODIFICATION OF DEADLINES FOR STANDARDS REQUIRED FOR ENTRY TO MILITARY INSTALLATIONS IN THE UNITED STATES.

Section 1069(c) of the National Defense Authorization Act of Fiscal Year 2008 (Public Law 110–181; 122 Stat. 327) is amended—

(1) in paragraph (1)—

(A) by striking "July 1, 2008" and inserting "February 1, 2009"; and

(B) by striking "January 1, 2009" and inserting "October 1, 2010"; and

(2) in paragraph (2), by striking "implemented" and inserting "developed".

SEC. 1060. EXTENSION OF CERTAIN DATES FOR CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.

(a) EXTENSION OF DATES.—Section 1062 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(1) in subsection (e), by striking "December 1, 2008" and inserting "April 1, 2009"; and

(2) in subsection (g), by striking "June 1, 2009" and inserting "September 30, 2009".

(b) INTERIM REPORT.—Not later than December 1, 2008, the Congressional Commission on the Strategic Posture of the United States shall submit to the President, the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives an interim report on the commission's initial findings, conclusions, and recommendations. To the extent practicable, the interim report shall address the matters required to be included in the report under subsection (e) of such section 1062.

SEC. 1061. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The table of sections at the beginning of chapter 2 is amended by inserting after the item relating to 118a the following new item:

"118b. Quadrennial roles and missions review.".

(2) The table of sections at the beginning of chapter 5 is amended in the item relating to section 156 by inserting a period at the end.

(3) The table of sections at the beginning of chapter 7 is amended in the item relating to section 183 by inserting a period at the end.

(4) Section 1477(e) is amended by inserting a period at the end.

(5) Section 2192a is amended—

(A) in subsection (e)(4), by striking "title 11, United States Code," and inserting "title 11"; and

(B) in subsection (f), by striking "title 10, United States Code" and inserting "this title".

(6) The table of chapters at the beginning of subtitle C, and the table of chapters at the beginning of part IV of such subtitle, are each amended by striking the item relating to chapter 667 and inserting the following new item:

"667. Issue of Serviceable Material Other Than to Armed Forces ..... 7911".

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—Effective as of January 28, 2008, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(1) Section 371(c) (122 Stat. 80) is amended by striking "'operational strategies'" and inserting "'operational systems'".

(2) Section 585(b)(3)(C) (122 Stat. 132) is amended by inserting "both places it appears" before the period at the end.

(3) Section 703(b) (122 Stat. 103) is amended by striking "as amended by" and inserting "as inserted by".

(4) Section 805(a) (122 Stat. 212) is amended by striking "Act ," and inserting "Act,".

(5) Section 883(b) (122 Stat. 264) is amended by striking "Section 832(c)(1) of such Act, as redesignated by subsection (a), is amend by" and inserting "Section 832(b)(1) of such Act is amended by".

(6) Section 890(d)(2) (122 Stat. 270) is amended by striking "sections" and inserting "parts".

(7) Section 904(a)(4) (122 Stat. 274) is amended by striking "131(b)(2)" and inserting "131(b)".

(8) Section 954(a)(3)(B) (122 Stat. 294) is amended by inserting ", as redesignated by section 524(a)(1)(A)," after "of such title".

(9) Section 954(b)(2) (122 Stat. 294) is amended—

(A) by striking "2114(e) of such title" and inserting "2114(f) of such title, as redesignated by section 524(a)(1)(A),"; and

(B) by striking the period at the end and inserting "and inserting 'President'.".

(10) Section 1063(d)(1) (122 Stat. 323) is amended by striking "a semicolon after 'subsection'" and inserting "a comma after 'subsection'".

(11) Section 1229(i)(3) (122 Stat. 383) is amended by striking "publically" and inserting "publicly".

(12) Section 1422(e)(2) (122 Stat. 422) is amended by striking "subsection (c)" and inserting "subsection (c)(1)".

(13) Section 1602(4) (122 Stat. 432) is amended by striking "section 411 h(b)" and inserting "section 411h(b)(1)".

(14) Section 1617(b) (122 Stat. 449) is amended by striking "by adding at the end" and inserting "by inserting after the item relating to section 1074k".

(15) Section 2106 (122 Stat. 508) is amended by striking "for 2007" both places it appears and inserting "for Fiscal Year 2007".

(16) Section 2826(a)(2)(A) (122 Stat. 546) is amended by striking "'Secretary of the Army'" and inserting "'Secretary of Army'".

(c) TITLE 31, UNITED STATES CODE.—Title 31, United States Code, is amended as follows:

(1) Chapter 35 is amended by striking the first section 3557.

(2) The second section 3557 is amended in the section heading by striking "**Public-Private**" and inserting "**public-private**".

(3) The table of sections at the beginning of chapter 35 is amended by striking the second item relating to section 3557.

(d) TITLE 28, UNITED STATES CODE.—Section 1491(b) of title 28, United States Code, is amended by striking the first paragraph (5).

(e) RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005.—Section 721(e) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1988; 10 U.S.C. 1092 note) is amended by striking "fiscal years 2005" and all that follows through "2010" and inserting "fiscal years 2005 through 2010".

SEC. 1062. NOTIFICATION OF COMMITTEES ON ARMED SERVICES WITH RESPECT TO CERTAIN NONPROLIFERATION AND PROLIFERATION ACTIVITIES.

(a) NOTIFICATION WITH RESPECT TO NONPROLIFERATION ACTIVITIES.—The Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, the Secretary of State, and the Nuclear Regulatory Commission shall keep the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives informed with respect to—

(1) any activities undertaken by any such Secretary or the Commission to carry out the purposes and policies of the Secretaries and the Commission with respect to nonproliferation programs; and

(2) any other activities undertaken by any such Secretary or the Commission to prevent the proliferation of nuclear, chemical, or biological weapons or the means of delivery of such weapons.

(b) NOTIFICATION WITH RESPECT TO PROLIFERATION ACTIVITIES IN FOREIGN NATIONS.—

(1) IN GENERAL.—The Director of National Intelligence shall keep the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives fully and currently informed with respect to any activities of foreign nations that are significant with respect to the proliferation of nuclear, chemical, or biological weapons or the means of delivery of such weapons.

(2) FULLY AND CURRENTLY INFORMED DEFINED.—For purposes of paragraph (1), the term "fully and currently informed" means the transmittal of credible information with respect to an activity described in such paragraph not later than 60 days after becoming aware of the activity.

SEC. 1063. ASSESSMENT OF SECURITY MEASURES AT CONSOLIDATED CENTER FOR NORTH AMERICAN AEROSPACE DEFENSE COMMAND AND UNITED STATES NORTHERN COMMAND.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of the adequacy of security measures for the consolidated command center for North American Aerospace Defense Command and United States Northern Command at Peterson Air Force Base, Colorado.

(b) ELEMENTS.—The assessment required in paragraph (a) shall include the following:

(1) A description of the security measures taken and planned for the consolidated command center as of October 1, 2008.

(2) An assessment of whether existing and planned security measures for the consolidated command center are adequate to provide the necessary level of protection.

(3) An estimate of the total costs associated with such security measures adequate to provide the necessary level of protection.

(c) REPORT REQUIRED.—Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the assessment required in subsection (a).

(d) ADDITIONAL REQUIREMENT.—The Secretary of Defense shall ensure that redundant facilities and equipment, along with the appropriate manning necessary to ensure the continuity of operations, are maintained at Cheyenne Mountain Air Force Station until the Secretary certifies that security measures have been instituted that bring the consolidated command center for North American Aerospace Defense Command and United States Northern Command into full compliance with Protection Level One requirements, as defined by Air Force Instruction 31-101, dated March 1, 2007.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1102. Temporary discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
Sec. 1103. Election of insurance coverage by Federal civilian employees deployed in support of a contingency operation.
Sec. 1104. Extension of authority to make lump-sum severance payments.
Sec. 1105. Extension of voluntary reduction-in-force authority of Department of Defense.
Sec. 1106. Enhancement of authorities relating to additional positions under the national security personnel system.
Sec. 1107. Expedited hiring authority for health care professionals.
Sec. 1108. Direct hire authority at personnel demonstration laboratories for certain candidates.
Sec. 1109. Status reports relating to laboratory personnel demonstration projects.
Sec. 1110. Technical amendment relating to definition of professional accounting position for purposes of certification and credentialing standards.
Sec. 1111. Exceptions and adjustments to limitations on personnel and reports on such exceptions and adjustments.

SEC. 1101. AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

(a) WAIVER AUTHORITY.—During calendar year 2009, and notwithstanding section 5547 of title 5, United States Code, the head of an Executive agency may waive the premium pay limitations established in that section up to the annual rate of salary payable to the Vice President under section 104 of title 3, United States Code, for an employee who performs work while in an overseas location that is in the area of responsibility of the Commander of the United States Central Command, or an overseas location that was formerly in the area of responsibility of the Commander of the United States Central Command but has been moved to the area of responsibility of the Commander of the United States Africa Command, in direct support of, or directly related to—

(1) a military operation, including a contingency operation; or

(2) an operation in response to a national emergency declared by the President.

(b) APPLICABILITY OF AGGREGATE LIMITATION ON PAY.—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).

(c) ADDITIONAL PAY NOT CONSIDERED BASIC PAY.—To the extent that a waiver under subsection (a) results in payment of additional premium pay of a type that is normally creditable as basic pay for retirement or any other purpose, such additional pay shall not be considered to be basic pay for any purpose, nor shall it be used in computing a lump-sum payment for accumulated and accrued annual leave under section 5551 of title 5, United States Code.

(d) REGULATIONS.—The Director of the Office of Personnel Management may issue regulations to ensure appropriate consistency among heads of executive agencies in the exercise of authority granted by this section.

SEC. 1102. TEMPORARY DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

(a) IN GENERAL.—Section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443) is amended—

(1) by striking "During fiscal years 2006, 2007, and 2008" and inserting "(1) During fiscal years 2006 (including the period beginning on October 1, 2005, and ending on June 15, 2006), 2007, and 2008"; and

(2) by adding at the end the following:

"(2) During fiscal years 2009, 2010, and 2011, the head of an agency may, in the agency head's discretion, provide to an individual employed by, or assigned or detailed to, such agency allowances, benefits, and gratuities comparable to those provided by the Secretary of State to members of the Foreign Service under section 413 and chapter 9 of title I of the Foreign Service Act of 1980, if such individual is on official duty in a combat zone (as defined by section 112(c) of the Internal Revenue Code of 1986).".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234).

SEC. 1103. ELECTION OF INSURANCE COVERAGE BY FEDERAL CIVILIAN EMPLOYEES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

(a) AUTOMATIC COVERAGE.—Section 8702(c) of title 5, United States Code, is amended—

(1) by inserting "an employee who is deployed in support of a contingency operation (as that term is defined in section 101(a)(13) of title 10) or" after "subsection (b),"; and

(2) by striking "the date of the" and inserting "the date of notification of deployment or".

(b) OPTIONAL INSURANCE.—Section 8714a(b) of such title is amended—

(1) by designating the text as paragraph (2); and

(2) by inserting before paragraph (2), as so designated, the following new paragraph (1):

"(1) An employee who is deployed in support of a contingency operation (as that term is defined in section 101(a)(13) of title 10) or an employee of the Department of Defense who is designated as emergency essential under section 1580 of title 10 shall be insured under the policy of insurance under this section if the employee, within 60 days after the date of notification of deployment or designation, elects to be insured under the policy of insurance. An election under this paragraph shall be effective when provided to the Office in writing, in the form prescribed by the Office, within such 60-day period.".

(c) ADDITIONAL OPTIONAL LIFE INSURANCE.—Section 8714b(b) of such title is amended—

(1) by designating the text as paragraph (2); and

(2) by inserting before paragraph (2), as so designated, the following new paragraph (1):

"(1) An employee who is deployed in support of a contingency operation (as that term is defined in section 101(a)(13) of title 10) or an employee of the Department of Defense who is designated as emergency essential under section 1580 of title 10 shall be insured under the policy of insurance under this section if the employee, within 60 days after the date of notification of deployment or designation, elects to be insured under the policy of insurance. An election under this paragraph shall be effective when provided to the Office in writing, in the form prescribed by the Office, within such 60-day period.".

SEC. 1104. EXTENSION OF AUTHORITY TO MAKE LUMP-SUM SEVERANCE PAYMENTS.

Section 5595(i)(4) of title 5, United States Code, is amended by striking "October 1, 2010" and inserting "October 1, 2014".

SEC. 1105. EXTENSION OF VOLUNTARY REDUCTION-IN-FORCE AUTHORITY OF DEPARTMENT OF DEFENSE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking "September 30, 2010" and inserting "September 30, 2014".

SEC. 1106. ENHANCEMENT OF AUTHORITIES RELATING TO ADDITIONAL POSITIONS UNDER THE NATIONAL SECURITY PERSONNEL SYSTEM.

Section 9902(i) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking "the requirements of chapter 71 and the limitations in subsection (b)(3)" and inserting "the requirements and limitations in paragraph (3)"; and

(2) by striking the period at the end of paragraph (2) and inserting ", in a manner comparable to that in which such provisions are applied under chapter 33.

"(3) Any action taken by the Secretary pursuant to the authority of this subsection shall be subject to—

"(A) the requirements of chapter 71; and

"(B) the limitations in subsection (b)(3), except that the requirements of chapter 33 may be waived to the extent necessary to achieve the purposes of this subsection.".

SEC. 1107. EXPEDITED HIRING AUTHORITY FOR HEALTH CARE PROFESSIONALS.

(a) EXPEDITED HIRING AUTHORITY.—Section 1599c(a) of title 10, United States Code, is amended—

(1) by inserting "(1)" before "The Secretary of Defense may"; and

(2) by adding at the end the following new paragraph:

"(2)(A) For purposes of sections 3304, 5333, and 5753 of title 5, the Secretary of Defense may—

"(i) designate any category of medical or health professional positions within the Department of Defense as shortage category positions; and

"(ii) utilize the authorities in such sections to recruit and appoint highly qualified persons directly to positions so designated.

"(B) In using the authority provided by this paragraph, the Secretary shall apply the principles of preference for the hiring of veterans and other persons established in subchapter 1 of chapter 33 of title 5.".

(b) TERMINATION OF AUTHORITY.—Section 1599c(c) of such title is amended—

(1) by inserting "(1)" before "The authority of";

(2) by striking "September 30, 2010" and inserting "September 30, 2012"; and

(3) by adding at the end the following new paragraph:

"(2) The Secretary may not appoint a person to a position of employment under subsection (a)(2) after September 30, 2012.".

SEC. 1108. DIRECT HIRE AUTHORITY AT PERSONNEL DEMONSTRATION LABORATORIES FOR CERTAIN CANDIDATES.

(a) AUTHORITY.—The Secretary of Defense may appoint qualified candidates possessing an advanced degree to positions described in subsection (b) without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title.

(b) APPLICABILITY.—This section applies with respect to candidates for scientific and engineering positions within any laboratory identified in section 9902(c)(2) of title 5, United States Code.

(c) LIMITATION.—(1) Authority under this section may not, in any calendar year and with respect to any laboratory, be exercised with respect to a number of candidates greater than the number equal to 2 percent of the total number of scientific and engineering positions within such laboratory that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) For purposes of this subsection, positions and candidates shall be counted on a full-time equivalent basis.

(d) EMPLOYEE DEFINED.—As used in this section, the term "employee" has the meaning given such term by section 2105 of title 5, United States Code.

(e) TERMINATION.—The authority to make appointments under this section shall not be available after December 31, 2013.

SEC. 1109. STATUS REPORTS RELATING TO LABORATORY PERSONNEL DEMONSTRATION PROJECTS.

Section 1107 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 357) is amended by adding at the end the following:

"(e) STATUS REPORTS.—

"(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act and not later than March 1 of each year beginning after the date on which the first report under this subsection is submitted, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report providing, with respect to the year before the year in which such report is submitted, the information described in paragraph (2).

"(2) INFORMATION REQUIRED.—Each report under this subsection shall describe the following:

"(A) The actions taken by the Secretary of Defense under subsection (a) during the year covered by the report.

"(B) The progress made by the Secretary of Defense during such year in developing and implementing the plan required by subsection (b), including the anticipated date for completion of such plan and a list and description of any issues relating to the development or implementation of such plan.

"(C) With respect to any applications by any Department of Defense laboratories seeking to be designated as a demonstration laboratory or to otherwise obtain any of the personnel flexibilities available to a demonstration laboratory—

"(i) the number of applications that were received, pending, or acted on during such year;

"(ii) the status or disposition of any applications under clause (i), including, in the case of any application on which a final decision was rendered, the laboratory involved, what the laboratory had requested, the decision reached, and the reasons for the decision; and

"(iii) in the case of any applications under clause (i) on which a final decision was not rendered, the date by which a final decision is anticipated.

"(3) DEFINITION.—For purposes of this subsection, the term 'demonstration laboratory' means a laboratory designated by the Secretary of Defense under the provisions of section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (as cited in subsection (a)).".

SEC. 1110. TECHNICAL AMENDMENT RELATING TO DEFINITION OF PROFESSIONAL ACCOUNTING POSITION FOR PURPOSES OF CERTIFICATION AND CREDENTIALING STANDARDS.

Section 1599d(e) of title 10, United States Code, is amended by striking "GS–510, GS–511, and GS–505" and inserting "0505, 0510, 0511, or equivalent".

SEC. 1111. EXCEPTIONS AND ADJUSTMENTS TO LIMITATIONS ON PERSONNEL AND REPORTS ON SUCH EXCEPTIONS AND ADJUSTMENTS.

(a) EXCEPTION TO LIMITATIONS ON PERSONNEL.—For fiscal year 2009 and fiscal years thereafter, the baseline personnel limitations in sections 143, 194, 3014, 5014, and 8014 of title 10, United States Code (as adjusted pursuant to subsection (b)), shall not apply to—

(1) acquisition personnel hired pursuant to the expedited hiring authority provided in section 1705(h) of title 10, United States Code, as amended by section 821 of this Act, or otherwise hired with funds in the Department of Defense Acquisition Workforce Development Fund established in accordance with section 1705(a) of such title; or

(2) personnel hired pursuant to a shortage category designation by the Secretary of Defense or the Director of the Office of Personnel Management.

(b) AUTHORITY TO ADJUST LIMITATIONS ON PERSONNEL.—For fiscal year 2009 and for four fiscal years thereafter, the Secretary of Defense or a secretary of a military department may adjust the baseline personnel limitations in sections 143, 194, 3014, 5014 and 8014 of title 10, United States Code, to—

(1) fill a gap in the civilian workforce of the Department of Defense identified by the Secretary of Defense in a strategic human capital plan submitted to Congress in accordance with the requirements of—

(A) section 1122 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. prec. 1580 note);

(B) section 1102 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2407); or

(C) section 851 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. note prec. 1580); or

(2) accommodate increases in workload or modify the type of personnel required to accomplish work, for any purpose described in paragraphs (1) through (4) of subsection (c).

(c) LIMITATION ON AUTHORITY TO ADJUST LIMITATIONS ON PERSONNEL.—The Secretary of Defense or the secretary of a military department may not increase a baseline personnel limitation under paragraph (2) of subsection (b) by more than 5 percent in a fiscal year. An increase in a baseline personnel limitation under such paragraph may be made for any of the following purposes:

(1) Performance of inherently governmental functions.

(2) Performance of work pursuant to section 2463 of title 10 United States Code.

(3) Ability to maintain sufficient organic expertise and technical capability.

(4) 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.

(d) REPORT REQUIRED.—The Secretary of Defense shall submit a report to the congressional defense committees on the implementa-

tion of this section at the same time that the defense budget materials for each of the four fiscal years after fiscal year 2009 are presented to Congress. The report shall include the following information regarding the implementation of this section during the preceding fiscal year:

(1) The average number of military personnel, civilian employees of the Department of Defense, and contractor employees assigned to or detailed to permanent duty in—

(A) the Office of the Secretary of Defense;

(B) the management headquarters activities and management headquarters support activities in the Defense Agencies and Department of Defense Field Activities;

(C) the Office of the Secretary of the Army and the Army Staff;

(D) the Office of the Secretary of the Navy, the Office of Chief of Naval Operations, and the Headquarters, Marine Corps; and

(E) the Office of the Secretary of the Air Force and the Air Staff.

(2) An estimate of the number of personnel hired pursuant to an exception in subsection (a) in each office described in subparagraphs (A) through (E) of paragraph (1).

(3) 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 subsection (b)(2), the purpose of the adjustment.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Extension of authority to build the capacity of the Pakistan Frontier Corps.
Sec. 1202. Availability across fiscal years of funds for military-to-military contacts and comparable activities.
Sec. 1203. Availability across fiscal years of funds to pay incremental expenses for participation of developing countries in combined exercises.
Sec. 1204. Extension of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability.
Sec. 1205. Authority for distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the Armed Forces.
Sec. 1206. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
Sec. 1207. Extension of authority and increased funding for security and stabilization assistance.
Sec. 1208. Extension and expansion of authority for support of special operations to combat terrorism.
Sec. 1209. Increase in amount available for costs of education and training of foreign military forces under Regional Defense Combating Terrorism Fellowship Program.

Subtitle B—Matters Relating to Iraq and Afghanistan

Sec. 1211. Limitation on availability of funds for certain purposes relating to Iraq.
Sec. 1212. Report on status of forces agreements between the United States and Iraq.
Sec. 1213. Strategy for United States-led Provincial Reconstruction Teams in Iraq.

Sec. 1214. Commanders' Emergency Response Program.
Sec. 1215. Performance monitoring system for United States-led Provincial Reconstruction Teams in Afghanistan.
Sec. 1216. Report on command and control structure for military forces operating in Afghanistan.
Sec. 1217. Reports on enhancing security and stability in the region along the border of Afghanistan and Pakistan.
Sec. 1218. Study and report on Police Transition Teams to train, assist, and advise units of the Iraqi Police Service.

Subtitle C—Other Matters

Sec. 1231. Payment of personnel expenses for multilateral cooperation programs.
Sec. 1232. Participation of the Department of Defense in multinational military centers of excellence.
Sec. 1233. Review of security risks of participation by defense contractors in certain space activities of the People's Republic of China.
Sec. 1234. Report on Iran's capability to produce nuclear weapons.
Sec. 1235. Employment for resettled Iraqis.
Sec. 1236. Extension and modification of updates on report on claims relating to the bombing of the Labelle Discotheque.
Sec. 1237. Report on utilization of certain global partnership authorities.
Sec. 1238. Modification and repeal of requirement to submit certain annual reports to Congress regarding allied contributions to the common defense.

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF AUTHORITY TO BUILD THE CAPACITY OF THE PAKISTAN FRONTIER CORPS.

(a) AUTHORITY.—Subsection (a) of section 1206 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 366) is amended by striking "during fiscal year 2008" and inserting "during fiscal years 2008 and 2009".

(b) FUNDING LIMITATION.—Subsection (c)(1) of such section is amended by inserting after "fiscal year 2008" the following: "and up to $25,000,000 of funds available to the Department of Defense for operation and maintenance for fiscal year 2009".

SEC. 1202. AVAILABILITY ACROSS FISCAL YEARS OF FUNDS FOR MILITARY-TO-MILITARY CONTACTS AND COMPARABLE ACTIVITIES.

(a) IN GENERAL.—Section 168(e) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(5) Funds available to carry out this section shall be available, to the extent provided in appropriations Acts, for programs or activities under this section that begin in a fiscal year and end in the following fiscal year.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to programs and activities under section 168 of title 10, United States Code, as so amended, that begin on or after that date.

SEC. 1203. AVAILABILITY ACROSS FISCAL YEARS OF FUNDS TO PAY INCREMENTAL EXPENSES FOR PARTICIPATION OF DEVELOPING COUNTRIES IN COMBINED EXERCISES.

(a) IN GENERAL.— Section 2010 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d) Funds available to carry out this section shall be available, to the extent provided in appropriations Acts, for bilateral or multilateral military exercises that begin in a fiscal year and end in the following fiscal year.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to bilateral and multilateral military exercises described in section 2010 of title 10, United States Code, as so amended, that begin on or after that date.

SEC. 1204. EXTENSION OF TEMPORARY AUTHORITY TO USE ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND MILITARY EQUIPMENT FOR PERSONNEL PROTECTION AND SURVIVABILITY.

(a) SEMIANNUAL REPORTS TO CONGRESSIONAL COMMITTEES.—Subsection (b)(3) of section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412) is amended by adding at the end the following new subparagraph:

"(E) With respect to equipment provided to each foreign force that is not returned to the United States, a description of the terms of disposition of the equipment to the foreign force.

"(F) The percentage of equipment provided to foreign forces under the authority of this section that is not returned to the United States.".

(b) EXPIRATION.—Subsection (e) of such section, as amended by section 1252(b) of National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 402), is further amended by striking "September 30, 2009" and inserting "September 30, 2011".

SEC. 1205. AUTHORITY FOR DISTRIBUTION TO CERTAIN FOREIGN PERSONNEL OF EDUCATION AND TRAINING MATERIALS AND INFORMATION TECHNOLOGY TO ENHANCE MILITARY INTEROPERABILITY WITH THE ARMED FORCES.

(a) AUTHORITY FOR DISTRIBUTION.—

(1) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2249d. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces

"(a) DISTRIBUTION AUTHORIZED.—To enhance interoperability between the armed forces and military forces of friendly foreign nations, the Secretary of Defense, with the concurrence of the Secretary of State, may—

"(1) provide to personnel referred to in subsection (b) electronically-distributed learning content for the education and training of such personnel for the development or enhancement of allied and friendly military and civilian capabilities for multinational operations, including joint exercises and coalition operations; and

"(2) provide information technology, including computer software developed for such purpose, but only to the extent necessary to support the use of such learning content for the education and training of such personnel.

"(b) AUTHORIZED RECIPIENTS.—The personnel to whom learning content and information technology may be provided under subsection (a) are military and civilian personnel of a friendly foreign government, with the permission of that government.

"(c) EDUCATION AND TRAINING.—Any education and training provided under subsection (a) shall include the following:

"(1) Internet-based education and training.

"(2) Advanced distributed learning and similar Internet learning tools, as well as distributed training and computer-assisted exercises.

"(d) APPLICABILITY OF EXPORT CONTROL REGIMES.—The provision of learning content and information technology under this section shall be subject to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control regime under law relating to the transfer of military technology to foreign nations.

"(e) GUIDANCE ON UTILIZATION OF AUTHORITY.—

"(1) GUIDANCE REQUIRED.—The Secretary of Defense shall develop and issue guidance on the procedures for the use of the authority in this section.

"(2) MODIFICATION.—If the Secretary modifies the guidance issued under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a report setting forth the modified guidance not later than 30 days after the date of such modification.

"(f) ANNUAL REPORT.—

"(1) REPORT REQUIRED.—Not later than October 31 following each fiscal year in which the authority in this section is used, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the exercise of the authority during such fiscal year.

"(2) ELEMENTS.—Each report under paragraph (1) shall include, for the fiscal year covered by such report, the following:

"(A) A statement of the recipients of learning content and information technology provided under this section.

"(B) A description of the type, quantity, and value of the learning content and information technology provided under this section.

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

"(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

"(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by adding at the end the following new item:

"2249d. Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces.".

(b) GUIDANCE ON UTILIZATION OF AUTHORITY.—

(1) SUBMITTAL TO CONGRESS.—Not later than 30 days after issuing the guidance required by section 2249d(e) of title 10, United States Code, as added by subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth such guidance.

(2) UTILIZATION OF SIMILAR GUIDANCE.—In developing the guidance required by section 2249d(e) of title 10, United States Code, as so added, the Secretary may utilize applicable portions of the current guidance developed by the Secretary under subsection (f) of section 1207 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2419) for purposes of the exercise of the authority in such section 1207.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1207 of the John Warner National Defense Authorization Act for Fiscal Year 2007 is repealed.

(2) SUBMITTAL OF FINAL REPORT ON EXERCISE OF AUTHORITY.—If the Secretary of Defense exercised the authority in section 1207 of the John Warner National Defense Authorization Act for Fiscal Year 2007 during fiscal year 2008, the Secretary shall submit the report required by subsection (g) of such section for such fiscal year in accordance with the provisions of such subsection (g) without regard to the repeal of such section under paragraph (1).

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2008.

SEC. 1206. MODIFICATION AND EXTENSION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) BUILDING OF CAPACITY OF ADDITIONAL FOREIGN FORCES.—Subsection (a) of section 1206 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), is further amended by striking "a program" and all that follows and inserting "a program or programs as follows:

"(1) To build the capacity of a foreign country's national military forces in order for that country to—

"(A) conduct counterterrorism operations; or

"(B) participate in or support military and stability operations in which the United States Armed Forces are participating.

"(2) To build the capacity of a foreign country's maritime security forces to conduct counterterrorism operations.".

(b) FUNDING.—Subsection (c) of such section, as so amended, is further amended—

(1) in paragraph (1), by striking "$300,000,000" and inserting "$350,000,000"; and

(2) by adding at the end the following new paragraph:

"(4) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—Amounts available under this subsection for the authority in subsection (a) for a fiscal year may be used for pro-

grams under that authority that begin in such fiscal year but end in the next fiscal year.".

(c) THREE-YEAR EXTENSION OF AUTHORITY.—Subsection (g) of such section, as so amended, is further amended—

(1) by striking "September 30, 2008" and inserting "September 30, 2011"; and

(2) by striking "fiscal year 2006, 2007, or 2008" and inserting "fiscal years 2006 through 2011".

(d) EFFECTIVE DATE.—The amendment made by subsection (b)(2) shall take effect on October 1, 2008, and shall apply with respect to programs under the authority in subsection (a) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as so amended, that begin on or after that date.

SEC. 1207. EXTENSION OF AUTHORITY AND INCREASED FUNDING FOR SECURITY AND STABILIZATION ASSISTANCE.

(a) PROHIBITION ON BUDGET SUPPORT.—Subsection (a) of section 1207 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3458) is amended—

(1) by striking "The Secretary of Defense" and inserting the following:

"(1) IN GENERAL.—The Secretary of Defense"; and

(2) by adding at the end the following new paragraph:

"(2) PROHIBITION ON BUDGET SUPPORT.—Nothing in this section shall be construed to authorize the provision of budget support to any foreign country.".

(b) ASSISTANCE TO GEORGIA DURING FISCAL YEAR 2009.—Subsection (b) of such section is amended—

(1) by striking "The aggregate value" and inserting the following:

"(1) IN GENERAL.—Except as provided in paragraph (2), the aggregate value"; and

(2) by adding at the end the following new paragraph:

"(2) ASSISTANCE TO GEORGIA DURING FISCAL YEAR 2009.—

"(A) IN GENERAL.—The Secretary of Defense is authorized during fiscal year 2009 to exercise the authority of subsection (a) to provide services to, and transfer defense articles and funds to, the Secretary of State for the purposes of facilitating the provision by the Secretary of State of reconstruction, security, or stabilization assistance to the country of Georgia.

"(B) LIMITATION.—The aggregate value of all services, defense articles, and funds provided or transferred to the Secretary of State under this section for Georgia in fiscal year 2009—

"(i) may not exceed $50,000,000; and

"(ii) shall not count against the dollar amount limitation specified in paragraph (1) for such fiscal year.".

(c) EXTENSION OF AUTHORITY.—Subsection (g) of such section, as amended by section 1210(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 369), is further amended by striking "September 30, 2008" and inserting "September 30, 2009".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

SEC. 1208. EXTENSION AND EXPANSION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) IN GENERAL.—Subsection (a) of section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086) is amended—

(1) by inserting ", with the concurrence of the relevant Chief of Mission," after "may"; and

(2) by striking "$25,000,000" and inserting "$35,000,000".

(b) TIMING OF NOTICE ON PROVISION OF SUPPORT.—Subsection (c) of such section is amended by striking "in not less than 48 hours" and inserting "within 48 hours".

(c) EXTENSION.—Subsection (h) of such section, as amended by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 364), is further amended by striking "2010" and inserting "2013".

(d) TECHNICAL AMENDMENT.—The heading of such section is amended by striking "**military operations**" and inserting "**special operations**".

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

SEC. 1209. INCREASE IN AMOUNT AVAILABLE FOR COSTS OF EDUCATION AND TRAINING OF FOREIGN MILITARY FORCES UNDER REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM.

(a) INCREASE IN AMOUNT.—Section 2249c(b) of title 10, United States Code, is amended by striking "$25,000,000" and inserting "$35,000,000".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2008, and shall apply with respect to fiscal years beginning on or after that date.

Subtitle B—Matters Relating to Iraq and Afghanistan

SEC. 1211. 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. 1212. REPORT ON STATUS OF FORCES AGREEMENTS BETWEEN THE UNITED STATES AND IRAQ.

(a) REQUIREMENT FOR REPORT.—

(1) IN GENERAL.—(A) Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on any agreement that has been completed between the United States and Iraq relating to—

(i) the legal status of United States military personnel, civilian personnel, and contractor personnel of contracts awarded by any department or agency of the United States Government;

(ii) the establishment of or access to military bases;

(iii) the rules of engagement under which United States Armed Forces operate in Iraq; and

(iv) any security commitment, arrangement, or assurance that obligates the United States to respond to internal or external threats against Iraq.

(B) If, on the date that is 90 days after the date of the enactment of this Act, no agreement between the United States and Iraq described in subparagraph (A) has been completed, the President shall notify the appropriate congressional committees that no such agreement has been completed, and shall transmit to the appropriate congressional committees the report required under subparagraph (A) as soon as practicable after such an agreement or agreements are completed.

(2) UPDATE OF REPORT.—The President shall transmit to the appropriate congressional committees an update of the report required under paragraph (1) whenever an agreement between the United States and Iraq relating to the matters described in the report is substantially revised.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include, with respect to each agreement described in subsection (a), the following:

(1) A description of any conditions placed on United States combat operations by the Government of Iraq, including required coordination, if any, before such operations can be undertaken.

(2) A description of any constraints placed on United States military personnel, civilian personnel, and contractor personnel of contracts awarded by any department or agency of the United States Government as a result of such conditions.

(3) A description of the conditions under which United States military personnel, civilian personnel, or contractor personnel of contracts awarded by any department or agency of the United States Government could be tried by an Iraqi court for alleged crimes occurring both during the performance of official duties and during other such times, and the protections that such personnel would be extended in an Iraqi court, if applicable.

(4) An assessment of authorities under the agreement for United States Armed Forces and Coalition partners to apprehend, detain, and interrogate prisoners and otherwise collect intelligence.

(5) A description of any security commitment, arrangement, or assurance that obligates the United States to respond to internal or external threats against Iraq, including the manner in which such commitment, arrangement, or assurance may be implemented.

(6) An assessment of any payments required under the agreement to be paid to the Government of Iraq or other Iraqi entities for rights, access, or support for bases and facilities.

(7) An assessment of any payments required under the agreement for any claims for deaths and damages caused by United States military personnel, civilian personnel, and contractor personnel of contracts awarded by any department or agency of the United States Government in the performance of their official duties.

(8) A description of the arrangements required under the agreement to resolve disputes arising over matters contained in the agreement or to consider changes to the agreement.

(9) A discussion of the extent to which the agreement applies to other Coalition partners.

(10) A description of how the agreement can be terminated by the United States or Iraq.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) 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.

(e) TERMINATION OF REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the requirement to transmit the report and updates of the report under subsection (a) terminates on December 31, 2009.

(2) EXCEPTION.—The requirement to transmit the report and updates of the report under subsection (a) terminates before December 31, 2009, if the following conditions are met:

(A) The President transmits to the appropriate congressional committees the text of any agreement between the United States and Iraq described in subsection (a)(1)(A) and any amendment or update thereto.

(B) Within 30 days of transmission of the agreement, the President makes available appropriate senior officials to brief the appropriate congressional committees on the matters covered by the agreement or any amendment or update thereto.

SEC. 1213. STRATEGY FOR UNITED STATES-LED PROVINCIAL RECONSTRUCTION TEAMS IN IRAQ.

(a) IN GENERAL.—The President shall establish and implement a strategy for United States-led Provincial Reconstruction Teams (PRTs), including embedded PRTs and Provincial Support Teams, in Iraq that ensures that such United States-led PRTs are—

(1) supporting the operational and strategic goals of the Multi-National Force—Iraq; and

(2) developing the capacity of national, provincial, and local government and other civil institutions in Iraq to assume increasing responsibility for the formulation, implementation, and oversight of reconstruction and development activities.

(b) ELEMENTS OF STRATEGY.—At a minimum, the strategy required under subsection (a) shall include—

(1) a mission statement and clearly defined objectives for United States-led PRTs as a whole;

(2) a mission statement and clearly defined objectives for each United States-led PRT; and

(3) measures of effectiveness and performance indicators for meeting the objectives of each United States-led PRT as described in paragraph (2).

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter through the end of fiscal year 2010, the President shall transmit to the appropriate congressional committees a report on the implementation of the strategy required under subsection (a), including an assessment of the specific contributions United States-led PRTs are making to implement the strategy. The initial report required under this subsection should include a general description of the strategy required under subsection (a) and a general discussion of the elements of the strategy required under subsection (b).

(2) INCLUSION IN OTHER REPORT.—The report required under this subsection may be included in the report required by section 1227 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3465).

(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 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. 1214. COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) AUTHORITY FOR FISCAL YEARS 2008 AND 2009.—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), is further amended in the matter preceding paragraph (1)—

(1) by striking "$977,441,000" and inserting "$1,700,000,000 in fiscal year 2008 and $1,500,000,000 in fiscal year 2009,"; and

(2) by striking "in such fiscal year".

(b) QUARTERLY REPORTS.—Subsection (b) of such section, as so amended, is further amended—

(1) in the heading, by inserting "AND BRIEFINGS" after "REPORTS";

(2) by striking "Not later than" and inserting the following: "(1) IN GENERAL.—Not later than"; and

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

"(2) ADDITIONAL MATTERS TO BE INCLUDED.—In addition to the information described in paragraph (1), each report required under paragraph (1) that contains information on projects carried out using funds authorized under the Commanders' Emergency Response Program in Iraq shall include the following:

"(A) A listing of each project for which amounts in excess of $500,000 provided through the Commanders' Emergency Response Program in Iraq were expended.

"(B) A written statement by the Secretary of Defense, or the Deputy Secretary of Defense if the authority under subsection (f) is delegated to the Deputy Secretary of Defense, affirming that the certification required under subsection (f) was issued for each project in Iraq for which amounts in excess of $1,000,000 provided through the Commanders' Emergency Response Program in Iraq were expended.

"(C) For each project listed in subparagraph (A), the following information:

"(i) A description and justification for carrying out the project

"(ii) A description of the extent of involvement by the Government of Iraq in the project, including—

"(I) the amount of funds provided by the Government of Iraq for the project; and

"(II) a description of the plan for the transition of such project upon completion to the people of Iraq and for the sustainment of any completed facilities, including any commitments by the Government of Iraq to sustain projects requiring the support of the Government of Iraq for sustainment.

"(iii) A description of the current status of the project, including, where appropriate, the projected completion date.

"(D) A description of the status of transitioning activities carried out under the Commanders' Emergency Response Program in Iraq to the Government of Iraq, including—

"(i) the level of funding provided by the Government of Iraq for the Government of Iraq Commanders' Emergency Response Program (commonly known as 'I-CERP');

"(ii) the level of funding provided and expended by the Government of Iraq in other programs designed to meet urgent humanitarian relief and reconstruction requirements that immediately assist the Iraqi people; and

"(iii) a description of the progress made in transitioning the responsibility for the Sons of Iraq Program to the Government of Iraq.

"(3) BRIEFINGS.—Not later than 15 days after the submission of each report under paragraph (1), appropriate officials of the Department of Defense shall meet with the congressional defense committees to brief such committees on the matters contained in the report.".

(c) PROHIBITION ON CERTAIN PROJECTS UNDER THE COMMANDERS' EMERGENCY RESPONSE PROGRAM IN IRAQ.—Such section, as so amended, is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

"(e) PROHIBITION ON CERTAIN PROJECTS UNDER THE COMMANDERS' EMERGENCY RESPONSE PROGRAM IN IRAQ.—

"(1) PROHIBITION.—Except as provided in paragraph (2), funds made available under this section for the Commanders' Emergency Response Program in Iraq may not be obligated or expended to carry out any project commenced after the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 if the total amount of such funds made available for the purpose of carrying out the project exceeds $2,000,000.

"(2) EXCEPTION.—The prohibition contained in paragraph (1) shall not apply with respect to funds managed or controlled by the Department of Defense that were otherwise provided by another department or agency of the United States Government, the Government of Iraq, the government of a foreign country, a foundation or other charitable organization (including a foundation or charitable organization that is organized or operates under the laws of a foreign country), or any source in the private sector of the United States or a foreign country.

"(3) WAIVER.—The Secretary of Defense may waive the prohibition contained in paragraph (1) if the Secretary of Defense—

"(A) determines that such a waiver is required to meet urgent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi people; and

"(B) submits in writing, within 15 days of issuing such waiver, to the congressional defense committees a notification of the waiver, together with a discussion of—

"(i) the unmet and urgent needs to be addressed by the project; and

"(ii) any arrangements between the Government of the United States and the Government of Iraq regarding the provision of Iraqi funds for carrying out and sustaining the project.".

(d) CERTIFICATION ON CERTAIN PROJECTS UNDER THE COMMANDERS' EMERGENCY RESPONSE PROGRAM IN IRAQ.—Such section, as so amended, is further amended—

(1) by redesignating subsection (f), as redesignated by subsection (c) of this section, as subsection (g); and

(2) by inserting after subsection (e), as added by subsection (c) of this section, the following new subsection:

"(f) CERTIFICATION ON CERTAIN PROJECTS UNDER THE COMMANDERS' EMERGENCY RESPONSE PROGRAM IN IRAQ.—

"(1) CERTIFICATION.—Funds made available under this section for the Commanders' Emergency Response Program in Iraq may not be obligated or expended to carry out any project commenced after the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 if the total amount of such funds made available for the purpose of carrying out the project exceeds $1,000,000 unless the Secretary of Defense certifies that the project addresses ur-

gent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi people.

"(2) DELEGATION.—The Secretary may delegate the authority under paragraph (1) to the Deputy Secretary of Defense.".

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Government of Iraq should assume increasing responsibility for funding and carrying out projects currently funded by the United States through the Commanders' Emergency Response Program, and should assume all costs associated with the Sons of Iraq program as expeditiously as possible.

SEC. 1215. PERFORMANCE MONITORING SYSTEM FOR UNITED STATES-LED PROVINCIAL RECONSTRUCTION TEAMS IN AFGHANISTAN.

(a) IN GENERAL.—The President, acting through the Secretary of Defense and the Secretary of State, shall develop and implement a system to monitor the performance of United States-led Provincial Reconstruction Teams (PRTs) in Afghanistan.

(b) ELEMENTS OF PERFORMANCE MONITORING SYSTEM.—The performance monitoring system required under subsection (a) shall include—

(1) PRT-specific work plans that incorporate the long-term strategy, mission, and clearly defined objectives required by section 1230(c)(3) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 386), and include plans for developing the capacity of national, provincial, and local government and other civil institutions in Afghanistan to assume increasing responsibility for the formulation, implementation, and oversight of reconstruction and development activities; and

(2) comprehensive performance indicators and measures of progress toward sustainable long-term security and stability in Afghanistan, and include performance standards and progress goals together with a notional timetable for achieving such goals, consistent with the requirements of section 1230(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 388).

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the implementation of the performance monitoring system required under subsection (a).

(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 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. 1216. REPORT ON COMMAND AND CONTROL STRUCTURE FOR MILITARY FORCES OPERATING IN AFGHANISTAN.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, or December 1, 2008, whichever occurs later, the Secretary of Defense shall submit to the appropriate con-

gressional committees a report on the command and control structure for military forces operating in Afghanistan.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) A detailed description of efforts by the Secretary of Defense, in coordination with senior leaders of NATO ISAF forces, including the commander of NATO ISAF forces, to modify the chain of command structure for military forces operating in Afghanistan to better coordinate and de-conflict military operations and achieve unity of command whenever possible in Afghanistan, and the results of such efforts, including—

(A) any United States or NATO ISAF plan for improving the command and control structure for military forces operating in Afghanistan; and

(B) any efforts to establish a headquarters in Afghanistan that is led by a commander—

(i) with command authority over NATO ISAF forces and separate United States forces operating under Operation Enduring Freedom and charged with closely coordinating the efforts of such forces; and

(ii) responsible for coordinating other United States and international security efforts in Afghanistan.

(2) A description of how rules of engagement are determined and managed for United States forces operating under NATO ISAF or Operation Enduring Freedom, and a description of any key differences between rules of engagement for NATO ISAF forces and separate United States forces operating under Operation Enduring Freedom.

(3) An assessment of how any modifications to the command and control structure for military forces operating in Afghanistan would impact coordination of military and civilian efforts in Afghanistan.

(c) UPDATE OF REPORT.—The Secretary of Defense shall submit to the appropriate congressional committees an update of the report required under subsection (a) as warranted by any modifications to the command and control structure for military forces operating in Afghanistan as described in the report.

(d) FORM.—The report required under subsection (a) and any update of the report required under subsection (c) shall be submitted in an unclassified form, but may include a classified annex, if necessary.

(e) 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. 1217. REPORTS ON ENHANCING SECURITY AND STABILITY IN THE REGION ALONG THE BORDER OF AFGHANISTAN AND PAKISTAN.

(a) ADDITIONAL REPORTS REQUIRED.—Subsection (a) of section 1232 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 392) is amended—

(1) in the heading of paragraph (1), by striking "IN GENERAL" and inserting "INITIAL REPORT";

(2) by striking paragraph (4);

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following new paragraph:

"(3) SUBSEQUENT REPORTS.—Concurrent with the submission of each report submitted under section 1230 after the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees, a report on enhancing security and stability in the region along the border of Afghanistan and Pakistan. Each such report shall include the following:

"(A) A description of the matters required to be included in the initial report required under paragraph (1).

"(B) A description of any peace agreements between the Government of Pakistan and tribal leaders from regions along the Afghanistan-Pakistan border that contain commitments to prevent cross-border incursions into Afghanistan and any mechanisms in such agreements to enforce such commitments.

"(C) An assessment of the effectiveness of such peace agreements in preventing cross-border incursions and of the Government of Pakistan in enforcing those agreements.".

(b) COPY OF NOTIFICATION RELATING TO DEPARTMENT OF DEFENSE COALITION SUPPORT FUNDS FOR PAKISTAN.—Subsection (b)(1) of such section is amended by adding at the end the following new subparagraph:

"(C) COPY OF NOTIFICATION.—The Secretary of Defense shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a copy of each notification required under subparagraph (A).".

(c) ADDITIONAL INFORMATION ON DEPARTMENT OF DEFENSE COALITION SUPPORT FUNDS FOR PAKISTAN.—Subsection (b) of such section is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

"(5) REQUIREMENT TO SUBMIT INFORMATION RELATING TO CLAIMS DISALLOWED OR DEFERRED BY THE UNITED STATES.—

"(A) IN GENERAL.—The Secretary of Defense shall submit, in the manner specified in subparagraph (B), an itemized description of the costs claimed by the Government of Pakistan for logistical, military, or other support provided by Pakistan to the United States for which the United States will disallow or defer reimbursement to the Government of Pakistan under the authority of any provision of law described in paragraph (1)(B).

"(B) MANNER OF SUBMISSION.—

"(i) IN GENERAL.—To the maximum extent practicable, the Secretary shall submit each itemized description of costs required under subparagraph (A) as part of the notification required under paragraph (1).

"(ii) ALTERNATIVE SUBMISSION.—To the extent that an itemized description of costs required under subparagraph (A) is not submitted in accordance with clause (i), the Secretary shall submit such description not later than 180 days after the date on which a decision to disallow or defer reimbursement for the costs claimed is made.

"(C) FORM.—Each itemized description of costs required under subparagraph (B) shall be submitted in an unclassified form, but may include a classified annex, if necessary.".

(d) EXTENSION OF NOTIFICATION REQUIREMENT RELATING TO DEPARTMENT OF DEFENSE COALITION SUPPORT FUNDS FOR PAKISTAN.—Subsection (b)(6) of such section, as redesignated by subsection (c) of this section, is amended by striking "September 30, 2009" and inserting "September 30, 2010".

(e) REPORT RELATING TO DEPARTMENT OF DEFENSE COALITION SUPPORT FUNDS FOR PAKISTAN.—Such section is further amended by adding at the end the following new subsection:

"(c) REPORT RELATING TO DEPARTMENT OF DEFENSE COALITION SUPPORT FUNDS FOR PAKISTAN.—

"(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, the Secretary of Defense shall submit to the appropriate congressional committees a report that contains a detailed description of efforts by the Secretary of Defense to address the findings and implement the recommendations made by the Government Accountability Office in its report entitled 'Combating Terrorism: Increased Oversight and Accountability Needed Over Pakistan Reimbursement Claims for Coalition Support Funds' (GAO-08-806; June 24, 2008).

"(2) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this subsection, the term 'appropriate congressional committees' has the meaning given the term in subsection (a)(5).".

SEC. 1218. STUDY AND REPORT ON POLICE TRANSITION TEAMS TO TRAIN, ASSIST, AND ADVISE UNITS OF THE IRAQI POLICE SERVICE.

(a) STUDY AND REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Government of Iraq, shall conduct a study and submit to the appropriate congressional committees a report containing the recommendations of the Secretary of Defense on—

(1) the number of personnel required for Police Transition Teams to train, assist, and advise units of the Iraqi Police Service in fiscal year 2009 and in fiscal year 2010;

(2) the funding required to support the level of personnel described in paragraph (1) in fiscal year 2009 and in fiscal year 2010; and

(3) the feasibility of transferring responsibility for the provision of the personnel described in paragraph (1) and the support described in paragraph (2) from the Department of Defense to the Department of State.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex if required.

(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.

Subtitle C—Other Matters

SEC. 1231. PAYMENT OF PERSONNEL EXPENSES FOR MULTILATERAL COOPERATION PROGRAMS.

(a) EXPANSION OF AUTHORITY FOR BILATERAL AND REGIONAL PROGRAMS TO COVER MULTILATERAL PROGRAMS.—Section 1051 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "a bilateral" and inserting "a multilateral, bilateral,"; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "to and" and inserting "to, from, and"; and

(ii) by striking "bilateral" and inserting "multilateral, bilateral,"; and

(B) in paragraph (2), by striking "bilateral" and inserting "multilateral, bilateral,".

(b) AVAILABILITY OF FUNDS FOR PROGRAMS AND ACTIVITIES ACROSS FISCAL YEARS.—

(1) IN GENERAL.—Such section is further amended by adding at the end the following new subsection:

"(e) Funds available to carry out this section shall be available, to the extent provided in appropriations Acts, for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2008, and shall apply with respect to programs and activities under section 1051 of title 10, United States Code, as so amended, that begin on or after that date.

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

"§ 1051. Multilateral, bilateral, or regional cooperation programs: payment of personnel expenses".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1051 and inserting the following new item:

"1051. Multilateral, bilateral, or regional cooperation programs: payment of personnel expenses.".

SEC. 1232. PARTICIPATION OF THE DEPARTMENT OF DEFENSE IN MULTINATIONAL MILITARY CENTERS OF EXCELLENCE.

(a) PARTICIPATION AUTHORIZED.—

(1) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2350m. Participation in multinational military centers of excellence

"(a) PARTICIPATION AUTHORIZED.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of members of the armed forces and Department of Defense civilian personnel in any multinational military center of excellence for purposes of—

"(1) enhancing the ability of military forces and civilian personnel of the nations participating in such center to engage in joint exercises or coalition or international military operations; or

"(2) improving interoperability between the armed forces and the military forces of friendly foreign nations.

"(b) MEMORANDUM OF UNDERSTANDING.—(1) The participation of members of the armed forces or Department of Defense civilian personnel in a multinational military center of excellence under subsection (a) shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the foreign nation or nations concerned.

"(2) If Department of Defense facilities, equipment, or funds are used to support a multinational military center of excellence under subsection (a), the memoranda of understanding under paragraph (1) with respect to that center shall provide details of any cost-sharing arrangement or other funding arrangement.

"(c) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

"(A) To pay the United States share of the operating expenses of any multinational military center of excellence in which the United States participates under this section.

"(B) To pay the costs of the participation of members of the armed forces and Department of Defense civilian personnel in multinational military centers of excellence under this section, including the costs of expenses of such participants.

"(2) No funds may be used under this section to fund the pay or salaries of members of the armed forces and Department of Defense civilian personnel who participate in multinational military centers of excellence under this section.

"(d) USE OF DEPARTMENT OF DEFENSE FACILITIES AND EQUIPMENT.—Facilities and equipment of the Department of Defense may be used for purposes of the support of multinational military centers of excellence under this section that are hosted by the Department.

"(e) ANNUAL REPORTS ON USE OF AUTHORITY.—(1) Not later than October 31, 2009, and annually thereafter, 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 on the use of the authority in this section during the preceding fiscal year.

"(2) Each report required by paragraph (1) shall include, for the fiscal year covered by such report, the following:

"(A) A detailed description of the participation of the Department of Defense, and of members of the armed forces and civilian personnel of the Department, in multinational military centers of excellence under the authority of this section.

"(B) For each multinational military center of excellence in which the Department of Defense, or members of the armed forces or civilian personnel of the Department, so participated—

"(i) a description of such multinational military center of excellence;

"(ii) a description of the activities participated in by the Department, or by members of the armed forces or civilian personnel of the Department; and

"(iii) a statement of the costs of the Department for such participation, including—

"(I) a statement of the United States share of the expenses of such center and a statement of the percentage of the United States share of the expenses of such center to the total expenses of such center; and

"(II) a statement of the amount of such costs (including a separate statement of the amount of costs paid for under the authority of this section by category of costs).

"(f) MULTINATIONAL MILITARY CENTER OF EXCELLENCE DEFINED.—In this section, the term 'multinational military center of excellence' means an entity sponsored by one or more nations that is accredited and approved by the Military Committee of the North Atlantic Treaty Organization (NATO) as offering recognized expertise and experience to personnel participating in the activities of such entity for the benefit of NATO by providing such personnel opportunities to—

"(1) enhance education and training;

"(2) improve interoperability and capabilities;

"(3) assist in the development of doctrine; and

"(4) validate concepts through experimentation.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of such title is amended by adding at the end the following new item:

"2350m. Participation in multinational military centers of excellence.".

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 1205 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2416) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

SEC. 1233. REVIEW OF SECURITY RISKS OF PARTICIPATION BY DEFENSE CONTRACTORS IN CERTAIN SPACE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review to determine whether there are any security risks associated with participation by covered contractors in certain space activities of the People's Republic of China.

(b) MATTERS TO BE INCLUDED.—The review required under subsection (a) shall include, at a minimum, a review of the following:

(1) Whether there have been any incidents with respect to which a determination has been made that an improper disclosure of covered information by a covered contractor has occurred during the five-year period ending on the date of the enactment of this Act.

(2) The increase, if any, in the number of covered contractors expected to occur during the 5-year period beginning on the date of the enactment of this Act.

(3) The extent to which the policies and procedures of the Department of Defense are sufficient to protect against the improper disclosure of covered information by a covered contractor during the 5-year period beginning on the date of the enactment of this Act.

(4) The Secretary's conclusions regarding awards of contracts by the Department of Defense to covered contractors after the date of the enactment of this Act.

(5) Any other matters that the Secretary determines to be appropriate to include in the review.

(c) COOPERATION FROM OTHER DEPARTMENTS AND AGENCIES.—The Secretary of State, the Director of National Intelligence, and the head of any other United States Government department or agency shall cooperate in a complete and timely manner to provide the Secretary of Defense with data and other information necessary for the Secretary of Defense to carry out the review required under subsection (a).

(d) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report on the review required under subsection (a).

(2) FORM.—The report required under this subsection shall include a summary in unclassified form to the maximum extent practicable.

(e) DEFINITIONS.—In this section:

(1) CERTAIN SPACE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA.—The term "certain space activities of the People's Republic of China" means—

(A) the development or manufacture of satellites for launch from the People's Republic of China; and

(B) the launch of satellites from the People's Republic of China.

(2) COVERED CONTRACTOR.—The term "covered contractor" means a contractor of the Department of Defense, and any subcontractor (at any tier) of the contractor, that—

(A) has access to covered information; and

(B) participates, or is part of a joint venture that participates, or whose parent, sister, subsidiary, or affiliate company participates, in certain space activities in the People's Republic of China.

(3) COVERED INFORMATION.—The term "covered information" means classified information and sensitive controlled unclassified information obtained under contracts (or subcontracts of such contracts) of the Department of Defense.

SEC. 1234. REPORT ON IRAN'S CAPABILITY TO PRODUCE NUCLEAR WEAPONS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to Congress a report on Iran's capability to produce nuclear weapons. The report required under this subsection may be submitted in classified form.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) The locations, types, and number of centrifuges and other specialized equipment necessary for the enrichment of uranium and any plans to acquire, manufacture, and operate such equipment in the future.

(2) An estimate of the amount, if any, of highly enriched uranium and weapons grade plutonium acquired or produced to date, an estimate of the amount of weapons grade plutonium that is likely to be produced or acquired in the near- and mid-terms and the amount of highly enriched uranium that is likely to be produced or acquired in the near- and mid-terms, and the number of nuclear weapons that could be produced with such materials.

(3) A evaluation of the extent to which security and safeguards at any nuclear site prevent, slow, verify, or help monitor the enrichment of uranium or the reprocessing of plutonium into weapons-grade materials.

(4) A description of any weaponization activities, such as the research, design, development, or testing of nuclear weapons or weapons-related components.

(5) A description of any programs to construct, acquire, test, or improve methods to deliver nuclear weapons, including an assessment of the likely progress of such programs in the near- and mid-terms.

(6) A summary of assessments made by allies of the United States of Iran's nuclear weapons program and nuclear-capable delivery systems programs.

(c) NOTIFICATION.—The President shall notify Congress, in writing, within 15 days of determining that—

(1) Iran has resumed a nuclear weapons program;

(2) Iran has met or surpassed any major milestone in its nuclear weapons program; or

(3) Iran has undertaken to accelerate, decelerate, or cease the development of any significant element within its nuclear weapons program.

SEC. 1235. EMPLOYMENT FOR RESETTLED IRAQIS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of State are authorized to jointly establish and operate a temporary program to offer employment as translators, interpreters, or cultural awareness instructors to individuals described in subsection (b). Individuals described in such subsection may be appointed to temporary positions of one year or less outside Iraq with either the Department of Defense or the Department of State, without competition and without regard for the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code. Such individuals may also be hired as personal services contractors by either of such Departments to provide translation, interpreting, or cultural awareness instruction, except that such individuals so hired shall not by virtue of such employment be considered employees of the United States Government, except for purposes of chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(b) ELIGIBILITY.—Individuals referred to in subsection (a) are Iraqi nationals who—

(1) have received a special immigrant visa issued pursuant to section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) or section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181); and

(2) are lawfully present in the United States.

(c) FUNDING.—

(1) IN GENERAL.—Except as provided in paragraph (2), the program established under subsection (a) shall be funded from the annual general operating budget of the Department of Defense.

(2) EXCEPTION.—The Secretary of State shall reimburse the Department of Defense for any costs associated with individuals described in subsection (b) whose work is for or on behalf of the Department of State.

(d) RULE OF CONSTRUCTION REGARDING ACCESS TO CLASSIFIED INFORMATION.—Nothing in this section may be construed as affecting in any manner practices and procedures regarding the handling of or access to classified information.

(e) INFORMATION SHARING.—The Secretary of Defense and the Secretary of State shall work with the Secretary of Homeland Security and the Office of Refugee Resettlement of the Department of Health and Human Services to ensure that individuals described in subsection (b) are informed of the program established under subsection (a).

(f) REGULATION.—The Secretary of Defense, jointly with the Secretary of State and with the concurrence of the Director of the Office of Personnel Management, shall prescribe such regulations as are necessary to carry out the program established under subsection (a), including ensuring the suitability for employment described in subsection (a) of individuals described in subsection (b), determining the number of positions, and establishing pay scales and hiring procedures.

(g) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the program established under subsection (a) shall terminate on December 31, 2014.

(2) EARLIER TERMINATION.—If the Secretary of Defense, jointly with the Secretary of State, determines that the program established under subsection (a) should terminate before the date specified in paragraph (1), the Secretaries may terminate the program if the Secretaries notify Congress in writing of such termination at least 180 days before such termination.

SEC. 1236. EXTENSION AND MODIFICATION OF UPDATES ON REPORT ON CLAIMS RELATING TO THE BOMBING OF THE LABELLE DISCOTHEQUE.

Section 1225(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3465), as amended by section 1261(1)(B) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 405), is further amended—

(1) in paragraph (2)—

(A) by striking "Not later than one year after enactment of this Act, and not later than two years after enactment of this Act" and inserting "Not later than 90 days after the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, and every 180 days thereafter"; and

(B) by adding at the end the following new sentence: "Each update under this paragraph after the date of the enactment of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 shall be submitted in unclassified form, but may include a classified annex."; and

(2) by adding at the end the following new paragraph:

"(3) TERMINATION.—The requirement to submit updates under paragraph (2) shall terminate upon submission by the Secretary of State to Congress of the certification described in section 5(a)(2) of the Libya Claims Resolution Act (Public Law 110–301; 122 Stat. 3000).".

SEC. 1237. REPORT ON UTILIZATION OF CERTAIN GLOBAL PARTNERSHIP AUTHORITIES.

(a) IN GENERAL.—Not later than December 31, 2010, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report on the implementation of the Building Global Partnership authorities during the period beginning on the date of the enactment of this Act and ending on September 30, 2010.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed summary of the programs conducted under the Building Global Partnership authorities during the period covered by the report, including, for each country receiving assistance under such a program, a description of the assistance provided and its cost.

(2) An assessment of the impact of the assistance provided under the Building Global Partnership authorities with respect to each country receiving assistance under such authorities.

(3) A description of—

(A) the processes used by the Department of Defense and the Department of State to jointly formulate, prioritize, and select projects to be funded under the Building Global Partnership authorities; and

(B) the processes, if any, used by the Department of Defense and the Department of State to evaluate the success of each project so funded after its completion.

(4) A statement of the projects initiated under the Building Global Partnership authorities that were subsequently transitioned to and sustained under the authorities of the Foreign Assistance Act of 1961 or other authorities.

(5) An assessment of the utility of the Building Global Partnership authorities, and of any gaps in such authorities, including an assessment of the feasability and advisability of continuing such authorities beyond their current dates of expiration (whether in their current form or with such modifications as the Secretary of Defense and the Secretary of State jointly consider appropriate).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(2) BUILDING GLOBAL PARTNERSHIP AUTHORITIES.—The term "Building Global Partnership authorities" means the following:

(A) AUTHORITY FOR BUILDING CAPACITY OF FOREIGN MILITARY FORCES.—The authorities provided in section 1206 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 this Act.

(B) AUTHORITY FOR SECURITY AND STABILIZATION ASSISTANCE.—The authorities provided in section 1207 of the National Defense Authorization Act for Fiscal Year 2006 (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 this Act.

(C) CIVIC ASSISTANCE AUTHORITIES UNDER COMBATANT COMMANDER INITIATIVE FUND.—The authority to engage in urgent and unanticipated civic assistance under the Combatant Commander Initiative Fund under section 166a(b)(6) of title 10, United States Code, as a result of the amendments made by section 902 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2351).

SEC. 1238. MODIFICATION AND REPEAL OF REQUIREMENT TO SUBMIT CERTAIN ANNUAL REPORTS TO CONGRESS REGARDING ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) MODIFICATION OF CERTAIN REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—Section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 98 Stat. 2576) is amended—

(1) by striking subsections (c) and (d); and

(2) adding at the end the following new subsections:

"(c) 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 each year, not later than March 1, a report containing a description of—

"(1) annual defense spending by each member nation of NATO, by each member nation of the Euro-Atlantic Partnership Council (EAPC), and by Japan, including available nominal budget figures and defense spending as a percentage of the respective nation's gross domestic product for the fiscal year immediately preceding the fiscal year in which the report is submitted;

"(2) activities of each NATO member nation, each EAPC member nation, and Japan to contribute to military or stability operations in which the United States Armed Forces are a participant;

"(3) any limitations that such nations place on the use of their national contributions described in paragraph (2); and

"(4) any actions undertaken by the United States Government to minimize those limitations described in paragraph (3).

"(d) The report required under subsection (c) shall be submitted in unclassified form, but may include a classified annex."

(b) REPEAL OF REPORT ON COST-SHARING.—Section 1313 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2894) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsections (c).

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.

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 2009 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term "fiscal year 2009 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 2009, 2010, and 2011.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $434,135,000 authorized to be appropriated to the Department of Defense for fiscal year 2009 in section 301(19) for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, $79,985,000.

(2) For strategic nuclear arms elimination in Ukraine, $6,400,000.

(3) For nuclear weapons storage security in Russia, $24,101,000.

(4) For nuclear weapons transportation security in Russia, $40,800,000.

(5) For weapons of mass destruction proliferation prevention in the states of the former Soviet Union, $59,286,000.

(6) For biological threat reduction in the former Soviet Union, $184,463,000.

(7) For chemical weapons destruction, $1,000,000.

(8) For defense and military contacts, $8,000,000.

(9) For new Cooperative Threat Reduction initiatives, $10,000,000.

(10) For activities designated as Other Assessments/Administrative Costs, $20,100,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2009 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 2009 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 2009 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.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. National Defense Sealift Fund.
Sec. 1403. Defense Health Program.
Sec. 1404. Chemical agents and munitions destruction, defense.
Sec. 1405. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1406. Defense Inspector General.
Sec. 1407. National Defense Sealift Fund amendments.

Subtitle B—National Defense Stockpile

Sec. 1411. Authorized uses of National Defense Stockpile funds.
Sec. 1412. Revisions to previously authorized disposals from 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 2009 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, $198,150,000.

(2) For the Defense Working Capital Fund, Defense Commissary, $1,291,084,000.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2009 for the National Defense Sealift Fund in the amount of $1,608,572,000.

SEC. 1403. DEFENSE HEALTH PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2009 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of $24,966,917,000, of which—

(1) $24,467,074,000 is for Operation and Maintenance;

(2) $195,938,000 is for Research, Development, Test, and Evaluation; and

(3) $303,905,000 is for Procurement.

(b) SOURCE OF CERTAIN FUNDS.—Of the amount available under subsection (a), $1,300,000,000 shall, to the extent provided in advance in an Act making appropriations for fiscal year 2009, be available by transfer from 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).

SEC. 1404. 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 2009 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of $1,485,634,000, of which—

(1) $1,152,668,000 is for Operation and Maintenance;

(2) $268,881,000 is for Research, Development, Test, and Evaluation; and

(3) $64,085,000 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. 1405. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2009 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, in the amount of $1,060,463,000.

SEC. 1406. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2009 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, in the amount of $273,845,000, of which—

(1) $270,445,000 is for Operation and Maintenance; and

(2) $3,400,000 is for Procurement.

SEC. 1407. NATIONAL DEFENSE SEALIFT FUND AMENDMENTS.

Section 2218 of title 10, United States Code, is amended—

(1) by striking subsection (j) and redesignating subsections (k) and (l) as subsections (j) and (k), respectively; and

(2) in paragraph (2) of subsection (k) (as so redesignated), by striking subparagraphs (B) thru (I) and inserting the following new subparagraph (B):

"(B) Any other auxiliary vessel that was procured or chartered with specific authorization in law for the vessel, or class of vessels, to be funded in the National Defense Sealift Fund.".

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2009, the National Defense Stockpile Manager may obligate up to $41,153,000 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. REVISIONS TO PREVIOUSLY AUTHORIZED DISPOSALS FROM THE NATIONAL DEFENSE STOCKPILE.

(a) FISCAL YEAR 1999 DISPOSAL AUTHORITY.—Section 3303(a)(7) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 98d note), as most recently amended by section 1412(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 418), is further amended by striking "$1,066,000,000 by the end of fiscal year 2015" and inserting "$1,386,000,000 by the end of fiscal year 2016".

(b) FISCAL YEAR 1998 DISPOSAL AUTHORITY.—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 3302(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2513), is further amended by striking "2008" and inserting "2009".

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 2009 from the Armed Forces Retirement Home Trust Fund the sum of $63,010,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

Sec. 1501. Authorization of additional appropriations for operations in Afghanistan and Iraq for fiscal year 2009.
Sec. 1502. Requirement for separate display of budgets for Afghanistan and Iraq.
Sec. 1503. Joint Improvised Explosive Device Defeat Fund.
Sec. 1504. Science and technology investment strategy to defeat or counter improvised explosive devices.
Sec. 1505. Limitations on Iraq Security Forces Fund.

Sec. 1506. Limitations on Afghanistan Security Forces Fund.
Sec. 1507. Special transfer authority.
Sec. 1508. Prohibition on use of United States funds for certain facilities projects in Iraq and contributions by the Government of Iraq to combined operations and other activities in Iraq.

SEC. 1501. AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OPERATIONS IN AFGHANISTAN AND IRAQ FOR FISCAL YEAR 2009.

(a) AUTHORIZATION OF PREVIOUSLY APPROPRIATED AMOUNTS.—In addition to the amounts otherwise authorized to be appropriated by division A of this Act, the amounts appropriated for fiscal year 2009 in chapter 2 of title IX of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2405–2414) are hereby authorized to be appropriated.

(b) ADDITIONAL AUTHORIZATION.—In addition to the amounts otherwise authorized to be appropriated by division A of this Act and subsection (a), funds in the amount of $2,076,000,000 are hereby authorized to be appropriated for aircraft procurement, Air Force, for the purpose of acquiring six C–17 aircraft.

SEC. 1502. REQUIREMENT FOR SEPARATE DISPLAY OF BUDGETS FOR AFGHANISTAN AND IRAQ.

(a) OPERATIONS IN IRAQ AND AFGHANISTAN.—In any annual or supplemental budget request for the Department of Defense that is submitted to Congress after the date of the enactment of this Act, the Secretary of Defense shall set forth separately any funding requested in such budget request for—

(1) operations of the Department of Defense in Afghanistan; and

(2) operations of the Department of Defense in Iraq.

(b) SPECIFICITY OF DISPLAY.—Each budget request covered by subsection (a) shall, for any funding requested for operations in Iraq or Afghanistan—

(1) clearly display the amount of such funding at the appropriation account level and at the program, project, or activity level; and

(2) include a detailed description of the assumptions underlying the funding for the period covered by the budget request, including the anticipated troop levels, the operations intended to be carried out, and the equipment reset requirements necessary to support such operations.

SEC. 1503. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) 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 subsection (b), shall apply to the funds appropriated pursuant to the authorization of appropriations in section 1501 of this Act and made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund.

(b) MODIFICATION OF FUNDS TRANSFER AUTHORITY.—Section 1514(c)(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439) is amended—

(1) by striking subparagraph (A); and

(2) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively.

(c) PRIOR NOTICE OF TRANSFER OF FUNDS.—Section 1514(c)(4) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439) is amended by inserting after "five days" the following: "(in the case of the obligation of funds) or 15 days (in the case of a transfer of funds)".

(d) MONTHLY OBLIGATIONS AND EXPENDITURE REPORTS.—Not later than 15 days after the end of each month of fiscal year 2009, 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.

(e) MODIFICATION OF SUBMITTAL DATE OF OTHER REPORTS.—Section 1514(e) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2440) is amended by striking "30 days" and inserting "60 days".

SEC. 1504. SCIENCE AND TECHNOLOGY INVESTMENT STRATEGY TO DEFEAT OR COUNTER IMPROVISED EXPLOSIVE DEVICES.

(a) STRATEGY REQUIRED.—The Director of the Joint Improvised Explosive Device Defeat Organization (JIEDDO), jointly with the Director of Defense Research and Engineering, shall develop a comprehensive science and technology investment strategy for countering the threat of improvised explosive devices (IEDs).

(b) ELEMENTS.—The strategy developed under subsection (a) shall include the following:

(1) Identification of counter-IED capability gaps.

(2) A taxonomy describing the major technical areas for the Department of Defense to address the counter-IED capability gaps and in which science and technology funding investments should be made.

(3) Identification of funded programs to develop or mature technologies from or to the level of system or subsystem model or prototype demonstration in a relevant environment, and investment levels for those initiatives.

(4) Identification of JIEDDO's mechanisms for coordinating Department of Defense and Federal Government science and technology activities in areas covered by the strategy.

(5) Identification of technology transition mechanisms developed or utilized to efficiently transition technologies to acquisition programs of the Department of Defense or into operational use, including a summary of counter-IED technologies transitioned from JIEDDO, the military departments, and other Defense Agencies to the acquisition programs or into operational use.

(6) Identification of high priority basic research efforts that should be addressed through JIEDDO or other Department of Defense activities to support development of next generation IED defeat capabilities.

(7) Identification of barriers or issues, such as industrial base, workforce, or statutory or regulatory barriers, that could hinder the efficient and effective development and operational use of advanced IED defeat capabilities, and discussion of activities undertaken to address them.

(8) Identification of the measures of effectiveness for the overall Department of Defense science and technology counter-IED effort.

(9) Such other matters as the Director of the JIEDDO and the Director of Defense Research and Engineering consider appropriate.

(c) REPORT.—Not later than March 1, 2009, and each March 1 thereafter through March 1, 2013, the Director of the JIEDDO and the Director of Defense Research and Engineering shall jointly submit to the congressional defense committees a report describing the implementation of the strategy developed under subsection (a). The report may be in unclassified and classified format, as necessary.

SEC. 1505. LIMITATIONS ON IRAQ SECURITY FORCES FUND.

Funds appropriated pursuant to the authorization of appropriations in section 1501 of this Act or in the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2407) and made available to the Department of Defense for the Iraq Security Forces Fund 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. 1506. LIMITATIONS ON AFGHANISTAN SECURITY FORCES FUND.

Funds appropriated pursuant to the authorization of appropriations in section 1501 of this Act or in the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2407) and made available to the Department of Defense for the Afghanistan Security Forces Fund 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. 1507. 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 2009 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.

SEC. 1508. PROHIBITION ON USE OF UNITED STATES FUNDS FOR CERTAIN FACILITIES PROJECTS IN IRAQ AND CONTRIBUTIONS BY THE GOVERNMENT OF IRAQ TO COMBINED OPERATIONS AND OTHER ACTIVITIES IN IRAQ.

(a) PROHIBITION RELATED TO FACILITIES FOR GOVERNMENT OF IRAQ.—

(1) PROHIBITION ON AVAILABILITY OF UNITED STATES FUNDS FOR PROJECTS.—Except as provided in paragraph (2), amounts authorized to be appropriated by this title may not be obligated or expended 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 such political subdivisions.

(2) EXCEPTIONS.—

(A) EXCEPTION FOR CERP.—The prohibition in paragraph (1) does not apply to amounts authorized to be appropriated by this title for the Commanders' Emergency Response Program (CERP).

(B) EXCEPTION FOR MILITARY CONSTRUCTION.—The prohibition in paragraph (1) does not apply to military construction (as defined in section 2801 of title 10, United States Code), carried out in Iraq.

(C) EXCEPTION FOR TECHNICAL ASSISTANCE.—The prohibition in paragraph (1) does not apply to the provision of technical assistance necessary to assist the Government of Iraq to carry out facilities projects on its own behalf.

(b) COMBINED OPERATIONS.—

(1) COST SHARING.—The United States Government shall initiate negotiations with the Government of Iraq on an agreement under which the Government of Iraq shall share with the United States Government the costs of combined operations of the Government of Iraq and the Multi-National Forces Iraq undertaken as part of Operation Iraqi Freedom.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall, in conjunction with the Secretary of Defense, submit to Congress a report describing the status of negotiations under paragraph (1).

(c) IRAQI SECURITY FORCES.—

(1) USE OF IRAQ FUNDS.—The United States Government shall take actions to ensure that Iraq funds are used to pay the costs of the salaries, training, equipping, and sustainment of Iraqi Security Forces.

(2) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to Congress a report setting forth an assessment of the progress made in meeting the requirements of paragraph (1).

TITLE XVI—RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT

Sec. 1601. Short title.
Sec. 1602. Findings.
Sec. 1603. Definitions.
Sec. 1604. Authority to provide assistance for reconstruction and stabilization crises.
Sec. 1605. Reconstruction and stabilization.
Sec. 1606. Authorities related to personnel.
Sec. 1607. Reconstruction and stabilization strategy.
Sec. 1608. Annual reports to Congress.

SEC. 1601. SHORT TITLE.

This title may be cited as the "Reconstruction and Stabilization Civilian Management Act of 2008".

SEC. 1602. FINDINGS.

Congress finds the following:

(1) In June 2004, the Office of the Coordinator for Reconstruction and Stabilization (referred to as the "Coordinator") was established in the Department of State with the mandate to lead, coordinate, and institutionalize United States Government civilian capacity to prevent or prepare for post-conflict situations and help reconstruct and stabilize a country or region that is at risk of, in, or is in transition from, conflict or civil strife.

(2) In December 2005, the Coordinator's mandate was reaffirmed by the National Security Presidential Directive 44, which instructed the Secretary of State, and at the Secretary's direction, the Coordinator, to coordinate and lead integrated United States Government efforts, involving all United States departments and agencies with relevant capabilities, to prepare, plan for, and conduct reconstruction and stabilization operations.

(3) National Security Presidential Directive 44 assigns to the Secretary, with the Coordinator's assistance, the lead role to develop reconstruction and stabilization strategies, ensure civilian interagency program and policy coordination, coordinate interagency processes to identify countries at risk of instability, provide decision-makers with detailed options for an integrated United States Government response in connection with reconstruction and stabilization operations, and carry out a wide range of other actions, including the development of a civilian surge capacity to meet reconstruction and stabilization emergencies. The Secretary and the Coordinator are also charged with coordinating with the Department of Defense on reconstruction and stabilization responses, and integrating planning and implementing procedures.

(4) The Department of Defense issued Directive 3000.05, which establishes that stability operations are a core United States military mission that the Department of Defense must be prepared to conduct and support, provides guidance on stability operations that will evolve over time, and assigns respon-

sibilities within the Department of Defense for planning, training, and preparing to conduct and support stability operations.

(5) The President's Fiscal Year 2009 Budget Request to Congress includes $248.6 million for a Civilian Stabilization Initiative that would vastly improve civilian partnership with United States Armed Forces in post-conflict stabilization situations, including by establishing a Active Response Corps of 250 persons, a Standby Response Corps of 2,000 persons, and a Civilian Response Corps of 2,000 persons.

SEC. 1603. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the United States Agency for International Development.

(2) AGENCY.—The term "agency" means any entity included in chapter 1 of title 5, United States Code.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) DEPARTMENT.—Except as otherwise provided in this title, the term "Department" means the Department of State.

(5) PERSONNEL.—The term "personnel" means individuals serving in any service described in section 2101 of title 5, United States Code, other than in the legislative or judicial branch.

(6) SECRETARY.—The term "Secretary" means the Secretary of State.

SEC. 1604. AUTHORITY TO PROVIDE ASSISTANCE FOR RECONSTRUCTION AND STABILIZATION CRISES.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting after section 617 the following new section:

"SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STABILIZATION CRISIS.

"(a) ASSISTANCE.—

"(1) IN GENERAL.—If the President determines that it is in the national security interests of the United States for United States civilian agencies or non-Federal employees to assist in reconstructing and stabilizing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, the President may, in accordance with the provisions set forth in section 614(a)(3), but notwithstanding any other provision of law, and on such terms and conditions as the President may determine, furnish assistance to such country or region for reconstruction or stabilization using funds described in paragraph (2).

"(2) FUNDS DESCRIBED.—The funds referred to in paragraph (1) are funds made available under any other provision of this Act, and transferred or reprogrammed for purposes of this section, and such transfer or reprogramming shall be subject to the procedures applicable to a notification under section 634A of this Act.

"(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide authority to transfer funds between accounts or between Federal departments or agencies.

"(b) LIMITATION.—The authority contained in this section may be exercised only during fiscal years 2009, 2010, and 2011.".

SEC. 1605. RECONSTRUCTION AND STABILIZATION.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

"SEC. 62. RECONSTRUCTION AND STABILIZATION.

"(a) OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—

"(1) ESTABLISHMENT.—There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization.

"(2) COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—The head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary.

"(3) FUNCTIONS.—The functions of the Office of the Coordinator for Reconstruction and Stabilization shall include the following:

"(A) Monitoring, in coordination with relevant bureaus and offices of the Department of State and the United States Agency for International Development (USAID), political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the reconstruction and stabilization of a country or region that is at risk of, in, or are in transition from, conflict or civil strife.

"(B) Assessing the various types of reconstruction and stabilization crises that could occur and cataloging and monitoring the non-military resources and capabilities of agencies (as such term is defined in section 1603 of the Reconstruction and Stabilization Civilian Management Act of 2008) that are available to address such crises.

"(C) Planning, in conjunction with USAID, to address requirements, such as demobilization, disarmament, rebuilding of civil society, policing, human rights monitoring, and public information, that commonly arise in reconstruction and stabilization crises.

"(D) Coordinating with relevant agencies to develop interagency contingency plans and procedures to mobilize and deploy civilian personnel and conduct reconstruction and stabilization operations to address the various types of such crises.

"(E) Entering into appropriate arrangements with agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2008.

"(F) Identifying personnel in State and local governments and in the private sector who are available to par-

ticipate in the Civilian Reserve Corps established under subsection (b) or to otherwise participate in or contribute to reconstruction and stabilization activities.

"(G) Taking steps to ensure that training and education of civilian personnel to perform such reconstruction and stabilization activities is adequate and is carried out, as appropriate, with other agencies involved with stabilization operations.

"(H) Taking steps to ensure that plans for United States reconstruction and stabilization operations are coordinated with and complementary to reconstruction and stabilization activities of other governments and international and nongovernmental organizations, to improve effectiveness and avoid duplication.

"(I) Maintaining the capacity to field on short notice an evaluation team consisting of personnel from all relevant agencies to undertake on-site needs assessment.

"(b) RESPONSE READINESS CORPS.—

"(1) RESPONSE READINESS CORPS.—The Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate agencies of the United States Government, may establish and maintain a Response Readiness Corps (referred to in this section as the 'Corps') to provide assistance in support of reconstruction and stabilization operations in countries or regions that are at risk of, in, or are in transition from, conflict or civil strife. The Corps shall be composed of active and standby components consisting of United States Government personnel, including employees of the Department of State, the United States Agency for International Development, and other agencies who are recruited and trained (and employed in the case of the active component) to provide such assistance when deployed to do so by the Secretary to support the purposes of this Act.

"(2) CIVILIAN RESERVE CORPS.—The Secretary, in consultation with the Administrator of the United States Agency for International Development, may establish a Civilian Reserve Corps for which purpose the Secretary is authorized to employ and train individuals who have the skills necessary for carrying out reconstruction and stabilization activities, and who have volunteered for that purpose. The Secretary may deploy members of the Civilian Reserve Corps pursuant to a determination by the President under section 618 of the Foreign Assistance Act of 1961.

"(3) MITIGATION OF DOMESTIC IMPACT.—The establishment and deployment of any Civilian Reserve Corps shall be undertaken in a manner that will avoid substantively impairing the capacity and readiness of any State and local governments from which Civilian Reserve Corps personnel may be drawn.

"(c) EXISTING TRAINING AND EDUCATION PROGRAMS.—The Secretary shall ensure that personnel of the Department, and, in coordination with the Administrator of USAID, that personnel of USAID, make use of the relevant existing training and education programs offered within the Government, such as those at the Cen-

ter for Stabilization and Reconstruction Studies at the Naval Postgraduate School and the Interagency Training, Education, and After Action Review Program at the National Defense University.".

SEC. 1606. AUTHORITIES RELATED TO PERSONNEL.

(a) EXTENSION OF CERTAIN FOREIGN SERVICE BENEFITS.—The Secretary, or the head of any agency with respect to personnel of that agency, may extend to any individuals assigned, detailed, or deployed to carry out reconstruction and stabilization activities pursuant to section 62 of the State Department Basic Authorities Act of 1956 (as added by section 1605 of this title), the benefits or privileges set forth in sections 413, 704, and 901 of the Foreign Service Act of 1980 (22 U.S.C. 3973, 22 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(b) AUTHORITY REGARDING DETAILS.—The Secretary is authorized to accept details or assignments of any personnel, and any employee of a State or local government, on a reimbursable or nonreimbursable basis for the purpose of carrying out this title, and the head of any agency is authorized to detail or assign personnel of such agency on a reimbursable or nonreimbursable basis to the Department of State for purposes of section 62 of the State Department Basic Authorities Act of 1956, as added by section 1605 of this title.

SEC. 1607. RECONSTRUCTION AND STABILIZATION STRATEGY.

(a) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall develop an interagency strategy to respond to reconstruction and stabilization operations.

(b) CONTENTS.—The strategy required under subsection (a) shall include the following:

(1) Identification of and efforts to improve the skills sets needed to respond to and support reconstruction and stabilization operations in countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

(2) Identification of specific agencies that can adequately satisfy the skills sets referred to in paragraph (1).

(3) Efforts to increase training of Federal civilian personnel to carry out reconstruction and stabilization activities.

(4) Efforts to develop a database of proven and best practices based on previous reconstruction and stabilization operations.

(5) A plan to coordinate the activities of agencies involved in reconstruction and stabilization operations.

SEC. 1608. ANNUAL REPORTS TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act and annually for each of the five years thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this title. The report shall include detailed information on the following:

(1) Any steps taken to establish a Response Readiness Corps and a Civilian Reserve Corps, pursuant to section 62 of the State Department Basic Authorities Act of 1956 (as added by section 1605 of this title).

(2) The structure, operations, and cost of the Response Readiness Corps and the Civilian Reserve Corps, if established.

(3) How the Response Readiness Corps and the Civilian Reserve Corps coordinate, interact, and work with other United States foreign assistance programs.

(4) An assessment of the impact that deployment of the Civilian Reserve Corps, if any, has had on the capacity and readiness of any domestic agencies or State and local governments from which Civilian Reserve Corps personnel are drawn.

(5) The reconstruction and stabilization strategy required by section 1607 and any annual updates to that strategy.

(6) Recommendations to improve implementation of subsection (b) of section 62 of the State Department Basic Authorities Act of 1956, including measures to enhance the recruitment and retention of an effective Civilian Reserve Corps.

(7) A description of anticipated costs associated with the development, annual sustainment, and deployment of the Civilian Reserve Corps.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the "Military Construction Authorization Act for Fiscal Year 2009".

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, 2011; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2012.

(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, 2011; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2012 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXIX shall take effect on the later of—

(1) October 1, 2008; or
(2) the date of the enactment of this Act.

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 2008 projects.
Sec. 2106. Modification of authority to carry out certain fiscal year 2007 projects.
Sec. 2107. Extension of authorizations of certain fiscal year 2006 projects.
Sec. 2108. Extension of authorization of certain fiscal year 2005 project.

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	$46,400,000
	Fort Rucker	$6,800,000
	Redstone Arsenal	$16,500,000
Alaska	Fort Richardson	$18,100,000
	Fort Wainwright	$110,400,000
Arizona	Fort Huachuca	$13,200,000
	Yuma Proving Ground	$3,800,000
California	Fort Irwin	$39,600,000
	Presidio, Monterey	$15,000,000
	Sierra Army Depot	$12,400,000
Colorado	Fort Carson	$534,000,000
Georgia	Fort Benning	$267,800,000
	Fort Stewart/Hunter Army Air Field	$432,300,000
Hawaii	Pohakuloa Training Area	$30,000,000
	Schofield Barracks	$279,000,000
	Wahiawa	$40,000,000
Indiana	Crane Army Ammunition Activity	$8,300,000
Kansas	Fort Leavenworth	$4,200,000
	Fort Riley	$158,000,000
Kentucky	Fort Campbell	$118,113,000
Louisiana	Fort Polk	$29,000,000
Michigan	Detroit Arsenal	$6,100,000
Missouri	Fort Leonard Wood	$42,550,000
New Jersey	Picatinny Arsenal	$9,900,000
New York	Fort Drum	$96,900,000
	United States Military Academy	$67,000,000
North Carolina	Fort Bragg	$58,400,000
Oklahoma	Fort Sill	$63,000,000
	McAlester Army Ammunition Plant	$5,800,000
Pennsylvania	Carlisle Barracks	$13,400,000
	Letterkenny Army Depot	$7,500,000
	Tobyhanna Army Depot	$15,000,000
South Carolina	Fort Jackson	$30,000,000
Texas	Camp Bullis	$4,200,000
	Corpus Christi Army Depot	$39,000,000
	Fort Bliss	$1,044,300,000
	Fort Hood	$49,500,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
	Fort Sam Houston	$96,000,000
	Red River Army Depot	$6,900,000
Virginia	Fort Belvoir	$7,200,000
	Fort Eustis	$31,900,000
	Fort Lee	$100,600,000
	Fort Myer	$14,000,000
Washington	Fort Lewis	$158,000,000

(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	$67,000,000
Germany	Katterbach	$19,000,000
	Wiesbaden Air Base	$119,000,000
Japan	Camp Zama	$2,350,000
	Sagamihara	$17,500,000
Korea	Camp Humphreys	$20,000,000

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	Wiesbaden Air Base.	326	$133,000,000
Korea	Camp Humphreys	216	$125,000,000

(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 $579,000.

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 $420,001,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $5,973,388,000, as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $4,010,063,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $185,350,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $23,000,000.

(4) For host nation support and architectural and engineering services and construction design under section 2807 of title 10, United States Code, $178,685,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $646,580,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $716,110,000.

(6) For the construction of increment 3 of a barracks 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 2 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), $81,600,000.

(8) For the construction of increment 2 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), $15,000,000.

(9) For the construction of increment 2 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), $15,000,000.

(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 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) $60,000,000 (the balance of the amount authorized under section 2101(a) for barracks and a dining facility at Fort Carson, Colorado).

(3) $80,000,000 (the balance of the amount authorized under section 2101(a) for barracks and a dining facility at Fort Stewart, Georgia).

(4) $59,500,000 (the balance of the amount authorized under section 2101(b) for the construction of a headquarters element in Wiesbaden, Germany).

(5) $101,000,000 (the balance of the amount authorized under section 2102(a) for family housing at Wiesbaden, Germany).

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2008 PROJECTS.

(a) INSIDE THE UNITED STATES PROJECTS.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 504) is amended—

(1) in the item relating to Hawthorne Army Ammunition Plant, Nevada, by striking "$11,800,000" in the amount column and inserting "$7,300,000";

(2) in the item relating to Fort Drum, New York, by striking "$311,200,000" in the amount column and inserting "$304,600,000"; and

(3) in the item relating to Fort Bliss, Texas, by striking "$118,400,000" in the amount column and inserting "$111,900,000".

(b) CONFORMING AMENDMENTS.—Section 2104(a) of that Act (122 Stat. 506) is amended—

(1) in the matter preceding paragraph (1), by striking "$5,106,703,000" and inserting "$5,089,103,000"; and

(2) in paragraph (1), by striking "$3,198,150,000" and inserting "$3,180,550,000".

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2007 PROJECTS.

(a) INSIDE THE UNITED STATES PROJECTS.—The table in 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) and section 2105(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 507), is further amended in the item relating to Fort Bragg, North Carolina, by striking "$96,900,000" in the amount column and inserting "$75,900,000".

(b) OUTSIDE THE UNITED STATES PROJECTS.—The table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2446), as amended by section 2106(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 508), is further amended in the item relating to Vicenza, Italy, by striking "$223,000,000" in the amount column and inserting "$208,280,000".

(c) CONFORMING AMENDMENTS.—Section 2104(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2447), as amended by section 2105(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 508), is further amended—

(1) in the matter preceding paragraph (1), by striking "$3,275,700,000" and inserting "$3,239,980,000";

(2) in paragraph (1), by striking "$1,119,450,000" and inserting "$1,098,450,000"; and

(3) in paragraph (2), by striking "$510,582,00" and inserting "$495,862,000".

SEC. 2107. 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), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (119 Stat. 3485), shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, 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
Virginia	Fort Belvoir	Defense Access Road	$18,000,000

SEC. 2108. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2005 PROJECT.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2116), the authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (118 Stat. 2101) and extended by section 2108 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 508), shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2005 Project Authorization

State	Installation or Location	Project	Amount
Hawaii	Schofield Barracks.	Training Facility	$35,542,000

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 of authority to carry out certain fiscal year 2005 project.
Sec. 2206. Modification of authority to carry out certain fiscal year 2007 projects.

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(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:

Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	$19,490,000
California	Marine Corps Logistics Base, Barstow	$7,830,000
	Marine Corps Base, Camp Pendleton	$799,870,000
	Naval Air Facility, El Centro	$8,900,000
	Marine Corps Air Station, Miramar	$48,770,000
	Naval Post Graduate School, Monterey	$9,900,000
	Naval Air Station, North Island	$60,152,000
	Naval Facility, San Clemente Island	$34,020,000
	Marine Corps Recruit Depot, San Diego	$51,220,000
	Marine Corps Base, Twentynine Palms	$155,310,000
Connecticut	Naval Submarine Base, Groton	$46,060,000
	Naval Submarine Base, New London	$11,000,000
District of Columbia	Naval Support Activity, Washington	$24,220,000
Florida	Naval Air Station, Jacksonville	$12,890,000
	Naval Station, Mayport	$18,280,000
	Naval Support Activity, Tampa	$29,000,000
Georgia	Marine Corps Logistics Base, Albany	$15,320,000
	Naval Submarine Base, Kings Bay	$6,130,000
Hawaii	Pacific Missile Range, Barking Sands	$28,900,000
	Marine Corps Base, Kaneohe	$28,200,000
	Naval Station, Pearl Harbor	$80,290,000
Illinois	Recruit Training Command, Great Lakes	$62,940,000
Maine	Portsmouth Naval Shipyard	$30,640,000
Maryland	Naval Surface Warfare Center, Carderock	$6,980,000
	Naval Surface Warfare Center, Indian Head	$25,980,000
Mississippi	Naval Construction Battalion Center, Gulfport	$12,770,000
	Naval Air Station, Meridian	$6,340,000
New Jersey	Naval Air Warfare Center, Lakehurst	$15,440,000
	Naval Weapons Station, Earle	$8,160,000
North Carolina	Marine Corps Base, Camp Lejeune	$353,090,000
	Marine Corps Air Station, Cherry Point	$77,420,000
	Marine Corps Air Station, New River	$86,280,000
Pennsylvania	Naval Support Activity, Philadelphia	$22,020,000
Rhode Island	Naval Station, Newport	$39,800,000
South Carolina	Marine Corps Air Station, Beaufort	$5,940,000
	Marine Corps Recruit Depot, Parris Island	$64,750,000
Texas	Naval Air Station, Corpus Christi	$3,500,000
	Naval Air Station, Kingsville	$11,580,000
Virginia	Naval Station, Norfolk	$73,280,000
	Marine Corps Base, Quantico	$150,290,000
Washington	Naval Base, Kitsap	$5,110,000
	Naval Air Station Whidbey Island	$6,160,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(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
Cuba	Naval Air Station, Guantanamo Bay	$20,600,000
Diego Garcia	Diego Garcia	$35,060,000
Djibouti	Camp Lemonier	$31,410,000
Guam	Naval Activities, Guam	$88,430,000

(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2204(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: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Unspecified	Unspecified Worldwide	$101,020,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(6)(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
Guantanamo Bay	Naval Air Station, Guantanamo Bay.	146	$59,943,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(6)(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 $2,169,000.

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(6)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $318,011,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $4,046,354,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $2,564,312,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $175,500,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2201(c), $101,020,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $13,670,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $246,528,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $380,123,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $376,062,000.

(7) For the construction of increment 2 of the wharf extension at Naval Forces Marianas Islands, Guam, authorized by section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 510), $50,912,000.

(8) For the construction of increment 2 of the submarine drive-in magnetic silencing facility at Naval Submarine Base, Pearl Harbor, Hawaii, authorized in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 510), $41,088,000.

(9) For the construction of increment 3 of the National Maritime Intelligence Center, Suitland, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2448), $12,439,000.

(10) For the construction of increment 2 of hangar 5 recapitalizations at Naval Air Station, Whidbey Island, Washington, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2448), $34,000,000.

(11) For the construction of increment 5 of the limited area production and storage complex at Naval Submarine Base, Kitsap, Bangor, Washington (formerly referred to as a project at the Strategic Weapons Facility Pacific, Bangor), authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2106), as amended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public law 109–163; 119 Stat. 3493) and section 2206 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 514) $50,700,000.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2005 PROJECT.

The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), as amended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Pub-

lic Law 109–163; 119 Stat. 3493) and section 2206 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 514), is further amended—

(1) in the item relating to Strategic Weapons Facility Pacific, Bangor, Washington, by striking "$295,000,000" in the amount column and inserting "$311,670,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$1,084,497,000".

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2007 PROJECTS.

(a) MODIFICATIONS.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2448), as amended by section 2205(a)(17) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 513), is further amended—

(1) in the item relating to NMIC/Naval Support Activity, Suitland, Maryland, by striking "$67,939,000" in the amount column and inserting "$76,288,000"; and

(2) in the item relating to Naval Air Station, Whidbey Island, Washington, by striking "$57,653,000" in the amount column and inserting "$60,500,000".

(b) CONFORMING AMENDMENTS.—Section 2204(b) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2452) is amended—

(1) in paragraph (2), by striking "$56,159,000" and inserting "$64,508,000"; and

(2) in paragraph (3), by striking "$31,153,000" and inserting "$34,000,000".

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. Extension of authorizations of certain fiscal year 2006 projects.
Sec. 2306. Extension of authorizations of certain fiscal year 2005 projects.

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
Alabama	Maxwell Air Force Base	$15,556,000
Alaska	Elmendorf Air Force Base	$138,300,000
Arizona	Davis Monthan Air Force Base	$15,000,000
California	Edwards Air Force Base	$9,100,000
	Travis Air Force Base	$12,100,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Colorado	Peterson Air Force Base	$4,900,000
	United States Air Force Academy	$18,000,000
Delaware	Dover Air Force Base	$19,000,000
Florida	Cape Canaveral Air Station	$8,000,000
	Eglin Air Force Base	$19,000,000
	MacDill Air Force Base	$26,000,000
	Tyndall Air Force Base	$11,600,000
Georgia	Robins Air Force Base	$29,350,000
Kansas	McConnell Air Force Base	$6,800,000
Louisiana	Barksdale Air Force Base	$14,600,000
Maryland	Andrews Air Force Base	$77,648,000
Mississippi	Columbus Air Force Base	$8,100,000
	Keesler Air Force Base	$6,600,000
Missouri	Whiteman Air Force Base	$4,200,000
Montana	Malmstrom Air Force Base	$10,000,000
Nevada	Creech Air Force Base	$48,500,000
	Nellis Air Force Base	$63,100,000
New Jersey	McGuire Air Force Base	$7,200,000
New Mexico	Holloman Air Force Base	$25,450,000
North Carolina	Seymour Johnson Air Force Base	$12,200,000
North Dakota	Grand Forks Air Force Base	$13,000,000
Ohio	Wright Patterson Air Force Base	$14,000,000
Oklahoma	Altus Air Force Base	10,200,000
	Tinker Air Force Base	$54,000,000
South Carolina	Charleston Air Force Base	$4,500,000
	Shaw Air Force Base	$9,900,000
South Dakota	Ellsworth Air Force Base	$11,000,000
Texas	Dyess Air Force Base	$21,000,000
	Fort Hood	$10,800,000
	Lackland Air Force Base	$75,515,000
Utah	Hill Air Force Base	$41,400,000
Washington	McChord Air Force Base	$5,500,000
Wyoming	Francis E. Warren Air Force Base	$8,600,000

(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 Airfield	$57,200,000
Guam	Andersen Air Force Base	$10,600,000
Kyrgyzstan	Manas Air Base	$6,000,000
United Kingdom	Royal Air Force Lakenheath	$7,400,000

(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2304(3), 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: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Unspecified	Unspecified Worldwide Locations	$38,391,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(6)(A), the Secretary of the Air Force 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:

Air Force: Family Housing

Country	Installation or Location	Purpose	Amount
United Kingdom	Royal Air Force Lakenheath.	182 Units	$71,828,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(6)(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 $7,708,000.

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(6)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $316,343,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,108,090,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $889,719,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $81,200,000.

(3) For the military construction projects at unspecified worldwide locations authorized by section 2301(c), $38,391,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $15,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $93,436,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $395,879,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $594,465,000.

SEC. 2305. 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 tables in subsection (b), as provided in section 2302 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, 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
		Purchase Build/Lease Housing (300 units)	$18,144,000
California	Edwards Air Force Base	Replace Family Housing (226 units)	$59,699,000
Florida	MacDill Air Force Base	Replace Family Housing (109 units)	$40,982,000
Missouri	Whiteman Air Force Base	Replace Family Housing (111 units)	$26,917,000
North Carolina	Seymour Johnson Air Force Base	Replace Family Housing (255 units)	$48,868,000
North Dakota	Grand Forks Air Force Base	Replace Family Housing (150 units)	$43,353,000

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2005 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2116), authorizations set forth in the table in subsection (b), as provided in sections 2301 and 2302 of that Act and extended by section 2307 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 519), shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2005 Project Authorizations

State/Country	Installation or Location	Project	Amount
Arizona	Davis-Monthan Air Force Base	Replace Family Housing (250 units)	$48,500,000
California	Vandenberg Air Force Base	Replace Family Housing (120 units)	$30,906,000

Air Force: Extension of 2005 Project Authorizations—Continued

State/Country	Installation or Location	Project	Amount
Florida	MacDill Air Force Base	Construct Housing Maintenance Facility	$1,250,000
Missouri	Whiteman Air Force Base	Replace Family Housing (160 units)	$37,087,000
North Carolina	Seymour Johnson Air Force Base	Replace Family Housing (167 units)	$32,693,000
Germany	Ramstein Air Base	USAFE Theater Aerospace Operations Support Center	$24,204,000

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Modification of authority to carry out certain fiscal year 2007 project.
Sec. 2405. Modification of authority to carry out certain fiscal year 2005 projects.
Sec. 2406. Extension of authorization of certain fiscal year 2006 project.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorized chemical demilitarization program construction and land acquisition projects.
Sec. 2412. Authorization of appropriations, chemical demilitarization construction, defense-wide.
Sec. 2413. Modification of authority to carry out certain fiscal year 1997 project.
Sec. 2414. Modification of authority to carry out certain fiscal year 2000 project.

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 2403(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
Kentucky	Fort Campbell	$21,400,000
North Carolina	Fort Bragg	$78,471,000

Defense Intelligence Agency

State	Installation or Location	Amount
Illinois	Scott Air Force Base	$13,977,000

Defense Logistics Agency

State	Installation or Location	Amount
California	Defense Distribution Depot, Tracy	$50,300,000
Delaware	Defense Fuel Supply Center, Dover Air Force Base.	$3,373,000
Florida	Defense Fuel Support Point, Jacksonville	$34,000,000
Georgia	Hunter Army Air Field	$3,500,000
Hawaii	Pearl Harbor	$27,700,000
New Mexico	Kirtland Air Force Base	$14,400,000
Oklahoma	Altus Air Force Base	$2,850,000
Pennsylvania	Philadelphia	$1,200,000
Utah	Hill Air Force Base	$20,400,000
Virginia	Craney Island	$39,900,000

National Security Agency

State	Installation or Location	Amount
Maryland	Fort Meade	$31,000,000

Special Operations Command

State	Installation or Location	Amount
California	Naval Amphibious Base, Coronado	$9,800,000
Florida	Eglin Air Force Base	$40,000,00
	Hurlburt Field	$8,900,000
	MacDill Air Force Base	$10,500,000
Kentucky	Fort Campbell	$15,000,000
New Mexico	Cannon Air Force Base	$26,400,000
North Carolina	Fort Bragg	$38,250,000
Virginia	Fort Story	$11,600,000
Washington	Fort Lewis	$38,000,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Fort Richardson	$6,300,000
Colorado	Buckley Air Force Base	$3,000,000
Georgia	Fort Benning	$3,900,000
Kentucky	Fort Campbell	$24,000,000
Maryland	Aberdeen Proving Ground	$430,000,000
Missouri	Fort Leonard Wood	$22,000,000
Oklahoma	Tinker Air Force Base	$65,000,000
Texas	Fort Sam Houston	$13,000,000

Washington Headquarters Services

State	Installation or Location	Amount
Virginia	Pentagon Reservation	$38,940,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(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 Logistics Agency

Country	Installation or Location	Amount
Germany	Germersheim	$48,000,000
Greece	Souda Bay	$8,000,000

Missile Defense Command

Country	Installation or Location	Amount
Czech Republic	Various Locations	$176,100,000
Poland	Various Locations	$661,380,000

Special Operations Command

Country	Installation or Location	Amount
Qatar	Al Udeid	$9,200,000

TRICARE Management Activity

Country	Installation or Location	Amount
Guam	Naval Activities	$30,000,000

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(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 $90,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, 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 $1,639,050,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $740,811,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $246,360,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $28,853,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $5,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $133,225,000.

(6) For energy conservation projects authorized by section 2402 of this Act, $90,000,000.

(7) For support of military family housing, including functions described in section 2833 of title 10, United States Code, and 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), $54,581,000.

(8) For the construction of increment 4 of the regional security operations center at Augusta, Georgia, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3497), as amended by section 7016 of the Emergency Supplemental Appropriation Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 485), $100,220,000.

(9) For the construction of increment 2 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), $209,000,000.

(10) For the construction of increment 2 of the special operations forces operational 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), $31,000,000.

(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 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) $402,000,000 (the balance of the amount authorized for the TRICARE Management Activity under section 2401(a) for the construction of the United States Army Medical Research Institute of Infectious Diseases at Aberdeen Proving Ground, Maryland).

(3) $618,780,000 (the balance of the amount authorized for the Missile Defense Command under section 2401(b) for the construction of the Ballistic Missile Defense, European Interceptor Site).

(4) $67,540,000 (the balance of the amount authorized for the Missile Defense Command under section 2401(b) for the construction of the Ballistic Missile Defense, European Mid-Course Radar Site).

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2007 PROJECT.

(a) MODIFICATION.—The table relating to the TRICARE Management Activity in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457) is amended in the item relating to Fort Detrick, Maryland, by striking "$550,000,000" in the amount column and inserting "$683,000,000".

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of that Act (120 Stat. 2461) is amended by striking "$521,000,000" and inserting "$654,000,000".

SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2005 PROJECTS.

(a) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2112) is amended—

(1) by striking the item relating to Defense Fuel Support Point, Naval Air Station, Oceana, Virginia; and

(2) by striking the amount identified as the total in the amount column and inserting "$485,193,000".

(b) CONFORMING AMENDMENTS.—Section 2404(a) of that Act (118 Stat. 2113) is amended—

(1) in the matter preceding paragraph (1), by striking "$1,055,663,000" and inserting "$1,052,074,000"; and

(2) in paragraph (1), by striking "$411,782,000" and inserting "$408,193,000".

SEC. 2406. EXTENSION OF AUTHORIZATION 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), authorizations set forth in the tables in subsection (b), as provided in section 2401 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Logistics Agency: Extension of 2006 Project Authorization

Installation or Location	Project	Amount
Defense Logistics Agency.	Defense Distribution Depot Susquehanna, New Cumberland, Pennsylvania.	$6,500,000

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZED CHEMICAL DEMILITARIZATION PROGRAM CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2412(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 table:

Chemical Demilitarization Program: Inside the United States

Army	Installation or Location	Amount
Army	Blue Grass Army Depot, Kentucky	$12,000,000

SEC. 2412. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction and land acquisition for chemical demilitarization in the total amount of $144,278,000, as follows:

(1) For military construction projects inside the United States authorized by section 2411(a), $12,000,000.

(2) For the construction of phase 10 of a 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) and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), $65,060,000.

(3) For the construction of phase 9 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) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), $67,218,000.

SEC. 2413. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

(a) MODIFICATIONS.—The table in 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) and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2699), is amended—

(1) under the agency heading relating to the Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking "$261,000,000" in the amount column and inserting "$484,000,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$830,454,000".

(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking "$261,000,000" and inserting "$484,000,000".

SEC. 2414. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECT.

(a) MODIFICATIONS.—The table in 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) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), is amended—

(1) under the agency heading relating to Chemical Demilitarization, in the item relating to Blue Grass Army Depot,

Kentucky, by striking "$290,325,000" in the amount column and inserting "$492,000,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$949,920,000".

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), 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) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), is further amended by striking "$267,525,000" and inserting "$469,200,000".

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, 2008, 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 $230,867,000.

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. Modification of authority to carry out certain fiscal year 2008 project.
Sec. 2608. Extension of authorizations of certain fiscal year 2006 projects.
Sec. 2609. Extension of Authorization of certain fiscal year 2005 project.

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(A), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alabama	Fort McClellan	$3,000,000
Alaska	Bethel Armory	$16,000,000
Arizona	Camp Navajo	$13,000,000
	Florence	$13,800,000
	Papago Military Reservation	$24,000,000
Arkansas	Cabot	$10,868,000
Colorado	Denver	$9,000,000
	Grand Junction	$9,000,000
Connecticut	Camp Rell	$28,000,000
	East Haven	$13,800,000
Delaware	New Castle	$28,000,000
Florida	Camp Blanding	$33,307,000
Georgia	Dobbins Air Reserve Base	$45,000,000
Idaho	Orchard Training Area	$1,850,000
Illinois	Urbana Armory	$16,186,000
Indiana	Camp Atterbury	$5,800,000
	Lawrence	$21,000,000
	Muscatatuck	$6,000,000
Iowa	Camp Dodge	$1,500,000
	Davenport	$1,550,000
	Mount Pleasant	$1,500,000
Kentucky	London	$7,191,000
Maine	Bangor	$20,000,000
Maryland	Edgewood	$28,000,000
	Salisbury	$9,800,000
Massachusetts	Methuen	$21,000,000
Michigan	Camp Grayling	$22,943,000
Minnesota	Arden Hills	$15,000,000
Nevada	Elko	$11,375,000
New York	Fort Drum	$11,000,000
	Queensbury	$5,900,000
Ohio	Camp Perry	$2,000,000
	Ravenna	$2,000,000
Pennsylvania	Honesdale	$6,117,000
Rhode Island	North Kingstown	$5,000,000
South Carolina	Anderson	$12,000,000
	Beaufort	$3,400,000
	Eastover	$28,000,000
	Hemingway	$4,600,000
South Dakota	Camp Rapid	$14,463,000
	Rapid City	$29,000,000
Tennessee	Tullahoma	$10,372,000
Utah	Camp Williams	$17,500,000
Vermont	Ethan Allen Firing Range	$10,200,000
Virginia	Arlington	$15,500,000
	Fort Pickett	$2,950,000
Washington	Fort Lewis (Gray Army Airfield)	$32,000,000
West Virginia	Camp Dawson	$9,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(B), the Secretary of the Army may acquire real property and carry out military construction projects

for the Army Reserve locations, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	$3,950,000
Hawaii	Fort Shafter	$19,199,000
Idaho	Hayden Lake	$9,580,000
Kansas	Dodge City	$8,100,000
Maryland	Baltimore	$11,600,000
Massachusetts	Fort Devens	$1,900,000
Michigan	Saginaw	$11,500,000
Missouri	Weldon Springs	$11,700,000
Nevada	Las Vegas	$33,900,000
New Jersey	Fort Dix	$3,825,000
New York	Kingston	$13,494,000
	Shoreham	$15,031,000
	Staten Island	$18,550,000
North Carolina	Raleigh	$25,581,000
Pennsylvania	Letterkenny Army Depot	$14,914,000
Tennessee	Chattanooga	$10,600,000
Texas	Sinton	$9,700,000
Washington	Seattle	$37,500,000
Wisconsin	Fort McCoy	$4,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(2), 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
California	Lemoore	$15,420,000
Delaware	Wilmington	$11,530,000
Georgia	Marietta	$7,560,000
Virginia	Norfolk	$8,170,000
	Williamsburg	$12,320,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3)(A), 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
Arkansas	Little Rock Air Force Base	$4,000,000
Colorado	Buckley Air Force Base	$4,200,000
Connecticut	Bradley International Airport	$7,200,000
Delaware	New Castle County Airport	$14,800,000
Georgia	Savannah Combat Readiness Training Center	$7,500,000
Indiana	Fort Wayne International Airport	$5,600,000

Air National Guard—Continued

State	Location	Amount
Iowa	Fort Dodge	$5,600,000
Kansas	Smoky Hill Air National Guard Range	$7,100,000
Maryland	Martin State Airport	$7,900,000
Massachusetts	Otis Air National Guard Base	$14,300,000
Minnesota	Duluth 148th Fighter Wing Base	$4,500,000
	Minneapolis-St. Paul	$1,500,000
Mississippi	Gulfport-Biloxi International Airport	$3,400,000
New Jersey	Atlantic City International Airport	$8,400,000
New York	Gabreski Airport, Westhampton	$7,500,000
	Hancock Field	$10,400,000
Ohio	Springfield Air National Guard Base	$12,800,000
Rhode Island	Quonset State Airport	$7,700,000
South Dakota	Joe Foss Field	$4,500,000
Tennessee	Knoxville	$8,000,000
Texas	Ellington Field	$7,600,000
	Fort Worth Naval Air Station Joint Reserve Base.	$5,000,000
Vermont	Burlington International Airport	$6,600,000
Washington	McChord Air Force Base	$8,600,000
West Virginia	Yeager Airport, Charleston	$27,000,000
Wisconsin	Truax Field	$6,300,000
Wyoming	Cheyenne Municipal Airport	$7,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3)(B), 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
Georgia	Dobbins Air Reserve Base	$6,450,000
Oklahoma	Tinker Air Force Base	$9,900,000
New York	Niagara Falls Air Reserve Station	$9,000,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, 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—

(A) for the Army National Guard of the United States, $736,317,000; and

(B) for the Army Reserve, $282,607,000.

(2) For the Department of the Navy, for the Navy and Marine Corps Reserve, $57,045,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $242,924,000; and

(B) for the Air Force Reserve, $36,958,000.

SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2008 PROJECT.

The table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 527) is amended in the item relating to North Kingstown, Rhode Island, by striking "$33,000,000" in the amount column and inserting "$38,000,000".

SEC. 2608. 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), 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, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Roberts	Urban Assault Course	$1,485,000
Idaho	Gowen Field	Railhead, Phase 1	$8,331,000
Mississippi	Biloxi	Readiness Center	$16,987,000
	Camp Shelby	Modified Record Fire Range.	$2,970,000
Montana	Townsend	Automated Qualification Training Range.	$2,532,000
Pennsylvania	Philadelphia	Stryker Brigade Combat Team Readiness Center.	$11,806,000
		Organizational Maintenance Shop #7.	$6,144,930

SEC. 2609. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2005 PROJECT.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2116), the authorization set forth in the table in subsection (b), as provided in section 2601 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2005 Project Authorization

State	Installation or Location	Project	Amount
California	Dublin	Readiness Center, Add/Alt (ADRS).	$11,318,000

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—Amendments to Base Closure and Related Laws

Sec. 2711. Modification of annual base closure and realignment reporting requirements.
Sec. 2712. Technical corrections regarding authorized cost and scope of work variations for military construction and military family housing projects related to base closures and realignments.

Subtitle C—Other Matters

Sec. 2721. Independent design review of National Naval Medical Center and military hospital at Fort Belvoir.
Sec. 2722. Report on use of BRAC properties as sites for refineries or nuclear power plants.

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, 2008, 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 $458,377,000, as follows:

(1) For the Department of the Army, $87,855,000.
(2) For the Department of the Navy, $228,700,000.
(3) For the Department of the Air Force, $139,155,000.
(4) For the Defense Agencies, $2,667,000.

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 $6,982,334,000.

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, 2008, 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 $9,065,386,000, as follows:

(1) For the Department of the Army, $4,486,178,000.

(2) For the Department of the Navy, $871,492,000.

(3) For the Department of the Air Force, $1,072,925,000.

(4) For the Defense Agencies, $2,634,791,000.

Subtitle B—Amendments to Base Closure and Related Laws

SEC. 2711. MODIFICATION OF ANNUAL BASE CLOSURE AND REALIGNMENT REPORTING REQUIREMENTS.

(a) TERMINATION OF REPORTING REQUIREMENTS AFTER FISCAL YEAR 2014.—Section 2907 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) by striking "As part of the budget request for fiscal year 2007 and for each fiscal year thereafter" and inserting "(a) REPORTING REQUIREMENT.—As part of the budget request for fiscal year 2007 and for each fiscal year thereafter through fiscal year 2016"; and

(2) by adding at the end the following new subsection:

"(b) TERMINATION OF REPORTING REQUIREMENTS RELATED TO REALIGNMENT ACTIONS.—The reporting requirements under subsection (a) shall terminate with respect to realignment actions after the report submitted with the budget for fiscal year 2014.".

(b) EXCLUSION OF DESCRIPTIONS OF REALIGNMENT ACTIONS.—Subsection (a) of such section, as designated and amended by subsection (a)(1) of this section, is further amended—

(1) in paragraph (1), by striking "and realignment" both places it appears;

(2) in paragraph (2), by striking "and realignments"; and

(3) in paragraphs (3), (4), (5), (6), and (7), by striking "or realignment" each place it appears.

SEC. 2712. TECHNICAL CORRECTIONS REGARDING AUTHORIZED COST AND SCOPE OF WORK VARIATIONS FOR MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING PROJECTS RELATED TO BASE CLOSURES AND REALIGNMENTS.

(a) CORRECTION OF CITATION IN AMENDATORY LANGUAGE.—

(1) IN GENERAL.—Section 2704(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 532) is amended—

(A) in subsection (a), by striking "Section 2905A" and inserting "Section 2906A"; and

(B) in subsection (b), by striking "section 2905A" and inserting "section 2906A".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 28, 2008, as if included in the enactment of section 2704 of the Military Construction Authorization Act for Fiscal Year 2008.

(b) CORRECTION OF SCOPE OR WORK VARIATION LIMITATION.—Subsection (f) of section 2906A 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), as added by section 2704(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 532) and amended by subsection (a), is amended by striking "20 percent or $2,000,000, whichever is greater" and inserting "20 percent or $2,000,000, whichever is less".

Subtitle C—Other Matters

SEC. 2721. INDEPENDENT DESIGN REVIEW OF NATIONAL NAVAL MEDICAL CENTER AND MILITARY HOSPITAL AT FORT BELVOIR.

(a) FINDINGS.—Congress makes the following findings:

(1) Military personnel and their families, as well as veterans and retired military personnel living in the National Capital region, deserve to be treated in world class medical facilities.

(2) World class medical facilities are defined as incorporating the best practices of the premier private health facilities in the country as well as the collaborative input of military health care professionals into a design that supports the unique needs of military personnel and their families.

(3) The closure of the Walter Reed Army Medical Center in Washington, D.C., and the resulting construction of the National Military Medical Center at the National Naval Medical Center, Bethesda, Maryland, and a new military hospital at Fort Belvoir, Virginia, offer the Department of Defense the opportunity to provide state-of-the-art and world-class medical facilities offering the highest quality of joint service care for members of the Armed Forces and their families.

(4) Congress has supported a Department of Defense request to expedite the construction of the new facilities at Bethesda and Fort Belvoir in order to provide care in better facilities as quickly as possible.

(5) The Department of Defense has a responsibility to ensure that the expedited design and construction of such facilities do not result in degradation of the quality standards required for world class facilities.

(b) INDEPENDENT DESIGN REVIEW.—

(1) ESTABLISHMENT OF DESIGN REVIEW PANEL.—The Secretary of Defense shall establish a panel consisting of medical facility design experts, military healthcare professionals, representatives of premier health care facilities in the United States, and patient representatives—

(A) to review design plans for the National Military Medical Center and the new military hospital at Fort Belvoir; and

(B) to advise the Secretary regarding whether the design, in the view of the panel, will achieve the goal of providing world-class medical facilities; and

(2) RECOMMENDATIONS FOR CHANGES TO DESIGN PLAN.—If the panel determines that the design plans will not meet such goal, the panel shall make recommendations for changes to those plans to ensure the construction of world-class medical facilities.

(3) REPORT.—Not later than 90 days after the date of the enactment of this Act, the panel shall submit to the Secretary of Defense a report on the findings and recommendations of the panel to address any deficiencies in the conceptual design plans.

(4) ASSESSMENT OF RECOMMENDATIONS.—Not later than 30 days after submission of the report under paragraph (3), the Secretary of Defense shall submit to the congressional defense committees a report including—

(A) an assessment by the Secretary of the findings and recommendations of the panel; and

(B) the plans of the Secretary for addressing such findings and recommendations.

(c) COST ESTIMATE.—

(1) PREPARATION.—The Department of Defense shall prepare a cost estimate of the total cost to be incurred by the United States to close Walter Reed Army Medical Center, design and construct replacement facilities at the National Naval Medical Center and Fort Belvoir, and relocate operations to the replacement facilities.

(2) SUBMISSION.—The Secretary of Defense shall submit the resulting cost estimate to the congressional defense committees as soon as possible, but in no case later than 120 days after the date of the enactment of this Act.

(d) MILESTONE SCHEDULE.—

(1) PREPARATION.—The Secretary of Defense shall prepare a complete milestone schedule for the closure of Walter Reed Army Medical Center, the design and construction of replacement facilities at the National Naval Medical Center and Fort Belvoir, and the relocation of operations to the replacement facilities. The schedule shall include a detailed plan regarding how the Department of Defense will carry out the transition of operations between Walter Reed Army Medical Center and the replacement facilities.

(2) SUBMISSION.—The Secretary of Defense shall submit the resulting milestone schedule and transition plan to the congressional defense committees as soon as possible, but in no case later than 45 days after the date of the enactment of this Act.

SEC. 2722. REPORT ON USE OF BRAC PROPERTIES AS SITES FOR REFINERIES OR NUCLEAR POWER PLANTS.

Not later than October 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report evaluating

the feasibility of using military installations selected for closure under the base closure and realignment process as locations for the construction of petroleum or natural gas refineries or nuclear power plants.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Incorporation of principles of sustainable design in documents submitted as part of proposed military construction projects.
Sec. 2802. Revision of maximum lease amount applicable to certain domestic Army family housing leases to reflect previously made annual adjustments in amount.
Sec. 2803. Use of military family housing constructed under build and lease authority to house members without dependents.
Sec. 2804. Leasing of military family housing to Secretary of Defense.
Sec. 2805. Improved oversight and accountability for military housing privatization initiative projects.
Sec. 2806. Authority to use operation and maintenance funds for construction projects inside the United States Central Command and United States Africa Command areas of responsibility.
Sec. 2807. Cost-benefit analysis of dissolution of Patrick Family Housing LLC.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Clarification of congressional reporting requirements for certain real property transactions.
Sec. 2812. Authority to lease non-excess property of military departments and Defense Agencies.
Sec. 2813. Modification of utility system conveyance authority.
Sec. 2814. Defense access roads.
Sec. 2815. Report on application of force protection and anti-terrorism standards to gates and entry points on military installations.

Subtitle C—Provisions Related to Guam Realignment

Sec. 2821. Sense of Congress regarding military housing and utilities related to Guam realignment.
Sec. 2822. Federal assistance to Guam.
Sec. 2823. Eligibility of the Commonwealth of the Northern Mariana Islands for military base reuse studies and community planning assistance.
Sec. 2824. Support for realignment of military installations and relocation of military personnel on Guam.

Subtitle D—Energy Security

Sec. 2831. Certification of enhanced use leases for energy-related projects.
Sec. 2832. Annual report on Department of Defense installations energy management.

Subtitle E—Land Conveyances

Sec. 2841. Land conveyance, former Naval Air Station, Alameda, California.
Sec. 2842. Transfer of administrative jurisdiction, decommissioned Naval Security Group Activity, Skaggs Island, California.
Sec. 2843. Transfer of proceeds from property conveyance, Marine Corps Logistics Base, Albany, Georgia.
Sec. 2844. Land conveyance, Sergeant First Class M.L. Downs Army Reserve Center, Springfield, Ohio.
Sec. 2845. Land conveyance, John Sevier Range, Knox County, Tennessee.
Sec. 2846. Land conveyance, Army property, Camp Williams, Utah.
Sec. 2847. Extension of Potomac Heritage National Scenic Trail through Fort Belvoir, Virginia.

Subtitle F—Other Matters

Sec. 2851. Revised deadline for transfer of Arlington Naval Annex to Arlington National Cemetery.
Sec. 2852. Acceptance and use of gifts for construction of additional building at National Museum of the United States Air Force, Wright-Patterson Air Force Base.
Sec. 2853. Lease involving pier on Ford Island, Pearl Harbor Naval Base, Hawaii.
Sec. 2854. Use of runway at NASJRB Willow Grove, Pennsylvania.
Sec. 2855. Naming of health facility, Fort Rucker, Alabama.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. INCORPORATION OF PRINCIPLES OF SUSTAINABLE DESIGN IN DOCUMENTS SUBMITTED AS PART OF PROPOSED MILITARY CONSTRUCTION PROJECTS.

(a) DEFINITION OF LIFE-CYCLE COST-EFFECTIVE.—Subsection (c) of section 2801 of title 10, United States Code, is amended—

(1) by transferring paragraph (4) to appear as the first paragraph in the subsection and redesignating such paragraph as paragraph (1);

(2) by redesignating the subsequent three paragraphs as paragraphs (2), (4), and (5), respectively; and

(3) by inserting after paragraph (2), as so redesignated, the following new paragraph:

"(3) The term 'life-cycle cost-effective', with respect to a project, product, or measure, means that the sum of the present values of investment costs, capital costs, installation costs, energy costs, operating costs, maintenance costs, and replacement costs, as estimated for the lifetime of the project, product, or measure, does not exceed the base case (current or standard) for the practice, product, or measure.".

(b) INCLUSION.—Section 2802 of such title is amended by adding at the end the following new subsection:

"(c) In determining the scope of a proposed military construction project, the Secretary concerned shall submit to the President such recommendations as the Secretary considers to be appropriate regarding the incorporation and inclusion of life-cycle cost-effective practices as an element in the project documents submitted to Congress in connection with the budget submitted pursuant to section 1105 of title 31 for the fiscal year in which a contract is proposed to be awarded for the project.".

SEC. 2802. REVISION OF MAXIMUM LEASE AMOUNT APPLICABLE TO CERTAIN DOMESTIC ARMY FAMILY HOUSING LEASES TO REFLECT PREVIOUSLY MADE ANNUAL ADJUSTMENTS IN AMOUNT.

Section 2828(b)(7)(A) of title 10, United States Code, is amended by striking "$18,620 per unit" and inserting "$35,000 per unit".

SEC. 2803. USE OF MILITARY FAMILY HOUSING CONSTRUCTED UNDER BUILD AND LEASE AUTHORITY TO HOUSE MEMBERS WITHOUT DEPENDENTS.

(a) IN GENERAL.—Subchapter II of chapter 169 of title 10, United States Code, is amended by inserting after section 2835 the following new section:

"§ 2835a. Use of military family housing constructed under build and lease authority to house other members

"(a) INDIVIDUAL ASSIGNMENT OF MEMBERS WITHOUT DEPENDENTS.—(1) To the extent that the Secretary concerned determines that military family housing constructed and leased under section 2835 of this title is not needed to house members of the armed forces eligible for assignment to military family housing, the Secretary may assign, without rental charge, members without dependents to the housing.

"(2) A member without dependents who is assigned to housing pursuant to paragraph (1) shall be considered to be assigned to quarters pursuant to section 403(e) of title 37.

"(b) CONVERSION TO LONG-TERM LEASING OF MILITARY UNACCOMPANIED HOUSING.—(1) If the Secretary concerned determines that military family housing constructed and leased under section 2835 of this title is excess to the long-term needs of the family housing program of the Secretary, the Secretary may convert the lease contract entered into under subsection (a) of such section into a long-term lease of military unaccompanied housing.

"(2) The term of the lease contract for military unaccompanied housing converted from military family housing under paragraph (1) may not exceed the remaining term of the lease contract for the family housing so converted.

"(c) NOTICE AND WAIT REQUIREMENTS.—(1) The Secretary concerned may not convert military family housing to military unaccompanied housing under subsection (b) until—

"(A) the Secretary submits to the congressional defense committees a notice of the intent to undertake the conversion; and

"(B) a period of 21 days has expired following the date on which the notice is received by the committees or, if earlier, a period of 14 days has expired following the date on which a copy of the notice is provided in an electronic medium pursuant to section 480 of this title.

"(2) The notice required by paragraph (1) shall include—

"(A) an explanation of the reasons for the conversion of the military family housing to military unaccompanied housing;

"(B) a description of the long-term lease to be converted;

"(C) amounts to be paid under the lease; and

"(D) the expiration date of the lease.

"(d) APPLICATION TO HOUSING LEASED UNDER FORMER AUTHORITY.—This section also shall apply to housing initially acquired or constructed under the former section 2828(g) of this title (commonly known as the 'Build to Lease program'), as added by section 801 of the Military Construction Authorization Act, 1984 (Public Law 98–115; 97 Stat 782).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2835 the following new item:

"2835a. Use of military family housing constructed under build and lease authority to house other members.".

SEC. 2804. LEASING OF MILITARY FAMILY HOUSING TO SECRETARY OF DEFENSE.

(a) LEASING OF HOUSING.—Subchapter II of chapter 169 of title 10, United States Code, is amended by inserting after section 2837 the following new section:

"§ 2838. Leasing of military family housing to Secretary of Defense

"(a) AUTHORITY.—(1) The Secretary of a military department may lease to the Secretary of Defense military family housing in the National Capital Region (as defined in section 2674(f) of this title).

"(2) In determining the military housing unit to lease under this section, the Secretary of Defense should first consider any available military housing units that are already substantially equipped for executive communications and security.

"(b) RENTAL RATE.—A lease under subsection (a) shall provide for the payment by the Secretary of Defense of consideration in an amount equal to 105 percent of the monthly rate of basic allowance for housing prescribed under section 403(b) of title 37 for a member of the uniformed services in the pay grade of O–10 with dependents assigned to duty at the military installation on which the leased housing unit is located. A rate so established shall be considered the fair market value of the lease interest.

"(c) TREATMENT OF PROCEEDS.—(1) The Secretary of a military department shall deposit all amounts received pursuant to leases entered into by the Secretary under this section into a special account in the Treasury established for such military department.

"(2) The proceeds deposited into the special account of a military department pursuant to paragraph (1) shall be available to the Secretary of that military department, without further appropriation, for the maintenance, protection, alteration, repair, improvement, or restoration of military housing on the military installation at which the housing leased pursuant to subsection (a) is located.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2838. Leasing of military family housing to Secretary of Defense.".

SEC. 2805. IMPROVED OVERSIGHT AND ACCOUNTABILITY FOR MILITARY HOUSING PRIVATIZATION INITIATIVE PROJECTS.

(a) OVERSIGHT AND ACCOUNTABILITY.—

(1) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2885. Oversight and accountability for privatization projects

"(a) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Each Secretary concerned shall prescribe regulations to effectively oversee and manage military housing privatization projects carried out under this subchapter. The regulations shall include the following requirements for each privatization project:

"(1) The installation asset manager shall conduct monthly site visits and provide quarterly reports on the progress of the construction or renovation of the housing units. The reports

shall be submitted quarterly to the assistant secretary for installations and environment of the respective military department.

"(2) The installation asset manager, and, as applicable, the resident construction manager, privatization asset manager, bondholder representative, project owner, developer, general contractor, and construction consultant for the project shall conduct meetings to ensure that the construction or renovation of the units meets performance and schedule requirements and that appropriate operating and ground lease agreements are in place and adhered to.

"(3) If a project is 90 days or more behind schedule or otherwise appears to be substantially failing to adhere to the obligations or milestones under the contract, the assistant secretary for installations and environment of the respective military department shall submit a notice of deficiency to the Deputy Under Secretary of Defense (Installations and Environment), the Secretary concerned, the managing member, and the trustee for the project.

"(4)(A) Not later than 15 days after the submittal of a notice of deficiency under paragraph (3), the Secretary concerned or designated representative shall submit to the project owner, developer, or general contractor responsible for the project a summary of deficiencies related to the project.

"(B) If the project owner, developer, or general contractor responsible for the privatization project is unable, within 60 days after receiving a notice of deficiency under subparagraph (A), to make progress on the issues outlined in such notice, the Secretary concerned shall notify the congressional defense committees of the status of the project, and shall provide a recommended course of action to correct the problems.

"(b) REQUIRED QUALIFICATIONS.—The Secretary concerned or designated representative shall ensure that the project owner, developer, or general contractor that is selected for each military housing privatization initiative project has construction experience commensurate with that required to complete the project.

"(c) BONDING LEVELS.—The Secretary concerned shall ensure that the project owner, developer, or general contractor responsible for a military housing privatization initiative project has sufficient payment and performance bonds or suitable instruments in place for each phase of a construction or renovation portion of the project to ensure successful completion of the work in amounts as agreed to in the project's legal documents, but in no case less than 50 percent of the total value of the active phases of the project, prior to the commencement of work for that phase.

"(d) REPORTING OF EFFORTS TO SELECT SUCCESSOR IN EVENT OF DEFAULT.—In the event a military housing privatization initiative project enters into default, the assistant secretary for installations and environment of the respective military department shall submit a report to the congressional defense committees every 90 days detailing the status of negotiations to award the project to a new project owner, developer, or general contractor.

"(e) EFFECT OF NOTICES OF DEFICIENCY ON CONTRACTORS AND AFFILIATED ENTITIES.—(1) The Secretary concerned shall keep a

record of all plans of action or notices of deficiency issued to a project owner, developer, or general contractor under subsection (a)(4), including the identity of each parent, subsidiary, affiliate, or other controlling entity of such owner, developer, or contractor.

"(2) Each military department shall consult all records maintained under paragraph (1) when reviewing the past performance of owners, developers, and contractors in the bidding process for a contract or other agreement for a military housing privatization initiative project.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2885. Oversight and accountability for privatization projects.".

(b) REPORT FOR IDENTIFYING AND COMMUNICATING BEST PRACTICES FOR TRANSACTIONS.—Section 2884(b) of such title is amended by adding at the end the following new paragraph:

"(7) A report on best practices for the execution of housing privatization initiatives, including—

"(A) effective means to track and verify proper performance, schedule, and cash flow;

"(B) means of overseeing the actions of bondholders to properly monitor construction progress and construction draws;

"(C) effective structuring of transactions to ensure the United States Government has adequate abilities to oversee project owner performance;

"(D) ensuring that notices to proceed on new work are not issued until proper bonding is in place; and

"(E) such other topics that are identified as pertinent by the Department of Defense.".

(c) PARTNERSHIP WITH ELIGIBLE ENTITY REQUIRED.—Section 2871(5) of title 10, United States Code, is amended by inserting before the period at the end the following: "that is prepared to enter into a contract as a partner with the Secretary concerned for the construction of military housing units and ancillary supporting facilities".

(d) COMPETITIVE PROCESS FOR CONVEYANCE OR LEASE OF PROPERTY.—Section 2878 of such title is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e); respectively; and

(2) by inserting after subsection (b) the following new subsection:

"(c) COMPETITIVE PROCESS.—The Secretary concerned shall ensure that the time, method, and terms and conditions of the reconveyance or lease of property or facilities under this section from the eligible entity permit full and free competition consistent with the value and nature of the property or facilities involved.".

(e) TREATMENT OF ACQUIRED OR CONSTRUCTED HOUSING UNITS.—

(1) REPEAL OF SEPARATE ASSIGNMENT AUTHORITY.—Section 2882 of such title is amended to read as follows:

"§ 2882. Effect of assignment of members to housing units acquired or constructed under alternative authority

"(a) TREATMENT AS QUARTERS OF THE UNITED STATES.—Except as provided in subsection (b), housing units acquired or constructed under this subchapter shall be considered as quarters of the United States or a housing facility under the jurisdiction of a uniformed service for purposes of section 403 of title 37.

"(b) AVAILABILITY OF BASIC ALLOWANCE FOR HOUSING.—A member of the armed forces who is assigned to a housing unit acquired or constructed under this subchapter that is not owned or leased by the United States shall be entitled to a basic allowance for housing under section 403 of title 37.

"(c) LEASE PAYMENTS THROUGH PAY ALLOTMENTS.—The Secretary concerned may require members of the armed forces who lease housing in housing units acquired or constructed under this subchapter to make lease payments for such housing pursuant to allotments of the pay of such members under section 701 of title 37.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2882 and inserting the following new item:

"2882. Effect of assignment of members to housing units acquired or constructed under alternative authority.".

(f) ANNUAL REPORT ON MAINTENANCE AND REPAIR TO PRIVATIZED GENERAL AND FLAG OFFICER QUARTERS.—Section 2884(b) of such title, as amended by subsection (b), is further amended by adding at the end the following new paragraph:

"(8) A report identifying each family housing unit acquired or constructed under this subchapter that is used, or intended to be used, as quarters for a general officer or flag officer and for which the total operation, maintenance, and repair costs for the unit exceeded $50,000. For each housing unit so identified, the report shall also include the total of such operation, maintenance, and repair costs.".

SEC. 2806. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS INSIDE THE UNITED STATES CENTRAL COMMAND AND UNITED STATES AFRICA COMMAND AREAS OF RESPONSIBILITY.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Subsection (a) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2128), section 2809 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3508), section 2802 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2466), and section 2801 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 538), is further amended—

(1) by striking "2008" and inserting "2009"; and

(2) by striking "outside the United States" and inserting "inside the United States Central Command and United States Africa Command areas of responsibility".

(b) EXCEPTION FOR PROJECTS IN AFGHANISTAN FROM LIMITATION ON AUTHORITY RELATED TO LONG-TERM UNITED STATES PRESENCE.—Such subsection, as so amended, is further amended by inserting before the period at the end of paragraph (2) the following: ", unless the military installation is located in Afghanistan, for which projects using this authority may be carried out at installations deemed as supporting a long-term presence".

(c) MODIFICATION OF ANNUAL LIMITATION ON USE OF AUTHORITY.—Subsection (c) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723) is amended to read as follows:

"(c) ANNUAL LIMITATION ON USE OF AUTHORITY.—(1) The total cost of the construction projects carried out under the authority of this section using, in whole or in part, appropriated funds available for operation and maintenance shall not exceed $200,000,000 in a fiscal year.

"(2) If the Secretary of Defense certifies to the congressional defense committees that additional construction in Afghanistan is required to meet urgent military requirements in Afghanistan, up to an additional $300,000,000 in funds available for operation and maintenance may be used in Afghanistan upon completing the prenotification requirements under subsection (b). Under no circumstances shall the total appropriated funds available from operation and maintenance for fiscal year 2009 exceed $500,000,000.".

(d) QUARTERLY REPORTS.—Subsection (d)(1) of such section, as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2128) and section 2809 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3508), is further amended by striking "30 days" and inserting "45 days".

SEC. 2807. COST-BENEFIT ANALYSIS OF DISSOLUTION OF PATRICK FAMILY HOUSING LLC.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a cost-benefit analysis of dissolving Patrick Family Housing LLC without exercising the full range of rights available to the United States Government to recover damages from the partnership.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. CLARIFICATION OF CONGRESSIONAL REPORTING REQUIREMENTS FOR CERTAIN REAL PROPERTY TRANSACTIONS.

Section 2662(c) of title 10, United States Code, is amended by striking "river and harbor projects or flood control projects" and inserting "water resource development projects of the Corps of Engineers".

SEC. 2812. AUTHORITY TO LEASE NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES.

(a) CONSOLIDATION OF SEPARATE AUTHORITIES.—

(1) ESTABLISHMENT OF SINGLE AUTHORITY.—Subsection (a) of section 2667 of title 10, United States Code, is amended to read as follows:

"(a) LEASE AUTHORITY.—Whenever the Secretary concerned considers it advantageous to the United States, the Secretary concerned may lease to such lessee and upon such terms as the Secretary concerned considers will promote the national defense or to be in the public interest, real or personal property that—

"(1) is under the control of the Secretary concerned;

"(2) is not for the time needed for public use; and

"(3) is not excess property, as defined by section 102 of title 40.".

(2) SECRETARY CONCERNED DEFINED.—Subsection (i) of such section is amended by adding at the end the following new paragraph:

"(4) The term 'Secretary concerned' means—

"(A) the Secretary of a military department, with respect to matters concerning that military department; and

"(B) the Secretary of Defense, with respect to matters concerning the Defense Agencies.".

(b) PROHIBITION ON LEASEBACK WITH EXCESSIVE ANNUAL PAYMENTS.—Subsection (b) of such section is amended—

(1) by striking "and" at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(7) may not provide for a leaseback by the Secretary concerned with an annual payment in excess of $500,000.".

(c) IMPROVED CONGRESSIONAL NOTIFICATION REQUIREMENTS.—Paragraph (4) of subsection (c) of such section is amended to read as follows:

"(4)(A) Not later than 30 days before issuing a contract solicitation or other lease offering under this section for a lease whose annual payment, including any in-kind consideration to be accepted under subsection (b)(5) or this subsection, will exceed $750,000, the Secretary concerned shall submit to the congressional defense committees a report containing—

"(i) a description of the proposed lease, including the proposed duration of the lease;

"(ii) a description of the authorities to be used in entering the lease and the intended participation of the United States in the lease, including a justification of the intended method of participation;

"(iii) a statement of the scored cost of the lease, determined using the scoring criteria of the Office of Management and Budget;

"(iv) a determination that the property involved in the lease is not excess property, as required by subsection (a)(3), including the basis for the determination;

"(v) a determination that the proposed lease is directly compatible with the mission of the military installation or Defense

Agency whose property is to be subject to the lease and the anticipated long-term use of the property at the conclusion of the lease; and

"(vi) a description of the requirements or conditions within the contract solicitation or other lease offering for the offeror to address taxation issues, including payments-in-lieu-of taxes, and other development issues related to local municipalities.

"(B) In the case of a lease described in subparagraph (A), the Secretary concerned also shall submit to the congressional defense committees a report at least 30 days before the date on which the Secretary concerned enters into a lease the following information:

"(i) A copy of the report submitted under subparagraph (A).

"(ii) A description of the differences between the report submitted under that subparagraph and the new report.

"(iii) A description of the lessee payment required under this section.".

(d) CONFORMING AMENDMENTS TO REFERENCES TO MILITARY DEPARTMENTS AND INSTALLATIONS.—

(1) COMMUNITY SUPPORT FACILITIES AND COMMUNITY SUPPORT SERVICES.—Subsection (d) of such section is amended—

(A) in paragraph (2), by striking "Secretary of a military department" and inserting "Secretary concerned"; and

(B) in paragraphs (3), (4), and (6), by striking "of the military department" each place it appears.

(2) DEPOSIT AND USE OF PROCEEDS.—Subsection (e) of such section is amended—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i)—

(I) by striking "Secretary of a military department" and inserting "Secretary concerned"; and

(II) by striking "such military department" and inserting "that Secretary"; and

(ii) in clause (iii), by striking "military department" and inserting "Secretary";

(B) in paragraph (1)(B)(i), by striking "Secretary of a military department" and inserting "Secretary concerned";

(C) in paragraph (1)(C), by striking "of a military department pursuant to subparagraph (A) shall be available to the Secretary of that military department" and inserting "established for the Secretary concerned shall be available to the Secretary";

(D) in paragraph (1)(D)—

(i) by striking "of a military department under subparagraph (A)" and inserting "established for the Secretary concerned"; and

(ii) by inserting "or Defense Agency location" after "military installation";

(E) in paragraph (1)(E), by striking "installation" and inserting "military installation or Defense Agency location"; and

(F) in paragraph (3), by striking "Secretary of a military department" and inserting "Secretary concerned".

(3) BASE CLOSURE PROPERTY.—Subsection (g)(1) of such section is amended by striking "Secretary of a military department" and inserting "Secretary concerned".

(e) REPEAL OF SEPARATE DEFENSE AGENCY AUTHORITY.—

(1) REPEAL.—Section 2667a of such title is repealed.

(2) EFFECT ON EXISTING CONTRACTS.—The repeal of section 2667a of title 10, United States Code, shall not affect the validity or terms of any lease with respect to property of a Defense Agency entered into by the Secretary of Defense under such section before the date of the enactment of this Act.

(3) TREATMENT OF MONEY RENTS.—Amounts in any special account established for a Defense Agency pursuant to subsection (d) of section 2667a of title 10, United States Code, before repeal of such section by paragraph (1), and amounts that would be deposited in such an account in connection with a lease referred to in paragraph (2), shall—

(A) remain available until expended for the purposes specified in such subsection, notwithstanding the repeal of such section by paragraph (1); or

(B) to the extent provided in appropriations Acts, be transferred to the special account required for the Secretary of Defense by subsection (e) of section 2667 of such title, as amended by subsection (d)(2) of this section.

(f) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 2667 of such title is amended to read as follows:

"§ 2667. Leases: non-excess property of military departments and Defense Agencies".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 159 of such title is amended by striking the items relating to sections 2667 and 2667a and inserting the following new item:

"2667. Leases: non-excess property of military departments and Defense Agencies.".

SEC. 2813. MODIFICATION OF UTILITY SYSTEM CONVEYANCE AUTHORITY.

Section 2688 of title 10, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

"(j) CONSTRUCTION OF UTILITY INFRASTRUCTURE AFTER CONVEYANCE OF A UTILITY SYSTEM.—(1) Upon conveyance of a utility system, the Secretary of a military department may convey additional utility infrastructure under the jurisdiction of the Secretary on a military installation to a utility or entity to which a utility system for the installation has been conveyed under subsection (a) if the Secretary determines that—

"(A) the additional utility infrastructure was constructed or installed after the date of the conveyance of the utility system;

"(B) the additional utility infrastructure cannot operate without being a part of the conveyed utility system;

"(C) the additional utility infrastructure was planned and coordinated with the entity operating the conveyed utility system; and

"(D) the military department receives as consideration an amount equal to the fair market value of the utility infrastructure determined in the same manner as the consideration the Secretary could require under subsection (c) for a conveyance under subsection (a).

"(2) The conveyance under this paragraph may consist of all right, title, and interest of the United States or such lesser estate as the Secretary considers appropriate to serve the interests of the United States.".

SEC. 2814. DEFENSE ACCESS ROADS.

(a) BASIS FOR TRANSPORTATION NEEDS ASSESSMENT.—Section 210(a) of title 23, United States Code, is amended—

(1) by striking "(a)" and inserting "(a)(1)"; and

(2) by adding at the end the following new paragraph:

"(2) If it is determined that an action of the Department of Defense will cause a significant transportation impact to access to a military reservation, the Secretary of Defense shall conduct a transportation needs assessment to assess the magnitude of the improvement required to address the impact.".

(b) REPORT ON RECENTLY IDENTIFIED TRANSPORTATION IMPACTS.—Not later than April 1, 2009, the Secretary of Defense shall submit to the congressional defense committees and the Committee on Transportation and Infrastructure of the House of Representatives a report that details the significant transportation impacts resulting from actions of the Department of Defense since January 1, 2005. In the report, the Secretary shall assess the funding requirements necessary to address transportation needs resulting from these significant transportation impacts.

SEC. 2815. REPORT ON APPLICATION OF FORCE PROTECTION AND ANTI-TERRORISM STANDARDS TO GATES AND ENTRY POINTS ON MILITARY INSTALLATIONS.

(a) REPORT REQUIRED.—Not later than February 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of Department of Defense Anti-Terrorism/Force Protection standards at gates and entry points of military installations.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) A description of the anti-terrorism/force protection standards for gates and entry points.

(2) An assessment, by installation, of whether the gates and entry points meet anti-terrorism/force protection standards.

(3) An assessment of whether the standards are met with either temporary or permanent measures, facilities, or equipment.

(4) A description and cost estimate of each action to be taken by the Secretary of Defense for each installation to ensure compliance with Department of Defense Anti-Terrorism/Force Protection standards using permanent measures and construction methods.

(5) An investment plan to complete all action required to ensure compliance with the standards described under paragraph (1).

Subtitle C—Provisions Related to Guam Realignment

SEC. 2821. SENSE OF CONGRESS REGARDING MILITARY HOUSING AND UTILITIES RELATED TO GUAM REALIGNMENT.

(a) NATURE OF SPECIAL PURPOSE ENTITIES.—It is the sense of Congress that any military family housing provided in connection with the realignment of military installations and the relocation of military personnel on Guam should—

(1) be operated, to the extent practicable, in the manner provided for public-private ventures under subchapter IV of chapter 169 of title 10, United States Code; and

(2) should be constructed in accordance with current Department of Defense building standards.

(c) UTILITY INFRASTRUCTURE IMPROVEMENTS.—It is the sense of Congress that the proposed utility infrastructure improvements on Guam should incorporate the civilian and military infrastructure into a single grid to realize and maximize the effectiveness of the overall utility system, if appropriate cost sharing and quality standards are met.

SEC. 2822. FEDERAL ASSISTANCE TO GUAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Interagency Group on Insular Areas, in coordination with the appropriate Federal agencies, should enter into a memorandum of understanding with the Government of Guam to identify, before the realignment of military installations and the relocation of military personnel on Guam, local funding requirements for civilian infrastructure development and other needs related to the realignment and relocation.

(b) 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 status of interagency coordination through the Interagency Group on Insular Areas of budgetary requests to assist the Government of Guam with its budgetary requirements related to the realignment of military forces on Guam. The report shall address to what extent and how the Interagency Group on Insular Areas will be able to coordinate interagency budgets so the realignment of military forces on Guam will meet the 2014 completion date as stipulated in the May 2006 security agreement between the United States and Japan.

(c) INTERAGENCY GROUP ON INSULAR AREAS DEFINED.—In this section, the term "Interagency Group on Insular Areas" means the interagency group established by Executive Order No. 13299 of May 12, 2003 (68 Fed. Reg. 25477; 48 U.S.C. note prec. 1451). The term includes any sub-group or working group of that interagency group.

SEC. 2823. ELIGIBILITY OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR MILITARY BASE REUSE STUDIES AND COMMUNITY PLANNING ASSISTANCE.

(a) INCLUSION IN DEFINITION OF MILITARY INSTALLATION.—Section 2687(e)(1) of title 10, United States Code, is amended by inserting after "Virgin Islands," the following: "the Commonwealth of the Northern Mariana Islands,".

(b) INCLUSION OF FACILITIES OWNED AND OPERATED BY COMMONWEALTH.—Section 2391(d)(1) of title 10, United States Code, is amended by inserting after "Guam," the following: "the Commonwealth of the Northern Mariana Islands,".

SEC. 2824. SUPPORT FOR REALIGNMENT OF MILITARY INSTALLATIONS AND RELOCATION OF MILITARY PERSONNEL ON GUAM.

(a) ESTABLISHMENT OF ACCOUNT.—There is established on the books of the Treasury an account to be known as the "Support for United States Relocation to Guam Account" (in this section referred to as the "Account").

(b) CREDITS TO ACCOUNT.—

(1) AMOUNTS IN FUND.—There shall be credited to the Account all contributions received during fiscal year 2009 and subsequent fiscal years under section 2350k of title 10, United States Code, for the realignment of military installations and the relocation of military personnel on Guam.

(2) NOTICE OF RECEIPT OF CONTRIBUTIONS.—The Secretary of Defense shall submit to the congressional defense committees written notice of the receipt of contributions referred to in paragraph (1), including the amount of the contributions, not later than 30 days after receiving the contributions.

(c) USE OF ACCOUNT.—

(1) AUTHORIZED USES.—Subject to paragraph (2), amounts in the Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section in connection with the realignment of military installations and the relocation of military personnel on Guam, including military construction, military family housing, unaccompanied housing, general facilities constructions for military forces, and utilities improvements.

(B) To carry out improvements of property or facilities on Guam as part of such a transaction.

(C) To obtain property support services for property or facilities on Guam resulting from such a transaction.

(D) To develop military facilities or training ranges in the Commonwealth of the Northern Mariana Islands.

(2) COMPLIANCE WITH GUAM MASTER PLAN.—Transactions authorized by paragraph (1) shall be consistent with the Guam Master Plan, as incorporated in decisions made in the manner provided in section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(3) LIMITATION REGARDING MILITARY HOUSING.—To extent that the authorities provided under subchapter IV of chapter 169 of title 10, United States Code, are available to the Secretary of Defense, the Secretary shall use such authorities to acquire, construct, or improve family housing units or ancillary supporting facilities in connection with the relocation of military personnel on Guam.

(4) SPECIAL REQUIREMENTS REGARDING USE OF CONTRIBUTIONS.—

(A) TREATMENT OF CONTRIBUTIONS.—Except as provided in subparagraph (C), the use of contributions referred to in

subsection (b)(1) shall not be subject to conditions imposed on the use of appropriated funds by chapter 169 of title 10, United States Code, or contained in annual military construction appropriations Acts.

(B) NOTICE OF OBLIGATION.—Contributions referred to in subsection (b)(1) may not be obligated for a transaction authorized by paragraph (1) until the Secretary of Defense submits to the congressional defense committees notice of the transaction, including a detailed cost estimate, and a period of 21 days has elapsed after the date on which the notification is received by the committees or, if earlier, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium.

(C) COST AND SCOPE OF WORK VARIATIONS.—Section 2853 of title 10, United States Code, shall apply to the use of contributions referred to in subsection (b)(1).

(d) TRANSFER AUTHORITY.—

(1) TRANSFER TO HOUSING FUNDS.—The Secretary of Defense may transfer funds from the Account to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code.

(2) TREATMENT OF TRANSFERRED AMOUNTS.—Amounts transferred under paragraph (1) to a fund referred to in that paragraph shall be available in accordance with the provisions of section 2883 of title 10, United States Code for activities on Guam authorized under subchapter IV of chapter 169 of such title.

(e) REPORT REGARDING GUAM MILITARY CONSTRUCTION.—Not later than February 15 of each year, the Secretary of Defense shall submit to Congress a report containing information on each military construction project included in the budget submission for the next fiscal year related to the realignment of military installations and the relocation of military personnel on Guam. The Secretary shall present the information in manner consistent with the presentation of projects in the military construction accounts for each of the military departments in the budget submission. The report shall also include projects associated with the realignment of military installations and relocation of military personnel on Guam that are included in the future-years defense program pursuant to section 221 of title 10, United States Code.

(f) SENSE OF CONGRESS.—It is the sense of Congress that the use of the Account to facilitate construction projects associated with the realignment of military installations and the relocation of military personnel on Guam, as authorized by subsection (c)(1), provides a great opportunity for business enterprises of the United States and its territories to contribute to the United States strategic presence in the western Pacific by competing for contracts awarded for such construction. Congress urges the Secretary of Defense to ensure maximum participation by business enterprises of the United States and its territories in such construction.

Subtitle D—Energy Security

SEC. 1. CERTIFICATION OF ENHANCED USE LEASES FOR ENERGY-RELATED PROJECTS.

Section 2667(h) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(5) If a proposed lease under subsection (a) involves a project related to energy production and the term of the lease exceeds 20 years, the Secretary concerned may not enter into the lease until at least 30 days after the date on which the Secretary of Defense submits to the congressional defense committees a certification that the project is consistent with the Department of Defense performance goals and plan required by section 2911 of this title.".

SEC. 2. ANNUAL REPORT ON DEPARTMENT OF DEFENSE INSTALLATIONS ENERGY MANAGEMENT.

Section 2925(a) of title 10, United States Code, is amended—

(1) by striking the subsection heading and inserting the following: "ANNUAL REPORT RELATED TO INSTALLATIONS ENERGY MANAGEMENT.—";

(2) in paragraph (1), by inserting ", the Energy Independence and Security Act of 2007 (Public Law 110–140)," after "58)"; and

(3) by adding at the end the following new paragraph:

"(6) A description and estimate of the progress made by the military departments to meet the certification requirements for sustainable green-building standards in construction and major renovations as required by section 433 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1612).".

Subtitle E—Land Conveyances

SEC. 2841. LAND CONVEYANCE, FORMER NAVAL AIR STATION, ALAMEDA, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the redevelopment authority for the former Naval Air Station Alameda, California (in this section referred to as the "redevelopment authority"), all right, title and interest of the United States in and to the real and personal property comprising Naval Air Station Alameda, except those parcels identified for public benefit conveyance and certain surplus lands at the Naval Air Station Alameda described in the Federal Register on November 5, 2007. In this section, the real and personal property to be conveyed under this section is referred to as the "NAS Property".

(b) MULTIPLE CONVEYANCES.—The conveyance of the NAS Property may be conducted through multiple parcel transfers.

(c) CONSIDERATION.—As consideration for the conveyance of the NAS Property under subsection (a), the Secretary of the Navy shall seek to obtain fair market value.

(d) EXISTING USES.—During the three-year period beginning on the date on which the first conveyance under this section is made, the redevelopment authority shall make reasonable efforts to accommodate the continued use by the United States of those por-

tions of the NAS Property covered by a request for Federal Land Transfer so long as the accommodation of such use is at no cost or expense to the redevelopment authority. Such accommodations shall provide adequate protection for the endangered California Least Tern in accordance with the requirements of the existing Biological Opinion for Naval Air Station Alameda dated March 22, 1999, and any future amendments to the Biological Opinion.

(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 description of the real property to be conveyed under this section shall be determined by a survey satisfactory to the Department.

(g) MASTER LEASE.—The Lease in Furtherance of Conveyance, dated June 2000, as amended, between the Secretary of the Navy and the redevelopment authority shall remain in full force and effect until conveyance of the NAS Property in accordance with this section, and a lease amendment recognizing this section shall be offered by the Secretary.

(h) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the United States under this section shall be credited to the fund or account intended to receive proceeds from the disposal of the NAS Property pursuant to 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).

(i) ADDITIONAL TERMS 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 considers appropriate to protect the interests of the United States.

SEC. 2842. TRANSFER OF ADMINISTRATIVE JURISDICTION, DECOMMISSIONED NAVAL SECURITY GROUP ACTIVITY, SKAGGS ISLAND, CALIFORNIA.

(a) TRANSFER MEMORANDUM OF AGREEMENT.—The Secretary of the Navy and the Secretary of the Interior shall negotiate a memorandum of agreement that stipulates the conditions upon which the decommissioned Naval Security Group Activity, Skaggs Island, Sonoma, California shall be transferred from the administrative jurisdiction of the Department of the Navy to the United States Fish and Wildlife Service for inclusion in the National Wildlife Refuge System.

(b) ACCEPTANCE OF DONATIONS; USE.—The Secretary of the Navy and the Secretary of the Interior may accept contributions from the State of California and other entities to help cover the costs of demolishing and removing structures on the property described in subsection (a) and to facilitate future environmental restoration that furthers the ultimate end use of the property for conservation purposes. Amounts received may be merged with other amounts available to the Secretaries to carry out this section and shall remain available, without further appropriation and until expended.

SEC. 2843. TRANSFER OF PROCEEDS FROM PROPERTY CONVEYANCE, MARINE CORPS LOGISTICS BASE, ALBANY, GEORGIA.

(a) TRANSFER AUTHORIZED.—The Secretary of Defense may transfer any proceeds from the sale of approximately 120.375 acres of improved land located at the former Boyett Village Family Housing Complex at the Marine Corps Logistics Base, Albany, Georgia, into the Department of Defense Family Housing Improvement Fund established under section 2883(a)(1) of title 10, United States Code, for carrying out activities under subchapter IV of chapter 169 of that title with respect to military family housing.

(b) NOTIFICATION REQUIREMENT.—A transfer of proceeds under subsection (a) may be made only after the end of the 30-day period beginning on the date the Secretary of Defense submits written notice of the transfer to the congressional defense committees.

SEC. 2844. LAND CONVEYANCE, SERGEANT FIRST CLASS M.L. DOWNS ARMY RESERVE CENTER, SPRINGFIELD, OHIO.

(a) CONVEYANCE AUTHORIZED.—At such time as the Army Reserve vacates the Sergeant First Class M.L. Downs Army Reserve Center at 1515 West High Street in Springfield, Ohio, the Secretary of the Army may convey, without consideration, to the City of Springfield, Ohio (in this section referred to as the "City"), all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, containing the Reserve Center and approximately three acres for the purpose of permitting the City to utilize the property for municipal government 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 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 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. 2845. LAND CONVEYANCE, JOHN SEVIER RANGE, KNOX COUNTY, TENNESSEE.

(a) CONVEYANCE AUTHORIZATION.—The Secretary of the Army may convey, without consideration, to the State of Tennessee 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 124 acres known as the John Sevier Range in Knox County, Tennessee, for the purpose of using such real property as a public firing range and for other public recreational 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 terms 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) ADMINISTRATIVE EXPENSES.—In accordance with section 2695 of title 10, United State Code, the Secretary may accept amounts provided by the State to cover administrative expenses incurred by the Secretary with respect to the conveyance authorized under subsection (a), including survey expenses, expenses related to environmental documentation, and other administrative expenses related to such conveyance. Such amounts shall be credited, pursuant to subsection (c) of section 2695 of such title, to the appropriation, fund, or account from which such expenses were paid. If amounts are collected from the State in advance of the Secretary incurring such expenses, and the amount collected exceeds the expenses actually incurred by the Secretary, the Secretary shall refund the excess amount to the State.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property authorized to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and the State.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2846. LAND CONVEYANCE, ARMY PROPERTY, CAMP WILLIAMS, UTAH.

(a) CONVEYANCE AUTHORIZED.—If the Secretary of the Army determines that it is the national security interest of the United

States, the Secretary may convey, without consideration, to the State of Utah (in this section, the "State") on behalf of the Utah National Guard all right, title, and interest of the United States in and to two parcels of real property, including improvements thereon, that are located within the boundaries of Camp Williams, Utah, consisting of approximately 608 acres and 308 acres, respectively, and are identified in the Utah National Guard master plan.

(b) CONDITION.—As a condition of the conveyance, the Secretary shall, not later than 21 days before carrying out the conveyance, submit a report to Congress certifying that the purpose of the conveyance is to further the interest of national security and the property conveyed will be used for military purposes only.

(c) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a), or any portion thereof, has been sold or is not being used in a manner consistent with subsection (b), the property 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 consultation with the Governor of the State of Utah and an opportunity for a hearing.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the State 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 State 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 State.

(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) 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.

SEC. 2847. EXTENSION OF POTOMAC HERITAGE NATIONAL SCENIC TRAIL THROUGH FORT BELVOIR, VIRGINIA.

(a) AGREEMENT AUTHORITY.—The Secretary of the Army may enter into a revocable at will easement with the Secretary of the Interior to provide land along the perimeter of Fort Belvoir, Vir-

ginia, to be used as a segment of the Potomac Heritage National Scenic Trail.

(b) SELECTION CRITERIA.—In determining the extent of the easement, the Secretary of the Army shall provide for a single trail, and select alignments of the trail, along the perimeter of Fort Belvoir. In making that determination, the Secretary shall consider—

(1) the perimeter security requirements to protect the assets, people, and agency missions located at Fort Belvoir;

(2) the appropriate setback from adjacent roadways to provide for a safe and enjoyable experience for users of the trail; and

(3) any planned future expansion of roadways, including United States Route 1, so that the trail will not be adversely impacted by roadway construction.

(c) TRAIL ADMINISTRATION AND MANAGEMENT.—A written agreement confirming an administration and management arrangement of any segment of the Potomac Heritage National Scenic Trail along the perimeter of Fort Belvoir shall be co-signed by the parties to the easement agreement.

Subtitle F—Other Matters

SEC. 2851. REVISED DEADLINE FOR TRANSFER OF ARLINGTON NAVAL ANNEX TO ARLINGTON NATIONAL CEMETERY.

Section 2881(h)(1) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879), as amended by section 2871 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 561), is further amended by striking "January 1, 2011" and inserting "January 1, 2012".

SEC. 2852. ACCEPTANCE AND USE OF GIFTS FOR CONSTRUCTION OF ADDITIONAL BUILDING AT NATIONAL MUSEUM OF THE UNITED STATES AIR FORCE, WRIGHT-PATTERSON AIR FORCE BASE.

(a) ACCEPTANCE AUTHORIZED.—The Secretary of the Air Force may accept from the Air Force Museum Foundation, a private nonprofit corporation, gifts in the form of cash, treasury instruments, or comparable United States securities for the purpose of paying the costs of design and construction of a fourth building for the National Museum of the United States Air Force at Wright-Patterson Air Force Base, Ohio. In making a gift, the Air Force Museum Foundation may specify that all or part of the amount of the gift be utilized solely for the purpose of the design and construction of a particular portion of the building and for contract management related to such design and construction.

(b) ESCROW ACCOUNT.—

(1) DEPOSIT OF GIFTS.—The Secretary of the Air Force, acting through the Director of Financial Management of the Air Force Materiel Command (in this section referred to as the "Director"), shall deposit the amount of any gift accepted under subsection (a) in an escrow account established for that purpose.

(2) INVESTMENT.—Amounts in the escrow account not required to meet current requirements of the account shall be in-

vested in public debt securities with maturities suitable to the needs of the account, as determined by the Director, and bearing interest at rates that take into consideration current market yields on outstanding marketable obligations of the United States of comparable securities. The income on such investments shall be credited to and form a part of the account.

(3) LIQUIDATION.—Upon final payment of all invoices and claims associated with the design and construction of the building described in subsection (a), the Secretary shall terminate the escrow account. Any amounts remaining in the account upon termination shall be available to the Secretary, in such amounts as are provided in advance in appropriations Acts, for such purposes as the Secretary considers appropriate.

(c) USE OF GIFTS.—

(1) DESIGN, CONSTRUCTION, AND CONTRACT MANAGEMENT.—Subject to any conditions imposed by the Air Force Museum Foundation under subsection (a), the Director shall use amounts in the escrow account, including income on investments, to pay all costs for the design and construction of a fourth building for the National Museum of the United States Air Force and all costs for contract management related to such design and construction. The requirement imposed by this paragraph includes making progress payments for such design and construction.

(2) SOLE SOURCE OF FUNDS.—Gifts received under subsection (a) and income on investments made under subsection (b)(2) shall be the sole source of funds used to pay all costs for the design and construction of a fourth building for the National Museum of the United States Air Force and all costs for contract management related to such design and construction.

(3) TIME FOR PAYMENT.—Amounts shall be payable under paragraph (1) upon receipt by the Director of a notification from the technical representative of the contracting officer that construction activities for which such amounts are payable under paragraph (1) have been undertaken. To the maximum extent practicable consistent with good business practice, the Director shall limit payment of amounts from the account in order to maximize the return on investment of amounts in the account.

(d) LIMITATION ON CONTRACTS.—The Secretary of the Air Force may not initiate a contract for the design or construction of a particular portion of the building described in subsection (a) until amounts in the escrow account are sufficient to cover the amount of the contract.

SEC. 2853. LEASE INVOLVING PIER ON FORD ISLAND, PEARL HARBOR NAVAL BASE, HAWAII.

(a) LEASE.—The Secretary of the Navy shall enter into a lease with the USS Missouri Memorial Association to authorize the USS Missouri Memorial Association to use the pier Foxtrot Five and related real property on Ford Island, Pearl Harbor Naval Base, Hawaii, during calendar years 2009 and 2010.

(b) CONSIDERATION.—The lease required by subsection (a) shall be made without consideration.

(c) CONDITIONS ON USE OF LEASED PROPERTY.—As conditions on the lease under subsection (a), the USS Missouri Memorial Association shall agree—

(1) to preserve and maintain the ex-USS Missouri for education purposes, historic preservation, and community outreach;

(2) that the Navy may use the leased property without charge for purposes that do not interfere with the use of such property by the USS Missouri Memorial Association; and

(3) that the Navy may use the ex-USS Missouri for official functions at no cost.

(d) EFFECT OF VIOLATION.—If the Secretary determines at any time that the USS Missouri Memorial Association is not in compliance with the conditions imposed by subsection (c), the Secretary may terminate the lease referred to in subsection (a). Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

SEC. 2854. USE OF RUNWAY AT NASJRB WILLOW GROVE, PENNSYLVANIA.

(a) CONDITIONS ON CONVEYANCE, GRANT, LEASE, OR LICENSE.—Any conveyance, grant, lease, or license from the United States to the Commonwealth of Pennsylvania or other legal entity that includes the airfield property located at NASJRB Willow Grove and designated for operation as a Joint Interagency Installation pursuant to section 3703 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 121 Stat. 145) shall be subject to the restrictions on the use of the airfield set forth in subsection (b).

(b) RESTRICTIONS ON USE.—The airfield at the installation shall not be used for any of the following purposes:

(1) Commercial passenger operations.

(2) Commercial cargo operations.

(3) Commercial, business, or nongovernment aircraft operations for purposes not related to the missions of the installation, except that this paragraph shall not apply in exigent circumstances or prohibit use of the airfield by or on behalf of any associated user which is a tenant of the installation.

(4) As a reliever airport to relieve congestion at other airports or to provide improved general aviation access to the overall community, except that this paragraph shall not apply in exigent circumstances.

(c) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to diminish or alter authorized uses of the installation, including the military enclave that is part thereof, by the United States or its agencies or instrumentalities or to limit use of the property in exigent circumstances.

(d) DEFINITIONS.—In this section:

(1) AIRFIELD.—The term "airfield" means the airfield referred to in subsection (a).

(2) ASSOCIATED USERS.—The term "associated users" means nongovernmental organizations and private entities that use the airfield for purposes related to the national defense, homeland security, and emergency preparedness missions of the installation.

(3) EXIGENT CIRCUMSTANCES.—The term "exigent circumstances" means unusual conditions, including adverse or unusual weather conditions, alerts, and actual or threatened emergencies that are determined by the installation to require limited-duration use of the installation or its airfield for operations, including flying operations, for uses otherwise restricted under subsection (b).

(4) COMMERCIAL CARGO OPERATIONS.—The term "commercial cargo operations" means aircraft operations by a commercial cargo or freight carrier in cases in which cargo is delivered to or flown from the installation under established schedules, except that the term does not include any cargo operations undertaken by or on behalf of any user of the installation or cargo operations related to the national defense, homeland security, and emergency preparedness missions of the installation.

(5) COMMERCIAL PASSENGER OPERATIONS.—The term "commercial passenger operations" means aircraft passenger operations by commercial passenger carriers involving flights where passengers are boarded or enplaned at the installation, except that the term does not include passenger operations undertaken by or on behalf of any user of the installation or passenger operations related to the national defense, homeland security, and emergency preparedness missions of the installation.

(6) INSTALLATION.—The term "installation" means the Joint Interagency Installation referred to in subsection (a).

SEC. 2855. NAMING OF HEALTH FACILITY, FORT RUCKER, ALABAMA.

The health facility located at 301 Andrews Avenue in Fort Rucker, Alabama, shall be known and designated as the "Lyster Army/VA Health Clinic". Any reference in a law, map, regulation, document, paper, or other record of the United States to such facility shall be deemed to be a reference to the Lyster Army/VA Health Clinic.

TITLE XXIX—WAR-RELATED MILITARY CONSTRUCTION AUTHORIZATIONS

Subtitle A—Fiscal Year 2008 Projects

Sec. 2901. Authorized Army construction and land acquisition projects.
Sec. 2902. Authorized Navy construction and land acquisition projects.
Sec. 2903. Authorized Air Force construction and land acquisition projects.
Sec. 2904. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2905. Termination of authority to carry out fiscal year 2008 Army projects.

Subtitle B—Fiscal Year 2009 Projects

Sec. 2911. Authorized Army construction and land acquisition projects.
Sec. 2912. Authorized Navy construction and land acquisition projects.

Subtitle A—Fiscal Year 2008 Projects

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (c)(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
Alaska	Fort Wainwright	$17,000,000
California	Fort Irwin	$11,800,000
Colorado	Fort Carson	$8,400,000
Georgia	Fort Gordon	$39,800,000
Hawaii	Schofield Barracks	$12,500,000
Kentucky	Fort Campbell	$9,900,000
	Fort Knox	$7,400,000
North Carolina	Fort Bragg	$8,500,000
Oklahoma	Fort Sill	$9,000,000
Texas	Fort Bliss	$17,300,000
	Fort Hood	$7,200,000
	Fort Sam Houston	$54,000,000
Virginia	Fort Lee	$7,400,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (c)(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
Iraq	Camp Adder	$13,200,000
	Camp Ramadi	$6,200,000
	Fallujah	$5,500,000

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2901(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 571), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $241,100,000 as follows:

(1) For military construction projects inside the United States authorized by subsection (a), $210,200,000.

(2) For military construction projects outside the United States authorized by subsection (b), $24,900,000.

(3) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $6,000,000.

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(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
California	Camp Pendleton	$9,270,000
	China Lake	$7,210,000
	Point Mugu	$7,250,000
	San Diego	$12,299,000
	San Diego Marine Corps Recruit Depot (MCRD).	$43,200,000
	Twentynine Palms	$11,250,000
Florida	Eglin Air Force Base	$780,000
Mississippi	Gulfport	$6,570,000
North Carolina	Camp Lejeune	$27,980,000
Virginia	Yorktown	$8,070,000

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2902(d) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 572), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $137,931,000 as follows:

(1) For military construction projects inside the United States authorized by subsection (a), $133,879,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $4,052,000.

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (c)(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

Country	Installation or Location	Amount
California	Beale Air Force Base	$17,600,000
Florida	Eglin Air Force Base	$11,000,000
New Mexico	Cannon Air Force Base	$8,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (c)(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
Qatar	Al Udeid	$60,400,000

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2903(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 573), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $98,427,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), $36,600,000.

(2) For military construction projects outside the United States authorized by subsection (b), $60,400,000.

(3) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $1,427,000.

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of Defense may acquire real property and carry out the military construction project for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
North Carolina	Camp Lejeune	$57,900,000

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2904(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 573), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, 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 $110,735,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), $57,900,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $52,835,000.

SEC. 2905. TERMINATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2008 ARMY PROJECTS.

(a) TERMINATION OF AUTHORITY.—The table in section 2901(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 570), is amended—

(1) in the item relating to Camp Adder, Iraq, by striking "$80,650,000" in the amount column and inserting "$75,800,000";

(2) in the item relating to Camp Anaconda, Iraq, by striking "$53,500,000" in the amount column and inserting "$10,500,000";

(3) in the item relating to Camp Victory, Iraq, by striking "$65,400,000" in the amount column and inserting "$60,400,000";

(4) by striking the item relating to Tikrit, Iraq; and

(5) in the item relating to Camp Speicher, Iraq, by striking "$83,900,000" in the amount column and inserting "$74,100,000".

(b) CONFORMING AMENDMENTS.—Section 2901(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 571) is amended—

(1) by striking "$1,257,750,000" and inserting "$1,152,100,000"; and

(2) in paragraph (2), by striking "$1,055,450,000" and inserting "$949,800,000".

Subtitle B—Fiscal Year 2009 Projects

SEC. 2911. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE 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 to construct or renovate warrior transition unit facilities at the installations or locations inside the United States set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Various	Various locations	$400,000,000

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $450,000,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), $400,000,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $50,000,000.

(c) REPORT REQUIRED BEFORE COMMENCING CERTAIN PROJECTS.—Funds may not be obligated for the projects authorized

by this section until 14 days after the date on which the Secretary of Defense submits to the congressional defense committees a report containing a detailed justification for the projects.

SEC. 2912. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Navy may acquire real property and carry out military construction projects to construct or renovate warrior transition unit facilities at the installations or locations inside the United States set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Various	Various locations	$40,000,000

(b) AUTHORIZATION OF APPROPRIATIONS.—Subject to section 2825 of title 10, United States Code, funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $50,000,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), $40,000,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $10,000,000.

(c) REPORT REQUIRED BEFORE COMMENCING CERTAIN PROJECTS.—Funds may not be obligated for the projects authorized by this section until 14 days after the date on which the Secretary of Defense submits to the congressional defense committees a report containing a detailed justification for the projects.

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

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
Sec. 3104. Defense nuclear waste disposal.
Sec. 3105. Energy security and assurance.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Modification of functions of Administrator for Nuclear Security to include elimination of surplus fissile materials usable for nuclear weapons.

Sec. 3112. Limitation on Funding for Project 04-D-125 Chemistry and Metallurgy Research Replacement facility project, Los Alamos National Laboratory, Los Alamos, New Mexico.
Sec. 3113. Nonproliferation and national security scholarship and fellowship program.
Sec. 3114. Enhancing nuclear forensics capabilities.
Sec. 3115. Utilization of contributions to International Nuclear Materials Protection and Cooperation program and Russian plutonium disposition program.
Sec. 3116. Review of and reports on Global Initiatives for Proliferation Prevention program.
Sec. 3117. Limitation on availability of funds for Global Nuclear Energy Partnership.

Subtitle C—Reports

Sec. 3121. Extension of deadline for Comptroller General report on Department of Energy protective force management.
Sec. 3122. Report on compliance with Design Basis Threat issued by the Department of Energy in 2005.
Sec. 3123. Modification of submittal of reports on inadvertent releases of restricted data.

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 2009 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $9,752,507,000, to be allocated as follows:

(1) For weapons activities, $6,625,111,000.

(2) For defense nuclear nonproliferation activities, including $528,782,000 for fissile materials disposition, $1,895,261,000.

(3) For naval reactors, $828,054,000.

(4) For the Office of the Administrator for Nuclear Security, $404,081,000.

(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 projects:

Project 09–D–404, Test Capabilities Revitalization Phase 2, Sandia National Laboratory, Albuquerque, New Mexico, $3,200,000.

Project 08–D–806, Ion Beam Laboratory Project, Sandia National Laboratory, Albuquerque, New Mexico, $10,014,000.

(2) For naval reactors, the following new plant projects:

Project 09–D–902, Naval Reactors Facility Production Support Complex, Naval Reactors Facility, Idaho Falls, Idaho, $8,300,000.

Project 09–D–190, Project engineering and design, Knolls Atomic Power Laboratory infrastructure upgrades, Knolls Atomic Power Laboratory, Kesselring Site, Schenectady, New York, $1,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for defense environmental cleanup activities in carrying out programs necessary for national security in the amount of $5,297,256,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for other defense activities in carrying out programs necessary for national security in the amount of $826,453,000.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 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 $222,371,000.

SEC. 3105. ENERGY SECURITY AND ASSURANCE.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for energy security and assurance programs necessary for national security in the amount of $7,622,000.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. MODIFICATION OF FUNCTIONS OF ADMINISTRATOR FOR NUCLEAR SECURITY TO INCLUDE ELIMINATION OF SURPLUS FISSILE MATERIALS USABLE FOR NUCLEAR WEAPONS.

Section 3212(b) of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—

(1) by redesignating paragraph (18) as paragraph (19); and

(2) by inserting after paragraph (17) the following new paragraph (18):

"(18) Eliminating inventories of surplus fissile materials usable for nuclear weapons.".

SEC. 3112. LIMITATION ON FUNDING FOR PROJECT 04–D–125 CHEMISTRY AND METALLURGY RESEARCH REPLACEMENT FACILITY PROJECT, LOS ALAMOS NATIONAL LABORATORY, LOS ALAMOS, NEW MEXICO.

Of the amounts appropriated pursuant to an authorization of appropriations in this Act or otherwise made available for fiscal year 2009 for Project 04–D–125 Chemistry and Metallurgy Research Replacement (in this section referred to as "CMRR") facility project, Los Alamos National Laboratory, Los Alamos, New Mexico, not more than $50,200,000 may be made available until—

(1) the Administrator for Nuclear Security and the Defense Nuclear Facilities Safety Board have each submitted a certification to the congressional defense committees stating that the concerns raised by the Defense Nuclear Facilities Safety Board regarding the design of CMRR safety class systems (including ventilation systems) and seismic issues have been resolved; and

(2) a period of 15 days has elapsed after both certifications under paragraph (1) have been submitted.

SEC. 3113. NONPROLIFERATION AND NATIONAL SECURITY SCHOLARSHIP AND FELLOWSHIP PROGRAM.

(a) ESTABLISHMENT.—The Administrator for Nuclear Security shall carry out a program to provide scholarships and fellowships for the purpose of enabling individuals to qualify for employment in the nonproliferation and national security programs of the Department of Energy.

(b) ELIGIBLE INDIVIDUALS.—An individual shall be eligible for a scholarship or fellowship under the program established under this section if the individual—

(1) is a citizen or national of the United States or an alien lawfully admitted to the United States for permanent residence;

(2) has been accepted for enrollment or is currently enrolled as a full-time student at an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(3) is pursuing a program of education that leads to an appropriate higher education degree in a qualifying field of study, as determined by the Administrator;

(4) enters into an agreement described in subsection (c); and

(5) meets such other requirements as the Administrator prescribes.

(c) AGREEMENT.—An individual seeking a scholarship or fellowship under the program established under this section shall enter into an agreement, in writing, with the Administrator that includes the following:

(1) The agreement of the Administrator to provide such individual with a scholarship or fellowship in the form of educational assistance for a specified number of school years (not to exceed five school years) during which such individual is pursuing a program of education in a qualifying field of study, which educational assistance may include payment of tuition, fees, books, laboratory expenses, and a stipend.

(2) The agreement of such individual—

(A) to accept such educational assistance;

(B) to maintain enrollment and attendance in a program of education described in subsection (b)(2) until such individual completes such program;

(C) while enrolled in such program, to maintain satisfactory academic progress in such program, as determined by the institution of higher education in which such individual is enrolled; and

(D) after completion of such program, to serve as a full-time employee in a nonproliferation or national security position in the Department of Energy or at a laboratory of the Department for a period of not less than 12 months for each school year or part of a school year for which such individual receives a scholarship or fellowship under the program established under this section.

(3) The agreement of such individual with respect to the repayment requirements specified in subsection (d).

(d) REPAYMENT.—

(1) IN GENERAL.—An individual receiving a scholarship or fellowship under the program established under this section shall agree to pay to the United States the total amount of educational assistance provided to such individual under such program, plus interest at the rate prescribed by paragraph (4), if such individual—

(A) does not complete the program of education agreed to pursuant to subsection (c)(2)(B);

(B) completes such program of education but declines to serve in a position in the Department of Energy or at a laboratory of the Department as agreed to pursuant to subsection (c)(2)(D); or

(C) is voluntarily separated from service or involuntarily separated for cause from the Department of Energy or a laboratory of the Department before the end of the period for which such individual agreed to continue in the service of the Department pursuant to subsection (c)(2)(D).

(2) FAILURE TO REPAY.—If an individual who received a scholarship or fellowship under the program established under this section is required to repay, pursuant to an agreement under paragraph (1), the total amount of educational assistance provided to such individual under such program, plus interest at the rate prescribed by paragraph (4), and fails repay such amount, a sum equal to such amount (plus such interest) is recoverable by the United States Government from such individual or the estate of such individual by—

(A) in the case of an individual who is an employee of the United States Government, setoff against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the Government; or

(B) such other method as is provided by law for the recovery of amounts owed to the Government.

(3) WAIVER OF REPAYMENT.—The Administrator may waive, in whole or in part, repayment by an individual under this subsection if the Administrator determines that seeking recovery under paragraph (2) would be against equity and good conscience or would be contrary to the best interests of the United States.

(4) RATE OF INTEREST.—For purposes of repayment under this subsection, the total amount of educational assistance provided to an individual under the program established under this section shall bear interest at the applicable rate of interest under section 427A(c) of the Higher Education Act of 1965 (20 U.S.C. 1077a(c)).

(e) PREFERENCE FOR COOPERATIVE EDUCATION STUDENTS.—In evaluating individuals for the award of a scholarship or fellowship under the program established under this section, the Administrator may give a preference to an individual who is enrolled in, or accepted for enrollment in, an institution of higher education that has a cooperative education program with the Department of Energy.

(f) COORDINATION OF BENEFITS.—A scholarship or fellowship awarded under the program established under this section shall be

taken into account in determining the eligibility of an individual receiving such scholarship or fellowship for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(g) REPORT TO CONGRESS.—Not later than January 1, 2010, the Administrator shall submit to the congressional defense committees a report on the activities carried out under the program established under this section, including any recommendations for future activities under such program.

(h) FUNDING.—Of the amounts authorized to be appropriated by section 3101(a)(2) for defense nuclear nonproliferation activities, $3,000,000 shall be available to carry out the program established under this section.

SEC. 3114. ENHANCING NUCLEAR FORENSICS CAPABILITIES.

(a) RESEARCH AND DEVELOPMENT PLAN FOR NUCLEAR FORENSICS AND ATTRIBUTION.—

(1) RESEARCH AND DEVELOPMENT.—The Secretary of Energy shall prepare and implement a research and development plan to improve nuclear forensics capabilities in the Department of Energy and at the national laboratories overseen by the Department of Energy. The plan shall focus on improving the technical capabilities required—

(A) to enable a robust and timely nuclear forensic response to a nuclear explosion or to the interdiction of nuclear material or a nuclear weapon anywhere in the world; and

(B) to develop an international database that can attribute nuclear material or a nuclear weapon to its source.

(2) REPORTS.—

(A) The Secretary of Energy shall submit to the congressional defense committees—

(i) not later than 6 months after the date of the enactment of this Act, a report on the contents of the research and development plan described in paragraph (1), and any legislative changes required to implement the plan; and

(ii) not later than 18 months after the date of the enactment of this Act, a report on the status of implementing the plan.

(B) The Secretary shall submit each report required by this subsection in unclassified form, but may include a classified annex with such report.

(b) ADDITIONAL INFORMATION IN THE REPORT ON NUCLEAR FORENSICS CAPABILITIES.—Section 3129(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 585) is amended—

(1) in paragraph (2), by striking "and" at the end;

(2) in paragraph (3), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(4) any legislative, regulatory, or treaty actions necessary to facilitate international cooperation in enhancement of international nuclear-material databases and the linking of those databases to enable prompt access to data.".

(c) PRESIDENTIAL REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report on the involvement of senior-level executive branch leadership in nuclear terrorism preparedness exercises that include nuclear forensics analysis.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 3115. UTILIZATION OF CONTRIBUTIONS TO INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM AND RUSSIAN PLUTONIUM DISPOSITION PROGRAM.

Section 3114 of the National Defense Authorization Act for Fiscal Year 2007 (50 U.S.C. 2301 note) is amended—

(1) in the heading, by striking "**second line of defense program**" and inserting "**international nuclear materials protection and cooperation program and russian plutonium disposition program**";

(2) by striking "Second Line of Defense program" each place it appears and inserting "International Nuclear Materials Protection and Cooperation program or Russian Plutonium Disposition program"; and

(3) in subsection (f), by striking "2013" and inserting "2015".

SEC. 3116. REVIEW OF AND REPORTS ON GLOBAL INITIATIVES FOR PROLIFERATION PREVENTION PROGRAM.

(a) REVIEW OF PROGRAM.—

(1) IN GENERAL.—The Administrator for Nuclear Security shall conduct a review of the Global Initiatives for Proliferation Prevention program.

(2) REPORT REQUIRED.—Not later than October 1, 2009, the Administrator shall submit to the congressional defense committees a report setting forth the results of the review required under paragraph (1). The report shall include each of the following:

(A) A description of the goals of the Global Initiatives for Proliferation Prevention program and the criteria for partnership projects under the program.

(B) Recommendations regarding the following:

(i) Whether to continue or bring to a close each of the partnership projects under the program in existence on the date of the enactment of this Act, and, if any such project is recommended to be continued, a description of how that project will meet the criteria under subparagraph (A).

(ii) Whether to enter into new partnership projects under the program with Russia or other countries of the former Soviet Union.

(iii) Whether to enter into new partnership projects under the program in countries other than countries of the former Soviet Union.

(C) A plan and criteria for completing partnership projects under the program.

(b) REPORT ON FUNDING FOR PROJECTS UNDER PROGRAM.—

(1) IN GENERAL.—The Administrator shall submit to the congressional defense committees a report on—

(A) the purposes for which amounts made available for the Global Initiatives for Proliferation Prevention program for fiscal year 2009 will be obligated or expended; and

(B) the amount to be obligated or expended for each partnership project under the program in fiscal year 2009.

(2) LIMITATION ON FUNDING BEFORE SUBMITTAL OF REPORT.—None of the amounts authorized to be appropriated for fiscal year 2009 by section 3101(a)(2) for defense nuclear nonproliferation activities and available for the Global Initiatives for Proliferation Prevention program may be obligated or expended until the date that is 30 days after the date on which the Administrator submits to the congressional defense committees the report required under paragraph (1).

SEC. 3117. LIMITATION ON AVAILABILITY OF FUNDS FOR GLOBAL NUCLEAR ENERGY PARTNERSHIP.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2009 by section 3101(a)(2) for defense nuclear nonproliferation activities, not more than $3,000,000 may be used for projects that are specifically designed for the Global Nuclear Energy Partnership. Any amount so used may not be expended until 30 days after the date on which the Administrator of the National Nuclear Security Administration submits to Congress a report that describes in detail the full amount of funding that the Administrator plans to expend for any effort related to the Global Nuclear Energy Partnership.

(b) USE OF FUNDS.—Any amount made available pursuant to an authorization of appropriations under section 3101(a)(2) that is covered by the limitation under subsection (a) shall only be available for nonproliferation risk assessments relating to the Global Nuclear Energy Partnership and related work on export control reviews and determinations.

Subtitle C—Reports

SEC. 3121. EXTENSION OF DEADLINE FOR COMPTROLLER GENERAL REPORT ON DEPARTMENT OF ENERGY PROTECTIVE FORCE MANAGEMENT.

Section 3124(a)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 580) is amended by striking "Not later than 180 days after the date of the enactment of this Act," and inserting "Not later than March 1, 2009,".

SEC. 3122. REPORT ON COMPLIANCE WITH DESIGN BASIS THREAT ISSUED BY THE DEPARTMENT OF ENERGY IN 2005.

(a) IN GENERAL.—Not later than January 2, 2009, the Secretary of Energy shall submit to the congressional defense committees a

report setting forth the status of the compliance of Department of Energy sites with the Design Basis Threat issued by the Department in November 2005 (in this section referred to as the "2005 Design Basis Threat").

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) For each Department of Energy site subject to the 2005 Design Basis Threat, an assessment of whether the site has achieved compliance with the 2005 Design Basis Threat.

(2) For each such site that has not achieved compliance with the 2005 Design Basis Threat—

(A) a description of the reasons for the failure to achieve compliance;

(B) a plan to achieve compliance;

(C) a description of the actions that will be taken to mitigate any security shortfalls until compliance is achieved; and

(D) an estimate of the annual funding requirements to achieve compliance.

(3) A list of such sites with Category I nuclear materials that the Secretary determines will not achieve compliance with the 2005 Design Basis Threat.

(4) For each site identified under paragraph (3), a plan to remove all Category I nuclear materials from such site, including—

(A) a schedule for the removal of such nuclear materials from such site;

(B) a clear description of the actions that will be taken to ensure the security of such nuclear materials; and

(C) an estimate of the annual funding requirements to remove such nuclear materials from such site.

(5) An assessment of the adequacy of the 2005 Design Basis Threat in addressing security threats at Department of Energy sites, and a description of any plans for updating, modifying, or otherwise revising the approach taken by the 2005 Design Basis Threat to establish enhanced security requirements for Department of Energy sites.

SEC. 3123. MODIFICATION OF SUBMITTAL OF REPORTS ON INADVERTENT RELEASES OF RESTRICTED DATA.

(a) IN GENERAL.—Section 4522 of the Atomic Energy Defense Act (50 U.S.C. 2672) is amended—

(1) in subsection (e), by striking "on a periodic basis" and inserting "in each even-numbered year"; and

(2) in subsection (f), by striking paragraph (2) and inserting the following new paragraph (2):

"(2) The Secretary of Energy shall, in each even-numbered year beginning in 2010, submit to the committees and Assistant to the President specified in subsection (d) a report identifying any inadvertent releases of Restricted Data or Formerly Restricted Data under Executive Order No. 12958 discovered in the two-year period preceding the submittal of the report.".

(b) TECHNICAL CORRECTION.—Subsection (e) of such section, as amended by subsection (a)(1) of this section, is further amended by striking "subsection (b)(4)" and inserting "subsection (b)(5)".

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2009, $25,499,000 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 RESERVE

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There is hereby authorized to be appropriated to the Secretary of Energy $19,099,000 for fiscal year 2009 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 2009.
Sec. 3502. Limitation on export of vessels owned by the Government of the United States for the purpose of dismantling, recycling, or scrapping.
Sec. 3503. Student incentive payment agreements.
Sec. 3504. Riding gang member requirements.
Sec. 3505. Maintenance and Repair Reimbursement Program for the Maritime Security Fleet.
Sec. 3506. Temporary program authorizing contracts with adjunct professors at the United States Merchant Marine Academy and for other purposes.
Sec. 3507. Actions to address sexual harassment and violence at the United States Merchant Marine Academy.
Sec. 3508. Assistance for small shipyards and maritime communities.
Sec. 3509. Marine war risk insurance.
Sec. 3510. MarAd consultation on Jones Act Waivers.
Sec. 3511. Transportation in American vessels of government personnel and certain cargoes.
Sec. 3512. Port of Guam Improvement Enterprise Program.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2009.

Funds are hereby authorized to be appropriated for fiscal year 2009, 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, $142,803,000, of which—

(A) $79,858,000 shall remain available until expended for expenses at the United States Merchant Marine Academy,

(B) $26,640,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy, and

(C) $10,987,000 shall remain available until expended for maintenance and repair of school ships of the State Maritime Academies.

(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, Unites States Code, $193,500,000, of which $19,500,000 will be available for costs associated with the maintenance reimbursement pilot program under section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note).

(3) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, $18,000,000.

(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, $30,000,000.

(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 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 small shipyards and maritime communities assistance program under section 54101 of title 46, United States Code, $6,000,000.

SEC. 3502. LIMITATION ON EXPORT OF VESSELS OWNED BY THE GOVERNMENT OF THE UNITED STATES FOR THE PURPOSE OF DISMANTLING, RECYCLING, OR SCRAPPING.

(a) IN GENERAL.—Except as provided in subsection (b), no vessel that is owned by the Government of the United States shall be approved for export to a foreign country for purposes of dismantling, recycling, or scrapping.

(b) EXCEPTION.—Subsection (a) shall not apply with respect to a vessel if the Administrator of the Maritime Administration certifies to the Committee on Armed Services of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that—

(1) a compelling need for dismantling, recycling, or scrapping the vessel exists;

(2) there is no available capacity in the United States to conduct the dismantling, recycling, or scrapping of the vessel;

(3) any dismantling, recycling, or scrapping of the vessel in a foreign country will be conducted in full compliance with environmental, safety, labor, and health requirements for ship dismantling, recycling, or scrapping that are equivalent to the laws of the United States; and

(4) the export of the vessel under this section will only be for dismantling, recycling, or scrapping of the vessel.

(c) UNITED STATES DEFINED.—In this section the term "United States" means the States of the United States, Puerto Rico, and Guam.

SEC. 3503. STUDENT INCENTIVE PAYMENT AGREEMENTS.

Section 51509(b) of title 46, United States Code, is amended—

(1) by striking "$4,000" and inserting "$8,000";

(2) by inserting "tuition," after "uniforms,"; and

(3) by inserting "before the start of each academic year" after "and be paid".

SEC. 3504. RIDING GANG MEMBER REQUIREMENTS.

Section 1018 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2380) is amended to read as follows:

"SEC. 1018. RIDING GANG MEMBER REQUIREMENTS.

"(a) IN GENERAL.—The Secretary of Defense may not award, renew, extend, or exercise an option to extend any charter of a vessel documented under chapter 121 of title 46, United States Code, for the Department of Defense, or any contract for the carriage of cargo by a vessel documented under that chapter for the Department of Defense, unless the charter or contract, respectively, includes provisions that—

"(1) subject to paragraph (2), allow riding gang members to perform work on the vessel during the effective period of the charter or contract only under terms, conditions, restrictions, and requirements as provided in section 8106 of title 46, United States Code; and

"(2) require that riding gang members hold a merchant mariner's document issued under chapter 73 of title 46, United States Code, or a transportation security card issued under section 70105 of such title.

"(b) EXEMPTION.—

"(1) IN GENERAL.—In accordance with regulations issued by the Secretary of Defense, an individual shall not be treated as a riding gang member for the purposes of section 8106 of title 46, United States Code, and this section if—

"(A) the individual is aboard a vessel that is under charter or contract for the carriage of cargo for the Department of Defense, for purposes other than engaging in the operation or maintenance of the vessel; and

"(B) the individual—

"(i) accompanies, supervises, guards, or maintains unit equipment aboard a ship, commonly referred to as supercargo personnel;

"(ii) is one of the force protection personnel of the vessel;

"(iii) is a specialized repair technician; or

"(iv) is otherwise required by the Secretary of Defense to be aboard the vessel.

"(2) BACKGROUND CHECK.—

"(A) IN GENERAL.—This section shall not apply to an individual unless—

"(i) the name and other necessary identifying information for the individual is submitted to the Secretary for a background check; and

"(ii) except as provided in subparagraph (B), the individual successfully passes a background check by the Secretary prior to going aboard the vessel.

"(B) WAIVER.—The Secretary may waive the application of subparagraph (A)(ii) for an individual who holds a merchant mariner's document issued under chapter 73 of title 46, United States Code, or a transportation security card issued under section 70105 of such title.

"(3) EXEMPTED INDIVIDUAL NOT TREATED AS IN ADDITION TO THE CREW.—An individual who, under paragraph (1), is not treated as a riding gang member shall not be counted as an individual in addition to the crew for the purposes of section 3304 of title 46, United States Code.".

SEC. 3505. MAINTENANCE AND REPAIR REIMBURSEMENT PROGRAM FOR THE MARITIME SECURITY FLEET.

Section 3517(a) of the Maritime Security Act of 2003 (46 U.S.C. 53101 note; as amended by section 3503 of the National Defense Authorization Act for Fiscal Year 2006 (119 Stat. 3548)) is amended by adding at the end the following:

"(3) EXISTING OPERATING AGREEMENTS.—The Secretary of Transportation shall, subject to the availability of appropriations, seek to enter into an agreement under this section with one or more contractors under an operating agreement under that chapter that is in effect on the date of the enactment of this paragraph, regarding maintenance and repair of all vessels that are subject to the operating agreement.".

SEC. 3506. TEMPORARY PROGRAM AUTHORIZING CONTRACTS WITH ADJUNCT PROFESSORS AT THE UNITED STATES MERCHANT MARINE ACADEMY AND FOR OTHER PURPOSES.

(a) IN GENERAL.—The Maritime Administrator may establish a temporary program for the purpose of, subject to the availability of appropriations, 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;

(2) subject to paragraph (3), 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; and

(3) shall terminate not later than 6 months after the termination of contract authority under subsection (d).

(c) LIMITATION ON NUMBER OF CONTRACTORS.—In awarding contacts under the program, the Maritime Administrator shall ensure that not more than 25 individuals actively provide services in any one academic trimester, or equivalent, as contractors under the program.

(d) TERMINATION OF CONTRACTING AUTHORITY.—The authority to award contracts under the program shall terminate upon the end of the academic year 2008–2009.

(e) EXISTING CONTRACTS.—Any contract entered into before the effective date of this section for the services of an adjunct professor at the Academy shall remain in effect for the trimester (or trimesters) for which the services were contracted.

(f) DEFINITIONS.—In this section:

(1) ACADEMY.—The term "Academy" means the United States Merchant Marine Academy.

(2) MARITIME ADMINISTRATOR.—The term "Maritime Administrator" means the Administrator of the Maritime Administration, or a designee of the Administrator.

(3) PROGRAM.—The term "program" means the program established under subsection (a).

(g) GIFTS TO THE ACADEMY.—

(1) IN GENERAL.—Chapter 513 of title 46, United States Code, is amended by adding at the end thereof the following:

"§ 51315. Gifts to the Merchant Marine Academy

"(a) IN GENERAL.—The Maritime Administrator may accept and use conditional or unconditional gifts of money or property for the benefit of the United States Merchant Marine Academy, including acceptance and use for non-appropriated fund instrumentalities of the Merchant Marine Academy. The Maritime Administrator may accept a gift of services in carrying out the Administrator's duties and powers. Property accepted under this section and proceeds from that property must be used, as nearly as possible, in accordance with the terms of the gift.

"(b) ESTABLISHMENT OF ACADEMY GIFT FUND.—There is established in the Treasury a fund, to be known as the 'Academy Gift Fund'. Disbursements from the Fund shall be made on order of the Maritime Administrator. Unless otherwise specified by the terms of the gift, the Maritime Administrator may use monies in the Fund for appropriated or non-appropriated purposes at the Academy. The Fund consists of—

"(1) gifts of money;

"(2) income from donated property accepted under this section;

"(3) proceeds from the sale of donated property; and

"(4) income from securities under subsection (c) of this section.

"(c) INVESTMENT OF FUND BALANCES.—On request of the Maritime Administrator, the Secretary of the Treasury may invest and reinvest amounts in the Fund in securities of, or in securities the principal and interest of which is guaranteed by, the United States Government.

"(d) DISBURSEMENT AUTHORITY.—There are hereby authorized to be disbursed from the Fund such sums as may be on deposit, to remain available until expended.

"(e) DEDUCTIBILITY OF GIFTS.—Gifts accepted under this section are a gift to or for the use of the Government under the Internal Revenue Code of 1986.".

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

"51315. Gifts to the Merchant Marine Academy.".

(h) TEMPORARY APPOINTMENTS TO THE ACADEMY.—

(1) IN GENERAL.—Chapter 513 of title 46, United States Code, as amended by section 3513 of this Act, is further amended by adding at the end thereof the following:

"§ 51316. Temporary appointments to the Academy

"Notwithstanding any other provision of law, the Maritime Administrator may appoint any present employee of the United States Merchant Marine Academy non-appropriated fund instrumentality to a position on the General Schedule of comparable pay. Eligible personnel shall be engaged in work permissibly funded by annual appropriations, and such appointments to the Civil Service shall be without regard to competition, for a term not to exceed 2 years.".

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 513 of title 46, United States Code, as amended by section 3513 of this Act, is further amended by adding at the end the following:

"51316. Temporary appointments to the Academy.".

SEC. 3507. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND VIOLENCE AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) REQUIRED POLICY.—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

(b) MATTERS TO BE SPECIFIED IN POLICY.—The policy on sexual harassment and sexual violence prescribed under this section shall include—

(1) a program to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel;

(2) procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual violence, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment or sexual violence should be reported by a cadet and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault;

(3) a procedure for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel;

(4) any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a cadet or other Academy personnel in rape, acquaintance

rape, or any other criminal sexual offense, whether forcible or nonforcible; and

(5) required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

(c) ANNUAL ASSESSMENT.—

(1) The Secretary shall direct the Superintendent to conduct an assessment at the Academy during each Academy program year, to be administered by the Department of Transportation, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Superintendent shall conduct a survey, to be administered by the Department, of Academy personnel—

(A) to measure—

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of—

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

(d) ANNUAL REPORT.—

(1) The Secretary shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Superintendent and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Superintendent shall transmit to the Secretary, and to the Board of Visitors of the Academy, each report received by the Superintendent under this subsection, together with the Superintendent's comments on the report.

(B) The Secretary shall transmit each such report, together with the Secretary's comments on the report, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

SEC. 3508. ASSISTANCE FOR SMALL SHIPYARDS AND MARITIME COMMUNITIES.

(a) IN GENERAL.—Title 46, United States Code, is amended by inserting the following new chapter after chapter 539:

"CHAPTER 541—MISCELLANEOUS

"Sec
"54101. Assistance for small shipyards and maritime communities

"§ 54101. Assistance for small shipyards and maritime communities

"(a) ESTABLISHMENT OF PROGRAM.—Subject to the availability of appropriations, the Administrator of the Maritime Administration shall execute agreements with shipyards to provide assistance—

"(1) in the form of grants, loans, and loan guarantees to small shipyards for capital improvements; and

"(2) for maritime training programs to foster technical skills and operational productivity in communities whose economies are related to or dependent upon the maritime industry.

"(b) AWARDS.—In providing assistance under the program, the Administrator shall—

"(1) take into account—

"(A) the economic circumstances and conditions of maritime communities;

"(B) projects that would be effective in fostering efficiency, competitive operations, and quality ship construction, repair, and reconfiguration; and

"(C) projects that would be effective in fostering employee skills and enhancing productivity; and

"(2) make grants within 120 days after the date of enactment of the appropriations Act for the fiscal year concerned.

"(c) USE OF FUNDS.—

"(1) IN GENERAL.—Assistance provided under this section may be used—

"(A) to make capital and related improvements in small shipyards located in or near maritime communities;

"(B) to provide training for workers in communities whose economies are related to the maritime industry; and

"(C) for such other purposes as the Administrator determines to be consistent with and supplemental to such activities.

"(2) ADMINISTRATIVE COSTS.—Not more than 2 percent of amounts made available to carry out the program may be used for the necessary costs of grant administration.

"(d) PROHIBITED USES.—Grants awarded under this section may not be used to construct buildings or other physical facilities or to acquire land unless such use is specifically approved by the Administrator in support of subsection (c)(1)(C).

"(e) MATCHING REQUIREMENTS; ALLOCATION.—

"(1) FEDERAL FUNDING.—Except as provided in paragraph (2), Federal funds for any eligible project under this section shall not exceed 75 percent of the total cost of such project.

"(2) EXCEPTION.—If the Administrator determines that a proposed project merits support and cannot be undertaken without a higher percentage of Federal financial assistance, the Administrator may award a grant for such project with a lesser matching requirement than is described in paragraph (1).

"(3) ALLOCATION OF FUNDS.—The Administrator may not award more than 25 percent of the funds appropriated to carry out this section for any fiscal year to any small shipyard in one geographic location that has more than 600 employees.

"(f) APPLICATIONS.—

"(1) IN GENERAL.—To be eligible for assistance under this section, an applicant shall submit an application, in such form, and containing such information and assurances as the Administrator may require, within 60 days after the date of enactment of the appropriations Act for the fiscal year concerned.

"(2) MINIMUM STANDARDS FOR PAYMENT OR REIMBURSEMENT.—Each application submitted under paragraph (1) shall include—

"(A) a comprehensive description of—

"(i) the need for the project;

"(ii) the methodology for implementing the project; and

"(iii) any existing programs or arrangements that can be used to supplement or leverage assistance under the program.

"(3) PROCEDURAL SAFEGUARDS.—The Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

"(A) grant funds are used for the purposes for which they were made available;

"(B) grantees have properly accounted for all expenditures of grant funds; and

"(C) grant funds not used for such purposes and amounts not obligated or expended are returned.

"(4) PROJECT APPROVAL REQUIRED.—The Administrator may not award a grant under this section unless the Administrator determines that—

"(A) sufficient funding is available to meet the matching requirements of subsection (e);

"(B) the project will be completed without unreasonable delay; and

"(C) the recipient has authority to carry out the proposed project.

"(g) AUDITS AND EXAMINATIONS.—All grantees under this section shall maintain such records as the Administrator may require and make such records available for review and audit by the Administrator.

"(h) SMALL SHIPYARD DEFINED.—In this section, the term 'small shipyard' means a shipyard facility in one geographic location that does not have more than 1,200 employees.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the Maritime Administration for each of fiscal years 2009 through 2013 to carry out this section—

"(1) $5,000,000 for training grants; and

"(2) $25,000,000 for capital and related improvements.".

(b) CONFORMING AMENDMENT.—Section 3506 of the National Defense Authorization Act for Fiscal Year 2006 (46 U.S.C. 53101 note) is repealed.

SEC. 3509. MARINE WAR RISK INSURANCE.

Section 53912 of title 46, United States Code, is amended by striking "December 31, 2010." and inserting "December 31, 2015.".

SEC. 3510. MARAD CONSULTATION ON JONES ACT WAIVERS.

Section 501(b) of title 46, United States Code, is amended to read as follows:

"(b) BY HEAD OF AGENCY.—When the head of an agency responsible for the administration of the navigation or vessel-inspection laws considers it necessary in the interest of national defense, the individual, following a determination by the Maritime Administrator, acting in the Administrator's capacity as Director, National Shipping Authority, of the non-availability of qualified United States flag capacity to meet national defense requirements, may waive compliance with those laws to the extent, in the manner, and on the terms the individual, in consultation with the Administrator, acting in that capacity, prescribes.".

SEC. 3511. TRANSPORTATION IN AMERICAN VESSELS OF GOVERNMENT PERSONNEL AND CERTAIN CARGOES.

(a) IN GENERAL.—Section 55305(b) of title 46, United States Code, is amended—

(1) by striking "country" and inserting "country, organization, or persons";

(2) by inserting "or obtaining" after "furnishing"; and

(3) by striking "commodities," the first place it appears and inserting "commodities, or provides financing in any way with Federal funds for the account of any persons unless otherwise exempted,".

(b) OTHER AGENCIES.—Section 55305(d) of title 46, United States Code, is amended to read as follows:

"(d) PROGRAMS OF OTHER AGENCIES.—

"(1) Each department or agency that has responsibility for a program under this section shall administer that program with respect to this section under regulations and guidance issued by the Secretary of Transportation. The Secretary, after consulting with the department or agency or organization or person involved, shall have the sole responsibility for determining if a program is subject to the requirements of this section.

"(2) The Secretary—

"(A) shall conduct an annual review of the administration of programs determined pursuant to paragraph (1) as subject to the requirements of this section;

"(B) may direct agencies to require the transportation on United States-flagged vessels of cargo shipments not otherwise subject to this section in equivalent amounts to cargo determined to have been shipped on foreign carriers in violation of this section;

"(C) may impose on any person that violates this section, or a regulation prescribed under this section, a civil penalty of not more than $25,000 for each violation willfully and knowingly committed, with each day of a continuing violation following the date of shipment to be a separate violation; and

"(D) may take other measures as appropriate under the Federal Acquisition Regulations issued pursuant to section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1) or contract with respect to each violation.".

(c) REGULATIONS.—The Secretary of Transportation shall prescribe such rules as are necessary to carry out section 55305(d) of title 46, United States Code. The Secretary may prescribe interim rules necessary to carry out section 55305(d) of such title. An interim rule prescribed under this subsection shall remain in effect until superseded by a final rule.

(d) CHANGE OF YEAR.—Section 55314(a) of title 46, United States Code, is amended by striking "calendar" each place it appears and inserting "fiscal".

SEC. 3512. PORT OF GUAM IMPROVEMENT ENTERPRISE PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation, acting through the Administrator of the Maritime Administration (in this section referred to as the "Administrator"), may establish a Port of Guam Improvement Enterprise Program (in this section referred to as the "Program") to provide for the planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities.

(b) AUTHORITIES OF THE ADMINISTRATOR.—In carrying out the Program, the Administrator may—

(1) receive funds provided for the Program from Federal and non-Federal entities, including private entities;

(2) provide for coordination among appropriate governmental agencies to expedite the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for projects carried out under the Program;

(3) provide for coordination among appropriate governmental agencies in connection with other reviews and requirements applicable to projects carried out under the Program; and

(4) provide technical assistance to the Port Authority of Guam (and its agents) as needed for projects carried out under the Program.

(c) PORT OF GUAM IMPROVEMENT ENTERPRISE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account to be known as the "Port of Guam Improvement Enterprise Fund" (in this section referred to as the "Fund").

(2) DEPOSITS.—There shall be deposited into the Fund—

(A) amounts received by the Administrator from Federal and non-Federal sources under subsection (b)(1);

(B) amounts transferred to the Administrator under subsection (d); and

(C) amounts appropriated to carry out this section under subsection (f).

(3) USE OF AMOUNTS.—Amounts in the Fund shall be available to the Administrator to carry out the Program.

(4) ADMINISTRATIVE EXPENSES.—Not to exceed 3 percent of the amounts appropriated to the Fund for a fiscal year may be used for administrative expenses of the Administrator.

(5) AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall remain available until expended.

(d) TRANSFERS OF AMOUNTS.—Amounts appropriated or otherwise made available for any fiscal year for an intermodal or marine facility comprising a component of the Program shall be transferred to and administered by the Administrator.

(e) LIMITATION.—Nothing in this section shall be construed to authorize amounts made available under section 215 of title 23, United States Code, or any other amounts made available for the construction of highways or amounts otherwise not eligible for making port improvements to be deposited into the Fund.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Fund such sums as may be necessary to carry out this section.

[Note from the Director of Legislative Operations: The following text is the Joint Explanatory Statement as printed in the Congressional Record on September 23, 2008]

JOINT EXPLANATORY STATEMENT SUBMITTED BY MR. SKELTON, CHAIRMAN OF THE COMMITTEE ON ARMED SERVICES, REGARDING THE AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO S. 3001

The Chairman of the Committee on Armed Services of the House of Representatives offers an amendment to S. 3001, the National Defense Authorization Act for Fiscal Year 2009, as received in the House on September 18, 2008. The amendment consists of an agreement between the managers of the bill in the House of Representatives and the Senate on the reconciliation of H.R. 5658 and S. 3001, as passed by the respective chambers from which each bill originated. This agreement is memorialized in the offered amendment and described in the remainder of this Joint Explanatory Statement submitted on behalf of Mr. Skelton and Mr. Hunter for the House Committee on Armed Services and Mr. Levin and Mr. Warner for the Senate Committee on Armed Services.

Although not required by the Rules of the House of Representatives and the Senate, the Joint Explanatory Statement includes the disclosure of member earmarks and congressionally directed spending items as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate.

In this statement, the provisions of H.R. 5658, the House passed version of the National Defense Authorization Act for Fiscal Year 2009, are generally referred to as "the House bill." The provisions of S. 3001, the Senate passed version of the National Defense Authorization Act for Fiscal Year 2009, are generally referred to as "the Senate bill." The final form of the agreements reached during an informal conference between the managers of the bill in the House and the Senate are referred to as "the agreement."

The House amendment strikes the text of the S. 3001 and inserts the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, as amended by the agreement between the managers of H.R. 5658 and S. 3001, as passed by the respective chambers from which each bill originated.

This Joint Explanatory Statement fulfills the authority granted to the Chairman of the Committee on Armed Services by H. Res. 1476 to file explanatory material for the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009. Mr. Skelton, the Chairman of the Committee on Armed Services, does not intend to file any additional material pursuant to H. Res. 1476 beyond this Joint Explanatory Statement.

Submitted by Mr. Skelton, Chairman of the House Committee on Armed Services (for himself, Mr. Hunter, Ranking Member of the House Committee on Armed Services, Mr. Levin, Chairman of the Senate Committee on Armed Services and Mr. Warner, Acting Ranking Member of the Senate Committee on Armed Services).

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2009
In Thousands of Dollars

	Authorization Request	Agreement Authorization	BUDGET AUTHORITY IMPLICATION FY 2009 Request	Agreement vs Request	Agreement
DIVISION A					
Title I -- PROCUREMENT					
Aircraft Procurement, Army	5,009,835	4,848,835	5,009,835	-161,000	4,848,835
Missile Procurement, Army	2,211,460	2,207,460	2,211,460	-4,000	2,207,460
Weapons & Tracked Combat Vehicles, Army	3,687,077	3,516,398	3,687,077	-170,679	3,516,398
Procurement of Ammunition, Army	2,275,791	2,280,791	2,275,791	5,000	2,280,791
Other Procurement, Army	11,367,926	11,143,076	11,367,926	-224,850	11,143,076
Joint Improvised Explosive Device Defeat Fund	496,300	200,000	496,300	-296,300	200,000
Aircraft Procurement, Navy	14,716,774	14,557,874	14,716,774	-158,900	14,557,874
Weapons Procurement, Navy	3,575,482	3,553,282	3,575,482	-22,200	3,553,282
Shipbuilding & Conversion, Navy	12,732,918	14,057,022	12,732,918	1,324,104	14,057,022
Procurement of Ammunition, Navy & Marine Corps	1,122,712	1,110,012	1,122,712	-12,700	1,110,012
Other Procurement, Navy	5,482,856	5,463,565	5,482,856	-19,291	5,463,565
Procurement, Marine Corps	1,512,765	1,486,189	1,512,765	-26,576	1,486,189
Aircraft Procurement, Air Force	12,676,496	12,826,858	12,676,496	150,362	12,826,858
Procurement of Ammunition, Air Force	894,478	911,278	894,478		894,478
Missile Procurement, Air Force	5,536,728	5,496,219	5,536,728	16,800	5,553,528
Other Procurement, Air Force	16,128,396	16,087,887	16,128,396	-40,509	16,087,887
Procurement, Defense-Wide	3,164,228	3,382,628	3,164,228	218,400	3,382,628
National Guard and Reserve Equipment		800,000		800,000	800,000
Rapid Acquisition Fund	102,045		102,045	-102,045	
Defense Production Act Purchases			36,365		36,365
Total PROCUREMENT	**102,694,267**	**103,929,374**	**102,730,632**	**1,275,616**	**104,006,248**
Title II -- RESEARCH, DEVELOPMENT, TEST & EVALUATION					
RDT&E, Army	10,524,085	10,943,840	10,524,085	419,755	10,943,840
RDT&E, Navy	19,337,238	19,345,603	19,337,238	8,365	19,345,603
RDT&E, Air Force	28,066,617	26,289,508	28,066,617	-1,777,109	26,289,508
RDT&E, Defense-Wide	21,499,229	20,942,729	21,499,229	-556,500	20,942,729
Operational Test & Evaluation, Defense	188,772	188,772	188,772		188,772
Total RESEARCH, DEV, TEST & EVALUATION	**79,615,941**	**77,710,452**	**79,615,941**	**-1,905,489**	**77,710,452**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2009
In Thousands of Dollars

	Authorization Request	Agreement Authorization	BUDGET AUTHORITY IMPLICATION FY 2009 Request	Agreement vs Request	Agreement
Title III -- OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	31,243,092	31,251,702	31,243,092	8,610	31,251,702
Operation and Maintenance, Navy	34,922,398	34,850,310	34,922,398	-72,088	34,850,310
Operation and Maintenance, Marine Corps	5,597,254	5,604,254	5,597,254	7,000	5,604,254
Operation and Maintenance, Air Force	35,902,487	35,454,487	35,902,487	-448,000	35,454,487
Operation and Maintenance, Defense-Wide	26,091,864	25,948,864	26,091,864	-143,000	25,948,864
Operation and Maintenance, Army Reserve	2,642,341	2,642,341	2,642,341		2,642,341
Operation and Maintenance, Navy Reserve	1,311,085	1,311,085	1,311,085		1,311,085
Operation and Maintenance, Marine Corps Reserve	213,131	213,131	213,131		213,131
Operation and Maintenance, Air Force Reserve	3,142,892	3,150,692	3,142,892	7,800	3,150,692
Operation and Maintenance, Army National Guard	5,875,546	5,893,546	5,875,546	18,000	5,893,546
Operation and Maintenance, Air National Guard	5,879,576	5,882,326	5,879,576	2,750	5,882,326
US Court of Appeals, Armed Forces	13,254	13,254	13,254		13,254
Environmental Restoration, Army	447,776	447,776	447,776		447,776
Environmental Restoration, Navy	290,819	290,819	290,819		290,819
Environmental Restoration, Air Force	496,277	496,277	496,277		496,277
Environmental Restoration, Defense-wide	13,175	13,175	13,175		13,175
Environmental Restoration, Formerly Used Defense Sites	257,796	257,796	257,796		257,796
Cooperative Threat Reduction	414,135	434,135	414,135	20,000	434,135
Overseas Humanitarian, Disaster & Civic Aid	83,273	83,273	83,273		83,273
Overseas Contingency Operations Transfer Fund	9,101	9,101	9,101		9,101
Scorekeeping Adjustments:					
Disposal of DoD Real Property			16,993		16,993
Lease of DoD Real Property			3,517		3,517
DoD Overseas Military Facility Investment Recovery/Other			761		761
Total OPERATION AND MAINTENANCE	**154,847,272**	**154,248,344**	**154,868,543**	**-598,928**	**154,269,615**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2009
In Thousands of Dollars

	Authorization Request	Agreement Authorization	BUDGET AUTHORITY IMPLICATION FY 2009 Request	Agreement vs Request	Agreement
Title IV -- MILITARY PERSONNEL					
Military Personnel (direct appropriations)		114,440,743	114,896,340	-455,597	114,440,743
Medicare-Eligible Retiree Health Fund Accruals			10,350,593		10,350,593
Mandatory Spending: Current Law			3,901,000		3,901,000
Total MILITARY PERSONNEL		**114,440,743**	**129,147,933**	**-455,597**	**128,692,336**
Title XIV -- OTHER AUTHORIZATIONS					
Subtitle A -- Military Programs					
Defense Working Capital Funds	198,150	198,150	198,150		198,150
Defense Commissary Working Capital Fund	1,291,084	1,291,084	1,291,084		1,291,084
Defense Coalition Support Fund	22,000		22,000	-22,000	
National Defense Sealift Fund	1,962,253	1,608,572	1,962,253	-353,681	1,608,572
Defense Health Program	23,615,202	24,966,917	23,615,202	1,351,715	24,966,917
Chemical Agents & Munitions Destruction	1,485,634	1,485,634	1,485,634		1,485,634
Drug Interdiction & Counter-Drug Activities, Defense	1,060,463	1,060,463	1,060,463		1,060,463
Office of the Inspector General	247,845	273,845	247,845	26,000	273,845
Inflation savings (Section 1407)					
Stockpile transaction fund transfer	-1,300,000	-1,300,000	-1,300,000		-1,300,000
Subtitle C -- Civil Programs					
Armed Forces Retirement Home (non-defense)	63,010	63,010	63,010		63,010
Total OTHER AUTHORIZATIONS	**28,645,641**	**29,647,675**	**28,645,641**	**1,002,034**	**29,647,675**
Title XV -- OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM					
TOTAL TITLE XV, OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM	**70,000,000**	**68,080,000**		**-1,920,000**	**68,080,000**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2009
In Thousands of Dollars

	Authorization Request	Agreement Authorization	BUDGET AUTHORITY IMPLICATION FY 2009 Request	Agreement vs Request	Agreement
DIVISION B					
MILITARY CONSTRUCTION					
Military Construction, Army	4,615,920	4,610,698	4,615,920	-5,222	4,610,698
Military Construction, Navy	3,096,399	3,290,169	3,096,399	193,770	3,290,169
Military Construction, Air Force	934,892	1,117,746	934,892	182,854	1,117,746
Military Construction, Defense-Wide	1,783,998	1,584,469	1,783,998	-199,529	1,584,469
Chemical Demilitarization Construction	134,278	144,278	134,278	10,000	144,278
NATO Security Investment Program	240,867	230,867	240,867	-10,000	230,867
Military Construction, Army National Guard	539,296	736,317	539,296	197,021	736,317
Military Construction, Army Reserve	281,687	282,607	281,687	920	282,607
Military Construction, Naval Reserve	57,045	57,045	57,045		57,045
Military Construction, Air National Guard	34,374	242,924	34,374	208,550	242,924
Military Construction, Air Force Reserve	19,265	36,958	19,265	17,693	36,958
Total MILITARY CONSTRUCTION	**11,738,021**	**12,334,078**	**11,738,021**	**596,057**	**12,334,078**
FAMILY HOUSING					
Family Housing Construction, Army	678,580	646,580	678,580	-32,000	646,580
Family Housing Operations, Army	716,110	716,110	716,110		716,110
Family Housing Construction, Navy & Marine Corps	382,778	380,123	382,778	-2,655	380,123
Family Housing Operations, Navy & Marine Corps	376,062	376,062	376,062		376,062
Family Housing Construction, Air Force	395,879	395,879	395,879		395,879
Family Housing Operations, Air Force	599,465	594,465	599,465	-5,000	594,465
Family Housing Operations, Defense-Wide	49,231	49,231	49,231		49,231
Homeowners Assistance Program	4,500	4,500	4,500		4,500
DoD Family Housing Improvement Fund	850	850	850		850
Total FAMILY HOUSING	**3,203,455**	**3,163,800**	**3,203,455**	**-39,655**	**3,163,800**
Base Realignment and Closure IV	393,377	458,377	393,377	65,000	458,377
Base Realignment and Closure 2005	9,065,386	9,065,386	9,065,386		9,065,386
Subtotal Base Closure	**9,458,763**	**9,523,763**	**9,458,763**	**65,000**	**9,523,763**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2009
In Thousands of Dollars

	Authorization Request	Agreement Authorization	BUDGET AUTHORITY IMPLICATION FY 2009 Request	Agreement vs Request	Agreement
Prior Year Savings		-83,170		-83,170	-83,170
General Transfer Authority (non-add)					
Subtotal Non War-Related Funding	**24,400,239**	**24,938,471**	**24,400,239**	**538,232**	**24,938,471**
Title XXIX - War-Related Military Construction					
Military Construction, Army		450,000		450,000	450,000
Military Construction, Navy		50,000		50,000	50,000
Subtotal War-Related Military Construction		**500,000**		**500,000**	**500,000**
TOTAL DIVISION B	**24,400,239**	**25,438,471**	**24,400,239**	**1,038,232**	**25,438,471**
Other Discretionary Programs					
Mandatory Programs			-645,000		-645,000
TOTAL DEPARTMENT OF DEFENSE (051)	**460,140,350**	**573,432,049**	**588,700,919**	**-1,564,132**	**587,136,787**
DIVISION C					
Energy Delivery and Reliability	7,622	7,622	7,622		7,622
National Nuclear Security Administration					
Weapons Activities	6,618,079	6,625,111	6,618,079	7,032	6,625,111
Defense Nuclear Nonproliferation	1,247,048	1,895,261	1,247,048	648,213	1,895,261
Naval Reactors	828,054	828,054	828,054		828,054
Office of the Administrator	404,081	404,081	404,081		404,081
Total National Nuclear Security Adminstration	**9,097,262**	**9,752,507**	**9,097,262**	**655,245**	**9,752,507**
Defense Environmental Cleanup	5,297,256	5,297,256	5,297,256		5,297,256
Other Defense Activities	1,313,461	826,453	1,313,461	-487,008	826,453
Defense Nuclear Waste Disposal	247,371	222,371	247,371	-25,000	222,371
Total DOE/NNSA Discretionary Authorizations	**15,962,972**	**16,106,209**	**15,962,972**	**143,237**	**16,106,209**

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2009
In Thousands of Dollars

	Authorization Request	Agreement Authorization	BUDGET AUTHORITY IMPLICATION FY 2009 Request	Agreement vs Request	Agreement
Mandatory Programs:					
Energy Employees Occupational Illness Compensation			1,155,000		1,155,000
Total Department of Energy/NNSA	**15,962,972**	**16,106,209**	**17,117,972**	**143,237**	**17,261,209**
Defense Nuclear Facilities Safety Board	25,499	25,499	25,499		25,499
Formerly Used Sites Remedial Action Program			130,000		130,000
DIVISION C/Atomic Energy Defense Activities (053)	**15,988,471**	**16,131,708**	**17,273,471**	**143,237**	**17,416,708**
DEFENSE RELATED ACTIVITIES					
Discretionary Programs			6,201,000		6,201,000
Mandatory Programs			317,000		317,000
DEFENSE RELATED ACTIVITIES (054)			**6,518,000**		**6,518,000**
TOTAL NATIONAL DEFENSE FUNCTION (050)	**476,128,821**	**589,563,757**	**612,492,390**	**-1,420,895**	**611,071,495**
NON-DEFENSE AUTHORIZATIONS					
Armed Forces Retirement Home	63,010	63,010	63,010		63,010
Total Non-Defense Authorizations	**63,010**	**63,010**	**63,010**		**63,010**
TOTAL AUTHORIZATIONS	**476,191,831**	**589,626,767**	**612,555,400**	**-1,420,895**	**611,134,505**
Memo: Base Budget National Defense Total	**406,128,821**	**520,983,757**	**542,492,390**	**-895**	**542,491,495**
Memo: War-Related Total (Titles XV, XVI and XXIX)	**70,000,000**	**68,580,000**	**70,000,000**	**-1,420,000**	**68,580,000**
Total National Defense Authorizations	**476,128,821**	**589,563,757**	**612,492,390**	**-1,420,895**	**611,071,495**

CONGRESSIONAL DEFENSE COMMITTEES

The term "congressional defense committees" is often used in this joint explanatory statement. It means the Defense Authorization and Appropriations Committees of the Senate and the House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Procurement overview

The budget request for fiscal year 2009 included an authorization of $102,694.3 million for procurement for the Department of Defense.

The House bill would authorize $102,711.9 million.

The Senate bill would authorize $104,168.5 million.

The agreement recommends an authorization of $103,969.9 million. Unless noted explicitly in the joint explanatory statement, all changes are made without prejudice.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

(Dollars in Thousands)

	Authorization Request	House Authorization	Senate Authorization	Agreement Change	Agreement Authorization
Title I - PROCUREMENT					
Aircraft Procurement, Army	5,009,835	4,912,735	4,957,435	-161,000	4,848,835
Missile Procurement, Army	2,211,460	2,201,460	2,211,460	-4,000	2,207,460
Weapons & Tracked Combat Vehicles, Army	3,687,077	3,539,177	3,689,277	-170,679	3,516,398
Procurement of Ammunition, Army	2,275,791	2,294,791	2,303,791	5,000	2,280,791
Other Procurement, Army	11,367,926	11,201,876	11,861,704	-224,850	11,143,076
Joint Improvised Explosive Device Defeat Fund	496,300	0	0	-296,300	200,000
Aircraft Procurement, Navy	14,716,774	14,627,274	14,729,274	-158,900	14,557,874
Weapons Procurement, Navy	3,575,482	3,575,482	3,605,482	-22,200	3,553,282
Procurement of Ammunition, Navy & Marine Corps	1,122,712	1,122,712	1,131,712	-12,700	1,110,012
Shipbuilding & Conversion, Navy	12,732,918	12,917,919	13,037,218	1,324,104	14,057,022
Other Procurement, Navy	5,482,856	5,461,926	5,516,506	-19,291	5,463,565
Procurement, Marine Corps	1,512,765	1,296,327	1,495,665	-26,576	1,486,189
Aircraft Procurement, Air Force	12,676,496	12,618,665	13,235,286	150,362	12,826,858
Missile Procurement, Air Force	5,536,728	5,536,728	5,556,728	16,800	5,553,528
Procurement of Ammunition, Air Force	894,478	934,478	895,478	0	894,478
Other Procurement, Air Force	16,128,396	16,134,896	16,115,496	-40,509	16,087,887
Procurement, Defense-Wide	3,164,228	3,485,428	3,723,928	218,400	3,382,628
National Guard and Reserve Equipment	0	800,000	0	800,000	800,000
Rapid Acquisition Fund	102,045	50,000	102,045	-102,045	0
TOTAL PROCUREMENT	102,694,267	102,711,874	104,168,485	1,275,616	103,969,883

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	AIRCRAFT PROCUREMENT, ARMY										
	AIRCRAFT										
	FIXED WING										
001	JOINT CARGO AIRCRAFT (JCA)	7	264,160	7	264,160	7	264,160			7	264,160
002	UTILITY F/W AIRCRAFT										
	ROTARY WING										
003	ARMED RECONNAISSANCE	28	358,841	15	229,041	20	283,841	-13	-129,800	15	229,041
	Program Profile Adjustment				[-129,800]				[-129,800]		
	Reduce aggressive ramp up of production rate						[-75,000]				
004	ADVANCE PROCUREMENT (CY)		80,010		43,810		80,010		-36,200		43,810
	Program Decrease				[-36,200]				[-36,200]		
005	HELICOPTER, LIGHT UTILITY (LUH)	36	224,518	36	224,518	36	224,518			36	224,518
006	UH-60 BLACKHAWK (MYP)	63	925,852	66	985,252	63	925,852			63	925,852
	Additional HH-60 Aircraft - USAR				[59,400]						
007	ADVANCE PROCUREMENT (CY)		137,175		137,175		137,175				137,175
008	CH-47 HELICOPTER (MYP)	16	443,519	16	443,519	16	443,519			16	443,519
009	ADVANCE PROCUREMENT (CY)										
010	HELICOPTER NEW TRAINING	1	2,381	1	2,381	1	2,381			1	2,381
011	DRUG INTERDICTION										
	MODIFICATION OF AIRCRAFT										
012	GUARDRAIL MODS (MIP)		119,057		119,057		119,057				119,057

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
013	MULTI SENSOR ABN RECON		23,297		23,297		23,297				23,297
014	AH-64 MODS		607,969		607,969		607,969				607,969
015	ADVANCE PROCUREMENT (CY)		29,373		29,373		29,373				29,373
016	CH-47 CARGO HELICOPTER MODS		674,586		674,586		674,586				674,586
017	ADVANCE PROCUREMENT (CY)		49,619		49,619		49,619				49,619
018	UTILITY/CARGO AIRPLANE MODS		14,921		14,921		14,921				14,921
019	AIRCRAFT LONG RANGE MODS		577		577		577				577
020	UTILITY HELICOPTER MODS		10,866		17,866		13,866		5,000		15,866
	UH-60A to UH-60L helicopter				[5,000]				[5,000]		
	UH-60 Weapons Armament Mission				[2,000]						
	Additional forward looking infrared (FLIR) systems						[3,000]				
021	KIOWA WARRIOR		13,722		13,722		13,722				13,722
022	AIRBORNE AVIONICS		174,978		174,978		186,278				174,978
	Additional avionics navigation equipment – Army UFR						[11,300]				
023	GATM (Global Air Traffic		79,223		79,223		79,223				79,223
	SPARES AND REPAIR PARTS										
024	SPARE PARTS (AIR)		6,875		6,875		6,875				6,875
	SUPPORT EQUIPMENT AND GROUND SUPPORT AVIONICS										
025	AIRCRAFT SURVIVABILITY		56,906		56,906		56,906				56,906

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
026	ASE INFRARED CM		433,941		433,941		433,941				433,941
	OTHER SUPPORT										
027	AIRBORNE COMMAND & CONTROL										
028	AVIONICS SUPPORT EQUIPMENT		5,028		5,028		5,277				5,028
	Avionic support equipment – Army						[249]				
029	COMMON GROUND EQUIPMENT		103,882		106,382		103,882				103,882
	Compact Aircraft Support Cart - ARNG				[2,500]						
030	AIRCREW INTEGRATED SYSTEMS		40,697		40,697		43,137				40,697
	Aircrew integrated systems – Army						[2,440]				
031	AIR TRAFFIC CONTROL		122,775		122,775		128,268				122,775
	Air traffic control equipment- Army						[5,493]				
032	INDUSTRIAL FACILITIES		2,536		2,536		2,652				2,536
	Additional avionics & airborne instrumentation equipment – Army						[116]				
033	LAUNCHER, 2.75 ROCKET		2,442		2,442		2,442				2,442
034	AIRBORNE COMMUNICATIONS		109		109		111				109
	Additional high frequency radio equipment – Army UFR						[2]				
	TOTAL - AIRCRAFT PROCUREMENT, ARMY		**5,009,835**		**4,912,735**		**4,957,435**		**-161,000**		**4,848,835**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	MISSILE PROCUREMENT, ARMY										
	OTHER MISSILES										
	SURFACE-TO-AIR MISSILE SYSTEM										
001	PATRIOT SYSTEM SUMMARY	108	512,086	108	512,086	108	512,086			108	512,086
002	PATRIOT/MEADS CAP SYSTEM		31,049		31,049		31,049				31,049
003	ADVANCE PROCUREMENT		40,468		40,468		40,468				40,468
	AIR-TO-SURFACE MISSILE SYSTEM										
004	HELLFIRE	372	48,629	372	48,629	372	48,629			372	48,629
	ANTI-TANK/ASSAULT MISSILE										
005	JAVELIN (AAWS-M) SYSTEM	605	259,326	605	259,326	605	259,326			605	259,326
006	TOW 2 SYSTEM SUMMARY	1,586	85,988	1,586	85,988	1,586	85,988			1,586	85,988
007	ADVANCE PROCUREMENT (CY)										
008	GUIDED MLRS ROCKET (GMLRS)	1,938	247,213	1,938	237,213	1,938	247,213		-4,000	1,938	243,213
	Program Reduction				[-10,000]				[-4,000]		
009	MLRS REDUCED RANGE PRACTICE	4,014	25,300	4,014	25,300	4,014	25,300			4,014	25,300
010	HIGH MOBILITY ARTILLERY	57	246,041	57	246,041	57	246,041			57	246,041
011	ARMY TACTICAL MSL SYS										
	MODIFICATION OF MISSILES										
	MODIFICATIONS										
012	PATRIOT MODS		524,500		524,500		524,500				524,500

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
013	JAVELIN MISSILE MODS										
014	ITAS/TOW MODS		137,109		137,109		137,109				137,109
015	MLRS MODS		1,872		1,872		1,872				1,872
016	HIMARS MODIFICATIONS		16,408		16,408		16,408				16,408
017	HELLFIRE MODIFICATIONS										
	SPARES AND REPAIR PARTS										
018	SPARES AND REPAIR PARTS		24,901		24,901		24,901				24,901
	SUPPORT EQUIPMENT AND										
019	AIR DEFENSE TARGETS		6,442		6,442		6,442				6,442
020	ITEMS LESS THAN $5.0M		10		10		10				10
021	PRODUCTION BASE SUPPORT		4,118		4,118		4,118				4,118
	TOTAL - MISSILE PROCUREMENT, ARMY		**2,211,460**		**2,201,460**		**2,211,460**		**-4,000**		**2,207,460**
	PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES										
001	ABRAMS TRNG DEV MOD										
002	BRADLEY PROGRAM	21	171,989	21	171,989	21	171,989			21	171,989
003	BRADLEY TRAINING DEVICES		4,386		4,386		4,386				4,386
004	ABRAMS TANK TRAINING DEVICES										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
005	STRYKER VEHICLE	119	1,174,947	119	1,019,147	119	1,174,947		-33,000	119	1,141,947
	Stryker Mobile Gun System				[-155,800]				[-33,000]		
006	FUTURE COMBAT SYSTEMS: (FCS)	6	128,419	6	128,419	6	128,419			6	128,419
007	ADVANCE PROCUREMENT (CY)		26,164		26,164		26,164				26,164
008	FCS SPIN OUTS		161,879		161,879		161,879		-137,679		24,200
	Procurement of Spin Out Hardware Delayed to Fiscal Year 2010								[-137,679]		
009	ADVANCE PROCUREMENT (CY)		14,788		14,788		14,788				14,788
	MODIFICATION OF TRACKED										
010	CARRIER, MOD										
011	FIST VEHICLE (MOD)	6	33,426	6	33,426	6	33,426			6	33,426
012	BRADLEY PROGRAM (MOD)		311,925		311,925		311,925				311,925
013	HOWITZER, MED SP FT 155MM		28,913		28,913		28,913				28,913
014	IMPROVED RECOVERY VEHICLE	39	132,701	39	132,701	39	132,701			39	132,701
015	ARMORED BREACHER VEHICLE	11	34,713	11	34,713	11	34,713			11	34,713
016	ARMORED VEH LAUNCH BRIDGE										
017	JOINT ASSAULT BRIDGE	11	40,464	11	40,464	11	40,464			11	40,464
018	M1 ABRAMS TANK (MOD)		341,569		341,569		341,569				341,569
019	SYSTEM ENHANCEMENT PGM: SEP										
020	ABRAMS UPGRADE PROGRAM	29	351,179	29	351,179	29	351,179			29	351,179
021	ITEMS LESS THAN $5.0M (TCV-										
022	WTCV)		7,136		7,136		7,136				7,136

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	WEAPONS AND OTHER COMBAT										
023	HOWITZER, LIGHT, TOWED, 105MM,	90	118,431	90	118,431	90	118,431			90	118,431
024	M240 MEDIUM MACHINE GUN	5,900	61,334	5,900	61,334	5,900	61,334			5,900	61,334
025	MACHINE GUN, CAL .50 M2 ROLL	6,167	99,881	6,167	99,881	6,167	99,881			6,167	99,881
026	M249 SAW MACHINE GUN (5.56MM)	5,150	22,134	5,150	22,134	5,150	22,134			5,150	22,134
027	MK-19 GRENADE MACHINE GUN	785	17,328	785	17,328	785	17,328			785	17,328
028	MORTAR SYSTEMS	165	15,500	165	15,500	165	15,500			165	15,500
029	M107, CAL. 50, SNIPER RIFLE		223		223		223				223
030	XM320 GRENADE LAUNCHER	9,342	31,756	9,342	31,756	9,342	31,756			9,342	31,756
031	XM110 SEMI-AUTOMATIC SNIPER	508	7,407	508	7,407	508	7,407			508	7,407
032	M4 CARBINE	88,964	151,055	88,964	151,055	88,964	151,055			88,964	151,055
033	SHOTGUN, MODULAR ACCESSORY	7,135	9,097	7,135	9,097	7,135	9,097			7,135	9,097
034	COMMON REMOTELY OPERATED										
035	FUTURE HANDGUN SYSTEM (FHS)	5,000	3,468	5,000	3,468	5,000	3,468			5,000	3,468
036	HOWITZER LT WT 155MM (T)	38	113,205	38	113,205	38	113,205			38	113,205
	MODIFICATION OF WEAPONS AND										
037	MK-19 GRENADE MACHINE GUN		7,654		7,654		7,654				7,654
038	M4 CARBINE MODS		16,796		16,796		16,796				16,796
039	M2 50 CAL MACHINE GUN MODS										
040	M249 SAW MACHINE GUN MODS		7,088		7,088		7,088				7,088
041	M240 MEDIUM MACHINE GUN		21,128		21,128		21,128				21,128
042	PHALANX MODS										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
043	M119 MODIFICATIONS		964		964		964				964
044	M16 RIFLE MODS		1,181		1,181		1,181				1,181
045	MODIFICATIONS LESS THAN $5.0M		3,763		9,663		3,763				3,763
	Stryker Situation Awareness Soldier				[5,900]						
	SUPPORT EQUIPMENT AND										
046	ITEMS LESS THAN $5.0M (WOCV-		2,187		4,187		2,187				2,187
	M1A1 Transmission Dynamometer				[2,000]						
047	PRODUCTION BASE SUPPORT		6,545		6,545		6,545				6,545
048	INDUSTRIAL PREPAREDNESS		3,104		3,104		3,104				3,104
049	SMALL ARMS EQUIPMENT		1,250		1,250		3,450				1,250
	Additional small arms – Army UFR						[2,200]				
050	REF SMALL ARMS										
051	CLOSED ACCOUNT ADJUSTMENTS										
	TOTAL - PROCUREMENT OF WTCV, ARMY		**3,687,077**		**3,539,177**		**3,689,277**		**-170,679**		**3,516,398**
	PROCUREMENT OF AMMUNITION, AMMUNITION										
	SMALL/MEDIUM CALIBER										
001	CTG, 5.56MM, ALL TYPES		197,130		197,130		197,130				197,130
002	CTG, 7.62MM, ALL TYPES		59,181		59,181		59,181				59,181

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
003	CTG, HANDGUN, ALL TYPES		6,276		6,276		6,276				6,276
004	CTG, .50 CAL, ALL TYPES		183,813		183,813		183,813				183,813
005	CTG, 20MM, ALL TYPES										
006	CTG, 25MM, ALL TYPES		14,742		14,742		14,742				14,742
007	CTG, 30MM, ALL TYPES		79,066		79,066		79,066				79,066
008	CTG, 40MM, ALL TYPES		293,322		293,322		293,322				293,322
	MORTAR AMMUNITION										
009	60MM MORTAR, ALL TYPES		17,055		17,055		17,055				17,055
010	81MM MORTAR, ALL TYPES		58,521		58,521		58,521				58,521
011	CTG, MORTAR, 120MM, ALL TYPES		117,601		117,601		117,601				117,601
	TANK AMMUNITION										
012	CTG TANK 105MM: ALL TYPES		15,829		15,829		15,829				15,829
013	CTG, TANK, 120MM, ALL TYPES		151,015		151,015		151,015				151,015
	ARTILLERY AMMUNITION										
014	CTG, ARTY, 75MM: ALL TYPES		2,741		2,741		2,741				2,741
015	CTG, ARTY, 105MM: ALL TYPES		42,153		42,153		42,153				42,153
016	CTG, ARTY, 155MM, ALL TYPES		85,030		85,030		85,030				85,030
017	PROJ 155MM EXTENDED RANGE		34,220		49,220		34,220				34,220
	Excalibur XM982 Extended Range Artillery Projectile				[15,000]						
018	MODULAR ARTILLERY CHARGE		43,338		43,338		43,338				43,338

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	ARTILLERY FUZES										
019	ARTILLERY FUZES, ALL TYPES		19,969		19,969		19,969				19,969
	MINES										
020	MINES, ALL TYPES		4,846		4,846		4,846				4,846
021	MINE, CLEARING CHARGE, ALL		2,606		2,606		2,606				2,606
022	ANTIPERSONNEL LANDMINE		52,000		52,000		52,000				52,000
	ROCKETS										
023	SHOULDER LAUNCHED		28,020		28,020		28,020				28,020
024	ROCKET, HYDRA 70, ALL TYPES		142,521		142,521		142,521				142,521
	OTHER AMMUNITION										
025	DEMOLITION MUNITIONS, ALL		28,886		28,886		28,886				28,886
026	GRENADES, ALL TYPES		71,608		71,608		78,608		5,000		76,608
	Program increase (Grenades all types)						[7,000]		[5,000]		
027	SIGNALS, ALL TYPES		89,357		89,357		89,357				89,357
028	CARTRIDGE, IMPULSE, BBU-35/B										
029	SIMULATORS, ALL TYPES		20,027		20,027		20,027				20,027
030	SIMULATOR, HOSTILE FIRE, XM34										
031	SIMULATOR, TARGET HIT, XM35										
032	FLARE, AIRCRAFT,										
033	ALL OTHER (AMMO)										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	MISCELLANEOUS										
034	AMMO COMPONENTS, ALL TYPES		15,228		15,228		15,228				15,228
035	NON-LETHAL AMMUNITION, ALL		21,193		21,193		21,193				21,193
036	CAD/PAD ALL TYPES		2,806		2,806		2,806				2,806
037	ITEMS LESS THAN $5 MILLION		6,996		6,996		6,996				6,996
038	AMMUNITION PECULIAR		10,598		14,598		10,598				10,598
	Outloading Module-McAlester Army				[4,000]						
039	FIRST DESTINATION		12,564		12,564		12,564				12,564
040	CLOSEOUT LIABILITIES		100		100		100				100
	AMMUNITION PRODUCTION BASE										
	PRODUCTION BASE SUPPORT										
041	PROVISION OF INDUSTRIAL		187,388		187,388		208,388				187,388
	Radford AAP upgrades						[20,000]				
	Bomb line modernization						[1,000]				
042	LAYAWAY OF INDUSTRIAL		5,085		5,085		5,085				5,085
043	MAINTENANCE OF INACTIVE		5,619		5,619		5,619				5,619
044	CONVENTIONAL MUNITIONS		144,327		144,327		144,327				144,327
045	ARMS INITIATIVE		3,014		3,014		3,014				3,014

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	RE-ESTIMATE OF GUARANTEED										
046	RE-ESTIMATE OF GUAR LOAN										
	TOTAL - PROCUREMENT OF AMMUNITION, ARMY		**2,275,791**		**2,294,791**		**2,303,791**		**5,000**		**2,280,791**
	OTHER PROCUREMENT, ARMY										
	TACTICAL AND SUPPORT										
	TACTICAL VEHICLES										
001	TACTICAL TRAILERS/DOLLY SETS		88,428		88,428		88,428				88,428
002	SEMITRAILERS, FLATBED:		62,345		62,345		62,345				62,345
003	SEMITRAILERS, TANKERS		47,476		47,476		47,476				47,476
004	HI MOB MULTI-PURP WHLD VEH		946,734		946,734		946,734		-113,200		833,534
	ECV variants, funded ahead of need								[-113,200]		
005	FAMILY OF MEDIUM TACTICAL VEH		944,687		944,687		1,025,387		-100,000		844,687
	Additional palletized loading systems						[80,700]				
	Production Backlog								[-100,000]		
006	FIRETRUCKS & ASSOCIATED		19,378		19,378		19,378				19,378
007	FAMILY OF HEAVY TACTICAL		923,348		923,348		966,448				923,348
	Additional heavy equipment transporter system (HETS) – Army						[43,100]				
008	ARMORED SECURITY VEHICLES	202	195,385	202	195,385	202	195,385		-13,700	202	181,685

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	Unjustified Cost Growth								[-13,700]		
009	MINE PROTECTION VEHICLE		182,367		182,367		182,367				182,367
010	TRUCK, TRACTOR, LINE HAUL,		14,870		14,870		14,870				14,870
011	HVY EXPANDED MOBILE TACTICAL		213,341		213,341		213,341				213,341
012	HMMWV RECAPITALIZATION										
013	MODIFICATION OF IN SVC EQUIP		32,219		37,219		32,219		1,000		33,219
	Passive Fuel Tank Fire Suppr. Kits - FMTVs				[5,000]				[1,000]		
014	ITEMS LESS THAN $5.0M (TAC VEH)		511		511		511				511
015	TOWING DEVICE-FIFTH WHEEL	3	218	3	218	3	218			3	218
	NON-TACTICAL VEHICLES										
016	HEAVY ARMORED SEDAN	3	595	3	595	3	595			3	595
017	PASSENGER CARRYING VEHICLES	8	280	8	280	8	280			8	280
018	NONTACTICAL VEHICLES, OTHER		3,380		3,380		3,380				3,380
	COMMUNICATIONS AND COMM-JOINT COMMUNICATIONS										
019	COMBAT IDENTIFICATION										
020	JOINT COMBAT IDENTIFICATION		12,910		12,910		12,910				12,910
021	WIN-T - GROUND FORCES		287,605		242,593		245,605		-42,000		245,605
	WIN-T Increment 2 Reduction				[-45,012]				[-42,000]		
	Area Common User System modernization program reduction						[-42,000]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
022	JCSE EQUIPMENT (USREDCOM)		4,114		4,114		4,114				4,114
	COMM-SATELLITE										
023	SECOMP-I										
024	DEFENSE ENTERPRISE WIDEBAND		88,286		88,286		88,286				88,286
025	SHF TERM		298		298		15,298				298
	Super high frequency terminals – Army UFR						[15,000]				
026	SAT TERM, EMUT (SPACE)		807		807		807				807
027	NAVSTAR GLOBAL POSITIONING		92,311		97,311		108,811		2,500		94,811
	Defense Advanced GPS Receivers				[5,000]				[2,500]		
	Additional defense advanced GPS receivers – Army UFR						[16,500]				
028	SMART-T (SPACE)		85,286		85,286		85,286				85,286
029	SCAMP (SPACE)		993		993		993				993
030	GLOBAL BRDCST SVC - GBS		35,385		35,385		35,385				35,385
031	MOD OF IN-SVC EQUIP (TAC SAT)		6,075		6,075		10,075				6,075
	Tactical satellite equipment upgrades						[4,000]				
	COMM-C3 SYSTEM										
032	ARMY GLOBAL CMD & CONTROL		33,513		33,513		28,791				33,513
	Net-enabled command capability						[-4,722]				
	COMM-COMBAT										
033	ARMY DATA DISTRIBUTION		36,077		36,077		36,077				36,077

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
034	RADIO TERMINAL SET, MIDS LVT(2)		8,570		8,570		8,570				8,570
035	SINCGARS FAMILY		84,888				84,888				84,888
	Program Reduction				[-84,888]						
036	AMC CRITICAL ITEMS - OPA2		4,073		4,073		4,073				4,073
037	MULTI-PURPOSE INFORMATIONS		7,801		7,801		7,801				7,801
038	BRIDGE TO FUTURE NETWORKS										
039	COMMS-ELEC EQUIP FIELDING		7,828		7,828		7,828				7,828
040	SPIDER APLA REMOTE CONTROL	125	18,000	125	18,000	125	18,000			125	18,000
041	SOLDIER ENHANCEMENT		7,545		7,545		7,545				7,545
042	COMBAT SURVIVOR EVADER		16,155		16,155		16,155				16,155
043	RADIO, IMPROVED HF (COTS)		48,436		48,436		71,236				48,436
	Commercial, off-the-shelf tactical radios equipment – Army UFR						[22,800]				
044	MEDICAL COMM FOR CBT		38,281		38,281		39,681				38,281
	Medical communication & combat casualty care equipment – Army UFR						[1,400]				
	COMM-INTELLIGENCE										
045	CI AUTOMATION ARCHITECTURE		1,500		1,500		1,500				1,500
	INFORMATION SECURITY										
046	TSEC - ARMY KEY MGT SYS (AKMS)		34,774		34,774		34,774				34,774
047	INFORMATION SYSTEM SECURITY		76,570		76,570		76,570				76,570

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	COMM-LONG HAUL										
048	TERRESTRIAL TRANSMISSION		9,167		9,167		9,167				9,167
049	BASE SUPPORT		35,120		35,120		35,120				35,120
050	ELECTROMAG COMP PROG (EMCP)										
051	WW TECH CON IMP PROG		28,736		28,736		28,736				28,736
	COMM-BASE COMMUNICATIONS										
052	INFORMATION SYSTEMS		278,999		273,999		278,999				278,999
	Network Enterprise Technology Command Unjustified growth				[-5,000]						
053	DEFENSE MESSAGE SYSTEM		6,726		6,726		6,726				6,726
054	INSTALLATION INFO		231,336		231,336		234,336		2,000		233,336
	Information technology upgrades						[3,000]		[2,000]		
055	PENTAGON INFORMATION MGT		33,317		33,317		33,317				33,317
	ELECT EQUIP-NAT FOR INT PROG										
56	FOREIGN COUNTERINTELLIGENCE I		[ ]		[ ]		[ ]				[ ]
57	GENERAL DEFENSE INTELL PROG (		[ ]		[ ]		[ ]				[ ]
058	ALL SOURCE ANALYSIS SYS (ASAS)		58,333		58,333		58,333				58,333
059	JTT/CIBS-M (MIP)		11,377		11,377		11,377				11,377
060	PROPHET GROUND (MIP)		114,085		114,085		114,085				114,085
061	TACTICAL UNMANNED AERIAL SYS		316,598		316,598		316,598				316,598
062	SMALL UNMANNED AERIAL		30,023		30,023		30,023				30,023
063	DIGITAL TOPOGRAPHIC SPT SYS		26,802		26,802		26,802				26,802

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
064	DRUG INTERDICTION PROGRAM										
065	TACTICAL EXPLOITATION SYSTEM										
066	DCGS-A (MIP)		177,973		177,973		177,973				177,973
067	TROJAN (MIP)		10,409		10,409		10,409				10,409
068	MOD OF IN-SVC EQUIP (INTEL SPT)		2,423		2,423		2,423				2,423
069	CI HUMINT AUTO REPRTING AND		37,632		37,632		37,632				37,632
070	SEQUOYAH FOREIGN LANGUAGE		6,358								
	TRANSLATION SYSTEM				6,358		6,358				6,358
071	ITEMS LESS THAN $5.0M (MIP)		27,731		27,731		27,731				27,731
	ELECT EQUIP-ELECTRONIC										
072	LIGHTWEIGHT COUNTER MORTAR		46,397		46,397		46,397				46,397
073	WARLOCK	38		38		38				38	
074	COUNTERINTELLIGENCE/SECURIT		993		993		25,993				993
	Triton III						[25,000]				
075	CI MODERNIZATION (MIP)		1,297		1,297		1,297				1,297
	ELECT EQUIP-TACTICAL SURV.										
076	SENTINEL MODS		33,142		33,142		33,142				33,142
077	NIGHT VISION DEVICES		465,592		465,592		494,392				465,592
	Additional night vision devices - Army UFR						[28,800]				
078	LONG RANGE ADVANCED SCOUT	41	210,766	41	210,766	41	210,766			41	210,766

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
079	NIGHT VISION, THERMAL WPN		416,866		416,866		469,366				416,866
	Additional driver vision enhancement systems – Army UFR						[52,500]				
080	RADIATION MONITORING SYSTEMS		3,440		3,440		3,440				3,440
081	COUNTER-ROCKET, ARTILLERY &										
082	ARTILLERY ACCURACY EQUIP		447		447		447				447
083	MOD OF IN-SVC EQUIP (MMS)				1,000				1,000		1,000
	Retrofit 30th HBCT Radios With Embedded SAASM GPS Card				[1,000]				[1,000]		
084	ENHANCED PORTABLE INDUCTIVE		2,579		2,579		2,579				2,579
085	PROFILER	8	12,517	8	5,017	8	12,517			8	12,517
	Profiler Meteorological System				[-7,500]						
086	MOD OF IN-SVC EQUIP		16,342		16,342		16,342				16,342
087	FORCE XXI BATTLE CMD BRIGADE		231,651		231,651		231,651				231,651
088	LIGHTWEIGHT LASER		150,094		150,094		150,094				150,094
089	COMPUTER BALLISTICS: LHMBC		2,269		2,269		2,269				2,269
090	MORTAR FIRE CONTROL SYSTEM		21,037		21,037		21,037				21,037
091	COUNTERFIRE RADARS		107,061		60,361		107,061				107,061
	Program Reduction				[-46,700]						
092	INTEGRATED MET SYS SENSORS										
093	ENHANCED SENSOR &		1,987		1,987		1,987				1,987

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	ELECT EQUIP-TACTICAL C2										
094	TACTICAL OPERATIONS CENTERS		196,245		147,245		196,245				196,245
	Program Reduction				[-49,000]						
095	FIRE SUPPORT C2 FAMILY		53,908		53,908		53,908				53,908
096	BATTLE COMMAND SUSTAINMENT		36,829		36,829		36,829				36,829
097	FAAD C2		7,489		7,489		7,489				7,489
098	AIR & MSL DEFENSE PLANNING &		57,674		57,674		57,674				57,674
099	KNIGHT FAMILY		100,709		100,709		100,709				100,709
100	LIFE CYCLE SOFTWARE SUPPORT		2,101		2,101		8,001				2,101
	Life cycle software support – Army						[5,900]				
101	AUTOMATIC IDENTIFICATION		83,530		83,530		89,430				83,530
	Additional automatic identification equipment – Army UFR						[5,900]				
102	TC AIMS II		31,879		31,879		37,779				31,879
	Additional transportation coordinator's automated information for movement system equipment (TC						[5,900]				
103	JOINT NETWORK MANAGEMENT		11,059		11,059		11,059				11,059
104	TACTICAL INTERNET MANAGER		4,809		4,809		4,809				4,809
105	DATA PRODUCTS		30,077		30,077		30,077				30,077
106	MANEUVER CONTROL SYSTEM		123,009		123,009		123,009				123,009

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
107	SINGLE ARMY LOGISTICS		67,960		62,960		68,260				67,960
	Logistics Post Production Software				[-5,000]						
	Additional logistics automation systems – Army UFR						[300]				
108	MOUNTED BATTLE COMMAND ON		25,869		25,869		25,869				25,869
	ELECT EQUIP - AUTOMATION										
109	GENERAL FUND ENTERPRISE		30,137		30,137		30,137				30,137
110	ARMY TRAINING MODERNIZATION		13,481		13,481		13,481				13,481
111	AUTOMATED DATA PROCESSING		105,343		109,343		105,343		2,000		107,343
	Interoperable Radios - TX ARNG				[1,000]				[1,000]		
	Joint incident scene communication capability				[3,000]				[1,000]		
112	CSS COMMUNICATIONS		36,744		36,744		42,644				36,744
	Combat service support communications equipment – Army						[5,900]				
113	RESERVE COMPONENT		42,462		42,462		42,462				42,462
	ELECT EQUIP-AUDIO VISUAL SYS										
114	AFRTS										
115	ITEMS LESS THAN $5.0M (A/V)		6,677		6,677		6,677				6,677
116	ITEMS LESS THAN $5M		12,613		12,613		12,613				12,613
	ELECT EQUIP-MODS TACTICAL										
117	WEAPONIZATION OF UNMANNED		15,124		15,124		15,124				15,124

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	ELECT EQUIP-SUPPORT										
118	ITEMS UNDER $5M (SSE)		6,517		8,517		6,517		2,000		8,517
	SAASM PPS GPS Upgrade				[2,000]				[2,000]		
119	PRODUCTION BASE SUPPORT (C-		514		514		514				514
	OTHER SUPPORT EQUIPMENT										
	CHEMICAL DEFENSIVE										
120	PROTECTIVE SYSTEMS	35	1,085	35	1,085	35	1,085			35	1,085
121	MASK, ACFT										
122	CBRN SOLDIER PROTECTION		58,426		58,426		58,426				58,426
123	SMOKE & OBSCURANT FAMILY:		16,814		16,814		16,814				16,814
	BRIDGING EQUIPMENT										
124	TACTICAL BRIDGING	19	93,930	19	93,930	19	93,930			19	93,930
125	TACTICAL BRIDGE, FLOAT-RIBBON		147,270		147,270		147,270				147,270
	ENGINEER (NON-CONSTRUCTION)										
126	HANDHELD STANDOFF MINEFIELD		46,007		46,007		46,007				46,007
127	GRND STANDOFF MINE		46,783		46,783		52,783				46,783
	Fido explosives detector						[6,000]				
128	EXPLOSIVE ORDNANCE DISPOSAL		58,437		58,437		58,437				58,437
129	< $5M, COUNTERMINE EQUIPMENT		3,192		3,192		3,192				3,192
130	AERIAL DETECTION		12,773		12,773		12,773				12,773
	COMBAT SERVICE SUPPORT										
131	HEATERS AND ECU'S		12,996		12,996		12,996				12,996

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
132	LAUNDRIES, SHOWERS AND		7,002		7,002		7,002				7,002
133	SOLDIER ENHANCEMENT		9,898		9,898		9,898				9,898
134	LIGHTWEIGHT MAINTENANCE										
135	LAND WARRIOR				20,000		102,000				
	Program increase				[20,000]		[102,000]				
136	FORCE PROVIDER										
137	FIELD FEEDING EQUIPMENT		70,847		73,047		76,247		2,200		73,047
	Multi-temp refrigerated container system (MTRCS)				[2,200]				[2,200]		
	Additional field feeding systems – Army UFR						[5,400]				
138	PARACHUTE & AERIAL DEL SYS		63,420		63,420		63,420				63,420
139	MOBILE INTEGRATED REMAINS		17,803		17,803		17,803				17,803
140	ITEMS LESS THAN $5M (ENG SPT)		32,602		32,602		32,602				32,602
141	ITEMS LESS THAN $5.0M (CSS EQ)										
	PETROLEUM EQUIPMENT										
142	QUALITY SURVEILLANCE		1,285		1,285		1,285				1,285
143	DISTRIBUTION SYSTEMS,		61,545		61,545		61,545				61,545
	WATER EQUIPMENT										
144	WATER PURIFICATION SYSTEMS		51,164		51,164		52,364				51,164
	Additional water purification systems – Army UFR						[1,200]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	MEDICAL EQUIPMENT										
145	COMBAT SUPPORT MEDICAL		62,336		62,336		66,636				62,336
	Additional combat medical support equipment – Army UFR						[4,300]				
	MAINTENANCE EQUIPMENT										
146	MOBILE MAINTENANCE		57,994		57,994		57,994				57,994
147	ITEMS LESS THAN $5.0M (MAINT		1,329		1,329		1,329				1,329
	CONSTRUCTION EQUIPMENT										
148	GRADER, ROAD MTZD, HVY, 6X4		37,698		37,698		38,698				37,698
	Additional graders – Army UFR						[1,000]				
149	SKID STEER LOADER (SSL) FAMILY		19,943		19,943		22,943				19,943
	Additional skid steer loaders – Army						[3,000]				
150	SCRAPERS, EARTHMOVING						1,000				
	Additional scrapers – Army UFR						[1,000]				
151	DISTR, WATER, SP MIN 2500G		6,555		6,555		7,555				6,555
	Additional water distributors – Army UFR						[1,000]				
152	MISSION MODULES - ENGINEERING		31,525		31,525		32,525				31,525
	Additional engineer mission module water distributors – Army UFR						[1,000]				
153	LOADERS		27,988		27,988		29,988				27,988
	Additional loaders – Army UFR						[2,000]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
154	HYDRAULIC EXCAVATOR		9,565		9,565		9,565				9,565
155	TRACTOR, FULL TRACKED		33,727		33,727		35,727				33,727
	Additional tractors – Army UFR						[2,000]				
156	CRANES						1,000				
	Additional cranes – Army UFR						[1,000]				
157	PLANT, ASPHALT MIXING		7,906		7,906		7,906				7,906
158	HIGH MOBILITY ENGINEER		54,508		54,508		62,508				54,508
	Additional high mobility engineer excavators - Army UFR						[8,000]				
159	CONST EQUIP ESP		44,703		44,703		45,703				44,703
	Additional construction equipment - Army UFR						[1,000]				
160	ITEMS LESS THAN $5.0M (CONST		17,030		17,030		21,030				17,030
	Additional equipment – Army UFR						[4,000]				
	RAIL FLOAT CONTAINERIZATION										
161	JOINT HIGH SPEED VESSEL (JHSV)	1	168,846	1	168,846	1	168,846			1	168,846
162	HARBORMASTER COMMAND AND		17,615		17,615		17,615				17,615
163	CAUSEWAY SYSTEMS										
164	ITEMS LESS THAN $5.0M		7,803		7,803		7,803				7,803

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	GENERATORS										
165	GENERATORS AND ASSOCIATED		217,749		217,749		262,349				217,749
	Additional tactical electric generators – Army UFR						[44,600]				
	MATERIAL HANDLING EQUIPMENT										
166	ROUGH TERRAIN CONTAINER		45,000		45,000		45,000				45,000
167	ALL TERRAIN LIFTING ARMY		48,981		48,981		48,981				48,981
	TRAINING EQUIPMENT										
168	COMBAT TRAINING CENTERS		16,508		16,508		16,508				16,508
169	TRAINING DEVICES, NONSYSTEM		218,614		244,014		251,514		23,400		242,014
	Call for Fire Trnr II - Jnt Forces and Effects Trainer Sys (1)				[4,000]				[4,500]		
	Combat Skills Simulation Systems - OH ARNG				[4,650]				[4,650]		
	Combat Arms Training System						[6,000]		[2,000]		
	Immersive Group Sim Virtual Training System HI ARNG				[4,500]				[1,500]		
	Immersive group simulation						[6,000]				
	Virtual Interactive Combat Environment - NJ ARNG				[2,000]				[2,000]		
	Joint fires and effects trainer						[5,000]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	Ft Bragg Range 74 Comb Arms Collective Tng Facility I				[4,000]						
	Laser collective combat training						[8,000]		[4,000]		
	Urban training center instrumentation						[2,900]				
	Virtual Convoy Operations Trainer - KY ARNG				[1,500]						
	Operator driving simulators						[5,000]				
	Combat Skills Marksmanship				[3,000]				[3,000]		
	Instrumentation for Urban Assault Course - TN ARNG				[1,750]				[1,750]		
170	CLOSE COMBAT TACTICAL		60,676		67,126		60,676		4,950		65,626
	Future Soldier Training System - TX ARNG				[3,000]				[3,000]		
	Mobile Digital Target System - Army Infantry Set				[450]				[450]		
	Abrams Mobile Conduct of Fires Trainer Upgrades				[3,000]				[1,500]		
171	AVIATION COMBINED ARMS TACTICAL TRAINER (AVCAT)		23,106		23,106		23,106				23,106
	TEST MEASURE AND DIG										
172	CALIBRATION SETS EQUIPMENT		9,689		9,689		9,689				9,689
173	INTEGRATED FAMILY OF TEST		46,296		46,296		46,296				46,296

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
174	GENERAL PURPOSE ELECTRONIC		22,377		22,377		22,377				22,377
	OTHER SUPPORT EQUIPMENT										
175	RAPID EQUIPPING SOLDIER		20,190		20,190		20,190				20,190
176	PHYSICAL SECURITY SYSTEMS		104,774		110,774		104,774		3,000		107,774
	Battlefield Anti-Intrusion System				[6,000]				[3,000]		
177	BASE LEVEL COM'L EQUIPMENT		4,123		4,123		4,123				4,123
178	MODIFICATION OF IN-SVC		45,741		45,741		45,741				45,741
179	PRODUCTION BASE SUPPORT		3,107		3,107		3,107				3,107
180	BUILDING, PRE-FAB,										
181	SPECIAL EQUIPMENT FOR USER		24,201		24,201		24,201				24,201
182	AMC CRITICAL ITEMS OPA3		10,826		10,826		13,226				10,826
	Additional spares – Army UFR						[2,400]				
183	MA8975		2,624		2,624		2,624				2,624
	SPARES AND REPAIR PARTS										
	OPA2										
184	INITIAL SPARES - C&E		36,334		36,334		36,334				36,334
	OPA3										
185	INITIAL SPARES - OTHER SUPPORT										
999	CLASSIFIED PROGRAMS		2,636		2,636		2,636				2,636
	TOTAL - OTHER PROCUREMENT, ARMY		**11,367,926**		**11,201,876**		**11,861,704**		**-224,850**		**11,143,076**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND										
	NETWORK ATTACK										
001	ATTACK THE NETWORK										
	JIEDDO DEVICE DEFEAT										
002	DEFEAT THE DEVICE		196,300						-196,300		
	Transfer to Title XV				[-196,300]						
	Transfer to Title XV and Title XVI						[-196,300]				
	FORCE TRAINING										
003	TRAIN THE FORCE										
	STAFF AND INFRASTRUCTURE										
004	OPERATIONS		300,000						-100,000		200,000
	Transfer to Title XV				[-300,000]						
	Transfer to Title XV and Title XVI						[-300,000]				
	TOTAL - JOINT IED DEFEAT FUND		**496,300**						**-296,300**		**200,000**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	AIRCRAFT PROCUREMENT, NAVY										
	COMBAT AIRCRAFT										
001	AV-8B (V/STOL)HARRIER (MYP)		3,401		3,401		3,401				3,401
002	EA-18G	22	1,604,800	22	1,559,800	22	1,604,800			22	1,604,800
	EA-18G				[-45,000]						
003	ADVANCE PROCUREMENT (CY)		46,831		46,831		46,831				46,831
004	F/A-18E/F (FIGHTER) HORNET	23	1,868,688	23	1,828,188	23	1,868,688			23	1,868,688
	F/A-18E/F (FIGHTER) HORNET				[-45,000]						
	BRU-55 Smart Rack				[4,500]						
005	ADVANCE PROCUREMENT (CY)		42,616		42,616		42,616				42,616
006	JOINT STRIKE FIGHTER	8	1,602,084	8	1,602,084	8	1,602,084	-1	-162,800	7	1,439,284
	Defer 1 Aircraft								[-162,800]		
007	ADVANCE PROCUREMENT (CY)		258,814		258,814		258,814				258,814
008	V-22 (MEDIUM LIFT)	30	2,133,401	30	2,133,401	30	2,133,401			30	2,133,401
009	ADVANCE PROCUREMENT (CY)		87,000		87,000		87,000				87,000
010	UH-1Y/AH-1Z	20	474,141	20	474,141	20	474,141			20	474,141
011	MH-60 S (MYP)	31	1,045,004	31	1,035,004	31	1,045,004			31	1,045,004
	Excess Engineering Change Orders				[-10,000]						
012	ADVANCE PROCUREMENT (CY)		79,215		79,215		79,215				79,215
013	MH-60 R	18	470,455	18	470,455	18	470,455			18	470,455
014	ADVANCE PROCUREMENT (CY)		140,759		140,759		140,759				140,759
015	MMA ADVANCE PROCUREMENT		110,568		110,568		110,568				110,568

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
016	E-2C (EARLY WARNING) HAWKEYE	3	496,374	3	496,374	2	330,874			3	496,374
	Defer one aircraft to reflect radar development delays						[-165,500]				
017	ADVANCE PROCUREMENT (CY)		92,749		92,749		92,749				92,749
	AIRLIFT AIRCRAFT										
018	C-40A	2	154,994	2	154,994	2	154,994			2	154,994
	TRAINER AIRCRAFT										
019	T-45TS (TRAINER) GOSHAWK										
020	JPATS	44	289,253	44	289,253	44	289,253			44	289,253
	OTHER AIRCRAFT										
021	KC-130J	2	119,545	2	119,545	2	119,545			2	119,545
022	ADVANCE PROCUREMENT (CY)		33,932		33,932		33,932				33,932
023	F-5										
024	VTUAV	3	55,337	3	55,337	3	55,337			3	55,337
025	OTHER SUPPORT AIRCRAFT										
	MODIFICATION OF AIRCRAFT										
026	EA-6 SERIES		33,436		33,436		33,436				33,436
027	AV-8 SERIES		51,093		51,093		51,093				51,093
028	ADVERSARY										
029	F-18 SERIES		450,909		450,909		450,909				450,909
030	H-46 SERIES		34,636		34,636		34,636				34,636
031	AH-1W SERIES		6,375		6,375		6,375				6,375

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
032	H-53 SERIES		56,381		56,381		64,381		5,000		61,381
	Integrated mechanical diagnostics health & usage management system						[8,000]		[5,000]		
033	SH-60 SERIES		72,493		72,493		72,493				72,493
034	H-1 SERIES		8,901		8,901		8,901				8,901
035	EP-3 SERIES		72,370		72,370		72,370				72,370
036	P-3 SERIES		297,896		297,896		457,896				297,896
	Critical P-3 life sustainment improvements						[160,000]				
037	S-3 SERIES										
038	E-2 SERIES		11,489		11,489		11,489				11,489
039	TRAINER A/C SERIES		26,160		26,160		26,160				26,160
040	C-2A		22,120		22,120		22,120				22,120
041	C-130 SERIES		6,468		6,468		6,468				6,468
042	FEWSG		671		671		671				671
043	CARGO/TRANSPORT A/C SERIES		17,952		17,952		17,952				17,952
044	E-6 SERIES		88,894		88,894		88,894				88,894
045	EXECUTIVE HELICOPTERS SERIES		31,819		31,819		31,819				31,819
046	SPECIAL PROJECT AIRCRAFT		14,113		14,113		14,113				14,113
047	T-45 SERIES		67,666		67,666		67,666				67,666
048	POWER PLANT CHANGES		28,219		28,219		28,219				28,219
049	JPATS SERIES		8,892		8,892		8,892				8,892

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
050	AVIATION LIFE SUPPORT MODS		7,190		7,190		7,190				7,190
051	COMMON ECM EQUIPMENT		66,425		72,425		76,425		6,000		72,425
	ALQ-214 Organic Depot				[6,000]				[2,000]		
	AN/AAR-47 hostile fire improvements						[10,000]		[4,000]		
052	COMMON AVIONICS CHANGES		148,940		148,940		148,940				148,940
053	COMMON DEFENSIVE WEAPON		10,786		10,786		10,786				10,786
054	ID SYSTEMS		12,032		12,032		12,032				12,032
055	V-22 (TILT/ROTOR ACFT) OSPREY		41,473		41,473		41,473				41,473
	AIRCRAFT SPARES AND REPAIR										
056	SPARES AND REPAIR PARTS		1,229,135		1,229,135		1,229,135		-7,100		1,222,035
	JSF Procurement Ramp-Up								[-7,100]		
	AIRCRAFT SUPPORT EQUIPMENT										
057	COMMON GROUND EQUIPMENT		442,390		442,390		442,390				442,390
058	AIRCRAFT INDUSTRIAL FACILITIES		11,068		11,068		11,068				11,068
059	WAR CONSUMABLES		62,256		62,256		62,256				62,256
060	OTHER PRODUCTION CHARGES		27,870		27,870		27,870				27,870
061	SPECIAL SUPPORT EQUIPMENT		36,539		36,539		36,539				36,539
062	FIRST DESTINATION		1,756		1,756		1,756				1,756
063	CANCELLED ACCOUNT										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	TOTAL - AIRCRAFT PROCUREMENT, NAVY		**14,716,774**		**14,627,274**		**14,729,274**		**-158,900**		**14,557,874**
	WEAPONS PROCUREMENT, NAVY										
	BALLISTIC MISSILES										
	MODIFICATION OF MISSILES										
001	TRIDENT II MODS	24	1,093,168	24	1,093,168	24	1,093,168			24	1,093,168
	SUPPORT EQUIPMENT AND										
002	MISSILE INDUSTRIAL FACILITIES		3,496		3,496		3,496				3,496
	OTHER MISSILES										
	STRATEGIC MISSILES										
003	TOMAHAWK	207	281,096	207	281,096	207	281,096			207	281,096
	TACTICAL MISSILES										
004	AMRAAM	147	146,830	147	146,830	147	146,830	-84	-45,600	63	101,230
	Smooth Production Delay								[-45,600]		
005	SIDEWINDER	205	57,497	205	57,497	205	57,497			205	57,497
006	JSOW	496	149,144	496	149,144	496	149,144			496	149,144
007	SLAM-ER										
008	STANDARD MISSILE	70	227,958	70	227,958	70	227,958			70	227,958
009	RAM	90	74,287	90	74,287	90	74,287			90	74,287
010	HELLFIRE	1,068	95,358	1,068	95,358	1,068	95,358			1,068	95,358
011	AERIAL TARGETS		83,313		83,313		83,313				83,313

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
012	OTHER MISSILE SUPPORT		9,478		9,478		9,478				9,478
	MODIFICATION OF MISSILES										
013	ESSM	86	85,061	86	85,061	86	85,061			86	85,061
014	HARM MODS		42,735		42,735		42,735				42,735
015	STANDARD MISSILES MODS		77,360		77,360		77,360				77,360
	SUPPORT EQUIPMENT AND										
016	WEAPONS INDUSTRIAL FACILITIES		3,266		3,266		33,266		30,000		33,266
	Accelerate facility restoration						[30,000]		[30,000]		
017	FLEET SATELLITE COMM FOLLOW-		479,680		479,680		479,680				479,680
018	ADVANCE PROCUREMENT (CY)		27,776		27,776		27,776				27,776
	ORDNANCE SUPPORT EQUIPMENT										
019	ORDNANCE SUPPORT EQUIPMENT		43,708		43,708		43,708				43,708
	TORPEDOES AND RELATED										
	TORPEDOES AND RELATED EQUIP.										
020	SSTD										
021	ASW TARGETS		8,929		8,929		8,929				8,929
	MOD OF TORPEDOES AND										
022	MK-46 TORPEDO MODS	120	77,782	120	77,782	120	77,782		-6,600	120	71,182
	Support Funding Carryover								[-6,600]		
023	MK-48 TORPEDO ADCAP MODS		61,545		61,545		61,545				61,545
024	QUICKSTRIKE MINE		3,506		3,506		3,506				3,506

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	SUPPORT EQUIPMENT										
025	TORPEDO SUPPORT EQUIPMENT		36,002		36,002		36,002				36,002
026	ASW RANGE SUPPORT		9,872		9,872		9,872				9,872
	DESTINATION TRANSPORTATION										
027	FIRST DESTINATION		3,442		3,442		3,442				3,442
	OTHER WEAPONS										
	GUNS AND GUN MOUNTS										
028	SMALL ARMS AND WEAPONS		13,619		13,619		13,619				13,619
	MODIFICATION OF GUNS AND GUN										
029	CIWS MODS		167,967		167,967		167,967				167,967
030	COAST GUARD WEAPONS		21,082		21,082		21,082				21,082
031	GUN MOUNT MODS		60,061		60,061		60,061				60,061
032	LCS MODULE WEAPONS		2,786		2,786		2,786				2,786
033	CRUISER MODERNIZATION		45,168		45,168		45,168				45,168
034	AIRBORNE MINE NEUTRALIZATION		8,618		8,618		8,618				8,618
	OTHER										
035	MARINE CORPS TACTIAL		20,532		20,532		20,532				20,532
036	CANCELLED ACCOUNT										
	SPARES AND REPAIR PARTS										
037	SPARES AND REPAIR PARTS		53,360		53,360		53,360				53,360

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	TOTAL - WEAPONS PROCUREMENT, NAVY		**3,575,482**		**3,575,482**		**3,605,482**		**-22,200**		**3,553,282**
	PROCUREMENT OF AMMUNITION, PROC AMMO, NAVY										
	NAVY AMMUNITION										
001	GENERAL PURPOSE BOMBS		168,437		168,437		168,437		-14,700		153,737
	Product Improvement Program								[-14,700]		
002	JDAM	169	9,306	169	9,306	169	9,306			169	9,306
003	AIRBORNE ROCKETS, ALL TYPES		32,250		32,250		32,250				32,250
004	MACHINE GUN AMMUNITION		18,916		18,916		18,916				18,916
005	PRACTICE BOMBS		39,419		39,419		39,419				39,419
006	CARTRIDGES & CART ACTUATED		46,644		46,644		46,644				46,644
007	AIRCRAFT ESCAPE ROCKETS										
008	AIR EXPENDABLE		79,805		79,805		79,805				79,805
009	JATOS		3,178		3,178		3,178				3,178
010	MK 258 MOD 1		967		967		967				967
011	5 INCH/54 GUN AMMUNITION		20,959		20,959		20,959				20,959
012	INTERMEDIATE CALIBER GUN		15,780		15,780		15,780				15,780
013	OTHER SHIP GUN AMMUNITION		35,111		35,111		35,111				35,111
014	SMALL ARMS & LANDING PARTY		45,129		45,129		45,129				45,129
015	PYROTECHNIC AND DEMOLITION		10,464		10,464		10,464				10,464

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
016	AMMUNITION LESS THAN $5		3,207		3,207		3,207				3,207
	PROC AMMO, MC										
	MARINE CORPS AMMUNITION										
017	SMALL ARMS AMMUNITION		108,436		108,436		108,436				108,436
018	5.56 MM, ALL TYPES										
019	7.62 MM, ALL TYPES										
020	LINEAR CHARGES, ALL TYPES		17,677		17,677		17,677				17,677
021	.50 CALIBER										
022	40 MM, ALL TYPES		60,433		60,433		60,433				60,433
023	60MM, ALL TYPES		44,846		44,846		44,846				44,846
024	81MM, ALL TYPES		54,879		54,879		54,879				54,879
025	120MM, ALL TYPES		87,500		87,500		87,500				87,500
026	CTG 25MM, ALL TYPES		2,300		2,300		2,300				2,300
027	9 MM ALL TYPES										
028	GRENADES, ALL TYPES		39,038		39,038		48,038		2,000		41,038
	Program increase (Grenades all types)						[9,000]		[2,000]		
029	ROCKETS, ALL TYPES		26,087		26,087		26,087				26,087
030	ARTILLERY, ALL TYPES		117,213		117,213		117,213				117,213
031	EXPEDITIONARY FIGHTING										
032	DEMOLITION MUNITIONS, ALL		18,974		18,974		18,974				18,974
033	FUZE, ALL TYPES		3,460		3,460		3,460				3,460

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
034	NON LETHALS		2,158		2,158		2,158				2,158
035	AMMO MODERNIZATION		5,644		5,644		5,644				5,644
036	ITEMS LESS THAN $5 MILLION		4,495		4,495		4,495				4,495
	TOTAL - PROCUREMENT OF AMMUNITION, NAVY & MARINE		**1,122,712**		**1,122,712**		**1,131,712**		**-12,700**		**1,110,012**
	SHIPBUILDING AND CONVERSION, OTHER WARSHIPS										
001	CARRIER REPLACEMENT		2,712,251		2,712,251		2,712,251				2,712,251
002	ADVANCE PROCUREMENT (CY)		1,214,188		1,214,188		1,214,188				1,214,188
003	VIRGINIA CLASS SUBMARINE	1	2,107,040	1	2,107,040	1	2,107,040			1	2,107,040
004	ADVANCE PROCUREMENT (CY)		1,316,548		2,038,548		1,395,548		300,000		1,616,548
	VA Advance Procurement				[722,000]				[300,000]		
	Additional funds to smooth ramp up to 2 boats per year						[79,000]				
005	CVN REFUELING OVERHAULS	1	606,561	1	606,561	1	606,561			1	606,561
006	ADVANCE PROCUREMENT (CY)		21,389		21,389		21,389				21,389
007	SSN ERO										
008	SSBN ERO	1	221,823	1	221,823	1	221,823			1	221,823
009	ADVANCE PROCUREMENT (CY)		39,363		39,363		39,363				39,363

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
010	DDG 1000	1	2,502,803			1	2,502,803			1	2,502,803
	Program Reduction				[-2,502,803]						
011	ADVANCE PROCUREMENT (CY)		50,980		400,000		50,980				50,980
	Surface Ship Advanced Procurement				[349,020]						
012	DDG-51								349,020		349,020
	Advanced Procurement								[349,020]		
013	LITTORAL COMBAT SHIP	2	920,000	2	840,000	2	797,000			2	920,000
	Program Reduction				[-80,000]						
	Fully fund two ships to cost cap in FY 09, reflecting government furnished material (GFM) from cancelled ships						[-123,000]				
	AMPHIBIOUS SHIPS										
014	LPD-17		103,216	1	1,800,000				-103,216		
	LPD-17				[1,696,784]						
	Transfer to SCN 15						[-103,216]		[-103,216]		
015	ADVANCE PROCUREMENT (CY)						273,216		600,000		600,000
	Transfer from SCN 14						[103,216]		[103,216]		
	Advance procurement for additional ship in FY 10						[170,000]				
	Advance procurement for two additional ships								[496,784]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
016	LHA REPLACEMENT						178,300		178,300		178,300
	Transfer from National Defense Sealift Fund						[348,300]		[348,300]		
	Reflect delays in LHA (R) program						[-170,000]		[-170,000]		
017	INTRATHEATER CONNECTOR	1	174,782	1	174,782	1	174,782			1	174,782
	AUXILIARIES, CRAFT AND PRIOR										
018	SPECIAL PURPOSE										
019	OCEANOGRAPHIC SHIPS										
020	OUTFITTING		429,587		429,587		429,587				429,587
021	SERVICE CRAFT		36,317		36,317		36,317				36,317
022	LCAC SLEP	6	110,918	6	110,918	6	110,918			6	110,918
023	COMPLETION OF PY SHIPBUILDING		165,152		165,152		165,152				165,152
	TOTAL - SHIPBUILDING AND CONVERSION, NAVY		**12,732,918**		**12,917,919**		**13,037,218**		**1,324,104**		**14,057,022**
	OTHER PROCUREMENT, NAVY										
	SHIPS SUPPORT EQUIPMENT										
	SHIP PROPULSION EQUIPMENT										
001	LM-2500 GAS TURBINE		7,973		7,973		7,973				7,973
002	ALLISON 501K GAS TURBINE		9,405		9,405		9,405				9,405
003	OTHER PROPULSION EQUIPMENT		38,800		38,800		38,800				38,800

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request* Qty	FY 2009 Request* Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	NAVIGATION EQUIPMENT										
004	OTHER NAVIGATION EQUIPMENT		47,549		47,549		47,549				47,549
	UNDERWAY REPLENISHMENT										
005	UNDERWAY REPLENISHMENT										
	PERISCOPES										
006	SUB PERISCOPES & IMAGING		69,078		69,078		69,078				69,078
	OTHER SHIPBOARD EQUIPMENT										
007	DDG MOD		165,496		165,496		190,496				165,496
	Planning, engineering & procurement for service life extension alterations						[25,000]				
008	FIREFIGHTING EQUIPMENT		8,293		8,293		8,293				8,293
009	COMMAND AND CONTROL		6,345		6,345		6,345				6,345
010	POLLUTION CONTROL EQUIPMENT		27,923		27,923		27,923				27,923
011	SUBMARINE SUPPORT EQUIPMENT		22,686		22,686		22,686				22,686
012	VIRGINIA CLASS SUPPORT		199,904		199,904		199,904				199,904
013	SUBMARINE BATTERIES		41,132		41,132		41,132				41,132
014	STRATEGIC PLATFORM SUPPORT		9,953		9,953		9,953				9,953
015	DSSP EQUIPMENT		5,733		5,733		5,733				5,733
016	CG MODERNIZATION		232,370		232,370		232,370				232,370
017	LCAC		174		174		174				174
018	MINESWEEPING EQUIPMENT		11,991		11,991		11,991				11,991

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
019	ITEMS LESS THAN $5 MILLION		136,156		148,156		136,156		10,500		146,656
	JP-5 Electric Valves				[3,000]				[3,000]		
	Canned Lube Pumps (CLP) LSD-41/49 Class Amphibious Ships				[4,000]				[2,500]		
	CVN Propeller Replacement Program				[5,000]				[5,000]		
020	CHEMICAL WARFARE DETECTORS		6,598		6,598		6,598				6,598
021	SUBMARINE LIFE SUPPORT		15,212		15,212		15,212				15,212
	REACTOR PLANT EQUIPMENT										
022	REACTOR POWER UNITS										
023	REACTOR COMPONENTS		236,693		236,693		236,693				236,693
	OCEAN ENGINEERING										
024	DIVING AND SALVAGE EQUIPMENT		6,549		6,549		6,549				6,549
	SMALL BOATS										
025	STANDARD BOATS		17,839		17,839		17,839				17,839
	TRAINING EQUIPMENT										
026	OTHER SHIPS TRAINING		5,689		5,689		5,689				5,689
	PRODUCTION FACILITIES AND										
027	OPERATING FORCES IPE		51,631		51,631		51,631				51,631
	OTHER SHIP SUPPORT										
028	NUCLEAR ALTERATIONS		70,694		70,694		70,694				70,694

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
029	LCS MODULES		131,241		81,241		131,241		-25,091		106,150
	LCS Mission Modules				[-50,000]				[-25,091]		
	LOGISTIC SUPPORT										
030	LSD MIDLIFE		90,675		92,345		90,675				90,675
	Boat Davit System Improvement				[1,670]						
	DRUG INTERDICTION SUPPORT										
031	DRUG INTERDICTION SUPPORT										
	COMMUNICATIONS AND SHIP RADARS										
032	RADAR SUPPORT	2	10,503	2	10,503	2	10,503			2	10,503
	SHIP SONARS										
033	SPQ-9B RADAR		9,281		14,681		9,281		5,400		14,681
	Radar Improvements				[5,400]				[5,400]		
034	AN/SQQ-89 SURF ASW COMBAT	3	117,685	3	117,685	3	117,685		-12,900	3	104,785
	Combat System Upgrade Kit								[-12,900]		
035	SSN ACOUSTICS		284,153		284,153		284,153				284,153
036	UNDERSEA WARFARE SUPPORT	3	15,578	3	15,578	3	15,578			3	15,578
037	SONAR SWITCHES AND **ASW ELECTRONIC EQUIPMENT**		13,858		13,858		13,858				13,858
038	SUBMARINE ACOUSTIC WARFARE		20,857		20,857		20,857				20,857
039	SSTD		10,058		10,058		10,058				10,058
040	FIXED SURVEILLANCE SYSTEM		44,997		44,997		44,997				44,997

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
041	SURTASS		26,675		26,675		26,675				26,675
042	TACTICAL SUPPORT CENTER		25,188		25,188		25,188				25,188
	ELECTRONIC WARFARE										
043	AN/SLQ-32		29,280		29,280		29,280				29,280
044	INFORMATION WARFARE SYSTEMS										
	RECONNAISSANCE EQUIPMENT										
045	SHIPBOARD IW EXPLOIT		83,408		83,408		83,408				83,408
	SUBMARINE SURVEILLANCE										
046	SUBMARINE SUPPORT EQUIPMENT		103,597		103,597		103,597				103,597
	OTHER SHIP ELECTRONIC										
047	NAVY TACTICAL DATA SYSTEM										
	COOPERATIVE ENGAGEMENT		34,561								
048	CAPABILITY				34,561		34,561				34,561
049	GCCS-M EQUIPMENT		25,923		25,923		25,923				25,923
050	NAVAL TACTICAL COMMAND		31,283		31,283		31,283				31,283
051	ATDLS		14,206		14,206		14,206				14,206
052	MINESWEEPING SYSTEM		49,024		49,024		49,024				49,024
053	SHALLOW WATER MCM		7,355		7,355		7,355				7,355
054	NAVSTAR GPS RECEIVERS		10,893		10,893		10,893				10,893
055	ARMED FORCES RADIO AND TV		4,178		4,178		4,178				4,178
056	STRATEGIC PLATFORM SUPPORT		4,106		4,106		4,106				4,106

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	TRAINING EQUIPMENT										
057	OTHER TRAINING EQUIPMENT		29,791		29,791		29,791				29,791
	AVIATION ELECTRONIC										
058	MATCALS		17,409		17,409		17,409				17,409
059	SHIPBOARD AIR TRAFFIC		7,944		7,944		7,944				7,944
060	AUTOMATIC CARRIER LANDING		18,787		18,787		18,787				18,787
061	NATIONAL AIR SPACE SYSTEM		29,066		29,066		29,066				29,066
062	AIR STATION SUPPORT		8,238		8,238		8,238				8,238
063	MICROWAVE LANDING SYSTEM		10,799		10,799		10,799				10,799
064	FACSFAC										
065	ID SYSTEMS		34,560		34,560		34,560				34,560
066	TAC A/C MISSION PLANNING		9,512		9,512		9,512				9,512
	OTHER SHORE ELECTRONIC										
067	DEPLOYABLE JOINT COMMAND		9,031		9,031		9,031				9,031
068	TADIX-B		5,309		5,309		5,309				5,309
069	GCCS-M EQUIPMENT		6,209		6,209		6,209				6,209
070	COMMON IMAGERY GROUND		67,133		67,133		67,133				67,133
071	RADIAC		9,840		9,840		9,840				9,840
072	GPETE		5,521		5,521		5,521				5,521
073	INTEG COMBAT SYSTEM TEST		4,558		4,558		4,558				4,558
074	EMI CONTROL INSTRUMENTATION		8,384		8,384		8,384				8,384
075	ITEMS LESS THAN $5 MILLION		48,930		48,930		48,930				48,930

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	SHIPBOARD COMMUNICATIONS										
076	SHIPBOARD TACTICAL		9		9		9				9
077	PORTABLE RADIOS		14,352		14,352		14,352				14,352
078	SHIP COMMUNICATIONS		333,335		333,335		333,335				333,335
079	COMMUNICATIONS ITEMS UNDER		35,647		35,647		35,647				35,647
080	SUBMARINE BROADCAST		3,139		3,139		3,139				3,139
081	SUBMARINE COMMUNICATION		76,761		76,761		76,761				76,761
	SATELLITE COMMUNICATIONS										
082	SATELLITE COMMUNICATIONS		122,003		122,003		122,003				122,003
	SHORE COMMUNICATIONS										
083	JCS COMMUNICATIONS		2,376		2,376		2,376				2,376
084	ELECTRICAL POWER SYSTEMS		1,293		1,293		1,293				1,293
085	NAVAL SHORE COMMUNICATIONS		8,563		8,563		8,563				8,563
	CRYPTOGRAPHIC EQUIPMENT										
086	INFO SYSTEMS SECURITY		101,153		101,153		101,153				101,153
	CRYPTOLOGIC EQUIPMENT										
087	CRYPTOLOGIC COMMUNICATIONS		16,716		16,716		16,716				16,716
	OTHER ELECTRONIC SUPPORT										
088	COAST GUARD EQUIPMENT		16,846		16,846		16,846				16,846
	DRUG INTERDICTION SUPPORT										
089	OTHER DRUG INTERDICTION										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	AVIATION SUPPORT EQUIPMENT										
	SONOBUOYS										
090	SONOBUOYS - ALL TYPES		112,603		112,603		112,603				112,603
	AIRCRAFT SUPPORT EQUIPMENT										
091	WEAPONS RANGE SUPPORT		64,396		64,396		64,396				64,396
092	EXPEDITIONARY AIRFIELDS		8,308		8,308		8,308				8,308
093	AIRCRAFT REARMING EQUIPMENT		12,761		12,761		12,761				12,761
094	AIRCRAFT LAUNCH & RECOVERY		46,362		46,362		46,362				46,362
095	METEOROLOGICAL EQUIPMENT		24,742		24,742		24,742				24,742
096	OTHER PHOTOGRAPHIC		1,603		1,603		1,603				1,603
097	AVIATION LIFE SUPPORT		17,673		25,673		17,673		2,000		19,673
	Multi-Climate Protection System				[8,000]				[2,000]		
098	AIRBORNE MINE		39,363		39,363		39,363				39,363
099	LAMPS MK III SHIPBOARD		35,117		35,117		35,117				35,117
100	OTHER AVIATION SUPPORT		13,335		13,335		13,335				13,335
	ORDNANCE SUPPORT EQUIPMENT										
	SHIP GUN SYSTEM EQUIPMENT										
101	NAVAL FIRES CONTROL SYSTEM		1,695		1,695		1,695				1,695
102	GUN FIRE CONTROL EQUIPMENT		8,244		8,244		8,244				8,244
	SHIP MISSILE SYSTEM EQUIPMENT										
103	HARPOON SUPPORT EQUIPMENT										
104	NATO SEASPARROW		12,270		12,270		12,270				12,270

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
105	RAM GMLS		23,492		23,492		23,492		-7,200		16,292
	Launcher System Phasing								[-7,200]		
106	SHIP SELF DEFENSE SYSTEM		46,687		46,687		46,687				46,687
107	AEGIS SUPPORT EQUIPMENT		85,424		85,424		85,424				85,424
108	TOMAHAWK SUPPORT EQUIPMENT		61,976		61,976		61,976				61,976
109	VERTICAL LAUNCH SYSTEMS		5,644		5,644		5,644				5,644
	FBM SUPPORT EQUIPMENT										
110	STRATEGIC MISSILE SYSTEMS		118,814		118,814		118,814				118,814
	ASW SUPPORT EQUIPMENT										
111	SSN COMBAT CONTROL SYSTEMS		98,010		98,010		98,010				98,010
112	SUBMARINE ASW SUPPORT		5,374		5,374		5,374				5,374
113	SURFACE ASW SUPPORT		4,622		4,622		4,622				4,622
114	ASW RANGE SUPPORT		9,199		9,199		9,199				9,199
	OTHER ORDNANCE SUPPORT										
115	EXPLOSIVE ORDNANCE DISPOSAL		46,546		46,546		46,546				46,546
116	ITEMS LESS THAN $5 MILLION		3,535		3,535		3,535				3,535
	OTHER EXPENDABLE ORDNANCE										
117	ANTI-SHIP MISSILE DECOY SYSTEM		38,077		38,077		38,077				38,077
118	SURFACE TRAINING DEVICE MODS		9,822		9,822		9,822				9,822
119	SUBMARINE TRAINING DEVICE		33,583		33,583		37,383		3,500		37,083
	Standardize metrics assessment of readiness & training						[3,800]		[3,500]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	CIVIL ENGINEERING SUPPORT										
120	PASSENGER CARRYING VEHICLES		1,966		1,966		1,966				1,966
121	GENERAL PURPOSE TRUCKS		829		829		829				829
122	CONSTRUCTION & MAINTENANCE		12,167		12,167		12,167				12,167
123	FIRE FIGHTING EQUIPMENT		16,289		16,289		16,289				16,289
124	TACTICAL VEHICLES		29,686		29,686		29,686				29,686
125	AMPHIBIOUS EQUIPMENT		14,041		14,041		14,041				14,041
126	POLLUTION CONTROL EQUIPMENT		5,418		5,418		5,418				5,418
127	ITEMS UNDER $5 MILLION		22,379		22,379		22,379				22,379
128	PHYSICAL SECURITY VEHICLES		1,116		1,116		1,116				1,116
	SUPPLY SUPPORT EQUIPMENT										
129	MATERIALS HANDLING EQUIPMENT		14,971		14,971		14,971				14,971
130	OTHER SUPPLY SUPPORT		9,247		9,247		9,247				9,247
131	FIRST DESTINATION		6,216		6,216		6,216				6,216
132	SPECIAL PURPOSE SUPPLY		74,103		74,103		74,103				74,103
	PERSONNEL AND COMMAND TRAINING DEVICES										
133	TRAINING SUPPORT EQUIPMENT		16,764		16,764		16,764				16,764
	COMMAND SUPPORT EQUIPMENT										
134	COMMAND SUPPORT EQUIPMENT		43,175		45,175		48,025		4,500		47,675
	Man overboard indicators (MOBI)						[4,850]		[3,500]		
	High performance computing				[2,000]				[1,000]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
135	EDUCATION SUPPORT EQUIPMENT		2,018		2,018		2,018				2,018
136	MEDICAL SUPPORT EQUIPMENT		6,493		6,493		6,493				6,493
137	NAVAL MIP SUPPORT EQUIPMENT		1,646		1,646		1,646				1,646
138	INTELLIGENCE SUPPORT		[ ]		[ ]		[ ]				[ ]
139	OPERATING FORCES SUPPORT		13,116		13,116		13,116				13,116
140	C4ISR EQUIPMENT		13,510		13,510		13,510				13,510
141	ENVIRONMENTAL SUPPORT		24,244		24,244		24,244				24,244
142	PHYSICAL SECURITY EQUIPMENT		144,863		144,863		144,863				144,863
143	ENTERPRISE INFORMATION		35,600		35,600		35,600				35,600
144	CLASSIFIED PROGRAMS		[ ]		[ ]		[ ]				[ ]
145	SPECIAL PROGRAM		[ ]		[ ]		[ ]				[ ]
	PRODUCTIVITY PROGRAMS										
146	JUDGMENT FUND										
	OTHER										
147	CANCELLED ACCOUNT										
	SPARES AND REPAIR PARTS										
148	SPARES AND REPAIR PARTS		251,765		251,765		251,765				251,765
999	CLASSIFIED PROGRAMS		18,314		18,314		18,314				18,314
	TOTAL - OTHER PROCUREMENT, NAVY		**5,482,856**		**5,461,926**		**5,516,506**		**-19,291**		**5,463,565**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	PROCUREMENT, MARINE CORPS										
	WEAPONS AND COMBAT										
	TRACKED COMBAT VEHICLES										
001	AAV7A1 PIP		5,441		5,441		5,441				5,441
002	EXPEDITIONARY FIGHTING										
003	LAV PIP		64,526		64,526		64,526				64,526
004	M1A1 FIREPOWER		14,706		14,706		14,706				14,706
	ARTILLERY AND OTHER WEAPONS										
005	EXPEDITIONARY FIRE SUPPORT		22,102		22,102		22,102				22,102
006	155MM LIGHTWEIGHT TOWED		2,500		2,500		2,500				2,500
007	HIGH MOBILITY ARTILLERY		109,460		109,460		109,460				109,460
008	WEAPONS AND COMBAT VEHICLES		24,220		24,220		24,220				24,220
	WEAPONS										
009	MODULAR WEAPON SYSTEM										
	OTHER SUPPORT										
010	MODIFICATION KITS		11,165		11,165		11,165				11,165
011	WEAPONS ENHANCEMENT		24,223		24,223		24,223				24,223
	GUIDED MISSILES AND										
	GUIDED MISSILES										
012	GROUND BASED AIR DEFENSE		12,569		12,569		12,569		-7,076		5,493
	Program Delays								[-7,076]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
013	JAVELIN										
	OTHER SUPPORT										
014	MODIFICATION KITS		4,925		4,925		4,925				4,925
	COMMUNICATIONS AND COMMAND AND CONTROL										
015	UNIT OPERATIONS CENTER		14,883		7,883		14,883				14,883
	Unit Operations Center Reduction				[-7,000]						
	REPAIR AND TEST EQUIPMENT										
016	REPAIR AND TEST EQUIPMENT		35,188		35,188		35,188				35,188
	OTHER SUPPORT (TEL)										
017	COMBAT SUPPORT SYSTEM		34,665		34,665		34,665				34,665
018	MODIFICATION KITS										
	COMMAND AND CONTROL SYSTEM										
019	ITEMS UNDER $5 MILLION (COMM &		9,661		9,661		9,661				9,661
020	AIR OPERATIONS C2 SYSTEMS		77,978		77,978		77,978		-25,000		52,978
	CAC2S Program Restructure								[-25,000]		
	RADAR AND EQUIPMENT (NON-										
021	RADAR SYSTEMS		32,516		32,516		32,516				32,516
	INTELL/COMM EQUIPMENT (NON-										
022	FIRE SUPPORT SYSTEM		2,654		2,654		2,654				2,654
023	INTELLIGENCE SUPPORT		49,838		49,838		49,838				49,838

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	OTHER COMM/ELEC EQUIPMENT										
024	NIGHT VISION EQUIPMENT		24,868		24,868		24,868				24,868
	OTHER SUPPORT (NON-TEL)										
025	COMMON COMPUTER RESOURCES		106,499		106,499		106,499				106,499
026	COMMAND POST SYSTEMS		15,816		15,816		15,816				15,816
027	RADIO SYSTEMS		95,845		47,945		95,845				95,845
	Radio Systems Reduction				[-47,900]						
028	COMM SWITCHING & CONTROL		40,639		40,639		40,639				40,639
029	COMM & ELEC INFRASTRUCTURE		15,527		15,527		15,527				15,527
	SUPPORT VEHICLES										
	ADMINISTRATIVE VEHICLES										
030	COMMERCIAL PASSENGER		1,201		1,201		1,201				1,201
031	COMMERCIAL CARGO VEHICLES		13,691		13,691		13,691				13,691
	TACTICAL VEHICLES										
032	5/4T TRUCK HMMWV (MYP)	7	2,666	7	2,666	7	2,666			7	2,666
033	MOTOR TRANSPORT										
034	MEDIUM TACTICAL VEHICLE		944		944		944				944
035	LIGHTWEIGHT PRIME MOVER										
036	LOGISTICS VEHICLE SYSTEM REP		324,578		146,540		299,578				324,578
	Transfer to Title XV				[-178,038]						
	Program reduction & realignment						[-25,000]				
037	FAMILY OF TACTICAL TRAILERS		27,619		27,619		27,619				27,619

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
038	TRAILERS		8,424		8,424		8,424				8,424
	OTHER SUPPORT										
039	ITEMS LESS THAN $5 MILLION		4,046		4,046		4,046				4,046
	ENGINEER AND OTHER										
040	ENVIRONMENTAL CONTROL EQUIP		5,131		8,131		5,131				5,131
	GATEWAY System				[3,000]						
041	BULK LIQUID EQUIPMENT		9,571		9,571		9,571				9,571
042	TACTICAL FUEL SYSTEMS		19,067		20,567		19,067		1,500		20,567
	Nitrile Rubber Collapsible Storage				[1,500]				[1,500]		
043	POWER EQUIPMENT ASSORTED		16,501		16,501		16,501				16,501
044	AMPHIBIOUS SUPPORT		13,239		13,239		13,239				13,239
045	EOD SYSTEMS		28,568		28,568		28,568				28,568
	MATERIALS HANDLING										
046	PHYSICAL SECURITY EQUIPMENT		12,589		12,589		12,589				12,589
047	GARRISON MOBILE ENGINEER		11,813		11,813		11,813				11,813
048	MATERIAL HANDLING EQUIP		30,758		30,758		30,758				30,758
049	FIRST DESTINATION		5,867		5,867		5,867				5,867

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	GENERAL PROPERTY										
050	FIELD MEDICAL EQUIPMENT		6,623		18,623		14,523		4,000		10,623
	Combat casualty care equipment upgrades				[4,000]		[7,900]		[4,000]		
	Chemical Biological Incident Response Force equipment				[8,000]						
051	TRAINING DEVICES		57,476		57,476		57,476				57,476
052	CONTAINER FAMILY		4,050		4,050		4,050				4,050
053	FAMILY OF CONSTRUCTION		22,461		22,461		22,461				22,461
054	FAMILY OF INTERNALLY		7,987		7,987		7,987				7,987
055	BRIDGE BOATS										
056	RAPID DEPLOYABLE KITCHEN		2,907		2,907		2,907				2,907
	OTHER SUPPORT										
057	MODIFICATION KITS										
058	ITEMS LESS THAN $5 MILLION		8,114		8,114		8,114				8,114
	SPARES AND REPAIR PARTS										
059	SPARES AND REPAIR PARTS		14,460		14,460		14,460				14,460
	TOTAL - PROCUREMENT, MARINE CORPS		**1,512,765**		**1,296,327**		**1,495,665**		**-26,576**		**1,486,189**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	AIRCRAFT PROCUREMENT, AIR FORCE										
	COMBAT AIRCRAFT										
	TACTICAL FORCES										
001	F-35	8	1,673,787	8	1,673,787	8	1,673,787	-1	-169,489	7	1,504,298
	Procurement Ramp - Aircraft								[-169,489]		
002	ADVANCE PROCUREMENT (CY)		136,904		167,904		171,904		35,000		171,904
	JSF Competitive Engine				[31,000]						
	F136 engine advance procurement						[35,000]		[35,000]		
003	F-22A	20	3,054,197	20	3,054,197	20	3,054,197		-147,000	20	2,907,197
	Reduction for Last Lot Cost								[-147,000]		
004	ADVANCE PROCUREMENT (CY)						497,000		523,000		523,000
	Advance procurement or line close down costs						[497,000]				
	Program Increase								[523,000]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	AIRLIFT AIRCRAFT										
	TACTICAL AIRLIFT										
005	C-17A (MYP)		367,554		318,788		318,754		-48,766		318,788
	Excess Spare Parts Requirements				[-40,000]				[-40,000]		
	Purchasing spares ahead of need						[-40,000]				
	Transfer to APAF-34				[-8,766]						
	USAF-requested transfer to APAF 34						[-8,800]		[-8,766]		
	OTHER AIRLIFT										
006	C-130J						25,000		25,000		25,000
	USAF-requested transfer from APAF 31						[25,000]		[25,000]		
007	ADVANCE PROCUREMENT (CY)		96,000		96,000		96,000				96,000
008	HC/MC-130 RECAP	6	507,677	6	507,677	6	507,677			6	507,677
009	ADVANCE PROCUREMENT (CY)		80,000		80,000		80,000				80,000
010	KC-X ADVANCE PROCUREMENT		61,660						-61,660		
	Unjustified Request				[-61,660]				[-61,660]		
	USAF-requested transfer to PE 65221F (RDAF 83)						[-61,660]				
011	JOINT CARGO AIRCRAFT		5,439		5,439		5,439		-5,439		
	Early to need								[-5,439]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	TRAINER AIRCRAFT										
	OPERATIONAL TRAINERS										
012	JPATS		33,196		33,196		27,654		-5,542		27,654
	USAF-requested correction of JPATS (T-6) spares adjustment						[-5,542]		[-5,542]		
	OTHER AIRCRAFT										
	HELICOPTERS										
013	CSAR-X ADVANCE PROCUREMENT		15,000						-15,000		
	Program Delay				[-15,000]		[-15,000]		[-15,000]		
014	V22 OSPREY	6	409,027	6	409,027	6	409,027			6	409,027
015	ADVANCE PROCUREMENT (CY)		14,266		14,266		14,266				14,266
	MISSION SUPPORT AIRCRAFT										
016	C-29A FLIGHT INSPECTION ACFT	1	31,877	1	31,877	1	31,877			1	31,877
017	C-40			1	88,000			1	88,000	1	88,000
	Additional Aircraft				[88,000]				[88,000]		
018	CIVIL AIR PATROL A/C		2,435		2,435		2,435				2,435
	OTHER AIRCRAFT										
019	TARGET DRONES		70,576		70,576		70,576				70,576
020	GLOBAL HAWK	5	658,319	5	658,319	5	689,319			5	658,319
	UAV NAS radar						[31,000]				
021	ADVANCE PROCUREMENT (CY)		53,832		53,832		53,832				53,832

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
022	MQ-1	38	378,703	38	378,703	38	409,703			38	378,703
	UAV NAS radar						[31,000]				
023	MQ-9	9	161,439	9	161,439	9	161,439			9	161,439
	MODIFICATION OF IN-SERVICE STRATEGIC AIRCRAFT										
024	B-2A		330,392		299,092		348,892		-31,300		299,092
	Transfer from RDAF-61				[18,500]						
	B-2 radar - transfer from PE 64204F (RDAF 61)						[18,500]		[18,500]		
	Transfer to APAF-24a				[-49,800]				[-49,800]		
024a	B-2 Advance Procurement				49,800				49,800		49,800
	Transfer from APAF 24				[49,800]				[49,800]		
025	B-1B		71,774		71,774		71,774		-31,900		39,874
	CMUP Program Delay								[-31,900]		
026	B-52		41,699		41,699		99,299				41,699
	SAASM						[18,100]				
	CONNECT						[22,800]				
	AWI						[16,700]				
027	F-117										
	TACTICAL AIRCRAFT										
028	A-10		144,077		144,077		144,077				144,077
029	F-15		12,326		12,326		12,326				12,326

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
030	F-16		273,694		273,694		273,694				273,694
031	F-22A		327,046		327,046		327,046				327,046
	AIRLIFT AIRCRAFT										
032	C-5		485,484		425,484		485,484		-56,400		429,084
	Excess to Requirements				[-60,000]				[-56,400]		
033	ADVANCE PROCUREMENT (CY)		97,600		70,929		97,600				97,600
	Excess to Requirements				[-26,671]						
034	C-17A		331,535		340,301		340,335		8,766		340,301
	Transfer from APAF-5				[8,766]		[8,800]		[8,766]		
035	C-21		11,001		11,001		752		-10,249		752
	USAF-requested transfer to APAF 40						[-10,249]		[-10,249]		
036	C-32A		11,373		11,373		11,373				11,373
037	C-37A		2,407		2,407		2,407				2,407
	TRAINER AIRCRAFT										
038	GLIDER MODS		121		121		121				121
039	T-6		21,122		21,122		20,755		-367		20,755
	USAF-requested correction of JPATS (T-6) spares adjustment						[-367]		[-367]		
040	T-1		25		25		10,274		10,249		10,274
	USAF-requested transfer from APAF 35						[10,249]		[10,249]		
041	T-38		59,934		59,934		59,934				59,934

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
042	T-43		2,269		2,269		2,269				2,269
	OTHER AIRCRAFT										
043	KC-10A (ATCA)		1,899		1,899		1,899				1,899
044	C-12		468		468		468				468
045	C-20 MODS		1,535		1,535		1,535				1,535
046	VC-25A MOD		60,875		60,875		60,875				60,875
047	C-40		9,911		9,911		9,911				9,911
048	C-130		422,814		427,814		415,014		4,500		427,314
	Podded Reconnaissance, Scathe View				[5,000]				[500]		
	Accelerate LAIRCM upgrades for C-130 aircraft						[15,000]		[4,000]		
	Accelerate LAIRCM upgrades for AFSOC C-130 aircraft						[2,200]				
	Reduce C-130 AMP overhead growth						[-25,000]				
049	C130J MODS		59,350		59,350		34,350		-25,000		34,350
	USAF-requested transfer to APAF 6						[-25,000]		[-25,000]		
050	C-135		134,188		134,188		134,188				134,188
051	COMPASS CALL MODS		24,605		24,605		24,605				24,605
052	DARP		106,989		106,989		106,989				106,989
053	E-3		86,468		86,468		86,468				86,468

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
054	E-4		28,098		28,098		28,098				28,098
055	E-8		30,657		30,657		30,657				30,657
056	H-1		13,200		13,200		13,200				13,200
057	H-60		17,250		17,250		17,250				17,250
058	GLOBAL HAWK MODS		103,939		103,939		103,939				103,939
059	OTHER AIRCRAFT		151,932		154,932		151,932		3,000		154,932
	ANG RC-26B Modernization				[3,000]				[3,000]		
060	MQ-1 MODS		148,532		148,532		148,532				148,532
061	MQ-9 MODS		24,590		24,590		24,590				24,590
062	CV-22 MODS		22,621		22,621		22,621				22,621
	AIRCRAFT SPARES AND REPAIR										
063	INITIAL SPARES/REPAIR PARTS		257,001		257,001		257,001				257,001
	AIRCRAFT SUPPORT EQUIPMENT										
	COMMON SUPPORT EQUIP										
064	AIRCRAFT REPLACEMENT		104,861		104,861		104,861				104,861
	POST PRODUCTION SUPPORT										
065	B-1										
066	B-2A										
067	B-2A		36,783		36,783		36,783				36,783
068	B-52										
069	C-5		18,210		18,210		18,210				18,210

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
070	C-21		19,025		19,025				-19,025		
	USAF-requested transfer to APAF 75						[-19,025]		[-19,025]		
071	C-130										
072	EC-130J		5,382		5,382		5,382				5,382
073	F-15		20,189		20,189		20,189				20,189
074	F-16		13,623		13,623		13,623				13,623
075	T-6		8,841		8,841				-8,841		
	USAF-requested correction of JPATS (T-6) spares adjustment						[-8,841]		[-8,841]		
076	OTHER AIRCRAFT		48,593		48,593		48,593				48,593
077	T-1						19,025		19,025		19,025
	USAF-requested transfer from APAF 75						[19,025]		[19,025]		
	INDUSTRIAL PREPAREDNESS										
078	INDUSTRIAL RESPONSIVENESS		24,380		24,380		24,380				24,380
	WAR CONSUMABLES										
079	WAR CONSUMABLES		80,622		80,622		80,622				80,622
	OTHER PRODUCTION CHARGES										
080	OTHER PRODUCTION CHARGES		521,357		521,357		549,257		20,000		541,357
	Litening targeting pod upgrades						[27,900]		[20,000]		
081	DEPOT MODERNIZATION										
82	CLASSIFIED PROGRAMS		[ ]		[ ]		[ ]				[ ]

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
83	SPECIAL PROGRAMS		[ ]		[ ]		[ ]				[ ]
84	OTHER SPECIAL PROGRAMS		[ ]		[ ]		[ ]				[ ]
	CLASSIFIED PGMS										
	OTHER PRODUCTION CHARGES										
085	CANCELLED ACCT ADJUSTMENTS										
	DARP										
086	DARP		21,028		21,028		21,028				21,028
999	CLASSIFIED PROGRAMS		10,913		10,913		10,913				10,913
	TOTAL - AIRCRAFT PROCUREMENT, AIR FORCE		**12,676,496**		**12,618,665**		**13,235,286**		**150,362**		**12,826,858**
	PROCUREMENT OF AMMUNITION, AIR FORCE										
	PROCUREMENT OF AMMO, AIR										
	ROCKETS										
001	ROCKETS		29,436		29,436		29,436				29,436
	CARTRIDGES										
002	CARTRIDGES		150,815		150,815		151,815				150,815
	Improved stores ejection cartridges						[1,000]				
	BOMBS										
003	PRACTICE BOMBS		24,590		24,590		24,590				24,590

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
004	GENERAL PURPOSE BOMBS		149,695		149,695		149,695				149,695
005	SENSOR FUZED WEAPON										
006	JOINT DIRECT ATTACK MUNITION	3,647	105,719	5,026	145,719	3,647	105,719			3,647	105,719
	JDAM Kits				[40,000]						
007	WIND CORRECTED MUNITIONS										
	FLARE, IR MJU-7B										
008	CAD/PAD		38,190		38,190		38,190				38,190
009	EXPLOSIVE ORDNANCE DISPOSAL		3,246		3,246		3,246				3,246
010	SPARES AND REPAIR PARTS		4,618		4,618		4,618				4,618
011	MODIFICATIONS		1,235		1,235		1,235				1,235
012	ITEMS LESS THAN $5,000,000		2,477		2,477		2,477				2,477
	FUZES										
013	FLARES		304,159		304,159		304,159				304,159
014	FUZES		72,133		72,133		72,133				72,133
	WEAPONS										
	SMALL ARMS										
015	SMALL ARMS		8,165		8,165		8,165				8,165
	TOTAL - PROCUREMENT OF AMMUNITION, AIR FORCE		**894,478**		**934,478**		**895,478**				**894,478**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	MISSILE PROCUREMENT, AIR FORCE										
	BALLISTIC MISSILES										
	MISSILE REPLACEMENT										
001	MISSILE REPLACEMENT EQ-		26,658		26,658		26,658				26,658
	OTHER MISSILES										
	TACTICAL										
002	JASSM	260	240,295	260	240,295	115	160,295		-20,000	260	220,295
	Reflect delays in program						[-80,000]				
	Maintain Production Ramp								[-20,000]		
003	SIDEWINDER (AIM-9X)	275	77,223	275	77,223	275	77,223			275	77,223
004	AMRAAM	281	294,746	281	294,746	281	294,746	-104	-63,200	177	231,546
	Smooth Production Ramp								[-63,200]		
005	PREDATOR HELLFIRE MISSILE	642	63,585	642	63,585	642	63,585			642	63,585
006	SMALL DIAMETER BOMB	2,612	133,209	2,612	133,209	2,612	133,209			2,612	133,209
	INDUSTRIAL FACILITIES										
007	INDUSTR'L PREPAREDNS/POL		2,408		2,408		2,408				2,408
	MODIFICATION OF IN-SERVICE										
	CLASS IV										
008	ADVANCED CRUISE MISSILE		42		42		42				42
009	AGM-130 POWERED GBU-15										
010	MISSILE REPLACEMENT EQ-										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
011	MM III MODIFICATIONS		296,354		296,354		296,354				296,354
012	AGM-65D MAVERICK		256		256		256				256
013	AIR LAUNCH CRUISE MISSILE		10,150		10,150		10,150				10,150
	SPARES AND REPAIR PARTS										
	MISSILES AND REPAIR PARTS										
014	INITIAL SPARES/REPAIR PARTS		26,923		26,923		26,923				26,923
	OTHER SUPPORT										
	SPACE PROGRAMS										
015	ADVANCED EHF		16,564		16,564		16,564				16,564
016	ADVANCE PROCUREMENT (CY)						100,000		100,000		100,000
	Advance procurement of AEHF 4						[100,000]		[100,000]		
017	WIDEBAND GAPFILLER		22,492		22,492		22,492				22,492
018	ADVANCE PROCUREMENT (CY)										
019	SPACEBORNE EQUIP (COMSEC)		17,407		17,407		17,407				17,407
020	GLOBAL POSITIONING (SPACE)		108,043		108,043		108,043				108,043
021	ADVANCE PROCUREMENT (CY)		2,400		2,400		2,400				2,400
022	NUDET DETECTION SYSTEM		1,250		1,250		1,250				1,250
023	DEF METEOROLOGICAL SAT		99,788		99,788		99,788				99,788
024	DEFENSE SUPPORT										
025	TITAN SPACE BOOSTERS(SPACE)										
026	EVOLVED EXPENDABLE LAUNCH	4	1,205,278	4	1,205,278	4	1,205,278			4	1,205,278
027	MEDIUM LAUNCH VEHICLE(SPACE)		5,756		5,756		5,756				5,756

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
028	SBIR HIGH (SPACE)	2	1,664,043	2	1,664,043	2	1,664,043			2	1,664,043
029	ADVANCE PROCUREMENT (CY)		54,000		54,000		54,000				54,000
	SPECIAL PROGRAMS										
030	CANCELLED ACCOUNTS										
031	DEFENSE SPACE RECONN		158,966		158,966		158,966				158,966
32	SPECIAL PROGRAMS		[ ]		[ ]		[ ]				[ ]
033	SPECIAL UPDATE PROGRAMS		212,515		212,515		212,515				212,515
34	CLASSIFIED PROGRAM		[ ]		[ ]		[ ]				[ ]
35	OTHER PROGRAMS		[ ]		[ ]		[ ]				[ ]
999	CLASSIFIED PROGRAMS		796,377		796,377		796,377				796,377
	TOTAL - MISSILE PROCUREMENT, AIR FORCE		**5,536,728**		**5,536,728**		**5,556,728**		**16,800**		**5,553,528**
	OTHER PROCUREMENT, AIR FORCE										
	VEHICULAR EQUIPMENT										
	PASSENGER CARRYING VEHICLES										
001	ARMORED VEHICLE										
002	PASSENGER CARRYING VEHICLES		17,662		17,662		17,662				17,662
	CARGO AND UTILITY VEHICLES										
003	MEDIUM TACTICAL VEHICLE		23,002		23,002		23,002				23,002

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
004	HIGH MOBILITY VEHICLE (MYP)										
005	CAP VEHICLES		889		889		889				889
	SPECIAL PURPOSE VEHICLES										
006	HMMWV, ARMORED										
007	SECURITY AND TACTICAL		30,597		30,597		30,597				30,597
	FIRE FIGHTING EQUIPMENT										
008	FIRE FIGHTING/CRASH RESCUE		27,020		27,020		27,020				27,020
	MATERIALS HANDLING										
009	HALVERSEN LOADER										
	BASE MAINTENANCE SUPPORT										
010	RUNWAY SNOW REMOV AND		23,051		23,051		23,051				23,051
011	ITEMS LESS THAN		39,984		39,984		39,984				39,984
	CANCELLED ACCOUNT										
012	CANCELLED ACCOUNT										
	ELECTRONICS AND COMM SECURITY EQUIPMENT										
013	COMSEC EQUIPMENT		137,914		137,914		137,914				137,914
014	MODIFICATIONS (COMSEC)		1,557		1,557		1,557				1,557
	INTELLIGENCE PROGRAMS										
015	INTELLIGENCE TRAINING		2,671		2,671		2,671				2,671

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
016	INTELLIGENCE COMM EQUIPMENT		15,441		19,441		18,941		6,000		21,441
	Eagle Vision one meter SAR						[3,500]		[3,500]		
	Force protection surveillance system				[4,000]				[2,500]		
	ELECTRONICS PROGRAMS										
017	AIR TRAFFIC CONTROL & LANDING		9,832		9,832		9,832				9,832
018	NATIONAL AIRSPACE SYSTEM		47,224		47,224		47,224				47,224
019	THEATER AIR CONTROL SYS		68,502		68,502		68,502				68,502
020	WEATHER OBSERVATION		29,377		29,377		29,377				29,377
021	STRATEGIC COMMAND AND		53,739		53,739		53,739				53,739
022	CHEYENNE MOUNTAIN COMPLEX		13,662		13,662		13,662				13,662
023	DRUG INTERDICTION SPT		950		950		950				950
	SPECIAL COMM-ELECTRONICS										
024	GENERAL INFORMATION		100,052		107,552		101,952		5,000		105,052
	IMPACT				[2,000]				[2,000]		
	SELDI				[2,000]				[1,000]		
	NextGen OTHR risk reduction						[1,900]				
	ANG combat communications on the				[3,500]				[2,000]		
025	AF GLOBAL COMMAND & CONTROL		16,148		16,148		16,148				16,148
026	MOBILITY COMMAND AND		10,475		10,475		10,475				10,475
027	AIR FORCE PHYSICAL SECURITY		57,728		57,728		57,728				57,728
028	COMBAT TRAINING RANGES		55,315		55,315		66,015		5,000		60,315
	Unmanned threat emitter (UMTE)						[10,700]		[5,000]		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
029	MINIMUM ESSENTIAL EMERGENCY		1		1		1				1
030	C3 COUNTERMEASURES		7,754		7,754		7,754				7,754
031	GCSS-AF FOS		55,783		50,783		55,783		-5,000		50,783
	Expeditionary Combat Support System Unjustified growth				[-5,000]				[-5,000]		
032	THEATER BATTLE MGT C2 SYSTEM		22,525		22,525		22,525				22,525
033	AIR & SPACE OPERATIONS CTR-WPN SYS		35,050		35,050		6,050				35,050
	AOC						[-29,000]				
	AIR FORCE COMMUNICATIONS										
034	BASE INFO INFRASTRUCTURE		337,190		337,190		337,190				337,190
035	USCENTCOM		42,677		42,677		42,677				42,677
	DISA PROGRAMS										
036	SPACE BASED IR SENSOR PGM		80,405		80,405		80,405				80,405
037	NAVSTAR GPS SPACE		25,526		25,526		25,526				25,526
038	NUDET DETECTION SYS SPACE		27,626		27,626		27,626				27,626
039	AF SATELLITE CONTROL NETWORK		65,383		65,383		65,383				65,383
040	SPACELIFT RANGE SYSTEM SPACE		101,983		101,983		101,983				101,983
041	MILSATCOM SPACE		106,323		106,323		106,323				106,323
042	SPACE MODS SPACE		23,121		23,121		23,121				23,121
043	COUNTERSPACE SYSTEM		29,232		29,232		29,232				29,232

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	ORGANIZATION AND BASE										
044	TACTICAL C-E EQUIPMENT		293,153		293,153		293,153		-51,509		241,644
	Laser Targeting Devices - Unjustified Program Growth								[-51,509]		
045	COMBAT SURVIVOR EVADER		26,878		26,878		26,878				26,878
046	RADIO EQUIPMENT		13,463		13,463		13,463				13,463
047	TV EQUIPMENT (AFRTV)										
048	CCTV/AUDIOVISUAL EQUIPMENT		7,423		7,423		7,423				7,423
049	BASE COMM INFRASTRUCTURE		135,808		135,808		135,808				135,808
050	ITEMS LESS THAN $5,000,000										
	MODIFICATIONS										
051	COMM ELECT MODS		33,258		33,258		33,258				33,258
	OTHER BASE MAINTENANCE AND PERSONAL SAFETY AND RESCUE										
052	NIGHT VISION GOGGLES		18,626		18,626		18,626				18,626
	DEPOT PLANT AND MATERIAL										
053	MECHANIZED MATERIAL HANDLING		21,573		21,573		21,573				21,573
	BASE SUPPORT EQUIPMENT										
054	BASE PROCURED EQUIPMENT		17,038		17,038		17,038				17,038
055	MEDICAL/DENTAL EQUIPMENT										
056	CONTINGENCY OPERATIONS		6,483		6,483		6,483				6,483
057	PRODUCTIVITY CAPITAL		3,021		3,021		3,021				3,021

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
058	MOBILITY EQUIPMENT		26,459		26,459		26,459				26,459
059	ITEMS LESS THAN $5,000,000		14,237		14,237		14,237				14,237
	SPECIAL SUPPORT PROJECTS										
60	PRODUCTION ACTIVITIES		[ ]		[ ]		[ ]				[ ]
061	DARP RC135		22,924		22,924		22,924				22,924
062	DISTRIBUTED GROUND SYSTEMS		251,805		251,805		251,805				251,805
63	SELECTED ACTIVITIES		[ ]		[ ]		[ ]				[ ]
064	SPECIAL UPDATE PROGRAM		410,370		410,370		410,370				410,370
065	DEFENSE SPACE		15,805		15,805		15,805				15,805
	SPARES AND REPAIR PARTS										
066	SPARES AND REPAIR PARTS		25,616		25,616		25,616				25,616
999	CLASSIFIED PROGRAMS		13,041,085		13,041,085		13,041,085				13,041,085
	TOTAL - OTHER PROCUREMENT,		**16,128,396**		**16,134,896**		**16,115,496**		**-40,509**		**16,087,887**
	MINE RESISTANT AMBUSH PROT VEH FUND										
	MINE RESISTANT AMBUSH PROT										
001	MINE RESISTANT AMBUSH PROT										
	TOTAL - MINE RESISTANT AMBUSH PROT VEH FUND										

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT										
	MAJOR EQUIPMENT, OSD/WHS										
001	MAJOR EQUIPMENT, OSD		105,946		108,946		105,946				105,946
	Domestic Production of Polycrystalline Laser Gain Materials				[3,000]						
	MAJOR EQUIPMENT, MDA										
001a	MAJOR EQUIPMENT, MDA						257,000				
	THAAD long lead (transfer from						[65,000]				
	THAAD long lead						[75,000]				
	THAAD radar long lead						[40,000]				
	SM-3 long lead						[20,000]				
	SM-3 long lead (transfer from RDDW						[57,000]				
	MAJOR EQUIPMENT, NSA										
2	INTEL SUPPORT TO INFORMATION (		[ ]		[ ]		[ ]				[ ]
3	CYBER SECURITY -- CCP		[ ]		[ ]		[ ]				[ ]
4	CYBER SECURITY INITIATIVE		[ ]		[ ]		[ ]				[ ]
5	CONSOLIDATED CRYPTOLOGIC PR(		[ ]		[ ]		[ ]				[ ]
006	PROGRAM (ISSP)		4,505		4,505		4,505				4,505
7	DEFENSE AIRBORNE RECONNAISS/		[ ]		[ ]		[ ]				[ ]

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	MAJOR EQUIPMENT, WHS										
008	WHS MOTOR VEHICLES										
009	MAJOR EQUIPMENT, WHS		26,649		26,649		26,649				26,649
	MAJOR EQUIPMENT, DISA										
010	INTERDICTION SUPPORT										
011	INFORMATION SYSTEMS SECURITY		54,934		54,934		54,934				54,934
012	DEFENSE MESSAGE SYSTEM										
013	GLOBAL COMMAND AND CONTROL		10,973		10,973		10,973				10,973
014	GLOBAL COMBAT SUPPORT		2,788		2,788		2,788				2,788
015	TELEPORT PROGRAM		15,062		15,062		15,062				15,062
016	ITEMS LESS THAN $5 MILLION		121,296		121,296		121,296				121,296
017	NET CENTRIC ENTERPRISE		36,765		36,765		36,765				36,765
018	DEFENSE INFORMATION SYSTEM		90,328		90,328		90,328				90,328
019	PUBLIC KEY INFRASTRUCTURE		1,894		1,894		1,894				1,894
020	SR. LEADERSHIP CMD CONT										
021	JOINT COMMAND AND CONTROL		7,952		7,952		7,952				7,952
22	CYBER SECURITY INITIATIVE		19,100		19,100		19,100				19,100
	MAJOR EQUIPMENT, DIA										
23	DIA SUPPORT TO CENTCOM		[ ]		[ ]		[ ]				[ ]
24	COMMUNICATIONS		[ ]		[ ]		[ ]				[ ]
25	OPERATIONS		[ ]		[ ]		[ ]				[ ]
26	INTEL ACTIVITIES		[ ]		[ ]		[ ]				[ ]

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
27	MANAGEMENT HQ		[ ]		[ ]		[ ]				[ ]
28	OPS		[ ]		[ ]		[ ]				[ ]
29	INTELLIGENCE ACTIVITIES		[ ]		[ ]		[ ]				[ ]
30	INTELLIGENCE ACTIVITIES		[ ]		[ ]		[ ]				[ ]
31	REVIEW ACTIVITIES		[ ]		[ ]		[ ]				[ ]
32	DEFENSE HUMINT INTELLIGENCE		[ ]		[ ]		[ ]				[ ]
	MAJOR EQUIPMENT, DLA										
033	MAJOR EQUIPMENT		8,789		13,789		8,789				8,789
	Combat rations surge production capacity requirements				[5,000]						
	MAJOR EQUIPMENT, DCAA										
034	ITEMS LESS THAN $5 MILLION		1,523		1,523		1,523				1,523
	MAJOR EQUIPMENT, TJS										
035	MAJOR EQUIPMENT, TJS		25,897		25,897		25,897				25,897
	MAJOR EQUIPMENT, DHRA										
036	PERSONNEL ADMINISTRATION		19,214		19,214		19,214				19,214
	NATIONAL GEOSPATIAL										
37	NATIONAL GEOSPATIAL -										
38	DEFENSE GEOSPATIAL -										
	DEFENSE THREAT REDUCTION										
039	VEHICLES										
040	OTHER MAJOR EQUIPMENT		5,621		5,621		5,621				5,621

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	MAJOR EQUIPMENT, AFIS										
041	MAJOR EQUIPMENT, AFIS										
	MAJOR EQUIPMENT, DODEA										
042	AUTOMATION/EDUCATIONAL		1,498		1,498		1,498				1,498
	MAJOR EQUIPMENT, DCMA										
043	MAJOR EQUIPMENT		2,149		2,149		2,149				2,149
	MAJOR EQUIPMENT, DTSA										
044	MAJOR EQUIPMENT		436		436		436				436
	MAJOR EQUIPMENT, BTA										
045	MAJOR EQUIPMENT, BTA		689		689		689				689
	MAJOR EQUIPMENT, DMACT										
046	A - WEAPON SYSTEM COST	3	11,158	3	11,158	3	11,158			3	11,158
	SPECIAL OPERATIONS COMMAND AVIATION PROGRAMS										
047	ROTARY WING UPGRADES AND		51,950		51,950		51,950				51,950
048	MC-130H AIR REFUELING SYSTEM										
049	MH-47 SERVICE LIFE EXTENSION		63,667		63,667		63,667				63,667
050	MH-60 SOF MODERNIZATION		98,163		98,163		98,163		74,800		172,963
	SIRFC Radar Warning Receivers								[74,800]		
051	NON-STANDARD AVIATION	6	39,172	6	39,172	6	39,172			6	39,172

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
052	SOF TANKER RECAPITALIZATION		36,286		36,286		36,286		-25,000		11,286
	Funding Provided in the FY 2008 Supplemental								[-25,000]		
053	SOF U-28		7,659		7,659		7,659				7,659
054	MC-130H, COMBAT TALON II										
055	CV-22 SOF MOD	6	162,971	6	162,971	6	162,971			6	162,971
056	AC-130U GUNSHIP ACQUISITION										
057	C-130 MODIFICATIONS		47,018		47,018		47,018		-13,700		33,318
	30mm Gun Termination								[-13,700]		
058	AIRCRAFT SUPPORT		1,347		1,347		1,347				1,347
	SHIPBUILDING										
059	ADVANCED SEAL DELIVERY		5,760		5,760		5,760				5,760
060	MK8 MOD1 SEAL DELIVERY		7,061		7,061		7,061				7,061
	AMMUNITION PROGRAMS										
061	SOF ORDNANCE REPLENISHMENT		67,083		67,083		67,083				67,083
062	SOF ORDNANCE ACQUISITION		5,540		11,540		5,540				5,540
	Remote Activated Munitions				[6,000]						
	OTHER PROCUREMENT										
063	COMMUNICATIONS EQUIPMENT		67,220		67,220		67,220				67,220
064	SOF INTELLIGENCE SYSTEMS		54,122		74,922		67,422				54,122
	SOCOM Intelligence Equipment Package				[20,800]						
	ISR mission equipment package						[13,300]				

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
065	SMALL ARMS AND WEAPONS		15,689		21,689		20,089		7,500		23,189
	Mk47 Advanced Lightweight Grenade Launcher				[6,000]				[4,500]		
	MK 17 rifle						[4,400]		[3,000]		
66	CLASSIFIED PROGRAMS		[ ]		[ ]		[ ]				[ ]
067	MARITIME EQUIPMENT		1,265		1,265		1,265				1,265
068	SPECIAL APPLICATIONS FOR		12,484		12,484		12,484				12,484
069	SOF COMBATANT CRAFT SYSTEMS		18,795		22,395		18,795		3,600		22,395
	Special Operations Craft - Riverine				[3,600]				[3,600]		
070	SPARES AND REPAIR PARTS		3,272		3,272		3,272				3,272
71	SPECIAL PROGRAM		[ ]		[ ]		[ ]				[ ]
072	TACTICAL VEHICLES		3,702		3,702		3,702				3,702
073	MISSION TRAINING AND		34,151		34,151		34,151				34,151
074	COMBAT MISSION REQUIREMENTS		21,593		21,593		21,593				21,593
075	MILCON COLLATERAL EQUIPMENT		11,722		11,722		11,722				11,722
076	UNMANNED VEHICLES		27,194		27,194		27,194				27,194
77	CLASSIFIED PROGRAM GDIP		[ ]		[ ]		[ ]				[ ]
078	SOF AUTOMATION SYSTEMS		55,248		55,248		55,248				55,248
079	SOF GLOBAL VIDEO		15,862		15,862		15,862				15,862
080	SOF OPERATIONAL		25,892		25,892		25,892				25,892

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
081	SOF SOLDIER PROTECTION AND		15,455		16,655		15,455		1,200		16,655
	SOCOM Personal Equipment Advanced Requirements				[1,200]				[1,200]		
082	SOF VISUAL AUGMENTATION,		30,201		45,601		35,201		3,000		33,201
	SOCOM Visual Augmentation Systems Hand Held Imagers				[15,400]				[3,000]		
	Hand-held imager / long range						[5,000]				
083	SOF TACTICAL RADIO SYSTEMS		33,966		33,966		33,966		-10,000		23,966
	Multiband Inter/Intra Team Radio								[-12,000]		
	Multi-Band Multi-Mission Radio								[2,000]		
084	SOF MARITIME EQUIPMENT		13,450		13,450		13,450				13,450
085	DRUG INTERDICTION										
086	MISCELLANEOUS EQUIPMENT		15,331		15,331		15,331				15,331
087	SOF OPERATIONAL		315,443		324,643		320,443		2,000		317,443
	SOCOM High Performance Sniper Scope				[9,200]						
	M53 joint chemical biological						[5,000]		[2,000]		
088	PSYOP EQUIPMENT		64,778		64,778		64,778				64,778
	CHEMICAL/BIOLOGICAL DEFENSE										
	CBDP										
089	INSTALLATION FORCE		88,565		88,565		88,565				88,565
090	INDIVIDUAL PROTECTION		80,211		80,211		80,211				80,211
091	DECONTAMINATION		22,299		22,299		22,299				22,299

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
092	JOINT BIOLOGICAL DEFENSE		38,702		38,702		38,702				38,702
093	COLLECTIVE PROTECTION		37,784		37,784		37,784				37,784
094	CONTAMINATION AVOIDANCE		199,610		199,610		217,610		10,000		209,610
	Joint chemical agent detector						[10,000]		[5,000]		
	Joint bio standoff detection system (JBSDS)						[8,000]		[5,000]		
	BALLISTIC MISSILE DEFENSE										
95	STANDARD MISSILE-3				111,000		77,000		50,000		50,000
	Transfer from PE 63892C				[56,000]		[57,000]		[50,000]		
	Facility upgrades				[20,000]						
	Long-lead procurement				[35,000]		[20,000]				
96	TERMINAL HIGH ALTITUDE AREA				140,000		180,000		115,000		115,000
	Transfer from PE 63881C				[65,000]		[65,000]		[65,000]		
	Long-lead procurement				[75,000]		[75,000]		[50,000]		
	THAAD radar						[40,000]				
999	CLASSIFIED PROGRAMS		671,379		671,379		671,379				671,379
	TOTAL - PROCUREMENT, DEFENSE-WIDE		**3,164,228**		**3,485,428**		**3,723,928**		**218,400**		**3,382,628**

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	RAPID ACQUISITION FUND										
001	JOINT RAPID ACQUISITION CELL		102,045		50,000		102,045		-102,045		
	Transfer to Title XV				[-102,045]						
	Program Increase				[50,000]						
	Program decrease								[-102,045]		
	TOTAL - RAPID ACQUISITION FUND		**102,045**		**50,000**		**102,045**		**-102,045**		

Title I - Procurement

(Dollars in Thousands)

Line	Program Title	FY 2009 Request Qty	FY 2009 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Agreement Change Qty	Agreement Change Cost	Agreement Authorized Qty	Agreement Authorized Cost
	NATIONAL GUARD & RESERVE										
	RESERVE EQUIPMENT				800,000				800,000		800,000
	ARMY RESERVE										
001	MISCELLANEOUS EQUIPMENT										
	NAVY RESERVE										
002	MISCELLANEOUS EQUIPMENT										
	MARINE CORPS RESERVE										
003	MISCELLANEOUS EQUIPMENT										
	AIR FORCE RESERVE										
004	MISCELLANEOUS EQUIPMENT										
	NATIONAL GUARD EQUIPMENT										
	ARMY NATIONAL GUARD										
005	MISCELLANEOUS EQUIPMENT										
	AIR NATIONAL GUARD										
006	MISCELLANEOUS EQUIPMENT										
	TOTAL - NATIONAL GUARD &				**800,000**				**800,000**		**800,000**

BUDGET ITEMS

Shipbuilding

The budget request contained $2.5 billion for the third DDG–1000 class destroyer, $103.2 million for close out costs associated with discontinuing the LPD–17 amphibious ship production line, and no funding for the DDG–51 class program which had ceased new production funding with the three ships bought in fiscal year 2005. Additionally, the budget request contained $920.0 million for two Littoral Combat Ships (LCS) and $348.3 million in the National Defense Sealift Fund (NDSF) designated for advance procurement for the first of a class of Maritime Preposition Force-Future (MPF(F)) aviation vessels.

The agreement would authorize full funding for the third DDG–1000 class destroyer without prejudice to any potential future Department of Defense decision to truncate the DDG–1000 class acquisition program in favor of a return to DDG–51 class destroyers.

However, the agreement would authorize $349.0 million for surface ship advance procurement which would permit the Navy to acquire major spares for DDG–51 destroyers or buy advance procurement should the Secretary of Defense determine that there is a validated requirement to produce more of these ships.

The agreement also would authorize $600.0 million in advance procurement to extend the LPD–17 amphibious acquisition program to a total of 11 ships. The Marine Corps considers the tenth and eleventh ships of this class to be vital to the future expeditionary force.

The agreement would authorize the budget request of $920.0 million for two LCS vessels. Elsewhere in the agreement, we recommend a provision that would delay implementation of the cost cap for the LCS program until fiscal year 2010. We note that the Navy has taken delivery of the first ship of this class and anticipates taking delivery of the second by the end of the calendar year. While these are significant milestones, we remain concerned that the Navy has not taken sufficient actions to control costs for follow-on vessels. Moreover, in repeated testimony before the Committees on Armed Services of the Senate and the House of Representatives, we have been told that a primary benefit of utilizing mid-tier shipyards is that such yards can easily balance commercial and government workload to ensure that the Navy does not have to pay overhead costs to maintain capability during periods of limited government funding. Nevertheless, the Navy has requested, for the second year in a row, an adjustment to the cost cap in order to preserve industrial capability because the Navy is unable to purchase a ship at or below its budgetary estimate and lacks a coherent acquisition strategy for the program. We strongly encourage the Navy to take steps to procure follow-on vessels with required warfighting capability, while prioritizing the aggressive management of cost and the most efficient utilization of the industrial base. Likewise, we direct the Secretary to develop and submit to the Congress a long-term acquisition strategy for LCS vessels with the submission of the fiscal year 2010 budget request.

Finally, consistent with a change in the definition of the vessels appropriately funded within the NDSF, the agreement would

transfer $348.3 million from the NDSF to the Shipbuilding and Conversion, Navy (SCN) account to buy MPF(F) vessels which are non-combatant versions of assault echelon vessels of the Navy's amphibious force.

ITEMS OF SPECIAL INTEREST

Intelligence, surveillance, and reconnaissance task force

The Senate report (110–335) accompanying S. 3001 included recommendations for authorization of funding and direction for multiple programs and activities to immediately strengthen intelligence, surveillance, and reconnaissance (ISR) capabilities for deployed forces. Since the publication of that report, the Secretary of Defense established an ISR Task Force to recommend immediate actions to field additional capabilities. The Secretary of Defense subsequently submitted a prior-approval reprogramming request to the Congress of $1.2 billion for fiscal year 2008 (which Congress approved), and indicated that another $1.4 billion or more would be requested for fiscal year 2009.

We applaud the Secretary's decisive action. However, based on past experience with countering improvised explosive devices and fielding large numbers of Mine-Resistant Ambush Protected armored vehicles, we are concerned that the Department of Defense will encounter difficulties in executing the approved initiatives as rapidly as needed unless the Department establishes a high-level organization and process to manage, oversee, and report regularly to the Secretary on the initiative. In addition, we expect that additional requirements for immediate ISR support will arise, suggesting the need for sustaining an organization and process for evaluating theater needs and potential solutions.

Therefore, we urge the Secretary of Defense to create and sustain an organization, led by a senior official, to manage the implementation of the ISR initiatives and to evaluate and make recommendations to the Secretary on new ISR requirements as they arise. We request that the Secretary submit a report to the congressional defense and intelligence committees within 30 days of the date of enactment on the Secretary's plans for managing the multi-billion dollar ISR enhancement effort.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 101–105)

The House bill contained provisions (secs. 101–106) that would authorize the recommended fiscal year 2009 funding levels for procurement for the Army, Navy, Marine Corps, Air Force, Defense-wide activities, and National Guard and reserve equipment.

The Senate bill contained provisions (secs. 101–104) that would authorize the recommended fiscal year 2009 funding levels for procurement for the Army, Navy, Marine Corps, Air Force, and Defense-wide activities.

The agreement includes the House provisions with technical amendments.

Subtitle B—Army Programs

Separate procurement line items for Future Combat Systems program (sec. 111)

The House bill contained a provision (sec. 111) that would require, beginning with the fiscal year 2010 President's budget request, separate procurement lines for five classes of equipment planned for procurement under the Future Combat Systems (FCS) program. These classes would be FCS manned ground vehicles, FCS unmanned ground vehicles, FCS unmanned aerial vehicles, FCS unattended ground systems, and other FCS elements.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the use of dedicated procurement line items for the FCS program beginning with the Fiscal Year 2011 President's Budget Request submitted to Congress under section 1105(a) of title 31, United States Code.

Clarification of status of Future Combat Systems program lead system integrator (sec. 112)

The House bill contained a provision (sec. 112) that would prohibit the Army from awarding a contract for low-rate initial production or full-rate production for major elements of the Future Combat Systems (FCS) program to entities serving in the role of a lead systems integrator for the FCS program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would amend section 802 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to clarify the prime contractor for the Future Combat Systems program is a lead system integrator under such section and will remain so until 45 days after the Secretary of the Army certifies in writing that such contractor is no longer serving as a lead system integrator. The specific functions performed by the prime contractor for the FCS program under the current FCS program contract, including major roles in system and subsystem integration, requirements definition, program scope adjustments, and program management, constitute "acquisition functions closely associated with inherently governmental functions" for the purposes of this provision. The provision would also clarify the definition of "new contract" to include certain FCS contract modifications.

Restriction on obligation of funds for Army tactical radio pending report (sec. 113)

The House bill contained a provision (sec. 113) that would restrict obligation of 25 percent of the total funds authorized for Army tactical radio systems pending a report on Army tactical radio system fielding plans from the Assistant Secretary for Defense for Networks and Information Integration.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

The agreement specifies that the restriction on obligation of funds in paragraph (b) of the provision refers only to Army radios

procured through the following Other Procurement, Army budget lines: "SINCGARS family," and "Radio, Improved HF (COTS) family."

Restriction on obligation of procurement funds for Armed Reconnaissance Helicopter program pending certification (sec. 114)

The House bill contained a provision (sec. 114) that would limit the obligation of funds for the Armed Reconnaissance Helicopter (ARH) for fiscal year 2009 to not more than 20 percent of the authorized amounts until 30 days after the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD–ATL) certifies to the congressional defense committees that the ARH has satisfactorily completed a Limited User Test and has been approved by the USD–ATL to enter production.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would add requirements for the ARH program to achieve certification as required by section 2433 of title 10, United States Code, and restructuring of its acquisition strategy.

Stryker Mobile Gun System (sec. 115)

The Senate bill contained a provision (sec. 111) that would require the Secretary of Defense, through the Director of Operational Test and Evaluation (DOT&E), to ensure that the Stryker Mobile Gun System (MGS) is subject to testing to confirm the efficacy of any actions taken to mitigate operational deficiencies identified in Initial Operational Test and Evaluation and Live Fire Test and Evaluation. The provision would also require the Secretary of the Army to provide quarterly updates to the congressional defense committees on the status of the corrective measures and expand section 117(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to future fiscal years.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment that updates the provision based on developments relating to the program since Senate committee action.

We remain concerned by the Army's deployment of low-rate initial production Stryker MGS vehicles to Iraq given the performance and survivability issues noted during testing and urge the Army to take the actions necessary to ensure Stryker MGS vehicles meet all requirements before deploying any additional Stryker MGS vehicles to theater.

Subtitle C—Navy Programs

Refueling and complex overhaul of the U.S.S. Theodore Roosevelt (sec. 121)

The House bill contained a provision (sec. 121) that would provide a one-time exemption to the normal full funding policy to allow for contracting of a 3-year incrementally-funded aircraft carrier refueling complex overhaul (RCOH) from the Shipbuilding and Conversion, Navy (SCN) account. This language would provide the Navy with the authority to commence the refueling overhaul in fiscal year 2009.

The Senate bill contained a similar provision (sec. 132).

The agreement includes a provision incorporating this one-time exemption.

Littoral Combat Ship (LCS) program (sec. 122)

The House bill contained a provision (sec. 123) that would amend section 124 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), as amended by section 125 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), to permit the Secretary of the Navy to make adjustments in the cost cap for the Littoral Combat Ship (LCS) to reflect: (1) economic inflation, up to a total of $10.0 million per ship; and (2) cost increases or decreases for insertion of new technology, owing to lower life cycle costs or increased capability required to meet emerging threats.

The Senate bill contained no similar provision.

The agreement includes a provision that would amend section 125 of the National Defense Authorization Act for Fiscal Year 2008 to delay implementation of the existing cost cap until fiscal year 2010.

Report on F/A–18 procurement costs, comparing multiyear to annual (sec. 123)

The House bill contained a provision (sec. 124) that would require the Secretary of Defense to submit a report on F/A–18 procurement, comparing multiyear procurement costs to those of annual procurements. The provision would also authorize the Secretary of the Navy to obligate up to $100.0 million from within F/A–18 procurement funds to pay for cost reduction initiatives, either for single year procurement or multiyear procurement.

The Senate bill contained no similar provision.

The agreement includes a requirement that the Secretary of Defense submit a report comparing F/A–18 annual and multiyear procurement alternatives, and that he submit appropriate certifications required by section 2306b of title 10, United States Code if he finds that a multiyear procurement is the preferable alternative.

Authority for advanced procurement and construction of components for the Virginia-class submarine program (sec. 124)

The Senate bill contained a provision (sec. 131) that would modify the multiyear authority provided in section 121 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The House bill contained no similar provision.

The agreement includes the Senate provision.

Subtitle D—Air Force Programs

Maintenance of retired KC–135E aircraft (sec. 131)

The House bill contained a provision (sec. 132) that would require the Secretary of the Air Force to maintain a minimum of 46 KC–135E tanker aircraft in Type–1000 storage, rather than all of those KC–135E tanker aircraft that have been or would be retired

under section 135(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that requires the Secretary of the Air Force maintain at least 74 aircraft in Type–1000 storage.

Repeal of multi-year contract authority for procurement of tanker aircraft (sec. 132)

The House bill contained a provision (sec. 133) that would repeal section 135 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) that, among other things, authorized multi-year procurement of up to 80 aircraft as part of a tanker leasing pilot program to acquire 100 tanker aircraft, with 20 coming from a long-term lease.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Report on processes used for requirements development for KC–(X) tanker aircraft (sec. 133)

The House bill contained a provision (sec. 134) that would require the Secretary of the Air Force to report on: (1) an evaluation of the process for deriving KC–(X) requirements; (2) the justification for using the KC–135R as the comparative baseline for the KC–(X) competition; and (3) and evaluation of potential aerial refueling platforms derived from commercial aircraft in the range of maximum gross take-off weights from 750,000 to 1,000,000 pounds.

The Senate bill contained no similar provision.

The agreement includes the House provision amended to require the Secretary of Defense to report on:

(1) an examination of the requirements for aerial refueling, including an explanation for the use of the KC–135R as the baseline for the last KC–(X) solicitation; and

(2) a summary of commercial derivative or commercial, off-the-shelf aircraft available for use as potential aerial refueling platforms using aerial refueling capabilities within the capability bands identified within the KC–(X) Analysis of Alternatives.

The agreement also includes a requirement that the Secretary of Defense reassess the requirements for aerial refueling that have been most recently validated by the Joint Requirements Oversight Council, and submit the complete results of that reassessment to the congressional defense committees.

F–22A fighter aircraft (sec. 134)

The Senate bill contained a provision (sec. 151) that would authorize $497.0 million for Aircraft Procurement, Air Force (APAF) for either (1) advance procurement for F–22A aircraft in fiscal year 2010; or (2) winding down the production line for F–22A aircraft. The next President of the United States would have to decide which alternative would be in the best interests of the Nation and submit a certification of that decision to the congressional defense committees before any of these funds could be spent.

The House bill contained no similar provision.

The agreement authorizes $523.0 million in APAF for advance procurement for the F–22A aircraft. The agreement also includes a provision that would prohibit obligating more than $140.0 million of those funds until the next President of the United States: (1) decides whether continuing F–22 production or terminating production would be in the best interests of the Nation; and (2) submits a certification of that decision before March 1, 2009, to the congressional defense committees.

Subtitle E—Joint and Multiservice Matters

Annual long-term plan for the procurement of aircraft for the Navy and the Air Force (sec. 141)

The Senate bill contained a provision (sec. 171) that would require the Secretary of Defense to submit an annual long-term plan for procurement of aircraft for the Departments of the Navy and Air Force. The provision would require that the plan project procurement, inventories, retirements, and losses for the following 30-year period.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Report on body armor acquisition strategy (sec. 142)

The House bill contained a provision (sec. 141) that would require the Secretary of Defense to establish an executive agent for individual body armor and associated components and establish a procurement budget line item for body armor and personnel protection enhancements. This provision would also require the Under Secretary of Defense for Acquisition, Technology, and Logistics to report to the congressional defense committees by March 15, 2009, detailing an assessment of the body armor industrial base and a strategic plan for its sustainment, and to specify the objective technical capabilities intended for the body armor system.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to submit a report to the congressional defense committees, not later than 120 days after enactment, that includes an assessment of the feasibility and advisability of establishing a dedicated procurement line item for body armor; an assessment of the feasibility and advisability of designating one executive agent for the acquisition of body armor for the military departments; and an assessment of all current initiatives implemented by the Secretary of Defense and the military departments that provide improvements to the body armor acquisition process.

Small arms acquisition strategy and requirements review (sec. 143)

The House bill contained a provision (sec. 142) that would require the Comptroller General of the United States Government Accountability Office to audit the Department of Defense small arms requirements generation process and report to the congressional defense committees by October 1, 2009, on any statutory, regulatory, or procedural barriers that may affect the ability of the military services to rapidly field small arms. This section would

also require the Under Secretary of Defense for Acquisition, Technology, and Logistics to provide a report to the congressional defense committees that details small arms inventory, research and development programs, joint acquisition strategy, an analysis of any ongoing small arms capability gap assessments.

The Senate bill contained a similar provision (sec. 112) that would require the Secretary of the Army to submit a report on the Army's small arms Capabilities Based Assessment. The provision would also recommend that in the event the Army requires a new individual weapon, that the acquisition of such weapons should result from a full and open competition. The provision would also require that the Secretary of Defense submit a report on the feasibility and advisability of conducting a full and open competition for carbine-type rifles.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to report to the congressional defense committees on the Department's assessments of small arms requirements, modernization plans, and the United States small arms industrial base. The amendment would further direct that in the event that the Secretary of the Army determines that there is a gap in small arms capabilities and that a new individual weapon is required, the Secretary shall procure the new individual weapon using a full and open competition.

Requirement for common ground stations and payloads for manned and unmanned aerial vehicle systems (sec. 144)

The House bill contained a provision (sec. 143) that would require the Secretary of Defense to establish a policy for acquisition of intelligence, surveillance, and reconnaissance payloads and ground stations for manned and unmanned aerial vehicle systems that would have as its objective obtaining commonality throughout the Department.

The Senate bill contained no similar provision.

The amendment contains the House provision with a clarifying amendment.

Report on future jet carrier training requirements of the Navy (sec. 145)

The House bill contained a provision (sec. 144) that would require the Secretary of the Navy to submit a report to the congressional defense committees within 120 days after the date of enactment of this Act on future jet carrier training requirements.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Rapid acquisition fund

The House bill contained a provision (sec. 106) that would authorize funds for a rapid acquisition fund.

The Senate bill did not contain a similar provision.

The agreement does not include the House provision.

Applicability of previous teaming agreements for Virginia-class submarine program

The House bill contained a provision (sec. 122) that would amend the multiyear contracting authority contained in section 121 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to require that the Secretary of the Navy certify that the contract to be awarded under such authority comports with the Team Agreement between the two submarine building yards, dated February 16, 1997, which was submitted to the Congress on March 31, 1997.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Limitation on retiring C–5 aircraft

The House bill contained a provision (sec. 131) that would repeal section 132 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) relating to a prohibition on retiring C–5A aircraft until certain testing had been completed. Instead, the provision would prohibit retiring C–5A aircraft until 45 days after the Secretary of the Air Force had submitted a certification that retiring aircraft would not increase operational risk, and a cost analysis assessing different approaches for meeting strategic airlift requirements.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

BUDGET ITEMS

Research, Development, Test and Evaluation overview

The budget request included $79.7 billion in Research, Development, Test and Evaluation for the Department of Defense.

The House bill would authorize $79.8 billion.

The Senate bill would authorize $79.8 billion.

The agreement would authorize $77.8 billion.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II -- RESEARCH, DEVELOPMENT, TEST & EVALUATION

	Authorization Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Research, Development, Test & Evaluation, Army	10,524,085	10,685,695	10,855,210	419,755	10,943,840
Research, Development, Test & Evaluation, Navy	19,337,238	19,764,738	19,442,192	8,365	19,345,603
Research, Development, Test & Evaluation, Air Force	28,066,617	28,238,349	28,322,477	-1,777,109	26,289,508
Research, Development, Test & Evaluation, Defense-wide	21,499,229	20,822,879	20,924,729	-556,500	20,942,729
Operational Test & Evaluation	188,772	188,772	188,772	0	188,772
TOTAL, RDT&E	79,615,941	79,700,433	79,733,380	-1,905,489	77,710,452

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY					
		BASIC RESEARCH					
0601101A	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,832	19,832	19,832		19,832
0601102A	2	DEFENSE RESEARCH SCIENCES	176,959	183,439	184,459	9,980	186,939
		Advanced energy storage research			[3,000]	[2,000]	
		Drug resistant infections research			[1,500]	[1,500]	
		Military operating environments research			[1,500]	[1,500]	
		Organic semiconductor modeling and simulation			[1,500]	[1,000]	
		Functionally integrated reactive surface technologies		[2,500]			
		Nanostructured materials for photovoltaic applications		[2,000]		[2,000]	
		Solid state shelter lighting system		[480]		[480]	
		Nanocrystal source display		[1,500]		[1,500]	
0601103A	3	UNIVERSITY RESEARCH INITIATIVES	76,980	79,480	86,180	6,700	83,680
		Low temperature vehicle performance research			[2,000]	[2,000]	
		Nanocomposite materials research			[2,000]	[2,000]	
		Nanocomposite wireless power systems research			[1,500]		
		Nanoscale biosensor research			[2,500]	[1,500]	
		Urban simulation and training research			[1,200]	[1,200]	
		Science, tech, engineering, mathematics at Coppin State		[1,000]			
		Program increase		[1,500]			
0601104A	4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	105,622	105,622	105,622		105,622
		SUBTOTAL, BASIC RESEARCH, ARMY	**379,393**	**388,373**	**396,093**	**16,680**	**396,073**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		APPLIED RESEARCH					
0602105A	5	MATERIALS TECHNOLOGY	26,985	31,685	36,660	6,975	33,960
		Cold spray technology development			[2,000]		
		Composite materials applied research and technology			[2,000]	[2,000]	
		Improvised explosive device blast simulations			[475]	[475]	
		Magnetic nanosensor development			[2,000]	[2,000]	
		Nanosensor manufacturing research			[1,500]	[1,000]	
		Aircraft skin repair-cold spray		[3,000]			
		Ultrasonic consolidation for armor applications		[1,700]	[1,700]	[1,500]	
0602120A	6	SENSORS AND ELECTRONIC SURVIVABILITY	46,147	56,477	48,147	6,500	52,647
		Hydrogen battery research			[2,000]	[2,000]	
		Dismounted soldier millimeter wave BTID RF tag		[2,000]			
		Command, control, communications and computer module		[1,500]		[1,500]	
		Electromagnetic geolocation		[2,830]			
		Semi-autonomous or unattended psychop and recon tool		[3,000]		[3,000]	
		Cyber forensics and tracking capability tool		[1,000]			
0602122A	7	TRACTOR HIP	18,192	18,192	18,192		18,192
0602211A	8	AVIATION TECHNOLOGY	42,013	43,213	44,513	1,200	43,213
		Slowed-rotor technologies			[2,500]		
		Intensive quenching for advanced weapons systems		[1,200]		[1,200]	
0602270A	9	ELECTRONIC WARFARE TECHNOLOGY	16,611	23,611	16,611	2,500	19,111
		Silver Fox and Manta UAS		[4,000]		[2,500]	
		Knowledge integration & management center of excellence		[3,000]			
0602303A	10	MISSILE TECHNOLOGY	48,174	50,674	48,174		48,174
		Micro safe and arm device for DOD rocket systems		[2,500]			
0602307A	11	ADVANCED WEAPONS TECHNOLOGY	19,664	19,664	19,664		19,664

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602308A	12	ADVANCED CONCEPTS AND SIMULATION	17,048	17,048	20,048	3,000	20,048
		Photonics research for sniper detection			[3,000]	[3,000]	
0602601A	13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	55,234	89,234	73,234	24,000	79,234
		Advanced vehicle technology and fuel development			[1,500]	[1,000]	
		Condition based maintenance simulation tools			[4,500]	[3,000]	
		Ground vehicle reliability modeling			[2,000]	[1,000]	
		Hybrid electric vehicle batteries for FCS			[2,000]	[2,000]	
		Lightweight electric drive technologies			[2,000]		
		Military fuels research program			[2,000]	[2,000]	
		DOD hydrogen PEM fuel cell medium		[8,000]	[4,000]	[3,000]	
		Nano-based, rust corrosion-UV protection system		[300]			
		Fire resistant fuels		[4,800]		[4,000]	
		Dual stage variable energy absorber (DSVEA)		[3,000]		[3,000]	
		Glass ceramic armor technology for vehicle survivability		[6,000]			
		Rapid up-armor synthesis and crashworthiness design		[2,000]		[1,500]	
		Torque-vectoring rollover prevention technology		[1,400]			
		Nanofluids for advanced mobility		[2,200]		[1,000]	
		Tactical metal fabrication		[6,300]		[2,500]	
0602618A	14	BALLISTICS TECHNOLOGY / ROBOTICS	71,550	76,550	71,550	3,000	74,550
		Unmanned rotorcraft for risk reduction - BIRRRD		[1,500]		[1,000]	
		Globally accessible manufacturing and maintenance activity		[3,500]		[2,000]	
0602622A	15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	2,295	2,295	2,295		2,295
0602623A	16	JOINT SERVICE SMALL ARMS PROGRAM	7,531	7,531	7,531		7,531
0602624A	17	WEAPONS AND MUNITIONS TECHNOLOGY	30,576	33,576	34,076	3,500	34,076
		UGV weaponization			[3,500]	[1,500]	
		Compact automated mechanical clearance platform		[3,000]		[2,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602705A	18	ELECTRONICS AND ELECTRONIC DEVICES	45,278	45,278	47,278	2,000	47,278
		Soldier portable power pack technologies			[2,000]	[2,000]	
0602709A	19	NIGHT VISION TECHNOLOGY	25,647	36,297	25,647	1,500	27,147
		Power efficient microdisplay development		[4,650]			
		Multi-threat detection initiative (MTDI)		[3,000]			
		Miniaturized sensors for small and tactical UAV		[3,000]		[1,500]	
0602712A	20	COUNTERMINE SYSTEMS	21,815	26,815	24,815	8,000	29,815
		Standoff IED detection technologies			[3,000]	[3,000]	
		Hawaii undersea chem military munitions assessment plan		[5,000]		[5,000]	
0602716A	21	HUMAN FACTORS ENGINEERING TECHNOLOGY	17,348	42,348	17,348	25,000	42,348
		LWI training based collaborative initiative		[25,000]		[25,000]	
0602720A	22	ENVIRONMENTAL QUALITY TECHNOLOGY	16,064	22,314	16,064	1,000	17,064
		Range scrap disposal		[1,250]		[1,000]	
		Integrated enviro control sys and cryogenic agent removal		[5,000]			
0602782A	23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	24,014	24,014	26,014	2,000	26,014
		Portable compass/positioning/timing device development			[2,000]	[2,000]	
0602783A	24	COMPUTER AND SOFTWARE TECHNOLOGY	5,495	5,495	5,495		5,495
0602784A	25	MILITARY ENGINEERING TECHNOLOGY	52,066	52,066	56,066	3,500	55,566
		Geosciences and atmospheric research			[2,500]	[2,000]	
		Nanocomposite panels for blast and ballistic protection			[1,500]	[1,500]	
0602785A	26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	16,412	16,412	16,412		16,412
0602786A	27	WARFIGHTER TECHNOLOGY	21,948	27,048	24,948	6,100	28,048
		Ballistic materials for force protection			[1,500]	[1,000]	
		Mobile feeding unit development			[1,500]		
		Advanced thermal processing of packaged combat rations		[2,100]		[2,100]	
		Wearable personal area network technology		[3,000]		[3,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602787A	28	MEDICAL TECHNOLOGY	75,395	105,895	110,895	17,700	93,095
		Bioengineering research			[2,500]		
		Biomechanics research			[1,000]	[1,000]	
		Blast wave effect modeling			[5,000]		
		Dengue fever treatment research			[2,000]		
		Dried blood technology clinical research			[2,000]	[2,000]	
		Extremity war Injuries research program			[5,000]	[5,000]	
		Genetics research for soldier survivability			[2,000]	[2,000]	
		PTSD research			[2,500]		
		Traumatic brain injury research			[3,500]		
		Bio-engineering for enhancement of soldier survivability		[3,000]			
		Adv functional nanomaterials for biological processes		[2,500]	[2,000]	[2,000]	
		Depression and mood disorders research		[1,000]			
		Pharmacologic agents to reduce hearing loss		[1,600]			
		Measuring and protecting against traumatic brain injury		[3,000]			
		Minimizing health effects of air toxics		[1,200]		[1,200]	
		Neuropsychiatric and post traumatic stress treatment		[1,200]			
		Orthopedic implant design and manufacturing		[2,000]			
		Plasma technology laboratory		[1,000]		[1,000]	
		Post traumatic stress disorder attention modification		[1,500]			
		Military photomedicine program		[6,000]	[8,000]	[3,500]	
		Program increase		[1,500]			
		SUBTOTAL, APPLIED RESEARCH, ARMY	**723,502**	**873,732**	**811,677**	**117,475**	**840,977**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		ADVANCED TECHNOLOGY DEVELOPMENT					
0603001A	29	WARFIGHTER ADVANCED TECHNOLOGY	46,793	53,593	50,293	9,600	56,393
		Biosensor controller systems development			[3,500]	[3,500]	
		Ballistic precision aerial delivery system		[4,800]		[4,600]	
		Novel flame retardant nylon fabrics		[2,000]		[1,500]	
0603002A	30	MEDICAL ADVANCED TECHNOLOGY	59,043	150,993	105,043	65,000	124,043
		Advanced fibrin dressings			[5,000]	[3,000]	
		Battlefield tracheal intubation technologies			[2,000]	[2,000]	
		Bioelectrics research			[2,000]	[2,000]	
		Combat wound initiative			[5,500]	[2,000]	
		Electronic vital signs monitoring			[3,000]	[3,000]	
		Gulf War veterans' illnesses research			[13,000]	[10,000]	
		Joint medical logistics modernization program			[4,000]		
		Lower limb prosthetics research			[2,500]	[2,000]	
		Mild traumatic brain injury assessment sensor research			[2,000]		
		Online military medical training program			[2,000]	[3,000]	
		Regenerative medicine research			[5,000]	[3,000]	
		Center for traumatic injury to the visual sys and brain		[5,000]			
		Controlled release of anti-inflammatory and tissue repair		[6,000]		[6,000]	
		Corneal wound repair		[6,000]		[5,500]	
		Cardiac surgery robotic computerized telemanipulation		[2,000]		[2,000]	
		Chronic tinnitus treatment program		[3,700]		[1,000]	
		Clinical technology integration for military health		[6,800]			
		Composite tissue allotransplantation research		[5,000]		[2,000]	
		Emergency department preparedness project		[2,000]			
		Magnetic brain stimulation for traumatic brain injury rehab		[1,000]			
		Jt Med. Logistics AIT modernization init: Navy hospital ships		[6,000]			
		Mild traumatic brain injury and triage using smart sensors		[3,200]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		Infectious and inflammatory disease center		[2,000]		[2,000]	
		Institute of surgical and interventional simulation		[3,000]		[3,000]	
		Locomotor translational for traumatic brain injury		[4,200]			
		National Trauma Institute		[3,000]			
		Terastack pilot for army telemedicine		[2,500]			
		Ultra-high resolution display		[5,200]		[5,000]	
		USF College of Public Health		[5,000]			
		Digital pen		[250]			
		Personal status monitor (Nightengale)		[2,500]		[2,500]	
		PTSD telemedicine support		[2,200]			
		Shock trauma center operating room equipment		[2,100]			
		Telepharmacy remote medicine device unit		[3,000]		[3,000]	
		Smisson cartledge infuser		[2,000]			
		Ultra high-speed MEMS electromagnetic cell sorter		[5,500]		[3,000]	
		Program increase		[2,800]			
0603003A	31	AVIATION ADVANCED TECHNOLOGY	57,277	87,177	64,277	18,500	75,777
		Helicopter vulnerability reduction technologies			[1,500]	[1,500]	
		Tactical integration systems development			[3,500]	[2,000]	
		UAV payload delivery systems			[2,000]	[1,000]	
		Polymer matrix technology for rotorcraft drive systems		[5,000]		[3,000]	
		Mission execution technology implementation		[10,000]		[4,000]	
		Non-hazardous infrared anti-reflective coatings for sensors		[2,000]		[1,500]	
		Universal control - full authority digital engine control		[5,000]		[4,000]	
		Universal UAV-resupply BURRO		[4,800]		[1,500]	
		Advanced drive system laser-peening technologies		[3,100]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603004A	32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	73,697	83,597	73,697	4,900	78,597
		Lens-less micro seeker sys for small steerable projectiles		[5,000]		[2,000]	
		Precision molding mantech for large IR aspheric optics		[2,900]		[2,900]	
		Chemical mechanical self-destruct fuze		[2,000]			
0603005A	33	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	107,992	152,942	208,242	71,500	179,492
		Advanced battery development program			[10,000]		
		Advanced digital hydraulic hybrid drive systems			[3,500]	[2,500]	
		Advanced lithium vehicle battery systems			[3,000]	[2,000]	
		Advanced tactical wheeled vehicle electric drive systems			[5,000]	[3,000]	
		Advanced thermal and oil management controls research			[5,000]	[3,000]	
		Composite armor cab development			[2,000]		
		Development of logistical fuel processors			[3,500]	[2,800]	
		Diverse threat sensor development			[1,000]	[1,000]	
		Fastening & joining research			[2,000]		
		Ground vehicle integration technologies			[4,000]	[3,000]	
		Hostile fire detection systems			[2,500]	[2,000]	
		Hybrid electric blast protected vehicle technologies			[4,000]	[1,500]	
		Hybrid engine development program			[6,000]		
		Hydraulic hybrid vehicle systems			[3,000]	[1,000]	
		Next generation non-tactical vehicle propulsion technologies			[5,000]	[2,000]	
		Nickel metal hydride battery development			[2,000]		
		Power and energy research equipment upgrades			[12,000]	[6,000]	
		Power management control and integration systems			[2,000]	[1,000]	
		Solid hydrogen storage systems development			[1,000]	[1,000]	
		Unmanned ground vehicle initiative			[12,000]	[12,000]	
		Vehicle prognostics technologies			[3,500]		
		Fire shield		[6,000]		[4,000]	
		Long range power source for unmanned ground vehicles		[4,000]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		Comm. viable Si/C power semiconductors using superlattice		[3,200]		[3,200]	
		Li - iron phosphate battery system for Army hybrid HMMWV		[4,000]			
		Antiballistic windshield armor		[5,000]	[4,000]	[4,500]	
		Dynamometer facility upgrade program		[4,250]	[4,250]	[4,000]	
		Heavy duty hybrid electric vehicle		[5,000]		[3,000]	
		Advanced drivetrains for enhanced mobility and safety		[2,500]		[2,000]	
		Tac. wheeled vehicle condition based maintenance tech		[4,000]		[4,000]	
		Composites for light weight, low cost transportation sys		[5,000]		[3,000]	
		User evaluation of LASSO vehicles		[2,000]			
0603006A	34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	9,183	9,183	9,183		9,183
0603007A	35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	6,853	6,853	6,853		6,853
0603008A	36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,961	58,961	50,961	5,000	55,961
		Applied communications and information networking		[7,000]		[4,000]	
		Maritime C4ISR system		[1,000]		[1,000]	
0603009A	37	TRACTOR HIKE	14,562	14,562	14,562		14,562
0603015A	38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,881	29,581	24,381	2,500	21,381
		Modeling architectures for battle command experimentation			[2,000]		
		Experiential tech for urban warfare and disaster response		[4,200]			
		Joint fires & effects training system		[6,500]	[3,500]	[2,500]	
0603020A	39	TRACTOR ROSE	11,575	11,575	11,575		11,575
0603100A	40	IED DEFEAT TECHNOLOGY DEVELOPMENT					
0603103A	41	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	10,564	12,564	11,064	1,000	11,564
		Deactivation of military explosives research			[500]		
		Unserviceable ammunition demil - Tooele Army Depot		[2,000]		[1,000]	
0603105A	42	MILITARY HIV RESEARCH	7,116	7,116	7,116		7,116

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603125A	43	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	13,064	15,064	13,064		13,064
		Army field test of solar power		[2,000]			
0603238A	44	GLOBAL SURVEILLANCE/AIR DEFENSE/PRECISION STRIKE TECHNOLOGY DEMONSTRATION					
0603270A	45	ELECTRONIC WARFARE TECHNOLOGY	23,996	25,496	25,996		23,996
		Laser development for light aircraft missile defense			[2,000]		
		UWB-RWM for IED countermeasures		[1,500]			
0603313A	46	MISSILE AND ROCKET ADVANCED TECHNOLOGY	63,998	63,998	64,998	1,000	64,998
		Hypersonic interceptor studies			[1,000]	[1,000]	
0603322A	47	TRACTOR CAGE	12,372	12,372	12,372		12,372
0603606A	48	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	30,797	30,797	30,797		30,797
0603607A	49	JOINT SERVICE SMALL ARMS PROGRAM	8,809	10,309	8,809		8,809
		Integrated fire control system for small arms		[1,500]			
0603710A	50	NIGHT VISION ADVANCED TECHNOLOGY	39,916	56,016	43,416	8,000	47,916
		Short range electro-optic sensors			[3,500]	[2,000]	
		Hyperspectral sensor for improved force portection		[5,400]		[2,000]	
		Video enhancement for night vision and low-light video		[2,000]			
		Personal miniature thermal viewer		[4,200]		[2,000]	
		Brownout situational awareness sensor		[4,500]		[2,000]	
0603728A	51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,519	15,519	15,519		15,519

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603734A	52	MILITARY ENGINEERING ADVANCED TECHNOLOGY	7,654	15,254	10,654	5,800	13,454
		Direct methanol fuel cell development			[2,000]	[1,000]	
		Fuel cell technologies for continuity of operations			[1,000]		
		Enhanced holographic imager		[2,800]		[2,800]	
		Distributed power from wastewater		[2,800]			
		Synthetic automotive virtual environments		[2,000]		[2,000]	
0603772A	53	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	48,236	54,736	48,236	5,000	53,236
		Foliage penetrating radar (FORESTER)		[4,000]		[4,000]	
		Software life cycle affordability management		[2,500]		[1,000]	
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, ARMY	**738,858**	**978,258**	**911,108**	**197,800**	**936,658**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
0603024A	54	UNIQUE ITEM IDENTIFICATION (UID)	649	649	2,649		649
		Unique item ID data management research			[2,000]		
0603305A	55	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE)	14,005	24,505	29,505	21,000	35,005
		Advanced electronics integration			[4,000]	[4,000]	
		Advanced environmental control systems			[5,000]	[5,000]	
		Advanced fuel cell research			[3,500]	[3,000]	
		Radiation hardening initiative			[3,000]	[3,000]	
		Compact pulsed power for defense applications		[4,000]		[3,000]	
		Composite structure design		[2,500]		[2,000]	
		Deployable space and electronic warfare analysis tool		[4,000]		[1,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603308A	56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	19,986	19,986	22,986	3,000	22,986
		High-altitude integration testbed			[3,000]	[3,000]	
0603327A	57	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	116,410	117,410	121,410		116,410
		IAMD architecture analysis program			[5,000]		
		Center for defense systems research		[1,000]			
0603460A	58	JOINT AIR-TO-GROUND MISSILE (JAGM)					
0603619A	59	LANDMINE WARFARE AND BARRIER - ADV DEV	29,234	29,234	29,234		29,234
0603627A	60	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	3,840	3,840	3,840		3,840
0603639A	61	TANK AND MEDIUM CALIBER AMMUNITION / FCS	45,866	45,866	45,866		45,866
0603653A	62	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	108,012	118,212	112,512	3,500	111,512
		Stryker active protection system			[4,500]	[1,500]	
		Stryker common active protection system (APS) radar		[4,500]		[2,000]	
		Stryker family of vehicles research and development		[5,700]			
0603747A	63	SOLDIER SUPPORT AND SURVIVABILITY	30,716	32,716	30,716	2,000	32,716
		Headborne energy analysis and diagnostic sys (HEADS)		[2,000]		[2,000]	
0603766A	64	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - ADV DEV	12,275	12,275	12,275		12,275
0603774A	65	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	2,588	2,588	2,588		2,588
0603779A	66	ENVIRONMENTAL QUALITY TECHNOLOGY	5,355	20,655	5,355	2,500	7,855
		Renewable Energy Testing Center				[2,000]	
		Mobile detection and response system		[5,500]			
		Lead environmental, energy, and transp. management		[500]			
		Green range and impact zone pilot program		[2,500]			
		Environmental management information sys at Travis AFB		[500]		[500]	
		Internet-based environmental compliance management sys		[2,500]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603782A	67	WARFIGHTER INFORMATION NETWORK-TACTICAL	414,357	381,257	414,357	-33,100	381,257
		WIN-T increment 3 reduction		[-33,100]		[-33,100]	
0603790A	68	NATO RESEARCH AND DEVELOPMENT	5,041	5,041	5,041		5,041
0603801A	69	AVIATION - ADV DEV	7,455	7,455	7,455		7,455
0603804A	70	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	44,141	44,141	44,141		44,141
0603805A	71	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	17,788	17,788	17,788		17,788
0603807A	72	MEDICAL SYSTEMS - ADV DEV	26,308	27,808	26,308	1,000	27,308
		Leishmania skin test		[1,500]		[1,000]	
0603827A	73	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	36,558	16,558	36,558		36,558
		Ground soldier systems		[-20,000]			
0603850A	74	INTEGRATED BROADCAST SERVICE	11,238	11,238	11,238		11,238
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY	**951,822**	**939,222**	**981,822**	**-100**	**951,722**
		SYSTEM DEVELOPMENT & DEMONSTRATION					
0603808A	75	CLASSIFIED PROGRAM					
0604201A	76	AIRCRAFT AVIONICS	71,562	71,562	74,562		71,562
		Vibration management enhancement research			[3,000]		
0604220A	77	ARMED RECONNAISSANCE HELOCOPTER (ARH)	135,652	135,652	135,652		135,652
0604270A	78	ELECTRONIC WARFARE DEVELOPMENT (MIP)	32,325	37,325	32,325	5,000	37,325
		Hostile fire indicator for rotorcraft		[5,000]		[5,000]	
0604321A	79	ALL SOURCE ANALYSIS SYSTEM	16,465	16,465	16,465		16,465
0604328A	80	TRACTOR CAGE	16,807	16,807	16,807		16,807
0604329A	81	COMMON MISSILE					

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604601A	82	INFANTRY SUPPORT WEAPONS	42,414	42,414	45,414		42,414
		Next generation helmet			[3,000]		
0604604A	83	MEDIUM TACTICAL VEHICLES	1,949	1,949	1,949		1,949
0604609A	84	SMOKE, OBSCURANT AND TARGET DEFEATING SYS	5,603	5,603	5,603		5,603
0604622A	85	FAMILY OF HEAVY TACTICAL VEHICLES	2,901	5,901	2,901		2,901
		Multi-purpose ISO container transporters		[3,000]			
0604633A	86	AIR TRAFFIC CONTROL	14,214	14,214	14,214		14,214
0604642A	87	LIGHT TACTICAL WHEELED VEHICLES			5,000		
		HMMWV modernization research			[5,000]		
0604645A	88	ARMORED SYSTEMS MODERNIZATION (ASM)-SDD					
0604646A	89	NON-LINE OF SIGHT LAUNCH SYSTEM	200,099	200,099	202,099		200,099
		NLOS-LS anti-tamper research			[2,000]		
0604647A	90	NON-LINE OF SIGHT CANNON	89,841	89,841	89,841		89,841
0604660A	91	FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE	774,257	673,257	774,257		774,257
		Program reduction		[-101,000]			
0604661A	92	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	1,413,945	1,281,945	1,413,945		1,413,945
		Program reduction		[-132,000]			
0604662A	93	FCS RECONNAISSANCE (UAV) PLATFORMS	34,379	49,379	34,379	15,000	49,379
		Program increase		[15,000]		[15,000]	
0604663A	94	FCS UNMANNED GROUND VEHICLES	96,918	104,918	96,918	8,000	104,918
		Program increase		[8,000]		[8,000]	
0604664A	95	FCS UNATTENDED GROUND SENSORS	12,967	12,967	12,967		12,967
0604665A	96	FCS SUSTAINMENT & TRAINING R&D	539,145	539,145	539,145		539,145
0604666A	97	MODULAR BRIGADE ENHANCEMENT	64,900	74,900	64,900	10,000	74,900
		Program increase		[10,000]		[10,000]	
0604710A	98	NIGHT VISION SYSTEMS	44,508	44,508	44,508		44,508
0604713A	99	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,499	2,499	2,499		2,499

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604715A	100	NON-SYSTEM TRAINING DEVICES - SDD	35,424	35,424	41,424	3,000	38,424
		Urban training development			[6,000]	[3,000]	
0604741A	101	AIR DEFENSE CZ AND INTELLIGENCE - (C-RAM)	22,415	22,415	22,415		22,415
0604742A	102	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	26,244	26,244	26,244		26,244
0604746A	103	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	23,582	23,582	23,582		23,582
0604760A	104	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)	16,095	16,095	16,095		16,095
0604780A	105	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	29,468	29,468	29,468		29,468
0604783A	106	JOINT NETWORK MANAGEMENT SYSTEM	676	676	676		676
0604802A	107	WEAPONS AND MUNITIONS - SDD	52,140	52,140	55,140		52,140
		Extended range sniper rifle research			[3,000]		
0604804A	108	LOGISTICS AND ENGINEER EQUIPMENT	37,718	37,718	37,718		37,718
0604805A	109	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS	9,795	9,795	9,795		9,795
0604807A	110	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT - SDD	34,971	37,971	34,971	1,000	35,971
		Rotary valve pressure swing absorption oxygen generator		[3,000]		[1,000]	
0604808A	111	LANDMINE WARFARE/BARRIER (FCS)	126,475	64,275	126,475		126,475
		Landmine warfare barrier - SDD reduction		[-62,200]			
0604812A	112	CLASSIFIED PROGRAM	[ ]	[ ]	[ ]		[ ]
0604814A	113	ARTILLERY MUNITIONS / XM 982	78,197	63,197	78,197		78,197
		Realign to Excalibur projectile procurement		[-15,000]			
0604817A	114	COMBAT IDENTIFICATION	10,909	10,909	10,909		10,909
0604818A	115	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	67,535	67,535	67,535		67,535
0604820A	116	RADAR DEVELOPMENT					
0604822A	117	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	60,308	60,308	60,308		60,308
0604823A	118	FIREFINDER	47,845	47,845	47,845		47,845
0604827A	119	SOLDIER SYSTEMS - WARRIOR	15,790	15,790	15,790		15,790

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604854A	120	ARTILLERY SYSTEMS	42,300	47,300	42,300		42,300
		M109A6 Paladin virtual sys development and modernization		[5,000]			
0604869A	121	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	431,270	431,270	431,270		431,270
0604870A	122	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	6,260	6,260	6,260		6,260
0605013A	123	INFORMATION TECHNOLOGY DEVELOPMENT	73,740	76,740	73,740	2,500	76,240
		Health informatics initiative		[3,000]		[2,500]	
0605450A	124	JOINT AIR-TO-GROUND MISSILE (JAGM)	118,517	118,517	118,517		118,517
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY	**4,981,024**	**4,722,824**	**5,003,024**	**44,500**	**5,025,524**
		RDT&E MANAGEMENT SUPPORT					
0603808A	125	CLASSIFIED PROGRAM	[ ]	[ ]	[ ]		[ ]
0604256A	126	THREAT SIMULATOR DEVELOPMENT	21,416	21,416	21,416		21,416
0604258A	127	TARGET SYSTEMS DEVELOPMENT	13,498	13,498	16,498		13,498
		Fixed-wing aerial target development			[3,000]		
0604759A	128	MAJOR T&E INVESTMENT	64,618	64,618	64,618		64,618
0604812A	129	CLASSIFIED PROGRAM					
0605103A	130	RAND ARROYO CENTER	16,339	19,339	16,339	3,000	19,339
		Program increase		[3,000]		[3,000]	
0605301A	131	ARMY KWAJALEIN ATOLL	174,601	174,601	174,601		174,601
0605326A	132	CONCEPTS EXPERIMENTATION PROGRAM	28,271	40,271	28,271	1,000	29,271
		Warfighting study of future technologies and tactics - Aviation		[3,000]			
		Gunfire detection system for unmanned aerial vehicles		[9,000]		[1,000]	
0605502A	133	SMALL BUSINESS INNOVATIVE RESEARCH		5,000			
		Electro-magnetic flak impulse system		[5,000]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0605601A	134	ARMY TEST RANGES AND FACILITIES	342,079	342,079	342,079		342,079
0605602A	135	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	74,624	77,624	77,624	4,500	79,124
		LIDAR and modeling improvements			[3,000]	[3,000]	
		MOTS all sky imager (MASI)		[3,000]		[1,500]	
0605604A	136	SURVIVABILITY/LETHALITY ANALYSIS	41,066	41,066	41,066		41,066
0605605A	137	DOD HIGH ENERGY LASER TEST FACILITY	2,835	2,835	17,835	5,000	7,835
		HELSTF			[15,000]	[5,000]	
0605606A	138	AIRCRAFT CERTIFICATION	5,054	5,054	5,054		5,054
0605702A	139	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,289	8,289	8,289		8,289
0605706A	140	MATERIEL SYSTEMS ANALYSIS	17,028	17,028	17,028		17,028
0605709A	141	EXPLOITATION OF FOREIGN ITEMS	3,530	3,530	3,530		3,530
0605712A	142	SUPPORT OF OPERATIONAL TESTING	72,942	72,942	72,942		72,942
0605716A	143	ARMY EVALUATION CENTER	63,382	63,382	63,382		63,382
0605718A	144	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	5,325	5,325	5,325		5,325
0605801A	145	PROGRAMWIDE ACTIVITIES	73,748	73,748	73,748		73,748
0605803A	146	TECHNICAL INFORMATION ACTIVITIES	42,905	42,905	42,905		42,905
0605805A	147	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	20,857	20,857	20,857		20,857
0605857A	148	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	5,125	5,125	5,125		5,125

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0605898A	149	MANAGEMENT HQ - R&D	15,665	15,665	15,665		15,665
0909999A	150	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS					
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, ARMY	**1,113,197**	**1,136,197**	**1,134,197**	**13,500**	**1,126,697**
		OPERATIONAL SYSTEMS DEVELOPMENT					
0603778A	151	MLRS PRODUCT IMPROVEMENT PROGRAM	59,749	59,749	59,749		59,749
0603820A	152	WEAPONS CAPABILITY MODIFICATIONS UAV					
0102419A	153	AEROSTAT JOINT PROJECT OFFICE	356,434	356,434	356,434		356,434
0203726A	154	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	15,860	17,360	15,860	1,000	16,860
		Fire support technology improvement program		[1,500]		[1,000]	
0203735A	155	COMBAT VEHICLE IMPROVEMENT PROGRAMS	141,114	146,914	141,114	3,000	144,114
		Condition based maintenance for military vehicles		[1,000]			
		Ground combat systems electronic enhancements		[4,800]		[3,000]	
0203740A	156	MANEUVER CONTROL SYSTEM	37,151	37,151	37,151		37,151
0203744A	157	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	452,787	452,787	452,787		452,787
0203752A	158	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	332	332	332		332
0203758A	159	DIGITIZATION	9,534	9,534	9,534		9,534
0203759A	160	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	38,418	38,418	38,418		38,418
0203764A	161	TACTICAL WHEELED VEHICLE IMPROVEMENT PROGRAM					
0203801A	162	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	37,871	37,871	37,871		37,871

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0203802A	163	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	1,527	16,527	11,527	3,700	5,227
		Javelin modernization			[10,000]		
		Close combat missile modernization (Javelin)		[10,000]		[3,700]	
		Program increase		[5,000]			
0203808A	164	TRACTOR CARD	19,601	19,601	19,601		19,601
0208010A	165	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	920	920	920		920
0208053A	166	JOINT TACTICAL GROUND SYSTEM	1,957	7,957	1,957		1,957
		JTAGS preplanned product improvement		[6,000]			
0208058A	167	JOINT HIGH SPEED VESSEL (JHSV)	2,936	2,936	2,936		2,936
0301359A	168	SPECIAL ARMY PROGRAM	[ ]	[ ]	[ ]		[ ]
0303028A	169	SECURITY AND INTELLIGENCE ACTIVITIES					
0303140A	170	INFORMATION SYSTEMS SECURITY PROGRAM	38,090	38,090	38,090		38,090
0303141A	171	GLOBAL COMBAT SUPPORT SYSTEM	104,934	98,934	64,934		104,934
		GCSS			[-30,000]		
		PLM+			[-10,000]		
		Multi-band integrated SATCOM terminal		[-6,000]			
0303142A	172	SATCOM GROUND ENVIRONMENT (SPACE)	106,327	66,327	106,327		106,327
0303150A	173	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	12,922	11,922	12,922		12,922
		Global Command and Control System Army		[-1,000]			
0303158A	174	JOINT COMMAND AND CONTROL PROGRAM (JC2)	15,203	15,203	15,203		15,203
0305204A	175	TACTICAL UNMANNED AERIAL VEHICLES	50,976	50,976	50,976		50,976
0305206A	176	AIRBORNE RECONNAISANCE SYSTEMS	[ ]	[ ]	[ ]		[ ]
0305208A	177	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	57,704	74,204	57,704	8,500	66,204
		Blast damage assess. risk analysis and mitigation app		[4,000]		[1,000]	
		Constant look operational support environment (CLOSE)		[4,000]		[2,000]	
		Assymmetric threat response and analysis (ATRAP)		[5,000]		[3,000]	
		Heuristic internet protocol packet inspection engine		[3,500]		[2,500]	
0702239A	178	AVIONICS COMPONENT IMPROVEMENT PROGRAM	1,023	1,023	1,023		1,023

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0708045A	179	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	69,084	82,084	80,084	13,700	82,784
		Castings research for weapons systems			[3,500]	[2,000]	
		Manufacturing metrology research			[3,000]	[2,200]	
		Nanotechnology manufacturing research			[2,500]	[2,000]	
		Near-net shaped body armor plate development		[4,000]	[2,000]	[2,000]	
		Vehicle common armor manufacturing process (VCAMP)		[4,000]		[2,500]	
		Composite rotorcraft airframe development		[2,000]			
		Helicopter vulnerability reduction		[3,000]		[3,000]	
1001018A	180	NATO JOINT STARS					
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY	**1,632,454**	**1,643,254**	**1,613,454**	**29,900**	**1,662,354**
	999	CLASSIFIED PROGRAMS	3,835	3,835	3,835		3,835
		Total, RDT&E Army	**10,524,085**	**10,685,695**	**10,855,210**	**419,755**	**10,943,840**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY					
		BASIC RESEARCH					
0601103N	1	UNIVERSITY RESEARCH INITIATIVES	103,707	110,707	106,207	2,500	106,207
		Automated technology for landmine detection			[1,500]	[1,500]	
		Radiation hardened electronic systems			[1,000]	[1,000]	
		Ship model testing facility		[7,000]			
0601152N	2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	17,298	17,298	17,298		17,298
0601153N	3	DEFENSE RESEARCH SCIENCES	407,271	410,271	413,771	6,500	413,771
		Energetics research			[1,500]		
		Manufacturing engineering educational outreach program			[2,000]	[2,000]	
		Quantum studies research			[1,500]	[1,500]	
		S&T educational outreach programs			[1,500]		
		Energetics S&T workforce		[3,000]		[3,000]	
		SUBTOTAL, BASIC RESEARCH, NAVY	**528,276**	**538,276**	**537,276**	**9,000**	**537,276**
		APPLIED RESEARCH					
0602114N	4	POWER PROJECTION APPLIED RESEARCH	79,913	83,813	87,413	8,500	88,413
		Free electron laser development			[3,500]	[3,000]	
		High brightness electron source development			[1,500]		
		UAV fuel cell technologies			[2,500]	[2,000]	
		High energy conventional energetics		[1,500]		[1,500]	
		Marine mammal hearing and echolocation research		[2,400]		[2,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602123N	5	FORCE PROTECTION APPLIED RESEARCH	131,310	146,510	151,810	14,000	145,310
		Energy systems integration research			[3,000]	[3,000]	
		Infrared materials research			[3,000]		
		Novel coating technologies for military equipment			[3,500]	[3,500]	
		Port security technologies			[3,500]	[3,500]	
		SOF combatant signature and weight performance research			[2,000]	[2,000]	
		Towed array systems M&S			[2,500]		
		Optical recognition protocol for biologics detection		[3,200]			
		Composite Sea Lion craft project		[5,000]	[3,000]	[2,000]	
		Medium voltage distribution employing high fidelity tech		[5,000]			
		Autonomous superconducting fault current limiting sys		[2,000]			
0602131M	6	MARINE CORPS LANDING FORCE TECHNOLOGY	36,480	40,480	40,980	4,000	40,480
		Warfighter rapid awareness processing technology		[4,000]	[4,500]	[4,000]	
0602234N	7	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY		3,000		2,500	2,500
		Infrared materials laboratories		[3,000]		[2,500]	
0602235N	8	COMMON PICTURE APPLIED RESEARCH	77,054	81,554	77,054	4,500	81,554
		Test environment for adv team collaboration missions		[2,000]		[2,000]	
		All-weather sense and avoid for UAVs		[2,500]		[2,500]	
0602236N	9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	93,862	95,862	95,362	1,500	95,362
		Acoustic research detachment test support upgrades			[1,500]	[1,500]	
		Remote fuel assessment system		[2,000]			
0602271N	10	RF SYSTEMS APPLIED RESEARCH	54,830	55,830	56,330	2,500	57,330
		RF power technologies			[1,500]	[1,500]	
		Center for hetero-functional materials		[1,000]		[1,000]	
0602435N	11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	47,278	49,278	47,278		47,278
		Autonomous undersea vehicle applications center		[2,000]			
0602651M	12	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,084	6,084	6,084		6,084

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602747N	13	UNDERSEA WARFARE APPLIED RESEARCH	58,658	58,658	58,658		58,658
0602782N	14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	47,869	47,869	47,869		47,869
		SUBTOTAL, APPLIED RESEARCH, NAVY	**633,338**	**668,938**	**668,838**	**37,500**	**670,838**
		ADVANCED TECHNOLOGY DEVELOPMENT					
0603114N	15	POWER PROJECTION ADVANCED TECHNOLOGY	60,360	79,060	66,360	8,200	68,560
		Mobile target tracking technologies			[3,500]	[3,000]	
		Watercraft APS			[2,500]		
		Hyperspectral targeting sensor		[3,000]		[3,000]	
		Countermine LIDAR UAV-based system (CLUBS)		[2,200]		[1,200]	
		Free space optical communications interrogator		[6,000]			
		Electromagnetic railgun program		[5,000]			
		High speed anti-radiation demonstrator		[2,500]		[1,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603123N	16	FORCE PROTECTION ADVANCED TECHNOLOGY	55,099	84,399	76,599	16,300	71,399
		Combined mishap reduction system			[2,000]		
		Integrated vehicle health monitoring system			[3,500]		
		Navy/USMC fuel cell non-tactical vehicle initiative			[5,000]	[2,000]	
		Single generator operations lithium ion battery			[9,000]	[5,000]	
		Wide band gap semiconductor materials			[2,000]		
		Sea fighter		[10,000]			
		High strength flame resistant LCP reinforced netting		[3,000]		[2,000]	
		Superconducting DC homopolar motor		[2,000]			
		Multi-fuel combustor for shipboard fuel cell systems		[2,000]		[2,000]	
		Power node switching and control center		[3,000]			
		Repair cell/engineering education outreach program		[1,000]		[1,000]	
		Integrated ship and motion control technology		[4,300]		[4,300]	
		Pure hydrogen supply from logistic fuels		[4,000]			
0603235N	17	COMMON PICTURE ADVANCED TECHNOLOGY	104,578	43,378	43,378	-61,200	43,378
		High integrity global positioning systems (HIGPS)		[-61,200]		[-61,200]	
0603236N	18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	112,520	126,320	112,520	1,000	113,520
		Helo ruggedized avionics displays		[6,800]			
		System for intelligent task assignment & readiness		[3,000]		[1,000]	
		Deployed ASW sustainment training		[4,000]			
0603271N	19	RF SYSTEMS ADVANCED TECHNOLOGY	37,058	37,058	37,058		37,058
0603640M	20	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	100,787	111,287	102,787	3,500	104,287
		Acoustic combat sensors			[2,000]	[2,000]	
		Sniper defeat and combat situational awareness		[8,500]			
		Ballistic helmet development		[1,500]		[1,500]	
		New class of backpacks for marine electricity independence		[500]			
0603651M	21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,020	11,020	11,020		11,020

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603729N	22	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	12,129	12,129	12,129		12,129
0603747N	23	UNDERSEA WARFARE ADVANCED TECHNOLOGY	81,490	83,990	81,490		81,490
		Navy - use of UNOLS fleet		[2,500]			
0603758N	24	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	70,216	70,216	70,216		70,216
0603782N	25	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	33,426	33,426	33,426		33,426
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY	**678,683**	**692,283**	**646,983**	**-32,200**	**646,483**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
0603207N	26	AIR/OCEAN TACTICAL APPLICATIONS	66,133	66,133	66,133		66,133
0603216N	27	AVIATION SURVIVABILITY	5,917	12,117	5,917	2,500	8,417
		Trigger and alert sonobuoy system		[2,500]		[2,500]	
		Port and harbor security enhancement - AUV platforms		[3,700]			
0603237N	28	DEPLOYABLE JOINT COMMAND AND CONTROL	5,905	5,905	5,905		5,905
0603254N	29	ASW SYSTEMS DEVELOPMENT	28,799	42,999	28,799	6,200	34,999
		Marine mammal awareness, alert and response systems		[6,000]		[3,000]	
		Tactical E-field buoy development		[7,000]		[2,000]	
		Holographic optical filters for LIDAR		[1,200]		[1,200]	
0603261N	30	TACTICAL AIRBORNE RECONNAISSANCE	4,298	4,298	4,298		4,298
0603382N	31	ADVANCED COMBAT SYSTEMS TECHNOLOGY	4,367	4,367	4,367		4,367
0603502N	32	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	119,164	119,164	119,164		119,164
0603506N	33	SURFACE SHIP TORPEDO DEFENSE	49,171	49,171	49,171		49,171

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603512N	34	CARRIER SYSTEMS DEVELOPMENT	120,511	123,511	120,511	3,000	123,511
		Improved corrosion protection for EMALS		[3,000]		[3,000]	
0603513N	35	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	4,003	14,503	17,103	10,100	14,103
		DDG-51 permanent magnet hybrid electric propulsion			[7,600]	[6,600]	
		High temperature superconducting (HTS) propulsion motor			[5,500]		
		Power conversion - high density power generation pckgs		[1,500]			
		Data acquisition reporting and trending system (DARTS)		[3,000]		[3,000]	
		Diagnostic/prognostic pump system		[2,000]			
		High temp superconductor propulsion motor; DDG & CG(X)		[2,000]			
		IR LED free space optics communications advancement		[2,000]		[500]	
0603525N	36	PILOT FISH	86,017	86,017	86,017		86,017
0603527N	37	RETRACT LARCH	93,078	93,078	93,078		93,078
0603536N	38	RETRACT JUNIPER	159,175	159,175	159,175		159,175
0603542N	39	RADIOLOGICAL CONTROL	1,094	1,094	1,094		1,094
0603553N	40	SURFACE ASW	29,574	33,474	29,574	500	30,074
		Connectory expansion for rapid ID of tech sources		[1,300]		[500]	
		Sonobuoy flight vehicle		[2,600]			
0603559N	41	SSGN CONVERSION					
0603561N	42	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	141,720	170,220	156,720	4,000	145,720
		Continue SSBN(X) design & study activities			[15,000]		
		SSGN/Virginia payload tube development		[15,000]			
		HBCU applied research incubator		[3,500]			
		Sea based strategic deterrent (UMLS)		[10,000]		[4,000]	
0603562N	43	SUBMARINE TACTICAL WARFARE SYSTEMS	10,212	10,212	10,212		10,212
0603563N	44	SHIP CONCEPT ADVANCED DESIGN	31,111	32,111	31,111	1,000	32,111
		Analytics for shipboard monitoring systems (ASMS)		[1,000]		[1,000]	
0603564N	45	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	14,627	24,627	14,627	5,000	19,627
		Naval ship hydrodynamic test facilities, NSWC, Carderock		[10,000]		[5,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603570N	46	ADVANCED NUCLEAR POWER SYSTEMS	158,270	158,270	158,270		158,270
0603573N	47	ADVANCED SURFACE MACHINERY SYSTEMS					
0603576N	48	CHALK EAGLE	352,858	352,858	352,858		352,858
0603581N	49	LITTORAL COMBAT SHIP (LCS)	371,008	371,008	371,008		371,008
0603582N	50	COMBAT SYSTEM INTEGRATION	54,401	54,401	54,401		54,401
0603609N	51	CONVENTIONAL MUNITIONS	8,124	8,124	8,124		8,124
0603611M	52	MARINE CORPS ASSAULT VEHICLES / EFV	316,052	275,852	316,052	-35,000	281,052
		Marine Corps assault vehicle reduction		[-40,200]		[-35,000]	
0603612M	53	USMC MINE COUNTERMEASURES SYSTEMS - ADV DEV					
0603635M	54	USMC GROUND COMBAT/SUPPORT SYSTEM / JLTV	59,049	66,049	59,049	2,000	61,049
		Center for geospatial intelligence and investigation		[1,000]			
		Urban operations laboratory		[6,000]		[2,000]	
0603654N	55	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	115,086	115,086	115,086		115,086
0603658N	56	COOPERATIVE ENGAGEMENT	38,316	38,316	38,316		38,316
0603713N	57	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,737	7,737	7,737		7,737
0603721N	58	ENVIRONMENTAL PROTECTION	19,632	19,632	19,632		19,632
0603724N	59	NAVY ENERGY PROGRAM	5,611	5,611	5,611		5,611
0603725N	60	FACILITIES IMPROVEMENT	4,086	20,286	6,086	12,000	16,086
		Critical components for ocean alternate energy options		[2,500]		[2,500]	
		Wave energy powerbuoy generating system		[3,500]		[2,000]	
		Swimmer detection sonar network - PNS		[5,500]		[4,000]	
		Hydrokinetic power generator		[2,000]	[2,000]	[2,000]	
		Regenerative fuel cell back-up power		[2,700]		[1,500]	
0603734N	61	CHALK CORAL	117,543	117,543	117,543		117,543
0603739N	62	NAVY LOGISTIC PRODUCTIVITY	2,846	3,846	6,846	2,000	4,846
		Highly integrated optical interconnect for military avionics			[4,000]	[2,000]	
		In transit visibility system		[1,000]			
0603746N	63	RETRACT MAPLE	138,091	138,091	138,091		138,091

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603748N	64	LINK PLUMERIA	60,444	60,444	60,444		60,444
0603751N	65	RETRACT ELM	139,139	139,139	139,139		139,139
0603755N	66	SHIP SELF DEFENSE	11,001	11,001	11,001		11,001
0603764N	67	LINK EVERGREEN	75,995	75,995	75,995		75,995
0603787N	68	SPECIAL PROCESSES	60,678	60,678	60,678		60,678
0603790N	69	NATO RESEARCH AND DEVELOPMENT	10,129	10,129	10,129		10,129
0603795N	70	LAND ATTACK TECHNOLOGY	40,028	16,228	10,028	-16,000	24,028
		Reflect cancellation of ERGM development			[-30,000]		
		Affordable weapons system		[15,000]		[14,000]	
		Extended range guided munition program delay		[-38,800]		[-30,000]	
0603851M	71	NONLETHAL WEAPONS	46,902	46,902	46,902		46,902
0603860N	72	JOINT PRECISION APPROACH AND LANDING SYSTEMS	99,929	99,929	99,929		99,929
0603879N	73	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE)	41,807	41,807	41,807		41,807
0603889N	74	COUNTERDRUG RDT&E PROJECTS		1,500			
		CRISSTL ball		[1,500]			
0603925N	75	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS			10,700	2,200	2,200
		Develop directed energy weapons for asymmetric threats			[10,700]	[2,200]	
0604272N	76	TACTICAL AIR DIRECTIONAL INFRARED	63,244	67,744	63,244	2,000	65,244
		Compact ultra-fast laser system development		[4,500]		[2,000]	
0604327N	77	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM					
0604450N	78	JOINT AIR-TO-GROUND MISSILE (JAGM)					
0604707N	79	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	47,518	47,518	47,518		47,518
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY	**3,440,400**	**3,483,900**	**3,455,200**	**1,500**	**3,441,900**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION					
0604212N	80	OTHER HELO DEVELOPMENT	58,210	58,210	58,210		58,210
0604214N	81	AV-8B AIRCRAFT - ENG DEV	29,924	29,924	29,924		29,924
0604215N	82	STANDARDS DEVELOPMENT	71,920	73,920	71,920	2,000	73,920
		Navy METCAL		[2,000]		[2,000]	
0604216N	83	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	70,329	70,329	70,329		70,329
0604218N	84	AIR/OCEAN EQUIPMENT ENGINEERING	5,750	5,750	5,750		5,750
0604221N	85	P-3 MODERNIZATION PROGRAM	3,589	3,589	3,589		3,589
0604230N	86	WARFARE SUPPORT SYSTEM	8,611	13,611	8,611		8,611
		Wireless imaging and sensor - AT force protection initiative		[5,000]			
0604231N	87	TACTICAL COMMAND SYSTEM	128,742	127,742	128,742	-1,000	127,742
		Global Command and Control System Maritime		[-1,000]		[-1,000]	
0604234N	88	ADVANCED HAWKEYE	484,159	484,159	484,159		484,159
0604245N	89	H-1 UPGRADES	3,795	3,795	3,795		3,795
0604261N	90	ACOUSTIC SEARCH SENSORS	45,790	45,790	45,790		45,790
0604262N	91	V-22A	68,763	68,763	68,763		68,763
0604264N	92	AIR CREW SYSTEMS DEVELOPMENT	16,192	16,192	16,192		16,192
0604269N	93	EA-18	128,906	128,906	128,906		128,906
0604270N	94	ELECTRONIC WARFARE DEVELOPMENT	106,932	106,932	106,932		106,932

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604273N	95	VH-71A EXECUTIVE HELO DEVELOPMENT	1,047,835	1,047,835	1,047,835	-212,835	835,000
		Increment II				[-212,835]	
0604280N	96	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	834,650	834,650	834,650		834,650
0604300N	97	SC-21 TOTAL SHIP SYSTEM ENGINEERING	678,936	678,936	591,736		678,936
		Reduce CG(X) R&D to reflect delay in program decisions			[-87,200]		
0604307N	98	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	188,500	191,500	188,500	3,000	191,500
		DDG-51 class permanent magnet hybrid electric propulsion		[3,000]		[3,000]	
0604311N	99	LPD-17 CLASS SYSTEMS INTEGRATION	985	985	985		985
0604329N	100	SMALL DIAMETER BOMB (SDB)	19,574	19,574	19,574		19,574
0604366N	101	STANDARD MISSILE IMPROVEMENTS	234,653	234,653	234,653		234,653
0604373N	102	AIRBORNE MCM	39,882	39,882	39,882		39,882
0604378N	103	NAVAL INTEGRATED FIRE CONTROL - COUNTER AIR SYSTEMS ENGINEERING	10,533	10,533	10,533		10,533
0604501N	104	ADVANCED ABOVE WATER SENSORS	153,558	158,558	119,958	5,000	158,558
		Reduce CG(X) R&D to reflect delay in program decisions			[-33,600]		
		National RF R&D and tech transfer center		[5,000]		[5,000]	
0604503N	105	SSN-688 AND TRIDENT MODERNIZATION	143,453	143,453	147,553		143,453
		Improved towed array handler			[4,100]		
0604504N	106	AIR CONTROL	8,191	8,191	8,191		8,191
0604512N	107	SHIPBOARD AVIATION SYSTEMS	42,843	42,843	42,843		42,843
0604518N	108	COMBAT INFORMATION CENTER CONVERSION	14,792	14,792	14,792		14,792
0604558N	109	NEW DESIGN SSN	167,357	169,357	172,657	2,000	169,357
		Submarine electronic chart updates			[5,300]		
		Large scale demonstration item for VA-Class bow dome		[2,000]		[2,000]	
0604561N	110	SSN-21 DEVELOPMENTS					
0604562N	111	SUBMARINE TACTICAL WARFARE SYSTEM	58,592	58,592	58,592		58,592

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604567N	112	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	72,932	146,132	78,332	8,900	81,832
		Transfer LHA (R) contract design from NDSF			[5,400]	[5,400]	
		Automated fiber optic manufacturing initiative		[4,500]		[3,500]	
		MPF(F) research and development		[68,700]			
0604601N	113	MINE DEVELOPMENT	2,008	2,008	2,008		2,008
0604603N	114	UNGUIDED CONVENTIONAL AIR-LAUNCHED WEAPONS					
0604610N	115	LIGHTWEIGHT TORPEDO DEVELOPMENT	50,732	50,732	50,732		50,732
0604654N	116	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,858	10,858	10,858		10,858
0604703N	117	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTO	5,263	5,263	5,263		5,263
0604727N	118	JOINT STANDOFF WEAPON SYSTEMS	22,510	22,510	22,510		22,510
0604755N	119	SHIP SELF DEFENSE (DETECT & CONTROL)	35,999	35,999	35,999		35,999
0604756N	120	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	36,238	36,238	46,938	10,700	46,938
		Next generation Phalanx			[10,700]	[10,700]	
0604757N	121	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	57,574	57,574	66,574	2,000	59,574
		NULKA improvements			[9,000]	[2,000]	
0604761N	122	INTELLIGENCE ENGINEERING	13,750	13,750	13,750		13,750
0604771N	123	MEDICAL DEVELOPMENT	7,833	14,833	10,333	4,000	11,833
		Composite tissue transplantation research			[2,500]	[2,000]	
		Reducing operational stress		[5,000]			
		U.S. Navy pandemic influenza vaccine program		[2,000]		[2,000]	
0604777N	124	NAVIGATION/ID SYSTEM	49,007	49,007	49,007		49,007
0604784N	125	DISTRIBUTED SURVEILLANCE SYSTEM		2,000			
		Augmentation for force protection at NAWCAD		[2,000]			
0604800N	126	JOINT STRIKE FIGHTER (JSF)	1,532,748	1,795,248	1,747,748	247,500	1,780,248
		JSF competitive engine		[247,500]	[215,000]	[247,500]	
		F135 technology insertion		[15,000]			
0605013M	127	INFORMATION TECHNOLOGY DEVELOPMENT	30,238	30,238	30,238		30,238
0605013N	128	INFORMATION TECHNOLOGY DEVELOPMENT	72,497	72,497	72,497		72,497

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0605172N	129	MULTINATIONAL INFORMATION SHARING (MNIS)					
0605212N	130	CH-53K RDTE	570,484	570,484	570,484		570,484
0605430N	131	C/KC-130 AVIONICS MODERNIZATION PROGRAM (AMP)	24,407	24,407	24,407		24,407
0605450N	132	JOINT AIR-TO-GROUND MISSILE (JAGM)	62,324	62,324	62,324		62,324
0605500N	133	MULTI-MISSION MARITIME AIRCRAFT (MMA)	1,132,026	1,132,026	1,132,026		1,132,026
0304785N	134	TACTICAL CRYPTOLOGIC SYSTEMS	16,678	16,678	16,678		16,678
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY	**8,682,052**	**9,042,752**	**8,813,252**	**71,265**	**8,753,317**
		RDT&E MANAGEMENT SUPPORT					
0604256N	135	THREAT SIMULATOR DEVELOPMENT	24,959	24,959	24,959		24,959
0604258N	136	TARGET SYSTEMS DEVELOPMENT	80,337	80,337	80,337		80,337
0604759N	137	MAJOR T&E INVESTMENT	42,391	48,891	42,391	4,500	46,891
		Air combat enviro test and evaluation facility upgrades		[3,000]		[3,000]	
		Improved interoperability to support NAVAIR and GWOT		[1,500]		[1,500]	
		SURETRAK re-architecture and sensor augmentation		[2,000]			
0605152N	138	STUDIES AND ANALYSIS SUPPORT - NAVY	8,084	8,084	8,084		8,084
0605154N	139	CENTER FOR NAVAL ANALYSES	49,745	49,745	49,745		49,745
0605155N	140	FLEET TACTICAL DEVELOPMENT					
0605502N	141	SMALL BUSINESS INNOVATIVE RESEARCH					
0605804N	142	TECHNICAL INFORMATION SERVICES	713	713	713		713
0605853N	143	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	51,568	51,568	51,568		51,568
0605856N	144	STRATEGIC TECHNICAL SUPPORT	3,597	3,597	3,597		3,597
0605861N	145	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	69,913	69,913	69,913		69,913
0605862N	146	RDT&E INSTRUMENTATION MODERNIZATION					
0605863N	147	RDT&E SHIP AND AIRCRAFT SUPPORT	195,017	195,017	195,017		195,017

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0605864N	148	TEST AND EVALUATION SUPPORT	356,254	356,254	346,254		356,254
		Unjustified request			[-10,000]		
0605865N	149	OPERATIONAL TEST AND EVALUATION CAPABILITY	12,195	12,195	12,195		12,195
0605866N	150	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	2,708	2,708	2,708		2,708
0605867N	151	LINK CRIMSON	25,358	25,358	25,358		25,358
0605873M	152	MARINE CORPS PROGRAM WIDE SUPPORT	24,687	24,687	24,687		24,687
0305885N	153	TACTICAL CRYPTOLOGIC ACTIVITIES	1,998	1,998	1,998		1,998
0804758N	154	SERVICE SUPPORT TO JFCOM, JNTC	5,148	5,148	5,148		5,148
0909999N	155	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS					
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, NAVY	**954,672**	**961,172**	**944,672**	**4,500**	**959,172**
		OPERATIONAL SYSTEMS DEVELOPMENT					
0603660N	156	ADVANCED DEVELOPMENT PROJECTS	[ ]	[ ]	[ ]		[ ]
0604227N	157	HARPOON MODIFICATIONS	68,214	68,214	68,214		68,214
0604402N	158	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	275,823	275,823	275,823		275,823
0101221N	159	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	80,120	74,520	60,774	-6,000	74,120
		Reliable replacement warhead (RRW)		[-23,300]	[-23,346]	[-23,300]	
		Arming, fuzing, and firing systems		[13,300]		[13,300]	
		Advanced LINAC facility		[4,400]	[4,000]	[4,000]	
0101224N	160	SSBN SECURITY TECHNOLOGY PROGRAM	34,131	34,131	34,131		34,131
0101226N	161	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	7,384	7,384	7,384		7,384
0101402N	162	NAVY STRATEGIC COMMUNICATIONS	47,495	47,495	47,495		47,495
0203761N	163	RAPID TECHNOLOGY TRANSITION (RTT)	34,469	34,469	34,469		34,469
0204136N	164	F/A-18 SQUADRONS	71,232	71,232	71,232		71,232

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0204152N	165	E-2 SQUADRONS	54,096	54,096	54,096		54,096
0204163N	166	FLEET TELECOMMUNICATIONS (TACTICAL)	26,696	26,696	29,696		26,696
		Warfighter enhanced decision making			[3,000]		
0204229N	167	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	14,212	17,212	14,212	1,000	15,212
		Low-cost image-based navigation and precision targeting		[3,000]		[1,000]	
0204311N	168	INTEGRATED SURVEILLANCE SYSTEM	20,565	20,565	20,565		20,565
0204413N	169	AMPHIBIOUS TACTICAL SUPPORT UNITS	2,325	2,325	2,325		2,325
0204571N	170	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	28,017	28,017	28,017		28,017
0204574N	171	CRYPTOLOGIC DIRECT SUPPORT	1,441	1,441	1,441		1,441
0204575N	172	ELECTRONIC WARFARE (EW) READINESS SUPPORT	24,276	24,276	24,276		24,276
0205601N	173	HARM IMPROVEMENT	31,427	34,427	31,427		31,427
		Advanced anti-radiation guided missile derivative		[3,000]			
0205604N	174	TACTICAL DATA LINKS	4,247	4,247	4,247		4,247
0205620N	175	SURFACE ASW COMBAT SYSTEM INTEGRATION	21,720	21,720	21,720		21,720
0205632N	176	MK-48 ADCAP	15,879	16,879	15,879	1,000	16,879
		MK-48 post launch comm system		[1,000]		[1,000]	
0205633N	177	AVIATION IMPROVEMENTS	122,906	126,106	126,906	4,200	127,106
		Radio frequency synthetic subsystems for military automated test systems			[3,000]		
		Rapid repair structural adhesives			[1,000]	[1,000]	
		Ultraviolet-cure structural repair adhesives		[2,000]		[2,000]	
		Helo laminate widescreen development		[1,200]		[1,200]	
0205658N	178	NAVY SCIENCE ASSISTANCE PROGRAM	3,625	3,625	3,625		3,625
0205675N	179	OPERATIONAL NUCLEAR POWER SYSTEMS	71,576	71,576	71,576		71,576
0206313M	180	MARINE CORPS COMMUNICATIONS SYSTEMS	273,696	273,696	273,696		273,696

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0206623M	181	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	136,080	145,080	136,080	-16,400	119,680
		Program Delay				[-19,400]	
		Marine corps shotgun modernization program		[3,000]		[3,000]	
		Enhanced military vehicle maintenance		[4,000]			
		Dev and test program for EMI hardened test shelter		[2,000]			
0206624M	182	MARINE CORPS COMBAT SERVICES SUPPORT	9,646	9,646	9,646		9,646
0207161N	183	TACTICAL AIM MISSILES	6,679	6,679	6,679		6,679
0207163N	184	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	8,556	8,556	8,556		8,556
0208058N	185	JOINT HIGH SPEED VESSEL (JHSV)	11,960	11,960	11,960		11,960
0301303N	186	MARITIME INTELLIGENCE	[ ]	[ ]	[ ]		[ ]
0301323N	187	COLLECTION MANAGEMENT	[ ]	[ ]	[ ]		[ ]
0301327N	188	TECHNICAL RECONNAISANCE AND SURVEILLANCE	[ ]	[ ]	[ ]		[ ]
0301372N	189	CYBER SECURITY INITIATIVE - GDIP	[ ]	[ ]	[ ]		[ ]
0303109N	190	SATELLITE COMMUNICATIONS (SPACE)	652,463	658,463	652,463	1,000	653,463
		Joint-integrated sys tech for advanced digital networking		[6,000]		[1,000]	
0303140N	191	INFORMATION SYSTEMS SECURITY PROGRAM	27,037	27,037	27,037		27,037
0303158M	192	JOINT COMMAND AND CONTROL PROGRAM (JC2)	2,000	2,000	2,000		2,000
0303158N	193	JOINT COMMAND AND CONTROL PROGRAM (JC2)	4,148	4,148	4,148		4,148
0305149N	194	COBRA JUDY	101,114	101,114	101,114		101,114
0305160N	195	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	8,208	8,208	8,208		8,208
0305192N	196	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	4,614	4,614	4,614		4,614
0305204N	197	TACTICAL UNMANNED AERIAL VEHICLES	45,717	45,717	45,717		45,717
0305205N	198	ENDURANCE UNMANNED AERIAL VEHICLES	480,098	418,098	431,898	-62,000	418,098
		BAMS program		[-62,000]	[-48,200]	[-62,000]	
0305206N	199	AIRBORNE RECONNAISSANCE SYSTEMS	55,719	55,719	55,719		55,719

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0305207N	200	MANNED RECONNAISSANCE SYSTEMS	13,982	13,982	13,982		13,982
0305208N	201	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,540	44,540	44,540		44,540
0307207N	202	AERIAL COMMON SENSOR (ACS)	74,604	74,604	74,604		74,604
0308601N	203	MODELING AND SIMULATION SUPPORT	8,007	8,007	8,007		8,007
0702207N	204	DEPOT MAINTENANCE (NON-IF)	21,130	21,130	21,130	-6,000	15,130
		F-18 Service Life Assessment Program delay				[-6,000]	
0702239N	205	AVIONICS COMPONENT IMPROVEMENT PROGRAM	1,877	1,877	1,877		1,877
0708011N	206	INDUSTRIAL PREPAREDNESS	56,681	56,681	58,381		56,681
		Digital direct manufacturing technologies			[1,700]		
0708730N	207	MARITIME TECHNOLOGY (MARITECH)			15,000		
		National Shipbuilding Research Program			[15,000]		
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, NAVY	**3,110,432**	**3,068,032**	**3,066,586**	**-83,200**	**3,027,232**
	999	CLASSIFIED PROGRAMS	1,309,385	1,309,385	1,309,385		1,309,385
		Total, RDT&E Navy	**19,337,238**	**19,764,738**	**19,442,192**	**8,365**	**19,345,603**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE					
		BASIC RESEARCH					
0601102F	1	DEFENSE RESEARCH SCIENCES	309,926	309,926	309,926		309,926
0601103F	2	UNIVERSITY RESEARCH INITIATIVES	125,949	127,949	134,049	10,100	136,049
		Advanced design technologies for hypersonics research			[2,000]	[2,000]	
		Diamond substrates for microelectronics research			[2,500]	[2,500]	
		Information security research			[2,000]	[2,000]	
		Military decision cycle time research			[1,600]	[1,600]	
		Aerodynamic wind tunnel upgrade initiative		[2,000]		[2,000]	
0601108F	3	HIGH ENERGY LASER RESEARCH INITIATIVES	13,425	13,425	13,425		13,425
0301555F	4	CLASSIFIED PROGRAM	[ ]	[ ]	[ ]	[4,000]	[ ]
		Remote suspect identification		[4,000]		[4,000]	
0301556F	5	SPECIAL PROGRAM	[ ]	[ ]	[ ]		[ ]
0305172F	6	COMBINED ADVANCED APPLICATIONS	[ ]	[ ]	[ ]		[ ]
		SUBTOTAL, BASIC RESEARCH, AIR FORCE	**449,300**	**451,300**	**457,400**	**10,100**	**459,400**
		APPLIED RESEARCH					
0602015F	7	MEDICAL DEVELOPMENT		5,100			
		Mobile diabetes management		[2,000]			
		Basic science research		[3,100]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602102F	8	MATERIALS	117,143	132,543	125,643	17,900	135,043
		Fire and blast resistant materials research			[2,000]	[2,000]	
		Health monitoring sensors for aerospace components			[1,500]	[1,500]	
		Thermal protection systems for hypersonics			[2,500]		
		Advanced carbon fiber research and test initiative		[3,000]	[2,500]	[3,000]	
		Advanced casting and coating technologies		[3,500]		[3,500]	
		FEL capabilities for aerospace microfabrication		[1,400]		[1,400]	
		Next generation manufacturing processes		[1,500]		[1,500]	
		Ceramic matrix composite turbine blade demonstration		[5,000]		[4,000]	
		ONAMI safer nanomaterials and nanomanufacturing		[1,000]		[1,000]	
0602201F	9	AEROSPACE VEHICLE TECHNOLOGIES	122,870	124,370	124,370		122,870
		Optical connector research			[1,500]		
		Single-mode optical connectors for advanced air vehicles		[1,500]			
0602202F	10	HUMAN EFFECTIVENESS APPLIED RESEARCH	82,091	86,591	86,591	4,500	86,591
		Joint theater air-ground simulation system			[2,500]	[2,500]	
		Satellite control system training technology			[2,000]	[2,000]	
		Bay area language tech innovation center (BALTIC)		[4,500]			
0602203F	11	AEROSPACE PROPULSION	218,049	235,449	225,049	9,950	227,999
		Hybrid bearing development			[2,000]	[2,000]	
		X-51B scramjet research			[5,000]		
		Advanced vehicle propulsion center		[3,000]		[1,500]	
		National test facility for aerospace fuels and propulsion		[1,700]		[1,700]	
		Wavelength agile spectral harmonic oxygen sensor		[2,400]		[1,000]	
		Cell-level battery controller		[2,800]			
		High temperature, high energy-density capacitors		[1,000]			
		Integrated electrical starter/generator		[3,500]		[2,000]	
		Hydrocarbon boost technology demonstrator		[3,000]		[1,750]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602204F	12	AEROSPACE SENSORS	109,048	114,048	113,548	6,000	115,048
		Wideband electronic sensing technologies			[3,000]	[3,000]	
		Information quality tools - persistent surveillance data sets		[2,000]	[1,500]	[2,000]	
		Net-centric sensor grids		[3,000]		[1,000]	
0602601F	13	SPACE TECHNOLOGY	117,519	120,519	130,519	4,500	122,019
		Seismic research program			[13,000]	[2,500]	
		Radiation hardened non-volatile memory technology		[3,000]		[2,000]	
0602602F	14	CONVENTIONAL MUNITIONS	55,963	55,963	55,963		55,963
0602605F	15	DIRECTED ENERGY TECHNOLOGY	62,871	62,871	62,871		62,871
0602702F	16	COMMAND CONTROL AND COMMUNICATIONS	109,492	110,492	111,992	2,000	111,492
		Cyber attack mitigation technologies			[2,500]	[2,000]	
		Cyber boot camp		[1,000]			
0602890F	17	HIGH ENERGY LASER RESEARCH	49,449	49,449	49,449		49,449
		SUBTOTAL, APPLIED RESEARCH, AIR FORCE	**1,044,495**	**1,097,395**	**1,085,995**	**44,850**	**1,089,345**
		ADVANCED TECHNOLOGY DEVELOPMENT					
0603112F	18	ADVANCED MATERIALS FOR WEAPON SYSTEMS	41,926	57,926	46,926	5,000	46,926
		Metals affordability initiative		[14,000]	[5,000]	[5,000]	
		Improved inspection reliability for optimized inspection		[2,000]			
0603203F	19	ADVANCED AEROSPACE SENSORS	56,916	62,916	58,916	4,000	60,916
		Reconfigurable secure computing technologies			[2,000]	[1,500]	
		Moving target strike		[6,000]		[2,500]	
0603211F	20	AEROSPACE TECHNOLOGY DEV/DEMO	44,918	44,918	44,918		44,918

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603216F	21	AEROSPACE PROPULSION AND POWER TECHNOLOGY	170,856	176,356	179,856	6,500	177,356
		Assured aerospace fuels research			[3,000]	[2,000]	
		HiSTED supersonic/hypersonic cruise missile engine			[6,000]		
		VAATE for supersonic cruise missiles		[5,500]		[4,500]	
0603231F	22	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	26,630	26,630	26,630		26,630
0603270F	23	ELECTRONIC COMBAT TECHNOLOGY	21,056	24,056	21,056	1,500	22,556
		COTS analysis tools for navigational warfare		[3,000]		[1,500]	
0603311F	24	BALLISTIC MISSILE TECHNOLOGY					
0603401F	25	ADVANCED SPACECRAFT TECHNOLOGY	80,958	89,958	82,958	5,000	85,958
		Thin film amorphous solar arrays			[2,000]	[2,000]	
		Hybrid sounding rocket propulsion		[2,000]		[1,000]	
		Technology testing platform		[2,000]			
		Small low cost reconnaissance spacecraft components		[5,000]		[2,000]	
0603444F	26	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	4,838	12,838	4,838		4,838
		High accuracy network determination system (HANDS)		[8,000]			
0603601F	27	CONVENTIONAL WEAPONS TECHNOLOGY	11,813	11,813	14,813	3,000	14,813
		Integrated targeting devices			[3,000]	[3,000]	
0603605F	28	ADVANCED WEAPONS TECHNOLOGY	44,507	44,507	44,507		44,507
0603680F	29	MANUFACTURING TECHNOLOGY PROGRAM	39,729	43,729	39,729	2,000	41,729
		Prepreg thickness variability reduction program		[2,000]		[2,000]	
		Wire integrity technology program		[2,000]			
0603789F	30	C3I ADVANCED DEVELOPMENT	30,103	30,103	32,103	2,000	32,103
		Optical interconnects research			[2,000]	[2,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603801F	31	SPECIAL PROGRAMS					
0603924F	32	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	4,013	4,013	9,013		4,013
		HEL directed energy weapons			[5,000]		
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE	**578,263**	**629,763**	**606,263**	**29,000**	**607,263**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
0603260F	33	INTELLIGENCE ADVANCED DEVELOPMENT	4,988	4,988	4,988		4,988
0603287F	34	PHYSICAL SECURITY EQUIPMENT	477	477	477		477
0603421F	35	NAVSTAR GLOBAL POSITIONING SYSTEM III					
0603423F	36	GLOBAL POSITIONING SYSTEM III - OPERATIONAL CONTROL SEGMENT	2,975	2,975	307,335		2,975
		GPS III-OCX			[304,360]		
0603427F	37	GPS OPERATIONAL CONTROL SEGMENT - BACKWARDS COMPATIBILITY	304,360	304,360	0		304,360
		GPS III-OCX backwards compatibility			[-304,360]		
0603430F	38	ADVANCED EHF MILSATCOM (SPACE)	388,041	388,041	388,041		388,041
0603432F	39	POLAR MILSATCOM (SPACE)	237,749	237,749	237,749		237,749
0603438F	40	SPACE CONTROL TECHNOLOGY	76,845	76,845	81,845		76,845
		Space situational awareness			[5,000]		
0603742F	41	COMBAT IDENTIFICATION TECHNOLOGY	29,400	29,400	29,400		29,400
0603790F	42	NATO RESEARCH AND DEVELOPMENT	4,334	4,334	4,334		4,334
0603791F	43	INTERNATIONAL SPACE COOPERATIVE R&D	627	627	627		627

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603845F	44	TRANSFORMATIONAL SATCOM (TSAT)	842,974	842,974	1,192,974	-56,000	786,974
		Program reduction				[-56,000]	
		TSAT			[350,000]		
0603850F	45	INTEGRATED BROADCAST SERVICE	21,105	21,105	21,105		21,105
0603851F	46	INTERCONTINENTAL BALLISTIC MISSILE	65,629	70,629	65,629		65,629
		ICBM cryptography upgrade		[5,000]			
0603854F	47	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,422	12,422	12,422		12,422
0603858F	48	SPACE RADAR					
0603859F	49	POLLUTION PREVENTION	2,877	2,877	2,877		2,877
0603860F	50	JOINT PRECISION APPROACH AND LANDING SYSTEMS	7,479	7,479	7,479		7,479
0604015F	51	NEXT GENERATION BOMBER					
0604796F	52	ALTERNATIVE FUELS	28,464	30,664	28,464		28,464
		Advanced propulsion non-tactical vehicle		[2,200]			
0604830F	53	AUTOMATED AIR-TO-AIR REFUELING	9,889	9,889	9,889		9,889
0604856F	54	COMMON AERO VEHICLE (CAV)					
0604857F	55	OPERATIONALLY RESPONSIVE SPACE	110,032	120,032	120,032		110,032
		ORS			[10,000]		
		Day/night ISR payload for ORS		[10,000]			
0305178F	56	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	289,469	289,469	289,469		289,469
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE	**2,440,136**	**2,457,336**	**2,805,136**	**-56,000**	**2,384,136**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION					
0603840F	57	GLOBAL BROADCAST SERVICE (GBS)	18,790	18,790	18,790		18,790
0604222F	58	NUCLEAR WEAPONS SUPPORT	20,166	20,166	20,166		20,166
0604226F	59	B-1B	128,871	128,871	128,871		128,871
0604233F	60	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	7,462	7,462	7,462		7,462
0604240F	61	B-2 ADVANCED TECHNOLOGY BOMBER	351,417	343,217	332,917	-8,200	343,217
		B-2 Radar (Transfer to APAF 24)			[-18,500]	[-18,500]	
		SDB moving target kill integration		[10,300]		[10,300]	
0604261F	62	PERSONNEL RECOVERY SYSTEMS					
0604270F	63	ELECTRONIC WARFARE DEVELOPMENT	54,995	54,995	54,995		54,995
0604287F	64	PHYSICAL SECURITY EQUIPMENT	52	52	52		52
0604329F	65	SMALL DIAMETER BOMB (SDB)	125,067	125,067	125,067		125,067
0604421F	66	COUNTERSPACE SYSTEMS	74,918	84,918	74,918	2,000	76,918
		Space control test capabilities		[10,000]		[2,000]	
0604425F	67	SPACE SITUATION AWARENESS SYSTEMS	210,501	210,501	220,501		210,501
		SBSS 10			[10,000]		
0604429F	68	AIRBORNE ELECTRONIC ATTACK	34,279	34,279	34,279		34,279
0604441F	69	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	529,771	529,771	559,771	30,000	559,771
		SBIRS ground operations and training			[30,000]	[30,000]	
0604443F	70	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS)	149,064	74,964	119,064	-74,100	74,964
		Third generation infrared surveillance			[-30,000]	[-74,100]	
0604602F	71	ARMAMENT/ORDNANCE DEVELOPMENT	2,095	2,095	2,095		2,095
0604604F	72	SUBMUNITIONS	1,730	1,730	1,730		1,730
0604617F	73	AGILE COMBAT SUPPORT	5,790	5,790	5,790		5,790
0604618F	74	JOINT DIRECT ATTACK MUNITION					
0604706F	75	LIFE SUPPORT SYSTEMS	10,998	16,998	10,998	6,000	16,998
		ACES 5 ejection seat		[6,000]		[6,000]	
0604735F	76	COMBAT TRAINING RANGES	28,047	28,047	28,047		28,047

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604740F	77	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	177	7,177	177	2,000	2,177
		Distributed mission interoperability toolkit		[7,000]		[2,000]	
0604750F	78	INTELLIGENCE EQUIPMENT	1,488	1,488	1,488		1,488
0604762F	79	COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOVERS)					
0604800F	80	JOINT STRIKE FIGHTER (JSF)	1,524,016	1,786,516	1,774,016	247,500	1,771,516
		Alternative engine development				[247,500]	
		Fund competitive propulsion system			[215,000]		
		Technology development for F135 engine			[35,000]		
		Joint Strike Fighter competitive engine		[247,500]			
		F135 technology insertion		[15,000]			
0604853F	81	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	33,719	33,719	33,719		33,719
0605011F	82	RDT&E FOR AGING AIRCRAFT	13,828	13,828	13,828		13,828
0605221F	83	NEXT GENERATION AERIAL REFUELING AIRCRAFT	831,759	831,759	893,419	-831,759	0
		Transfer to tanker replacement transfer fund				[-831,759]	
		USAF-requested transfer from APAF 10			[61,660]		
0605277F	84	CSAR-X RDT&E	305,062	265,062	265,062	-40,000	265,062
		Reflect delays in acquisition program			[-40,000]		
		Program delay		[-40,000]		[-40,000]	
0605278F	85	HC/MC-130 RECAP	11,692	11,692	11,692		11,692
0207434F	86	LINK-16 SUPPORT AND SUSTAINMENT	186,213	190,213	186,213	1,500	187,713
		Flexible access secure transfer		[4,000]		[1,500]	
0207450F	87	E-10 SQUADRONS	42,215	42,215	42,215		42,215
0207451F	88	SINGLE INTEGRATED AIR PICTURE (SIAP)	66,909	66,909	66,909		66,909
0207701F	89	FULL COMBAT MISSION TRAINING	135,152	135,152	135,152		135,152
0401138F	90	JOINT CARGO AIRCRAFT (JCA)	26,777	26,777	26,777	-10,000	16,777
		Unexecutable request				[-10,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0401318F	91	CV-22	18,562	18,562	18,562		18,562
0401845F	92	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,992	1,992	1,992		1,992
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE	**4,953,574**	**5,120,774**	**5,216,734**	**-675,059**	**4,278,515**
		RDT&E MANAGEMENT SUPPORT					
0604256F	93	THREAT SIMULATOR DEVELOPMENT	34,568	34,568	34,568		34,568
0604759F	94	MAJOR T&E INVESTMENT	61,818	72,018	65,818	8,500	70,318
		High speed test track			[4,000]	[4,000]	
		FPS-16 radar modernization upgrade		[6,000]		[3,500]	
		Eglin AFB range operations control center upgrade		[4,200]		[1,000]	
0605101F	95	RAND PROJECT AIR FORCE	28,676	31,676	28,676	3,000	31,676
		Program increase		[3,000]		[3,000]	
0605502F	96	SMALL BUSINESS INNOVATION RESEARCH					
0605712F	97	INITIAL OPERATIONAL TEST & EVALUATION	29,537	29,537	29,537		29,537
0605807F	98	TEST AND EVALUATION SUPPORT	787,737	787,737	787,737		787,737
0605860F	99	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,895	14,895	14,895		14,895
0605864F	100	SPACE TEST PROGRAM (STP)	48,072	48,072	48,072		48,072
0605976F	101	FACILITIES RESTORATION AND MODERNIZATION - TEST AND EVALUATION SUPPORT	46,234	46,234	46,234		46,234

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0605978F	102	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	28,898	29,898	28,898	1,000	29,898
		Low profile arresting gear		[1,000]		[1,000]	
0804731F	103	GENERAL SKILL TRAINING					
1001004F	104	INTERNATIONAL ACTIVITIES	3,910	3,910	3,910		3,910
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE	**1,084,345**	**1,098,545**	**1,088,345**	**12,500**	**1,096,845**
		OPERATIONAL SYSTEMS DEVELOPMENT					
0604263F	105	COMMON VERTICAL LIFT SUPPORT PLATFORM	3,868	0	3,868		3,868
		Unjustified program		[-3,868]			
0605024F	106	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	20,987	20,987	20,987		20,987
0605798F	107	ANALYSIS SUPPORT GROUP	[ ]	[ ]	[ ]		[ ]
0101113F	108	B-52 SQUADRONS	38,651	38,651	48,151		38,651
		B-52 CONECT			[9,500]		
0101120F	109	ADVANCED CRUISE MISSILE					
0101122F	110	AIR-LAUNCHED CRUISE MISSILE (ALCM)	396	396	396		396
0101313F	111	STRAT WAR PLANNING SYSTEM - USSTRATCOM	17,553	17,553	17,553		17,553
0101314F	112	NIGHT FIST - USSTRATCOM	5,299	5,299	5,299		5,299
0101815F	113	ADVANCED STRATEGIC PROGRAMS	[ ]	[ ]	[ ]		[ ]
		ISSO			[-10,000]		
0102326F	114	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	23,858	23,858	23,858		23,858
0102823F	115	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	15	15	15		15
0203761F	116	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	20,807	20,807	20,807		20,807
0205219F	117	MQ-9 UAV	43,557	43,557	43,557		43,557

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0207131F	118	A-10 SQUADRONS					
0207133F	119	F-16 SQUADRONS	123,979	123,979	123,979		123,979
0207134F	120	F-15E SQUADRONS	184,213	184,213	184,213		184,213
0207136F	121	MANNED DESTRUCTIVE SUPPRESSION	5,585	5,585	5,585		5,585
0207138F	122	F-22A SQUADRONS	700,305	700,305	700,305		700,305
0207141F	123	F-117A SQUADRONS					
0207161F	124	TACTICAL AIM MISSILES	5,748	5,748	5,748		5,748
0207163F	125	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	54,239	54,239	54,239		54,239
0207170F	126	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	3,192	3,192	3,192		3,192
0207247F	127	AF TENCAP	11,578	11,578	11,578		11,578
0207248F	128	SPECIAL EVALUATION PROGRAM					
0207253F	129	COMPASS CALL	4,670	4,670	4,670		4,670
0207268F	130	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	150,956	150,956	150,956		150,956
0207277F	131	CSAF INNOVATION PROGRAM		4,000			
		Enhanced guardian angel kit		[4,000]			
0207325F	132	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	13,035	13,035	13,035		13,035
0207410F	133	AIR & SPACE OPERATIONS CENTER (AOC)	118,834	118,834	78,434		118,834
		Delay AOC, increment 10.2			[-40,400]		
0207412F	134	MODULAR CONTROL SYSTEM	60,590	60,590	60,590		60,590
0207417F	135	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	126,300	126,300	126,300		126,300
0207418F	136	TACTICAL AIRBORNE CONTROL SYSTEMS	1,530	1,530	1,530		1,530
0207423F	137	ADVANCED COMMUNICATIONS SYSTEMS	29,782	29,782	29,782		29,782
0207424F	138	EVALUATION AND ANALYSIS PROGRAM	794,036	794,036	794,036		794,036
0207433F	139	ADVANCED PROGRAM TECHNOLOGY					
0207438F	140	THEATER BATTLE MANAGEMENT (TBM) C4I	19,437	19,437	19,437		19,437

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0207445F	141	FIGHTER TACTICAL DATA LINK	62,788	62,788	62,788		62,788
0207446F	142	BOMBER TACTICAL DATA LINK	11,702	11,702	11,702		11,702
0207448F	143	C2ISR TACTICAL DATA LINK	1,727	1,727	1,727		1,727
0207449F	144	COMMAND AND CONTROL (C2) CONSTELLATION	32,151	32,151	32,151		32,151
0207581F	145	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	97,641	97,641	195,641	-16,000	81,641
		Funded in FY08 supplemental				[-36,000]	
		Improve maturity of MP-RTIP sensor suite for larger aircraft			[98,000]	[20,000]	
0207590F	146	SEEK EAGLE	21,645	21,645	21,645		21,645
0207591F	147	ADVANCED PROGRAM EVALUATION					
0207601F	148	USAF MODELING AND SIMULATION	28,981	28,981	28,981		28,981
0207605F	149	WARGAMING AND SIMULATION CENTERS	3,870	3,870	3,870		3,870
0207697F	150	DISTRIBUTED TRAINING AND EXERCISES	7,137	7,137	7,137		7,137
0208006F	151	MISSION PLANNING SYSTEMS	97,560	97,560	97,560		97,560
0208021F	152	INFORMATION WARFARE SUPPORT	12,220	12,220	12,220		12,220
0208161F	153	SPECIAL EVALUATION SYSTEM	1,077,970	1,077,970	1,077,970		1,077,970
0301310F	154	NATIONAL AIR INTELLIGENCE CENTER	[ ]	[ ]	[ ]		[ ]
0301314F	155	COBRA BALL	[ ]	[ ]	[ ]		[ ]
		Open source research centers		[3,000]			
0301315F	156	MISSILE AND SPACE TECHNICAL COLLECTION	[ ]	[ ]	[ ]		[ ]
0301324F	157	FOREST GREEN	[ ]	[ ]	[ ]		[ ]
0301386F	158	GDIP COLLECTION MANAGEMENT	[ ]	[ ]	[ ]		[ ]
0302015F	159	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,069	4,069	4,069		4,069
0303112F	160	AIR FORCE COMMUNICATIONS (AIRCOM)					
0303131F	161	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	70,995	70,995	70,995		70,995

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0303140F	162	INFORMATION SYSTEMS SECURITY PROGRAM	187,933	192,933	187,933		187,933
		Cybercraft		[3,000]			
		Dark screen		[2,000]			
0303141F	163	GLOBAL COMBAT SUPPORT SYSTEM	4,320	4,320	4,320		4,320
0303150F	164	GLOBAL COMMAND AND CONTROL SYSTEM	3,218	2,218	3,218		3,218
		Global Command and Control System Air Force		[-1,000]			
0303158F	165	JOINT COMMAND AND CONTROL PROGRAM (JC2)	3,234	3,234	3,234		3,234
0303601F	166	MILSATCOM TERMINALS	337,098	337,098	337,098		337,098
0304111F	167	SPECIAL ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0304260F	168	AIRBORNE SIGINT ENTERPRISE	173,631	173,631	173,631		173,631
0304311F	169	SELECTED ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0304348F	170	ADVANCED GEOSPATIAL INTELLIGENCE (AGI)	[ ]	[ ]	[ ]		[ ]
0305099F	171	COMMUNICATION, NAVIGATION, SURVEILLANCE	6,275	6,275	6,275		6,275
0305103F	172	CYBER SECURITY INITIATIVE	2,083	2,083	2,083		2,083
0305110F	173	SATELLITE CONTROL NETWORK (SPACE)	16,758	16,758	16,758		16,758
0305111F	174	WEATHER SERVICE	47,347	47,347	53,347		47,347
		Integrate all terrain, weather & risk assessment information into one display			[6,000]		
0305114F	175	AIR TRAFFIC CONTROL, APPROACH, AND LANDING	6,867	6,867	6,867		6,867
0305116F	176	AERIAL TARGETS	34,777	34,777	34,777		34,777
0305124F	177	SPECIAL APPLICATIONS PROGRAM	[ ]	[ ]	[ ]		[ ]
0305127F	178	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0305128F	179	SECURITY AND INVESTIGATIVE ACTIVITIES	786	786	786		786
0305142F	180	APPLIED TECHNOLOGY AND INTEGRATION					
0305146F	181	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39	39		39

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0305159F	182	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	[ ]	[ ]	[ ]	[-1,052,000]	[ ]
		FINDER			[25,000]		
		Phased Array			[27,000]		
		Program reduction			[-50,000]		
		Program reduction		[-200,000]	[-406,000]	[-1,052,000]	
0305160F	183	DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)					
0305164F	184	NAVSTAR GLOBAL POSITIONING SYSTEM (USER	127,513	127,513	127,513		127,513
0305165F	185	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	91,277	91,277	91,277		91,277
0305172F	186	COMBINED ADVANCED APPLICATIONS	[ ]	[ ]	[ ]		[ ]
0305173F	187	SPACE AND MISSILE TEST AND EVALUATION CENTER	1,985	1,985	1,985		1,985
0305174F	188	SPACE WARFARE CENTER	3,003	3,003	3,003		3,003
0305182F	189	SPACELIFT RANGE SYSTEM (SPACE)	12,376	12,376	12,376		12,376
0305193F	190	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	1,237	1,237	1,237		1,237
0305206F	191	AIRBORNE RECONNAISSANCE SYSTEMS	149,752	159,752	139,752	-44,500	105,252
		Multiple UAS cooperative concentrated observation and engagement against a common ground objective		[10,000]		[5,500]	
		Blackswift testbed			[-10,000]	[-50,000]	
0305207F	192	MANNED RECONNAISSANCE SYSTEMS	12,819	16,319	12,819	2,500	15,319
		RIVET JOINT ISR network integration		[3,500]		[2,500]	
0305208F	193	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	107,834	107,834	107,834		107,834
0305219F	194	MQ-1 PREDATOR UAV	24,773	24,773	34,773	6,000	30,773
		UAV sense and avoid			[10,000]	[6,000]	
0305220F	195	GLOBAL HAWK UAV	284,292	284,292	284,292		284,292
0305221F	196	NETWORK-CENTRIC COLLABORATIVE TARGETING	8,807	8,807	8,807		8,807
0305265F	197	GPS III SPACE SEGMENT	420,342	420,342	420,342		420,342

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0305887F	198	ELECTRONIC COMBAT INTELLIGENCE SUPPORT	5,438	5,438	5,438		5,438
0305906F	199	NCMC - TW/AA SYSTEM					
0305913F	200	NUDET DETECTION SYSTEM (SPACE)	41,292	41,292	41,292		41,292
0305924F	201	NATIONAL SECURITY SPACE OFFICE	10,797	10,797	10,797		10,797
0305940F	202	SPACE SITUATION AWARENESS OPERATIONS	16,166	16,166	16,166		16,166
0307141F	203	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	15,726	15,726	15,726		15,726
0308699F	204	SHARED EARLY WARNING (SEW)	3,152	3,152	3,152		3,152
0401115F	205	C-130 AIRLIFT SQUADRONS	172,560	179,260	172,560	1,500	174,060
		Link 16 program for AFSOC MC-130Hs		[5,200]			
		Electromagnetic in-flight propeller balancing		[1,500]		[1,500]	
0401119F	206	C-5 AIRLIFT SQUADRONS	125,063	125,063	125,063		125,063
0401130F	207	C-17 AIRCRAFT	236,047	188,047	188,047		236,047
		Reduce growth in performance improvement program			[-48,000]		
		Excess product investment requirements		[-48,000]			
0401132F	208	C-130J PROGRAM	52,354	27,354	52,354	-25,000	27,354
		International block upgrade		[-25,000]		[-25,000]	
0401134F	209	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	32,100	32,100	32,100		32,100
		LAIRCM for AFSOC AC/MC-130 aircraft					
0401218F	210	KC-135 AIRCRAFT	7,133	7,133	7,133		7,133
0401219F	211	KC-10 AIRCRAFT					
0401221F	212	KC-135 TANKER REPLACEMENT					
0401314F	213	OPERATIONAL SUPPORT AIRLIFT					
0401839F	214	AIR MOBILITY TACTICAL DATA LINK					

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0408011F	215	SPECIAL TACTICS / COMBAT CONTROL	5,728	12,228	5,728	2,000	7,728
		Joint precision AirDrop systems - mission planner RFI		[4,500]			
		Tactical environmental clothing		[2,000]		[2,000]	
0702207F	216	DEPOT MAINTENANCE (NON-IF)	1,531	1,531	1,531		1,531
0702806F	217	ACQUISITION AND COMMAND SUPPORT	34,428	34,428	34,428		34,428
0708011F	218	INDUSTRIAL PREPAREDNESS		3,000			
		Integrated structures for affordable transport aircraft		[3,000]			
0708012F	219	LOGISTICS SUPPORT ACTIVITIES					
0708610F	220	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	189,679	179,679	139,679	-10,000	179,679
		Expeditionary combat support system unjustified growth		[-10,000]	[-50,000]	[-10,000]	
0708611F	221	SUPPORT SYSTEMS DEVELOPMENT	8,145	17,045	8,145	4,000	12,145
		Clean cities national outreach prgm for power tech office		[1,900]			
		Eielson Air Force Base alternative energy source program		[4,000]		[3,000]	
		Expeditionary 200 kW + alternative power generator		[3,000]		[1,000]	
0804757F	222	JOINT NATIONAL TRAINING CENTER	3,214	3,214	3,214		3,214
0808716F	223	OTHER PERSONNEL ACTIVITIES	116	116	116		116
0901202F	224	JOINT PERSONNEL RECOVERY AGENCY	5,768	5,768	5,768		5,768
0901212F	225	SERVICE-WIDE SUPPORT	3,016	3,016	3,016		3,016
0901218F	226	CIVILIAN COMPENSATION PROGRAM	8,123	8,123	8,123		8,123

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0901220F	227	PERSONNEL ADMINISTRATION	18,625	18,625	18,625		18,625
0901538F	228	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	31,782	31,782	16,782	-15,000	16,782
		DEAMS			[-15,000]	[-15,000]	
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE	**7,211,815**	**7,171,547**	**7,171,915**	**-94,500**	**7,117,315**
	999	CLASSIFIED PROGRAMS	10,304,689	10,111,689	9,890,689	-1,048,000	9,256,689
	999X	Classified requirement		[100,000]		0	
		Total, RDT&E Air Force	**28,066,617**	**28,238,349**	**28,322,477**	**-1,777,109**	**26,289,508**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE					
		BASIC RESEARCH					
0601000BR	1	DTRA BASIC RESEARCH INITIATIVE	18,000	18,000	18,000		18,000
0601101E	2	DEFENSE RESEARCH SCIENCES	195,657	201,657	195,657		195,657
		Combined injury consortium		[5,000]			
		DARPA computer future		[1,000]			
0601111D8Z	3	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH		2,000			
		Integrated cryo-cooled high power density systems		[2,000]			
0601114D8Z	4	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH	2,833	12,833	10,833	10,000	12,833
		Program increase		[10,000]	[8,000]	[10,000]	
0601120D8Z	5	NATIONAL DEFENSE EDUCATION PROGRAM	68,972	68,972	68,972		68,972
0601384BP	6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	53,191	58,191	57,191	2,500	55,691
		In-vitro models for biodefense vaccines			[1,000]	[1,000]	
		Superstructural particle evaluation			[3,000]	[1,500]	
		Chemical/biological defense basic research initiative		[5,000]			
		SUBTOTAL, BASIC RESEARCH, DEFENSE-WIDE	**338,653**	**361,653**	**350,653**	**12,500**	**351,153**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		APPLIED RESEARCH					
0602000D8Z	7	JOINT MUNITIONS TECHNOLOGY	15,254	15,254	15,254		15,254
0602227D8Z	8	MEDICAL FREE ELECTRON LASER					
0602228D8Z	9	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	15,156	22,156	15,156	7,000	22,156
		John H. Hopps defense research scholars program		[2,000]		[2,000]	
		HBCU and minority serving institutions		[5,000]		[5,000]	
0602234D8Z	10	LINCOLN LABORATORY RESEARCH PROGRAM	31,340	31,340	34,140		31,340
		Next generation OTHR risk reduction			[2,800]		
0602303E	11	INFORMATION & COMMUNICATIONS TECHNOLOGY	254,009	254,009	254,009		254,009
0602304E	12	COGNITIVE COMPUTING SYSTEMS	145,262	145,262	145,262		145,262
0602383E	13	BIOLOGICAL WARFARE DEFENSE	66,291	51,291	66,291	-15,000	51,291
		DARPA poor execution		[-15,000]		[-15,000]	
0602384BP	14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	203,731	218,731	222,231	7,000	210,731
		Agent fate response tool			[2,000]	[2,000]	
		Chem-Bio IR detector			[3,000]	[1,500]	
		Multivalent Marburg/Ebola vaccine			[4,500]	[3,500]	
		Rapid response chem-bio countermeasures			[4,000]		
		Therapeutics against botulism			[5,000]		
		Chemical/biological defense applied research initiative		[15,000]			
0602670D8Z	15	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	7,685	9,685	7,685		7,685
		Center for automated language and cultural analysis		[2,000]			
0602702E	16	TACTICAL TECHNOLOGY	371,481	341,481	366,981	-30,000	341,481
		Laser guided bullet			[-4,500]		
		DARPA poor execution		[-30,000]		[-30,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0602715E	17	MATERIALS AND BIOLOGICAL TECHNOLOGY	285,264	275,264	285,264	-10,000	275,264
		DARPA poor execution		[-10,000]		[-10,000]	
0602716BR	18	WMD DEFEAT TECHNOLOGY					
0602716E	19	ELECTRONICS TECHNOLOGY	211,457	196,457	213,957	-13,200	198,257
		Three dimensional integrated circuit research			[2,500]	[1,800]	
		DARPA poor execution		[-15,000]		[-15,000]	
0602717BR	20	WMD DEFENSE TECHNOLOGIES					
0602718BR	21	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	211,078	221,078	217,078	2,000	213,078
		Blast mitigation and protection			[2,000]		
		National incident management system			[4,000]	[2,000]	
		Post-detonation nuclear forensics		[10,000]			
0303153K	22	JOINT SPECTRUM CENTER					
1160401BB	23	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	23,104	31,454	25,104	2,000	25,104
		FOPEN radar technologies			[2,000]	[2,000]	
		Craft tech demos to quantify and mitigate operator injury		[4,850]			
		Expendable airdrop delivery system		[3,500]			
1160407BB	24	SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,459	2,459	3,959		2,459
		Portable TBI diagnosis systems			[1,500]		
		SUBTOTAL, APPLIED RESEARCH, DEFENSE-WIDE	**1,843,571**	**1,815,921**	**1,872,371**	**-50,200**	**1,793,371**
		ADVANCED TECHNOLOGY DEVELOPMENT					
0603000D8Z	25	INSENSITIVE MUNITIONS - ADVANCED DEVELOPMENT	15,970	15,970	15,970		15,970
0603121D8Z	26	SO/LIC ADVANCED DEVELOPMENT	32,832	32,832	32,832		32,832

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603122D8Z	27	COMBATING TERRORISM TECHNOLOGY SUPPORT	79,970	106,970	81,970	4,500	84,470
		TBI threshold research			[2,000]		
		Affordable robust mid-sized unmanned ground vehicle		[1,500]			
		Foliage penetration capability		[5,000]			
		Advanced sighting systems for machine guns		[4,000]			
		Airborne CT/CN threat protections system		[4,000]			
		Bio ops policy and public emergency response		[4,000]		[1,500]	
		EDIT tech for counter-tunnel ops and cache detections		[1,500]		[1,000]	
		Full scale impact and blast loading laboratory testing		[4,000]		[2,000]	
		Vehicle design for survivability under blast loading		[3,000]			
0603160BR	28	COUNTERPROLIFERATION INITIATIVES - PROLIFERATION PREVENTION AND DEFEAT	211,325	213,325	211,325	2,000	213,325
		Portable radionuclide detection and identification systems		[2,000]		[2,000]	
0603175C	29	BALLISTIC MISSILE DEFENSE TECHNOLOGY	118,718	113,718	118,718		118,718
		Program decrease		[-5,000]			
0603225D8Z	30	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	23,727	23,727	23,727		23,727
0603286E	31	ADVANCED AEROSPACE SYSTEMS	107,857	107,857	104,857		107,857
		A160			[-3,000]		
0603287E	32	SPACE PROGRAMS AND TECHNOLOGY	287,009	277,009	237,009	-50,000	237,009
		Blackswift testbed			[-40,000]	[-40,000]	
		ISIS			[-10,000]		
		DARPA poor execution		[-10,000]		[-10,000]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603384BP	33	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEVELOPMENT	337,927	307,927	345,127	-48,000	289,927
		Engineered biological detectors			[2,700]		
		Improved CBR filters			[2,000]	[2,000]	
		Raman chemical ID system			[2,500]		
		Chemical/biological defense (TMTI)		[-50,000]		[-50,000]	
		Chem/bio defense advanced tech development initiative		[20,000]			
0603618D8Z	34	JOINT ELECTRONIC ADVANCED TECHNOLOGY	9,320	19,320	9,320		9,320
		Advanced energy storage technology initiative		[10,000]			
0603648D8Z	35	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	206,337	209,237	229,137	2,500	208,837
		C2 Gap Filler JCTD			[22,800]		
		Distributed network switching		[2,900]		[2,500]	
0603662D8Z	36	NETWORKED COMMUNICATIONS CAPABILITIES	39,923	39,923	39,923		39,923
0603665D8Z	37	BIOMETRICS SCIENCE AND TECHNOLOGY	10,579	10,579	10,579		10,579
0603670D8Z	38	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	9,381	13,381	9,381		9,381
		Modeling advanced development		[4,000]			
0603680D8Z	39	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	11,981	11,981	21,981	8,000	19,981
		High performance defense manufacturing technology program			[10,000]	[8,000]	
0603711D8Z	40	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	8,449	9,749	8,449	500	8,949
		Connectory expansion for rapid ID of tech sources		[1,300]		[500]	

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603712S	41	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	19,375	21,375	38,375	25,000	44,375
		Advanced energy storage technology initiative				[10,000]	
		Biofuels research program			[4,000]	[2,000]	
		Emerging critical interconnection technology program		[2,000]	[2,000]	[2,000]	
		Mobile microgrid research			[3,000]	[3,000]	
		Vehicle fuel cell & hydrogen logistics program			[10,000]	[8,000]	
0603713S	42	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,000	30,000	30,000		30,000
0603716D8Z	43	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	69,038	69,038	69,038		69,038
0603720S	44	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT		16,000	3,000	7,500	7,500
		Superlattice nanotechnology research			[3,000]	[2,000]	
		3-D electronics and power		[3,000]		[3,000]	
		Feature size yield enhancement at DMEA ARMS foundry		[5,000]		[2,500]	
		End to end semi fab alpha tool		[5,000]			
0603727D8Z	45	JOINT WARFIGHTING PROGRAM	11,098	11,098	11,098		11,098
0603739E	46	ADVANCED ELECTRONICS TECHNOLOGIES	201,146	191,146	201,146	-10,000	191,146
		DARPA poor execution		[-10,000]		[-10,000]	
0603745D8Z	47	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD)	7,984	7,984	7,984		7,984
0603750D8Z	48	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS					
0603755D8Z	49	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	208,079	208,079	208,079		208,079
0603760E	50	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	338,964	328,964	338,964	-10,000	328,964
		DARPA poor execution		[-10,000]		[-10,000]	
0603764E	51	LAND WARFARE TECHNOLOGY					
0603765E	52	CLASSIFIED DARPA PROGRAMS	196,697	196,697	196,697		196,697

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603766E	53	NETWORK-CENTRIC WARFARE TECHNOLOGY	156,733	156,733	156,733		156,733
0603767E	54	SENSOR TECHNOLOGY	226,470	226,470	226,470		226,470
0603768E	55	GUIDANCE TECHNOLOGY	110,572	110,572	110,572		110,572
0603769SE	56	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,538	13,538	13,538		13,538
0603781D8Z	57	SOFTWARE ENGINEERING INSTITUTE	31,244	31,244	31,244		31,244
0603805S	58	DUAL USE TECHNOLOGY					
0603826D8Z	59	QUICK REACTION SPECIAL PROJECTS	113,924	115,924	115,924	2,000	115,924
		Special warfare domain awareness			[2,000]	[2,000]	
		REDTIE		[2,000]			
0603828D8Z	60	JOINT EXPERIMENTATION	114,947	114,947	116,447		114,947
		WMD exercises			[1,500]		
0603832D8Z	61	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	38,147	38,947	38,147	800	38,947
		Modeling and simulation standards development		[800]		[800]	
0603941D8Z	62	TEST & EVALUATION SCIENCE & TECHNOLOGY	94,672	94,672	94,672		94,672
0603942D8Z	63	TECHNOLOGY TRANSFER	2,170	2,170	2,170		2,170
1160402BB	64	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	28,930	51,930	28,930		28,930
		Partnership for defense innovation Wi-Fi laboratory testing		[3,000]			
		SOCOM rapid exploitation of innovative technologies		[20,000]			
1160472BB	65	SOF INFORMATION AND BROADCAST SYSTEMS	10,990	10,990	10,990		10,990
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, DEFENSE-WIDE	**3,536,023**	**3,562,023**	**3,550,523**	**-65,200**	**3,470,823**

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
0603161D8Z	66	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	38,758	38,758	38,758		38,758
0603228D8Z	67	PHYSICAL SECURITY EQUIPMENT					
0603527D8Z	68	RETRACT LARCH	22,945	22,945	22,945		22,945
0603709D8Z	69	JOINT ROBOTICS PROGRAM	11,847	11,847	11,847		11,847
0603714D8Z	70	ADVANCED SENSOR APPLICATIONS PROGRAM			20,000	20,000	20,000
		ASAP			[20,000]	[20,000]	
0603851D8Z	71	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	31,600	31,600	31,600		31,600
0603881C	72	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	1,019,073	964,073	1,012,073	-7,000	1,012,073
		THAAD long lead (Transfer to new MDA procurement line)			[-65,000]		
		Upper-tier follow-on to Arrow			[30,000]	[30,000]	
		Transfer to Procurement, Defense-wide Line 96		[-65,000]		[-65,000]	
		Short range missile defense		[10,000]	[28,000]	[28,000]	
0603882C	73	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	2,076,662	1,894,662	2,076,662	-96,500	1,980,162
		European site reduction		[-182,000]		[-96,500]	
0603883C	74	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	421,229	378,629	375,429	-29,500	391,729
		Program decrease		[-42,600]	[-45,800]	[-29,500]	
0603884BP	75	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	51,291	51,291	55,291		51,291
		Real-time viral agent detectors			[4,000]		

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603884C	76	BALLISTIC MISSILE DEFENSE SENSORS	1,076,983	978,083	1,017,183	-65,800	1,011,183
		European AN/TPY-2 radar				[-38,800]	
		Mobile sensor network concept			[5,000]	[4,000]	
		Premature funds			[-64,800]	[-10,000]	
		Site activation and security		[-50,000]			
		European midcourse radar		[-48,900]		[-21,000]	
0603886C	77	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR	386,817	286,817	341,817	-45,000	341,817
		Premature funds			[-45,000]	[-45,000]	
		Kinetic energy interceptor (KEI)		[-100,000]			
0603888C	78	BALLISTIC MISSILE DEFENSE TEST & TARGETS	665,445	690,445	665,445	20,000	685,445
		Target development		[25,000]		[20,000]	
0603890C	79	BALLISTIC MISSILE DEFENSE SYSTEMS CORE	432,262	412,262	402,262	-30,000	402,262
		BMD systems core			[-30,000]		
		Program decrease		[-20,000]		[-30,000]	
0603891C	80	SPECIAL PROGRAMS - MDA	288,315	138,315	188,315	-125,000	163,315
		MDA special programs			[-100,000]		
		Program decrease		[-150,000]		[-125,000]	
0603892C	81	AEGIS BMD	1,157,783	1,121,783	1,180,783	20,000	1,177,783
		Aegis BMD/SM-3 enhancements			[80,000]	[50,000]	
		SM-3 long lead (Transfer to MDA procurement line 1A)			[-57,000]		
		Transfer to Procurement, Defense-wide Line 95		[-56,000]		[-50,000]	
		Ballistic missile defense signal processors		[20,000]		[20,000]	
0603893C	82	SPACE TRACKING & SURVEILLANCE SYSTEM	242,441	217,441	192,441	-35,000	207,441
		Premature funds			[-50,000]	[-35,000]	
		Program decrease		[-25,000]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0603894C	83	MULTIPLE KILL VEHICLE	354,455	254,455	304,455	-50,000	304,455
		Excess funds			[-50,000]		
		Program decrease		[-100,000]		[-50,000]	
0603895C	84	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	29,771	19,771	19,771	-10,000	19,771
		Space test bed			[-10,000]	[-10,000]	
0603896C	85	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS	289,277	289,277	289,277		289,277
0603897C	86	BALLISTIC MISSILE DEFENSE HERCULES	55,955	55,955	55,955		55,955
0603898C	87	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	69,982	69,982	69,982		69,982
0603904C	88	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	96,404	96,404	96,404		96,404
0603905C	89	BALLISTIC MISSILE DEFENSE DISTRIBUTED MULTI ECHELON TRAINING SYSTEM (DMETS)					
0603906C	90	REGARDING TRENCH	2,978	2,978	2,978		2,978
0603907C	91	SEA BASED X-BAND RADAR (SBX)					
	91X	Missile Defense Agency undistributed reduction		-22,000	-268,700		
0603920D8Z	92	HUMANITARIAN DEMINING	14,373	14,373	14,373		14,373
0603923D8Z	93	COALITION WARFARE	14,030	14,030	14,030		14,030
0604016D8Z	94	DEPARTMENT OF DEFENSE CORROSION PROGRAM	5,102	9,102	11,602	5,500	10,602
		Asset lifecycle program			[3,500]		
		Corrosion control, prevention and prediction research			[3,000]	[3,000]	
		Managing and extending DOD asset lifecycles		[4,000]		[2,500]	
0604648D8Z	95	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	14,962	14,962	14,962		14,962

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604670D8Z	96	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING	5,991	7,991	8,491		5,991
		COMPOEX			[2,500]		
		Program increase		[2,000]			
0604787D8Z	97	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	19,643	19,643	19,643		19,643
0604828D8Z	98	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	16,906	16,906	16,906		16,906
0605017D8Z	99	REDUCTION OF TOTAL OWNERSHIP COST	24,765	24,765	24,765		24,765
0303191D8Z	100	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,524	3,524	3,524		3,524
0604400D8Z	100X	UAS AIRSPACE INTEGRATION			15,000		
		UAV modeling and simulation			[15,000]		
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DEFENSE-WIDE	**8,941,569**	**8,131,069**	**8,346,269**	**-428,300**	**8,513,269**
		SYSTEM DEVELOPMENT & DEMONSTRATION					
0604051D8Z	101	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	30,363	30,363	30,363		30,363
0604161D8Z	102	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	4,355	4,355	4,355		4,355
0604165D8Z	103	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	117,572	124,572	147,572	3,000	120,572
		Biconic vehicle manufacture			[-15,000]		
		Hypersonic boost glide vehicle			[45,000]		
		Army advanced hypersonic weapon		[7,000]		[3,000]	
0604384BP	104	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	299,373	299,373	299,373		299,373
0604709D8Z	105	JOINT ROBOTICS PROGRAM	5,725	5,725	5,725		5,725

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604764K	106	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	13,770	13,770	13,770		13,770
0604771D8Z	107	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,600	20,600	20,600		20,600
0605000BR	108	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	15,946	15,946	15,946		15,946
0605013BL	109	INFORMATION TECHNOLOGY DEVELOPMENT	11,611	11,611	11,611		11,611
0605018BTA	110	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES	37,400	37,400	37,400		37,400
0605020BTA	111	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	148,958	148,958	148,958		148,958
0605021SE	112	HOMELAND PERSONNEL SECURITY INITIATIVE	400	400	400		400
0605140D8Z	113	TRUSTED FOUNDRY	42,360	42,360	42,360		42,360
0605648D8Z	114	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	5,883	5,883	5,883		5,883
0303129K	115	DEFENSE MESSAGE SYSTEM					
0303141K	116	GLOBAL COMBAT SUPPORT SYSTEM	18,604	18,604	18,604		18,604
0303158K	117	JOINT COMMAND AND CONTROL PROGRAM (JC2)	147,339	147,339	57,339	-77,100	70,239
		NECC			[-90,000]	[-77,100]	
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, DEFENSE-WIDE	**920,259**	**927,259**	**860,259**	**-74,100**	**846,159**
		RDT&E MANAGEMENT SUPPORT					
0603757D8Z	118	TRAINING TRANSFORMATION (T2)	38,729	40,729	38,729	2,000	40,729
		Indiana complex operations partnership		[2,000]		[2,000]	
0604774D8Z	119	DEFENSE READINESS REPORTING SYSTEM (DRRS)	11,385	11,385	11,385		11,385
0604875D8Z	120	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	14,310	14,310	14,310		14,310

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0604940D8Z	121	CENTRAL TEST AND EVALUATION INVESTMENT	133,852	151,852	142,352	11,000	144,852
		SAM hardware simulators		[6,000]	[5,000]	[5,000]	
		Range network enterprise technologies			[3,500]	[3,500]	
		Joint gulf range complex upgrade		[8,000]		[1,500]	
		Gulf range mobile instrumentation capability (GR-MIC)		[4,000]		[1,000]	
0604943D8Z	122	THERMAL VICAR	9,658	9,658	9,658		9,658
0605100D8Z	123	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	8,834	8,834	8,834		8,834
0605104D8Z	124	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	34,520	36,020	34,520	1,500	36,020
		Center for technology and national security policy		[1,500]		[1,500]	
0605110D8Z	125	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	4,007	4,007	4,007		4,007
0605117D8Z	126	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	62,816	67,816	62,816		62,816
		Foreign material acquisition training devices		[5,000]			
0605126J	127	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	55,282	55,282	55,282		55,282
0605128D8Z	128	CLASSIFIED PROGRAM USD(P)					
0605130D8Z	129	FOREIGN COMPARATIVE TESTING	34,910	34,910	34,910		34,910
0605161D8Z	130	NUCLEAR MATTERS-PHYSICAL SECURITY	4,475	4,475	4,475		4,475
0605170D8Z	131	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	14,723	14,723	14,723		14,723
0605200D8Z	132	GENERAL SUPPORT TO USD (INTELLIGENCE)	4,379	4,379	4,379		4,379
0605384BP	133	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	100,082	100,082	100,082		100,082
0605502BR	134	SMALL BUSINESS INNOVATION RESEARCH					
0605502C	135	SMALL BUSINESS INNOVATIVE RESEARCH - MDA					
0605502D8Z	136	SMALL BUSINESS INNOVATIVE RESEARCH					
0605502E	137	SMALL BUSINESS INNOVATIVE RESEARCH					
0605502S	138	SMALL BUSINESS INNOVATIVE RESEARCH					

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0605790D8Z	139	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION	2,165	2,165	5,165		2,165
		Anti-tamper software systems			[3,000]		
0605798D8Z	140	DEFENSE TECHNOLOGY ANALYSIS	11,040	11,040	11,040		11,040
0605798S	141	DEFENSE TECHNOLOGY ANALYSIS					
0605799D8Z	142	FORCE TRANSFORMATION DIRECTORATE	20,701	32,101	5,701	1,100	21,801
		Program reduction			[-15,000]		
		Science and technology for strategic communications		[8,000]			
		Defense command integration center		[3,400]		[1,100]	
0605801KA	143	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	52,696	52,696	52,696		52,696
0605803SE	144	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	25,435	25,435	25,435		25,435
0605804D8Z	145	DEVELOPMENT TEST AND EVALUATION	20,396	24,396	20,396	4,000	24,396
		Renewable fuel systems for defense applications		[4,000]		[4,000]	
0605897E	146	DARPA AGENCY RELOCATION	28,000	28,000	28,000		28,000
0605898E	147	MANAGEMENT HQ - R&D	52,700	52,700	52,700		52,700
0606100D8Z	148	BUDGET AND PROGRAM ASSESSMENTS	5,878	5,878	5,878		5,878
0301555G	149	CLASSIFIED PROGRAM	[ ]	[ ]	[ ]		[ ]
0301556G	150	SPECIAL PROGRAM	[ ]	[ ]	[ ]		[ ]
0303166D8Z	151	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	30,039	30,039	30,039		30,039
0303169D8Z	152	INFORMATION TECHNOLOGY RAPID ACQUISITION	5,254	12,254	5,254		5,254
		Information technology clearinghouse		[7,000]			
0305103E	153	CYBER SECURITY INITIATIVE	50,000	50,000	25,000		50,000
		Program reduction			[-25,000]		
0305193D8Z	154	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	17,625	17,625	17,625		17,625

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0305193G	155	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[ ]	[ ]	[ ]		[ ]
0305400D8Z	156	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	831	831	831		831
0901585C	157	PENTAGON RESERVATION	19,734	19,734	19,734		19,734
0901598C	158	MANAGEMENT HQ - MDA	86,453	81,453	86,453	-5,000	81,453
		Management support		[-5,000]		[-5,000]	
0901598D8V	159	IT SOFTWARE DEV INITIATIVES	599	599	599		599
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DEFENSE-WIDE	**961,508**	**1,005,408**	**933,008**	**14,600**	**976,108**
		OPERATIONAL SYSTEMS DEVELOPMENT					
0604130V	160	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	11,533	11,533	11,533		11,533
0605127T	161	PARTNERSHIP FOR PEACE (PFP) INFORMATION	2,496	2,496	2,496		2,496
0607384BP	162	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	10,274	10,274	10,274		10,274
0607828D8Z	163	JOINT INTEGRATION AND INTEROPERABILITY	49,371	49,371	49,371		49,371
0204571J	164	JOINT STAFF ANALYTICAL SUPPORT	8,030	8,030	8,030		8,030
0208043J	165	CLASSIFIED PROGRAMS	1,728	1,728	1,728		1,728
0208045K	166	C4I INTEROPERABILITY	76,226	76,226	76,226		76,226
0301011G	167	CRYPTOLOGIC ACTIVITIES	[ ]	[ ]	[ ]		[ ]
		IED industrial exploitation (IDEX) program		[7,000]			
0301144K	168	JOINT/ALLIED COALITION INFORMATION SHARING	19,073	19,073	19,073		19,073
0301301L	169	GENERAL DEFENSE INTELLIGENCE PROGRAM	[ ]	[ ]	[ ]		[ ]
		Portable device for latent fingerprint identification		[1,800]			
03011318BB	170	HUMINT (CONTROLLED)	[ ]	[ ]	[ ]		[ ]
0301371G	171	CYBER SECURITY INITIATIVE - CCP	[ ]	[ ]	[ ]		[ ]
0301372L	172	CYBER SECURITY INITIATIVE - GDIP	[ ]	[ ]	[ ]		[ ]

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0301555BB	173	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]		[ ]
0301555BZ	174	CLASSIFIED PROGRAMS	[ ]	[ ]	[ ]		[ ]
0301556BB	175	SPECIAL PROGRAM	[ ]	[ ]	[ ]		[ ]
0301556BZ	176	SPECIAL PROGRAM	[ ]	[ ]	[ ]		[ ]
0302016K	177	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	615	615	615		615
0302019K	178	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,054	16,054	16,054		16,054
0303126K	179	LONG-HAUL COMMUNICATIONS - DCS	8,508	8,508	8,508		8,508
0303131K	180	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	9,685	9,685	9,685		9,685
0303135G	181	PUBLIC KEY INFRASTRUCTURE (PKI)	15,577	15,577	15,577		15,577
0303136G	182	KEY MANAGEMENT INFRASTRUCTURE (KMI)	49,578	49,578	49,578		49,578
0303140D8Z	183	INFORMATION SYSTEMS SECURITY PROGRAM	13,459	13,459	13,459		13,459
0303140G	184	INFORMATION SYSTEMS SECURITY PROGRAM	394,074	394,074	395,074	1,000	395,074
		Software assurance education			[1,000]	[1,000]	
0303140K	185	INFORMATION SYSTEMS SECURITY PROGRAM					
0303148K	186	DISA MISSION SUPPORT OPERATIONS	2,181	2,181	2,181		2,181
0303149J	187	C4I FOR THE WARRIOR	3,662	3,662	3,662		3,662
0303149K	188	C4I FOR THE WARRIOR					
0303150K	189	GLOBAL COMMAND AND CONTROL SYSTEM	36,374	36,374	34,374		36,374
		SORTS			[-2,000]		
0303153K	190	JOINT SPECTRUM CENTER	19,319	19,319	19,319		19,319
0303170K	191	NET-CENTRIC ENTERPRISE SERVICES (NCES)	429	429	429		429
0303610K	192	TELEPORT PROGRAM	2,060	2,060	2,060		2,060

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0304210BB	193	SPECIAL APPLICATIONS FOR CONTINGENCIES	16,225	27,225	16,225	5,000	21,225
		Unmanned aerial systems test facility upgrade		[8,000]		[3,000]	
		Expeditionary persistent power		[3,000]		[2,000]	
0304345BQ	194	NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP)	[ ]	[ ]	[ ]		[ ]
0305102BQ	195	DEFENSE GEOSPATIAL-INTELLIGENCE PROGRAM	[ ]	[ ]	[ ]		[ ]
0305103D8Z	196	CYBER SECURITY INITIATIVE	1,000	1,000	1,000		1,000
0305103G	197	CYBER SECURITY INITIATIVE	[ ]	[ ]	[ ]		[ ]
0305103K	198	CYBER SECURITY INITIATIVE	12,800	12,800	12,800		12,800
0305125D8Z	199	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	12,700	12,700	12,700		12,700
0305127BZ	200	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0305146BZ	201	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	2,947	2,947	2,947		2,947
0305183L	202	DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0305186D8Z	203	POLICY R&D PROGRAMS	8,237	8,237	8,237		8,237
0305193G	204	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[ ]	[ ]	[ ]		[ ]
0305193L	205	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[ ]	[ ]	[ ]		[ ]
0305199D8Z	206	NET CENTRICITY	12,716	12,716	12,716		12,716
0305202G	207	DRAGON U-2	[ ]	[ ]	[ ]		[ ]
0305206G	208	AIRBORNE RECONNAISANCE SYSTEMS	[ ]	[ ]	[ ]		[ ]
0305207G	209	MANNED RECONNAISANCE SYSTEMS	[ ]	[ ]	[ ]		[ ]
0305208BB	210	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,165	3,165	3,165		3,165
0305208BQ	211	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[ ]	[ ]	[ ]		[ ]
0305208G	212	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[ ]	[ ]	[ ]		[ ]
0305208K	213	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,227	3,227	3,227		3,227
0305208L	214	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[ ]	[ ]	[ ]		[ ]
0305219BB	215	MQ-1 PREDATOR A UAV	13,679	13,679	13,679		13,679
0305229G	216	REAL-TIME ARCHITECTURE DEVELOPMENT (RT10)	[ ]	[ ]	[ ]		[ ]

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
0305866L	217	DIA SUPPORT TO SOUTHCOM INTELLIGENCE ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0305880L	218	COMBATANT COMMAND INTELLIGENCE OPERATIONS	[ ]	[ ]	[ ]		[ ]
0305883L	219	HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT	[ ]	[ ]	[ ]		[ ]
0305884L	220	INTELLIGENCE PLANNING AND REVIEW ACTIVITIES	[ ]	[ ]	[ ]		[ ]
0305885G	221	TACTICAL CRYPTOLOGIC ACTIVITIES	[ ]	[ ]	[ ]		[ ]
		Final e-Curfew			[25,000]		
0305889G	222	COUNTERDRUG INTELLIGENCE SUPPORT	[ ]	[ ]	[ ]		[ ]
0307141G	223	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION	[ ]	[ ]	[ ]		[ ]
0307207G	224	AERIAL COMMON SENSOR	[ ]	[ ]	[ ]		[ ]
0708011S	225	INDUSTRIAL PREPAREDNESS	20,480	20,480	50,480	24,000	44,480
		Industrial base innovation fund			[30,000]	[24,000]	
0708012S	226	LOGISTICS SUPPORT ACTIVITIES	2,846	2,846	2,846		2,846
0902298J	227	MANAGEMENT HEADQUARTERS (JCS)	3,401	3,401	3,401		3,401
1001018D8Z	228	NATO JOINT STARS	27,756	27,756	27,756		27,756
1130435BB	229	STORM					
1160279BB	230	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG					
1160403BB	231	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	43,977	73,977	43,977		43,977
		Gunship lite prototype test bed		[30,000]			
1160404BB	232	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	13,263	17,263	13,263		13,263
		Covert communications for special operations forces		[4,000]			
1160405BB	233	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	39,125	43,325	39,125	4,200	43,325
		Advanced long endurance unattended ground sensors		[4,200]		[4,200]	
1160408BB	234	SOF OPERATIONAL ENHANCEMENTS	48,137	52,037	48,137		48,137
		Meteorological and oceanographic collection sensors		[3,900]			

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
1160421BB	235	SPECIAL OPERATIONS CV-22 DEVELOPMENT	38,229	38,229	38,229		38,229
1160425BB	236	SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS					
1160426BB	237	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT	7,090	7,090	7,090		7,090
1160427BB	238	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	4,052	4,052	4,052		4,052
1160428BB	239	UNMANNED VEHICLES (UV)	1,527	1,527	1,527		1,527
1160429BB	240	MC130J SOF TANKER RECAPITALIZATION	4,659	4,659	4,659		4,659
1160477BB	241	SOF WEAPONS SYSTEMS	2,759	2,759	2,759		2,759
1160478BB	242	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	3,190	3,190	3,190		3,190
1160479BB	243	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	3,495	3,495	3,495		3,495
1160482BB	244	SOF ROTARY WING AVIATION	3,822	3,822	3,822		3,822
1160483BB	245	SOF UNDERWATER SYSTEMS	3,142	3,142	3,142		3,142
1160484BB	246	SOF SURFACE CRAFT	5,206	5,206	5,206		5,206
1160488BB	247	SOF PSYOP	15,554	15,554	15,554		15,554

Title II - RDT&E

(Dollars in Thousands)

Program Element	Line	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
1160489BB	248	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	14,686	14,686	14,686		14,686
1160490BB	249	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	8,729	8,729	8,729		8,729
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE	**1,152,127**	**1,205,227**	**1,181,127**	**34,200**	**1,186,327**
	999	CLASSIFIED PROGRAMS	3,805,519	3,814,319	3,830,519	0	3,805,519
		Total, RDT&E Defense-Wide	**21,499,229**	**20,822,879**	**20,924,729**	**-556,500**	**20,942,729**
		OPERATIONAL TEST & EVALUATION, DEFENSE					
0605118OTE	1	OPERATIONAL TEST AND EVALUATION	53,196	53,196	53,196		53,196
0605131OTE	2	LIVE FIRE TEST AND EVALUATION	11,572	11,572	11,572		11,572
0605814OTE	3	OPERATIONAL TEST ACTIVITIES AND ANALYSES	124,004	124,004	124,004		124,004
		Total, Operational Test & Evaluation, Defense	**188,772**	**188,772**	**188,772**	**0**	**188,772**
		TOTAL RDT&E	**79,615,941**	**79,700,433**	**79,733,380**	**-1,905,489**	**77,710,452**

Network science, technology and experimentation center

The budget request included $10.0 million in PE 61104A for the establishment of a network science and technology research center. This is an example of the Army's continued commitment to investments in basic research, especially in the face of severe budget constraints due to the current operations and reset of the force. In particular, it is widely expected that new investments in network science can lead to significant enhancements in operational capabilities.

The fact that the current Army plan for this effort calls for the majority of funding to go to the establishment of a single research center is a cause for concern. The National Research Council's 2007 report entitled "Strategy for an Army Center for Network Science, Technology, and Experimentation" concluded that, "based on Army needs, the NSTEC [Network Science, Technology, and Experimentation Center] should be a hybrid operation consisting of two or three centralized facilities having interconnectivity to a variety of distributed supporting elements." The current Army proposed plan and budget is not consistent with this recommended hybrid approach.

The Army is directed to ensure that the network science and technology research center be established so as to leverage the benefits of a distributed and networked research community. Clearly, some funding should be retained to support in-house research efforts, but the majority of funding should continue to go to a networked group of investigators selected on the basis of technical merit of proposed research.

The Army is further directed to ensure that none of the $10.0 million authorized in PE 61104A for the establishment of a network science and technology research center shall be available for the purpose of infrastructure and facilities development. The fact that basic research funding is a precious and scarce resource places a great emphasis on ensuring its use for designated research purposes. Such funds should not be utilized for infrastructure and facilities development, save for the most exceptional circumstances.

ITEMS OF SPECIAL INTEREST

Executive helicopter program (VH–71A)

The budget request included $1,047.8 million in PE 64273N for continued development of the executive helicopter, VH–71A. The VH–71A program is intended to provide the replacement helicopter for transportation of the President and Vice President of the United States, heads of state, and other dignitaries. The House report (H. Rept. 110–652) observed that the reported cost increases in the program were sufficient to exceed the 25 percent unit cost increase that would invoke the certification requirements levied by section 2433(e)(2)(A) of title 10, United States Code, commonly referred to as a "Nunn-McCurdy Breach." The House report directed the Secretary of Defense to submit an analysis of potential advantages and disadvantages of conducting a re-competition of the program when the Secretary submits that certification.

The Senate report (S. Rept. 110–335) directed the Secretary of the Navy to submit a VH–71A report to the congressional defense committees outlining VH–71A program:

(1) performance requirements;

(2) revised cost estimates;

(3) causes for cost growth;

(4) detailed breakout of cost growth related to under-estimated requirements; and

(5) actions being implemented to reduce and control development and production costs.

The Senate report would also prohibit the Secretary from obligating fiscal year 2009 funds for VH–71A Executive Helicopter Development (PE 64273N) for Increment Two efforts until: (1) the Defense Department completes VH–71A unit cost reporting requirements as prescribed by section 2433 of title 10, United States Code; and (2) the Secretary of the Navy submits the VH–71A report described above to the congressional defense committees.

Additionally, the Senate report directed the Secretary to identify alternatives for extending the service life of Increment One aircraft and increasing their utility in the effort to provide greater return on this investment.

The agreement directs the Secretary to submit the reports requested in both the House and Senate reports, removes the prohibition on obligating any fiscal year 2009 funding, and directs the Secretary not to restructure the existing VH–71 contract until the completion of the Nunn-McCurdy certification process.

Missile defense force structure and Joint Capabilities Mix studies

We note that the Joint Integrated Air and Missile Defense Organization, a component of the Joint Staff, has conducted a number of studies over several years concerning the operational requirements of combatant commanders for upper tier ballistic missile defense. These Joint Capabilities Mix (JCM) studies have consistently concluded that U.S. combatant commanders need about twice as many Standard Missile-3 (SM–3) and Terminal High Altitude Area Defense (THAAD) interceptors as the number planned by the Missile Defense Agency (MDA), just to meet their minimum inventory requirements to defend against existing levels of short- and medium-range ballistic missiles.

We are deeply disappointed that the Department of Defense has not planned or budgeted for even this minimum requirement, and believe that achieving at least this minimum inventory should be the highest priority for MDA. We expect the Department of Defense to budget accordingly starting with the budget submission for fiscal year 2010.

We are concerned that there is no adequate requirements process in place for MDA to determine the force structure and inventory levels to meet the needs of the combatant commanders. This is a fundamental shortcoming of the Department of Defense's approach to missile defense, and one that needs to be resolved. We expect the Department of Defense to establish an adequate requirements process for missile defense force structure and inventory that ensures that the operational requirements of the regional combatant com-

manders are fully taken into account in MDA's budget and planning process.

Missile defense tests and targets

We are discouraged to note that the Missile Defense Agency (MDA) Test and Targets program has had another disappointing year. MDA failed to conduct a single intercept flight test of the Ground-based Midcourse Defense (GMD) system during fiscal year 2008, and canceled a planned and budgeted GMD flight test, designated FTG–04. Instead, it conducted a sensor flight test, FTX–03. Over the last several years, MDA has not managed to conduct an average of even one GMD intercept flight test per year, despite the fact that Congress has authorized and appropriated over $200.0 million per year to conduct two flight tests each year.

In addition, a test of the GMD system was aborted in May 2007 when the target failed to reach the necessary altitude, and a flight test of the Terminal High Altitude Area Defense (THAAD) system was aborted on September 17, 2008, when the target missile failed shortly after launch.

We are disappointed to note that MDA chose to cancel FTG–04 without first consulting with any of the key stakeholders, including the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD/AT&L), the Director of Operational Test and Evaluation (DOT&E), or the Commander of United States Strategic Command.

We direct MDA to consult with these organizations, or their designees, prior to any future decision to cancel a flight test, and to report in writing to the congressional defense committees within 1 week of a decision to cancel such a test, indicating the following information: (1) the reasons for the cancellation; (2) the implications and risks for the testing and development program that will result from cancelling the test; (3) a plan describing how the original objectives of the flight test will still be met, notwithstanding the cancellation; (4) the views and recommendations of the organizations consulted; and (5) any modifications in the allocation of budget and testing resources as a result of the cancellation of the flight test.

Upper tier follow-on to Arrow

The United States is engaged in a cooperative program with Israel to provide an upper-tier follow-on to the Arrow Weapon System for Israel. There are two systems being pursued under this cooperative program: a land-based version of the existing Standard Missile 3 (SM–3) using an AN/TPY–2 forward-based X-band radar, and the development of a new Arrow-3 interceptor. The SM–3 interceptor and the AN/TPY–2 radar, which is derived from the radar for the Terminal High Altitude Area Defense (THAAD) system, have already been developed and demonstrated. The Arrow-3 has not yet been developed, and its design has changed several times.

After a number of changes to Israeli requirements and the planned performance of the Arrow-3 missile, the Missile Defense Agency (MDA) has chosen to pursue development of the Arrow-3 as the primary approach to developing an upper tier missile defense capability for Israel. However, this would be a technically challenging undertaking, involving a number of critical and complex

technologies that Israel has never produced previously. Consequently, it is not certain that Israel can succeed in the development of all the Arrow-3 technologies in time to meet Israel's required fielding schedule.

We are concerned that MDA has chosen a technically risky path forward, and is not providing sufficient risk mitigation through the land-based SM–3 option. MDA has indicated it intends to pursue an Arrow-3 development strategy based on knowledge points, with the stated intention of being able to curtail or stop the program if it does not meet its knowledge points on schedule.

However, MDA has not demonstrated an ability to reduce funding for other programs that have not met their knowledge points on schedule. This suggests that an Arrow-3 development program could continue to be the primary path even if it does not meet its knowledge points or its schedule, thus precluding the option of having the proven SM–3 and AN/TPY–2 technology serve as a suitable upper tier option on schedule.

Therefore, we direct the Under Secretary of Defense for Acquisition, Technology, and Logistics to review MDA's proposed approach and submit to the congressional defense committees, no later than April 15, 2009, a report providing a plan for risk mitigation for the U.S.-Israel upper tier program of cooperation that provides a cost-effective path to providing an upper tier missile defense capability for Israel.

Wide area airborne surveillance

The Senate report (110–335) accompanying S. 3001 urged the Department of Defense to rapidly define and acquire next generation wide area airborne surveillance (WAAS) capabilities to augment existing and planned full motion video (FMV) platform deployments, and possibly to help limit the number of additional orbits of FMV aircraft needed in the future.

We are encouraged that the Defense Department at senior levels is focused on the WAAS requirement and the range of potential solutions. However, a number of concerns persist.

While significant funds have been allocated for development of the WAAS collection system, very little money is available for the processing, exploitation, and dissemination of the vast amount of imagery that the WAAS system will produce. This imbalance will prevent effective fielding of a WAAS capability in the timeframe required.

There is confusion as to whether the WAAS system is intended to complement or replace existing and planned deployments of narrow-field-of-view FMV assets. This confusion creates concern and opposition from deployed forces. If it is possible for a WAAS system to substitute for FMV assets, the required performance level (in terms of resolution, frame rate, look angles, and the like) cannot be fielded at least for a period of years. While it is important for the Department to evaluate now what levels of performance might be achievable in subsequent increments of a WAAS program, the near-term focus must be on fielding capabilities that complement existing assets and operate with them in a systems-of-systems network.

In this regard, we are concerned that insufficient attention and resources are being devoted to rapidly fielding a command and control capability that will permit, on a large-scale, integrated operations involving WAAS platforms, FMV assets, and signals intelligence systems across services, national agencies, and various echelons of command. We support the recent initiative by the Air Force WAAS program office to utilize the Network-Centric Collaborative Targeting system, now reaching Initial Operational Capability, as the basis for this important command and control capability.

We direct that, within 90 days of the date on which there is a down select by the WAAS prime integrator, the Deputy Secretary of Defense submit a report to the congressional defense and intelligence committees that characterizes WAAS collection and exploitation requirements, the program increments and funding to meet the requirements, the operational concept for WAAS increments, and the means by which WAAS, FMV systems, and other sensors will be operated together to support the find, fix, and finish targeting process.

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 2009 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 2009 for the use of the Department of Defense for research, development, test and evaluation.

Authorization for defense science and technology (sec. 202)

The House bill contained a provision (sec. 202) that would authorize appropriations for fiscal year 2009 for the use of the Department of Defense for science and technology activities.

The Senate bill contained a similar provision (sec. 202).

The agreement includes a provision that would authorize appropriations for fiscal year 2009 for the use of the Department of Defense for science and technology activities.

Subtitle B—Program Requirements, Restrictions, and Limitations

Additional determinations to be made as part of Future Combat Systems milestone review (sec. 211)

The House bill contained a provision (sec. 211) that would amend section 214 of the John Warner National Defense Authorization Act for 2007 (Public Law 109–364) by adding additional determinations to be made by the Secretary of Defense during the Future Combat Systems (FCS) program review.

The Senate bill contained no similar provision.

The agreement includes the House provision.

We intend that the additional determinations required during the FCS program review should be applied with respect to threshold FCS system of system technologies, not surrogates.

Analysis of Future Combat Systems communications network and software (sec. 212)

The House bill contained a provision (sec. 212) that would require the Assistant Secretary of Defense, Networks and Information Integration (ASD NII), to conduct an independent study and report to the congressional defense committees by July 1, 2009, on possible vulnerabilities of the Future Combat Systems (FCS) communications network. The purpose of this study is to inform the review of the FCS program mandated by section 214 of the John Warner National Defense Authorization Act for 2007 (Public Law 109–364).

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would provide the Department with additional time to complete the analysis and require the ASD NII to assess, in coordination with the Director of Operational Test and Evaluation, the synchronization of the funding, schedule, and technology maturity of the Warfighter Information Network-Tactical and Joint Tactical Radio System in programs in relation to the FCS program.

Future Combat Systems manned ground vehicle selected acquisition reports (sec. 213)

The House bill contained a provision (sec. 213) that would require the Secretary of the Army to submit to the congressional defense committees selected acquisition reports as defined in section 2432(c) of title 10, United States Code, on each of the eight Future Combat Systems (FCS) manned ground vehicle variants. The reports are required by February 15 of each year from 2009 to 2015.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment that would include any additional manned ground vehicle variants designated in FCS Acquisition Reports after the date of enactment.

Separate procurement and research, development, test, and evaluation line items and program elements for Sky Warrior unmanned aerial systems (sec. 214)

The House bill contained a provision (sec. 214) that would require the Secretary of Defense to ensure that the Department of Defense program and budget exhibits for the Army's Sky Warrior unmanned aerial system break out that program into separate program elements and line items.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Restriction on obligation of funds for the Warfighter Information Network-Tactical program (sec. 215)

The House bill contained a provision (sec. 215) that would restrict obligation of 80 percent of research and development funds authorized for appropriation for the Warfighter Information Net-

work-Tactical, Increment 3 program until 15 days after receipt by the congressional defense committees of certification from the Under Secretary of Defense for Acquisition, Technology and Logistics that the program has an approved acquisition program baseline, a new independent cost estimate, and the Director, Defense Research and Engineering has completed a technology readiness assessment.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that reduces the amount of funding restricted pending the certification from 80 percent to 50 percent and makes other clarifications.

Limitation on source of funds for certain Joint Cargo Aircraft expenditures (sec. 216)

The House bill contained a provision (sec. 216) that would require the Secretary of the Army to fund certain expenditures for the Joint Cargo Aircraft (JCA) through procurement or research, development, test and evaluation accounts, rather than from other appropriations accounts.

The Senate bill contained no similar provision.

The agreement included the House provision with an amendment that would modify the provision to place the same requirement on the Secretary of the Air Force.

The report (H. Rept. 110–652) accompanying the House bill noted that, at the time of the report, the Air Force was reporting a unit cost for JCA of $60.7 million, and was reporting a unit cost for C–130J aircraft of $56.7 million. After further discussion with the Air Force acquisition officials and clarification of terminology, we believe that a fairer, apples-to-apples comparison of such costs would raise the comparable average procurement unit cost for a C–130J to $84.2 million, in terms of fiscal year 2007 dollars.

Requirement for plan on overhead nonimaging infrared systems (sec. 217)

The Senate bill contained a provision (sec. 211) that would direct the Secretary of the Air Force to develop a comprehensive plan to conduct and support research, development, and demonstration of technologies that could evolve into the next generation of overhead nonimaging systems. The plan would also include an explanation of how such systems would be tested, including any flight or on-orbit testing as well as how and when the technologies would transition to an acquisition program. In addition, the provision would prohibit appropriation of more than 50 percent of the funds authorized to be appropriated for the third generation infrared surveillance program until the plan is submitted to the congressional defense committees.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would direct the Secretary of Defense and the Director of National Intelligence to conduct the plan. In addition the amendment would add a description of the research, development and demonstration activities, as an additional element to the plan.

Advanced energy storage technology and manufacturing (sec. 218)

The Senate bill contained a provision (sec. 212) that would require the Department of Defense to develop a technology and manufacturing roadmap for battery technologies.

The House bill contained no similar provision.

The agreement includes a provision that would expand the scope of the roadmapping exercise to include all relevant energy storage technologies, such as, but not limited to, batteries, fuel cells and capacitors. The provision would further add a requirement for the Department to provide a detailed report of the investment levels in energy storage technologies.

The roadmap development should be primarily lead by the Director of Defense Research and Engineering, the Deputy Under Secretary of Defense for Industrial Policy, and Service Acquisition Executives, so that the roadmap accurately reflects technology development, industrial base, program requirements, and cost drivers. It is further expected that Service acquisition program offices with significant energy storage technology requirements, the Joint Defense Manufacturing Technology Panel, the Defense Logistics Agency, and appropriate organizations within the Department of Energy will all participate in the roadmap development. The roadmap should not focus solely on science and technology activities and existing investments.

It is expected that a thorough understanding of resource allocation and current investment in advanced energy storage technologies will help clarify the investment shortfalls and capability gaps that should be emphasized in the technology and manufacturing roadmap.

Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions (sec. 219)

The Senate bill contained a provision (sec. 213) that would authorize the Secretary of Defense to permit laboratory directors to utilize up to 3 percent of laboratory funds for research and development, technology transition, and workforce development activities.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would terminate the authority after 4 years.

The utilization of this authority and its impact on the mission performance and technical capabilities of the laboratories will be closely monitored by the congressional defense committees. All efforts to supply the needed authorities and resources to the defense laboratories to enable them to effectively and efficiently perform their designated missions are supported and encouraged.

Requirements for certain airborne intelligence collection systems (sec. 220)

The Senate bill contained a provision (sec. 215) that would require that each airborne collection system within the Department of Defense that is connected to the Distributed Common Ground/Surface System to have the ability to operate with the Network-Centric Collaborative Targeting System, unless the Chairman of the Joint Requirements Oversight Council waives the requirement on a case-by-case basis.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Limitation on obligation of funds for enhanced AN/TPQ–36 Radar System pending submission of report (sec. 221)

The House bill contained a provision (sec. 236) that would limit the amount of funds provided to the program until the Secretary of the Army provides the congressional defense committees with a plan to transition the Counter-Rockets, Artillery, and Mortars (C–RAM) program to a program of record.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle C—Missile Defense Programs

Annual Director of Operational Test and Evaluation characterization of operational effectiveness, suitability, and survivability of the Ballistic Missile Defense System (sec. 231)

The Senate bill contained a provision (sec. 234) that would require the annual report of the Director of Operational Test and Evaluation on the testing of the Ballistic Missile Defense System (BMDS) to include a characterization of the operational effectiveness, suitability, and survivability of the BMDS and its elements that have been fielded or tested before the end of the preceding fiscal year.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Independent study of boost-phase missile defense (sec. 232)

The House bill contained a provision (sec. 221) that would require an independent study of boost-phase missile defense programs, specifically the Airborne Laser and the Kinetic Energy Interceptor. The study would assess a variety of relevant factors and compare the results to non-boost-phase missile defense systems. The provision would require the independent study to be submitted to the congressional defense committees.

The Senate bill contained a similar provision (sec. 235).

The agreement includes the House provision with an amendment that would combine elements of the Senate provision with the House provision.

Limitation on availability of funds for procurement, construction, and deployment of missile defenses in Europe (sec. 233)

The House bill contained a provision (sec. 222) that would limit the availability of fiscal year 2009 and future funds for procurement, site activation, construction, preparation of equipment for, or deployment of a long-range missile defense system until the following conditions have been met: (1) the Governments of Poland and the Czech Republic have each signed and ratified the necessary agreements allowing for such deployment; and (2) 45 days have elapsed after Congress receives the independent assessment required in section 226 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). The provision would also limit the availability of funds for the acquisition and deploy-

ment of operational interceptor missiles for the planned European deployment until the Secretary of Defense certifies, after receiving the views of the Director of Operational Test and Evaluation, that the interceptor has demonstrated, through successful, operationally realistic flight testing, a high probability of working in an operationally effective manner and the ability to accomplish its mission.

The Senate bill contained a similar provision (sec. 232), with the differences being that it would: (1) limit the effect of the general limitation to the availability of fiscal year 2009 funds; (2) clarify that each host nation would need to give final approval to any missile defense agreements concerning the deployment of missile defense components on its territory; and (3) authorize the initial long lead procurement funds for the proposed European interceptors, since the long-lead components are 100 percent common to the three-stage variant of the interceptor.

The agreement includes a combined provision that would limit the availability of fiscal year 2009 and future funds for procurement, site activation, construction, preparation of equipment for, or deployment of a long-range missile defense system until the following conditions have been met: (1) in the case of the proposed midcourse radar element, the host nation has signed and ratified the agreements needed to allow for the deployment of such radar in the host nation; (2) in the case of the proposed long-range missile defense interceptor element, the condition in paragraph (1) has been met, and the host nation has signed and ratified the agreements needed to allow for the deployment of such interceptor element in the host nation; and (3) 45 days have elapsed after Congress has received the report required by section 226(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). The provision would also limit the availability of fiscal year 2009 funding for acquisition (other than initial long-lead funding) or deployment of the proposed interceptor until the Secretary provides the certification required in both bills.

Review of the ballistic missile defense policy and strategy of the United States (sec. 234)

The Senate bill contained a provision (sec. 231) that would require the Secretary of Defense to conduct a review of the ballistic missile defense policy and strategy of the United States. The provision would require the Secretary to submit a report to Congress not later than January 31, 2010, setting forth the results of the review.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would add several elements to be required in the review.

Airborne Laser System (sec. 235)

The Senate bill contained a provision (sec. 233) that would require the Director of Operational Test and Evaluation (DOT&E) to assess and report on the operational effectiveness, suitability, and survivability of the Airborne Laser (ABL) System. The provision would also limit the availability of funds for procurement of a second or subsequent ABL aircraft until the Secretary of Defense, after receiving the DOT&E assessment, submits a certification that

the ABL system has demonstrated a high probability of being operationally effective, suitable, survivable, and affordable.

The House bill contained a provision (sec. 221) that would, among other things, prohibit the use of funds to acquire a second ABL aircraft until 60 days after Congress receives an independent study on boost-phase missile defense programs required by the provision.

The agreement includes the Senate provision with an amendment that would incorporate the House funding prohibition into the Senate provision.

Activation and deployment of AN/TPY–2 forward-based X-band radar (sec. 236)

The Senate bill contained a provision (sec. 237) that would authorize the use of up to $89.0 million in funds for defense-wide research, development, test, and evaluation for the activation and deployment of an AN/TPY–2 X-band radar to a classified location. It would also require the Secretary of Defense to submit a report to Congress on such deployment before the funds would be available for the deployment.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Subtitle D—Reports

Biennial reports on joint and service concept development and experimentation. (sec. 241)

The Senate bill contained a provision (sec. 252) that would reduce the reporting requirement on Department of Defense concept development and experimentation activities and include reporting on related activities of the military services.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would clarify the reporting requirements.

The joint and service level for concept development and experimentation activities can support efforts at innovation and transformation in doctrine, training, materiel acquisition and other areas of Departmental activity. As the executive agent for joint warfighting experimentation, the Commander of United States Joint Forces Command has a unique ability and responsibility to use the results of the Department's various concept development and experimentation activities to advocate for the transformation of investment strategies, defense acquisition policies, requirements generation, doctrine development, and force structure to enhance joint warfighting capabilities.

Report on the participation of the historically black colleges and universities and minority serving institutions in research and educational programs and activities of the Department of Defense (sec. 242)

The House bill contained a provision (sec. 232) that would require an assessment of the Historically Black Colleges and Universities (HBCU/MI) and Minority Serving Institutions program.

The Senate bill contained no similar provision.

The agreement includes a provision that would require an independent assessment of the participation of HBCU/MI, Hispanic Serving Institutions, Tribal Colleges and Universities, and other minority postsecondary institutions in Department of Defense research, training, and educational activities.

At a time when the Department and the nation are facing a shortage of personnel in growing areas of science and engineering, this community of educational institutions and the population they serve can make a valuable contribution to the missions of the Department of Defense.

Report on Department of Defense response to findings and recommendations of the Defense Science Board Task Force on Directed Energy Weapons (sec. 243)

The Senate bill contained a provision (sec. 255) that would require the Department of Defense to report on responses to the findings and recommendations of the Defense Science Board Task Force on Directed Energy Weapons.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

Subtitle E—Other Matters

Modification of systems subject to survivability testing oversight by the Director of Operational Test and Evaluation (sec. 251)

The House bill contained a provision (sec. 231) that would clarify the responsibilities of the Secretary of Defense and the Director of Operational Test and Evaluation with respect to oversight and reporting on survivability testing for personnel protective equipment and other defense systems.

The Senate bill contained a similar provision (sec. 251).

The agreement includes the House provision with an amendment that would allow the Secretary of Defense to authorize the Director of Operational Test and Evaluation to perform statutorily mandated monitoring and reporting on a broader range of defense systems. The amendment makes additional clarifying amendments to sections 2366 and 139 of title 10, United States Code. This provision will enable the Secretary and Director to have appropriate levels of oversight of systems that require survivability and lethality testing, including certain items of personnel protective equipment and non lethal weapons. It is expected that the acquisition and testing community should continue to work together to develop and adequately test systems to validate their operational effectiveness, suitability and survivability, but still deliver new capabilities in a rapid and efficient fashion.

Technology-neutral information technology guidelines and standards to support fully interoperable electronic personal health information for the Department of Defense and Department of Veterans Affairs (sec. 252)

The House bill contained a provision (sec. 233) that would amend section 1635 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to add additional reporting re-

quirements to the annual report required by that section. The provision would also require the Director of the Department of Defense-Department of Veterans Affairs Interagency Program Office to report within 12 months after the date of enactment of this Act on the development of information technology infrastructure guidelines and standards for use by the Departments of Defense and Veterans Affairs to enable fully interoperable electronic personal health information.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would eliminate the requirement for reporting to the appropriate congressional committees on the specific guidelines and standards developed or adopted under this provision.

The Department of Defense and Department of Veterans Affairs should, to the extent practicable, pursue guidelines and standards that are consistent with other similar ongoing federal efforts and with relevant guidance and directives for the development of information technology (IT) systems in the Department of Defense and Department of Veterans Affairs.

Within the Department of Defense, the medical IT community should work closely with Assistant Secretary of Defense for Networks and Information Integration and the Business Transformation Agency, both of which have valuable experience in evaluating and selecting standards for large-scale enterprise systems.

Assessment of technology transition programs and repeal of reporting requirement. (sec. 253)

The House bill contained a provision (sec. 234) that would require the Department of Defense to assess the feasibility of consolidating various technology transition accounts into a unified effort. The House provision would also repeal the requirement for the Technology Transition Initiative (TTI).

The Senate bill contained a provision (sec. 253) which would repeal the recurring reporting requirement relating to the TTI program.

The agreement includes a provision which requires the Under Secretary of Defense for Acquisition, Technology and Logistics (USD (AT&L)) to assess the feasibility of consolidating technology transition accounts into one account to be managed at the Department-level. The agreement also requires the USD (AT&L) to submit a report to Congress on the aforementioned assessment and include recommendations concerning the streamlining and improvement of technology transition activities throughout the Department. Finally, the agreement repeals the Department's annual TTI reporting requirement.

Efficient technology transition is a mainstay of the Department's ability to deliver military advantage to the operational force. Continued employment of the current regime of initiatives and programs may not be the most effective approach to transitioning promising technologies to the force. The USD (AT&L) is expected to characterize the limitations of the existing transition activities and provide recommendations to improve the process of transitioning technologies. The overall goals of the various Department of Defense technology transition programs are laudable, but

there is a need to better understand the Department's requirements for additional authorities or for the repeal of unnecessary authorities that could improve technology transition.

Trusted defense systems (sec. 254)

The House bill contained a provision (sec. 235) that would require the Department of Defense to perform an assessment, develop a strategy, issue interim policy guidance, and provide a report to Congress related to assuring trust in the supply chain for certain defense systems.

The Senate bill contained a related provision (sec. 256) that required an assessment of the capabilities of the Department to assess trust in semiconductor technologies.

The agreement includes a provision that requires the Secretary of Defense to assess the trust in, and vulnerabilities within the supply chain of key electronic components of major defense acquisition programs; to assess methods for verifying trust of DoD semiconductors; to produce a strategy for managing supply chain risk and trust verification for semiconductors; to establish policies necessary to support these activities; and to report to Congress on the assessment and policies.

There is growing concern that major manufacturing for many mission-critical semiconductors has moved offshore, primarily to Asia. The inherent risks associated with procuring electronic components that have been designed, fabricated, tested, or packaged in unsecure facilities abroad demand a well planned and structured response.

Therefore, the Secretary is instructed to coordinate the various current efforts designed to study and protect mission-critical electronic components and create an integrated strategy for managing supply chain risk and ensuring trust of semiconductors used in applications across all services. Only by engaging in consultation with industry, academia and other agencies will the Department be able to fashion the cross-cutting strategy needed to address a challenge that confronts the most complicated and important acquisition programs and threatens every part of the operational force.

Capabilities-based assessment to outline a joint approach for future development of vertical lift aircraft and rotorcraft (sec. 255)

The House bill contained a provision (sec. 237) that would require the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to develop an assessment of a joint approach to developing future vertical lift aircraft and rotorcraft, and to submit a report on that assessment.

The Senate bill contained no similar provision.

The agreement includes the House provision, with the understanding that the current program for modernizing the Marine Corps' heavy lift rotorcraft fleet shall not be subsumed within any joint program office that might emerge from this assessment.

Executive agent for printed circuit board technology (sec. 256)

The Senate bill contained a provision (sec. 254) that would require the establishment of an executive agent to oversee Depart-

ment of Defense activities related to printed circuit board technologies.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that requires the Secretary of Defense to designate an executive agent for printed circuit board and interconnect technologies. The provision specifies roles and responsibilities that the Secretary of Defense will charge to the executive agent.

The Secretary may include further duties, especially as they may pertain to ensuring that the Department maintains and grows its capability for establishing trust in interconnect technologies. While it is critical that the executive agent designated by the Secretary develop a well-planned roadmap which details current and future technologies needed and the logistics network necessary to provide them, the executive agent should also draw together the specific timeline that must be realized and funding that must be obtained to successfully implement the roadmap going forward.

Finally, the provision directs the Secretary of Defense to ensure that the executive agent is properly resourced to implement the task and is supported throughout the military departments.

Review of conventional prompt global strike technology applications and concepts (sec. 257)

The House bill contained a provision (sec. 238) that would limit the use of funds for conventional prompt global strike (PGS) in fiscal year 2009 to only those activities expressly delineated in the expenditure plan for fiscal years 2008 and 2009, which was required by section 243 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) or activities otherwise expressly authorized by Congress. The expenditure plan was transmitted to the congressional defense committees on March 24, 2008. The provision would also require the Secretary of Defense to submit a report on PGS concepts with the fiscal year 2010 budget request.

The Senate bill contained a similar provision (sec. 1054) that would direct the Secretary of Defense, in consultation with the Secretary of State, to conduct a review of the prompt global strike technologies that will be demonstrated beginning in fiscal year 2010. The report would set forth the cost of the demonstration, identify any legal, treaty, or policy related issues that might be associated with the concept demonstrated or the demonstration itself, and whether and to what extent there is a possibility that the concept or the demonstration itself could be confused with a nuclear weapons system. In addition, the report would set forth a description of the types of targets against which the concept demonstrated might be used. The report would be submitted to the congressional defense committees no later than 30 days after the date on which the budget is submitted.

The agreement includes the Senate provision with an amendment that would limit the use of funds for conventional PGS in fiscal year 2009. The amendment would also direct the Secretary of Defense to submit a report to the congressional defense committees that describes the technologies planned to be developed during fiscal year 2009 and how those technologies relate to PGS options and concepts. The due date for this report would be April 1, 2009.

In addition, the amendment would modify the review and assessment to be conducted by the Secretary of Defense in consultation with the Secretary of State, to include recommendations that would mitigate such risk in the assessment as to whether a PGS concept could be misconstrued as a nuclear weapon or delivery system. The amendment would further modify the assessment to include an assessment of the intelligence needed to support the use of any PGS concept. A report on this review and assessment would be due no later than September 1, 2009.

We note that the Department of Defense has expressed interest in examining biconic technology as part of an alternative re-entry system/warhead engineering and delivery vehicle options/development but included no plan to manufacture a biconic vehicle in the expenditure plan for fiscal years 2008 and 2009. As a result no funds are available in fiscal year 2009 to manufacture such a vehicle.

We note that the Department is approaching a PGS concept definition milestone in the fiscal year 2010 timeframe. We encourage the Department to weigh carefully all aspects of PGS concept alternatives, including the technical, cost, operational, and policy considerations associated with each option.

We note that the National Research Council of the National Academy of Sciences has recently completed a report titled "U.S. Prompt Global Strike: Issues for 2008 and Beyond." This report was prepared at the request of Congress. The Department should review this and other PGS related reports as part of the process to determine which PGS concept alternatives to pursue.

We direct the Secretary to submit a copy of the report to the Committee on Foreign Affairs of the House of the Representatives and the Committee on Foreign Relations of the Senate.

LEGISLATIVE PROVISIONS NOT ADOPTED

Assured funding for certain information security and information assurance programs of the Department of Defense

The Senate bill contained a provision (sec. 214) that would provide a source of funding for a new technology development activity for information security.

The House bill contained no similar provision.

The agreement does not include the provision.

Study on space-based interceptor element of ballistic missile defense system

The Senate bill contained a provision (sec. 236) that would require an independent entity to conduct an assessment of the feasibility and advisability of developing a space-based interceptor element to the ballistic missile defense system.

The House bill contained no similar provision.

The agreement does not include the Senate provision.

Visiting National Institutes of Health senior neuroscience fellowship program

The House bill contained a provision (sec. 239) that would establish a visiting National Institutes of Health neuroscience fellowship within the Department of Defense.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Neuroscience can play an important role in improving capabilities in combat casualty care, addressing traumatic brain injuries and post traumatic stress disorders, decision making, and human-machine interfaces, among other areas. The Department of Defense is directed to continue to support research in this area, including expanding collaboration with the National Institutes of Health on research, personnel exchanges, technology transition, and other activities.

TITLE III—OPERATION AND MAINTENANCE

Title III - Operation and Maintenance

(Dollars in Thousands)

Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Operation and Maintenance, Army	31,243,092	31,788,395	31,282,460	8,610	31,251,702
Operation and Maintenance, Navy	34,922,398	34,870,098	34,811,598	-72,088	34,850,310
Operation and Maintenance, Marine Corps	5,597,254	5,680,054	5,607,354	7,000	5,604,254
Operation and Maintenance, Air Force	35,902,487	35,060,427	35,244,587	-448,000	35,454,487
Operation and Maintenance, Defense-wide	26,091,864	25,806,657	25,926,564	-143,000	25,948,864
Operation and Maintenance, Army Reserve	2,642,341	2,689,941	2,642,641		2,642,341
Operation and Maintenance, Navy Reserve	1,311,085	1,311,085	1,311,085		1,311,085
Operation and Maintenance, Marine Corps Reserve	213,131	213,131	213,131		213,131
Operation and Maintenance, Air Force Reserve	3,142,892	3,202,892	3,142,892	7,800	3,150,692
Operation and Maintenance, Army National Guard	5,875,546	5,900,346	5,909,846	18,000	5,893,546
Operation and Maintenance, Air National Guard	5,879,576	5,929,576	5,883,926	2,750	5,882,326
US Court of Appeals for the Armed Forces, Defense	13,254	13,254	13,254		13,254
Overseas Humanitarian, Disaster And Civic Aid	83,273	83,273	83,273		83,273
Cooperative Threat Reduction	414,135	445,135	434,135	20,000	434,135
Environmental Restoration, Army	447,776	447,776	447,776		447,776
Environmental Restoration, Navy	290,819	290,819	290,819		290,819
Environmental Restoration, Air Force	496,277	496,277	496,277		496,277
Environmental Restoration, Defense	13,175	13,175	13,175		13,175
Environmental Restoration Formerly Used Sites	257,796	257,796	257,796		257,796
Overseas Contingency Operations Transfer Fund	9,101	9,101	9,101		9,101
TOTAL TITLE III -- BY APPROPRIATION	**154,847,272**	**154,509,208**	**154,021,690**	**-598,928**	**154,248,344**

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Operation and Maintenance, Army					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES					
010	MANEUVER UNITS	1,259,183	1,259,183	1,259,183		1,259,183
020	MODULAR SUPPORT BRIGADES	107,517	107,517	107,517		107,517
030	ECHELONS ABOVE BRIGADE	606,827	608,827	606,827	2,000	608,827
	Army force generation synchronization tool		[2,000]		[2,000]	
040	THEATER LEVEL ASSETS	963,864	963,864	963,864		963,864
050	LAND FORCES OPERATIONS SUPPORT	1,244,612	1,246,612	1,244,612		1,244,612
	Cognitive Air Defense Trainer System (CAD-TS)		[1,000]			
	M-Gator		[1,000]			
060	AVIATION ASSETS	1,013,851	1,013,851	1,016,851	3,000	1,016,851
	Unmanned aircraft systems concept development			[3,000]	[3,000]	
	LAND FORCES READINESS					
070	FORCE READINESS OPERATIONS SUPPORT	1,821,481	1,835,781	1,821,481		1,821,481
	Army NETCOM unjustified growth		[-10,000]			
	Army Asymmetric Warfare Office-IED Defeat Division-EOD		[24,300]			
080	LAND FORCES SYSTEMS READINESS	624,053	627,553	626,053	2,000	626,053
	Shipping containers			[2,000]	[2,000]	
	CASEVAC Medical Equipment Set (MES) conversion kits (Ground & Air)					

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
090	LAND FORCES DEPOT MAINTENANCE	737,303	1,000,446	737,303	4,000	741,303
	M24 Sniper weapons system upgrade		[5,400]		[4,000]	
	Depot maintenance increase		[257,743]			
	LAND FORCES READINESS SUPPORT					
100	BASE OPERATIONS SUPPORT	7,309,710	7,309,710	7,331,310		7,309,710
	Life cycle logistics contracting			[21,600]		
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATI	2,093,829	2,093,829	2,101,597		2,093,829
	Barracks repairs			[7,768]		
120	MANAGEMENT AND OPERATIONAL HQ	301,149	320,149	301,149		301,149
	Integrated training area management		[9,000]			
	Training support centers-fabricate training aids and devices		[10,000]			
130	COMBATANT COMMANDERS CORE OPERATIONS	262,556	262,556	262,556		262,556
140	ADDITIONAL ACTIVITIES	274,654	274,654	274,654		274,654
150	COMMANDERS EMERGENCY RESPONSE PROGRAM					
160	RESET					
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	282,990	282,990	282,990		282,990
	TOTAL, BA 01: OPERATING FORCES	**18,903,579**	**17,948,339**	**18,937,947**	**11,000**	**18,914,579**

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	BUDGET ACTIVITY 02: MOBILIZATION					
	MOBILITY OPERATIONS					
180	STRATEGIC MOBILITY	204,559	204,559	204,559		204,559
190	ARMY PREPOSITIONING STOCKS	122,273	122,273	122,273		122,273
200	INDUSTRIAL PREPAREDNESS		2,500		2,000	2,000
	Army Manufacturing Technical Assistance Production Program (MTAPP)				[2,000]	
	TOTAL, BA 02: MOBILIZATION	**326,832**	**329,332**	**326,832**		**328,832**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING					
210	OFFICER ACQUISITION	121,985	121,985	121,985		121,985
220	RECRUIT TRAINING	90,999	90,999	90,999		90,999
230	ONE STATION UNIT TRAINING	66,512	66,512	66,512		66,512
240	SENIOR RESERVE OFFICERS TRAINING CORPS	441,264	441,264	441,264		441,264
	BASIC SKILL/ ADVANCE TRAINING					
250	SPECIALIZED SKILL TRAINING	825,237	892,237	825,237		825,237
	Critical skill training TRADOC-TFNC		[48,000]			
	Military Training Support Allotment (MTSA) additional school travel		[19,000]			
260	FLIGHT TRAINING	781,761	781,761	781,761		781,761

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
270	PROFESSIONAL DEVELOPMENT EDUCATION	130,208	132,208	130,208	2,000	132,208
	Leadership for leaders at Fort Leavenworth		[2,000]		[2,000]	
280	TRAINING SUPPORT	852,545	857,155	852,545	610	853,155
	United States Army Sergeants Major Academy lecture center audio visual equipment replacement		[610]		[610]	
	Operational/Technical training validation test bed		[4,000]			
	RECRUITING/OTHER TRAINING					
290	RECRUITING AND ADVERTISING	645,968	645,968	645,968		645,968
300	EXAMINING	148,274	148,274	148,274		148,274
310	OFF-DUTY AND VOLUNTARY EDUCATION	244,844	245,194	244,844		244,844
	Arabic strategic language program North Georgia College and SU		[350]			
320	CIVILIAN EDUCATION AND TRAINING	223,957	223,957	223,957		223,957
330	JUNIOR ROTC	149,329	149,329	149,329		149,329
	TOTAL, BA 03: TRAINING AND RECRUITING	**4,722,883**	**5,126,175**	**5,049,715**	**2,610**	**4,725,493**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SECURITY PROGRAMS					
340	SECURITY PROGRAMS	876,020	876,020	876,020		876,020

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	LOGISTICS OPERATIONS					
350	SERVICEWIDE TRANSPORTATION	552,629	602,629	602,629		552,629
	Redistribution of Equipment			[50,000]		
	Army directed redistribution of equipment to fill unit shortfalls		50,000			
360	CENTRAL SUPPLY ACTIVITIES	630,145	687,145	630,145		630,145
	Support missile stockpile reliability inspections and parts obsolescence issues		[57,000]			
370	LOGISTIC SUPPORT ACTIVITIES	510,326	515,326	510,326	3,000	513,326
	Condition based maintenance information management		[5,000]		[3,000]	
380	AMMUNITION MANAGEMENT	450,394	510,394	475,394		450,394
	Ammunition inspections and warehousing			[25,000]		
	Ammunition readiness and management		[60,000]			
	SERVICEWIDE SUPPORT					
390	ADMINISTRATION	768,681	758,681	768,681	-10,000	758,681
	Information Technology Agency Unjustified Growth		[-10,000]		[-10,000]	
400	SERVICEWIDE COMMUNICATIONS	1,154,085	1,156,985	1,154,085		1,154,085
	Army Knowledge Online helpdesk		[2,900]			
	Army NETCOM unjustified growth		[-5,000]			
	Fort Bliss data center COOP		[5,000]			
410	MANPOWER MANAGEMENT	276,925	276,925	276,925		276,925
420	OTHER PERSONNEL SUPPORT	195,129	195,129	195,129		195,129
430	OTHER SERVICE SUPPORT	1,152,968	1,152,968	1,152,968		1,152,968
440	ARMY CLAIMS ACTIVITIES	233,680	233,680	233,680		233,680
450	REAL ESTATE MANAGEMENT	58,345	58,345	58,345		58,345

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	SUPPORT OF OTHER NATIONS					
460	SUPPORT OF NATO OPERATIONS	408,788	408,788	408,788		408,788
470	MISC. SUPPORT OF OTHER NATIONS	21,683	21,683	21,683		21,683
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**7,289,798**	**7,454,698**	**7,364,798**	**-7,000**	**7,282,798**
	UNDISTRIBUTED					
998	Computing services			-50,000		
998	Logistics Modernization Program			-20,000		
	Total Operation and Maintenance, Army	**31,243,092**	**31,788,395**	**31,282,460**	**8,610**	**31,251,702**
	Operation and Maintenance, Navy					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	AIR OPERATIONS					
010	MISSION AND OTHER FLIGHT OPERATIONS	3,873,884	3,873,884	3,873,884		3,873,884
020	FLEET AIR TRAINING	969,661	969,661	969,661		969,661
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	53,272	53,272	53,272		53,272
040	AIR OPERATIONS AND SAFETY SUPPORT	120,305	120,305	120,305		120,305
050	AIR SYSTEMS SUPPORT	494,832	494,832	494,832		494,832

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
060	AIRCRAFT DEPOT MAINTENANCE	1,127,774	1,190,774	1,190,774		1,127,774
	Airframe depot maintenance		[63,000]	[63,000]		
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	142,618	142,618	142,618		142,618
	SHIP OPERATIONS					
080	MISSION AND OTHER SHIP OPERATIONS	3,536,837	3,536,837	3,539,837		3,536,837
	Damage control management			[3,000]		
090	SHIP OPERATIONS SUPPORT & TRAINING	689,893	689,893	689,893		689,893
100	SHIP DEPOT MAINTENANCE	4,139,996	4,139,996	4,139,996		4,139,996
110	SHIP DEPOT OPERATIONS SUPPORT	1,167,411	1,287,411	1,167,411		1,167,411
	Ship Depot Maintenance		[120,000]			
	COMBAT OPERATIONS/SUPPORT					
120	COMBAT COMMUNICATIONS	633,376	633,376	633,376		633,376
130	ELECTRONIC WARFARE	85,349	85,349	85,349		85,349
140	SPACE SYSTEMS AND SURVEILLANCE	160,175	160,175	160,175		160,175
150	WARFARE TACTICS	397,763	397,763	397,763		397,763
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	315,803	315,803	315,803		315,803
170	COMBAT SUPPORT FORCES	783,689	783,689	783,689		783,689
180	EQUIPMENT MAINTENANCE	186,860	186,860	186,860		186,860
190	DEPOT OPERATIONS SUPPORT	3,256	3,256	3,256		3,256
200	COMBATANT COMMANDERS CORE OPERATIONS	152,167	152,167	152,167		152,167
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	261,105	261,105	261,105		261,105

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	WEAPONS SUPPORT					
220	CRUISE MISSILE	131,692	131,692	131,692		131,692
230	FLEET BALLISTIC MISSILE	1,046,422	1,046,422	1,046,422		1,046,422
240	IN-SERVICE WEAPONS SYSTEMS SUPPORT	64,298	64,298	64,298		64,298
250	WEAPONS MAINTENANCE	478,103	483,103	487,103	9,000	487,103
	MK 45 gun depot overhauls			[9,000]	[9,000]	
	Mark 75 maintenance facility support and upgrade		[2,000]			
	NULKA support		[2,000]			
260	OTHER WEAPON SYSTEMS SUPPORT	321,921	321,921	321,921		321,921
	BASE SUPPORT					
270	ENTERPRISE INFORMATION	893,448	883,448	893,448	-10,000	883,448
	Base-level information infrastructure (OCONUS) unjustified		[-10,000]		[-10,000]	
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,734,146	1,734,146	1,734,146		1,734,146
290	BASE OPERATING SUPPORT	4,158,483	4,158,483	4,158,483		4,158,483
	TOTAL, BA 01: OPERATING FORCES	**28,124,539**	**28,302,539**	**28,199,539**	**-1,000**	**28,123,539**
	BUDGET ACTIVITY 02: MOBILIZATION					
	READY RESERVE AND PREPOSITIONING FORCES					
300	SHIP PREPOSITIONING AND SURGE	394,729	394,729	394,729		394,729
	ACTIVATIONS/INACTIVATIONS					
310	AIRCRAFT ACTIVATIONS/INACTIVATIONS	7,276	7,276	7,276		7,276

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
320	SHIP ACTIVATIONS/INACTIVATIONS	110,268	110,268	110,268		110,268
	MOBILIZATION PREPAREDNESS					
330	FLEET HOSPITAL PROGRAM	27,650	27,650	27,650		27,650
340	INDUSTRIAL READINESS	2,419	2,419	2,419		2,419
350	COAST GUARD SUPPORT	25,473	25,473	25,473		25,473
	TOTAL, BA 02: MOBILIZATION	**567,815**	**567,815**	**567,815**		**567,815**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING					
360	OFFICER ACQUISITION	142,175	142,175	142,175		142,175
370	RECRUIT TRAINING	11,136	11,136	11,136		11,136
380	RESERVE OFFICERS TRAINING CORPS	116,985	116,985	116,985		116,985
	BASIC SKILLS AND ADVANCED TRAINING					
390	SPECIALIZED SKILL TRAINING	540,855	540,855	540,855		540,855
400	FLIGHT TRAINING	518,077	518,077	518,077		518,077
410	PROFESSIONAL DEVELOPMENT EDUCATION	170,486	170,486	170,486		170,486
420	TRAINING SUPPORT	155,533	155,533	155,533		155,533
	RECRUITING, AND OTHER TRAINING AND EDUCATION					
430	RECRUITING AND ADVERTISING	272,498	272,498	272,498		272,498

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
440	OFF-DUTY AND VOLUNTARY EDUCATION	163,077	163,377	163,077	300	163,377
	Naval Sea Cadet training		[300]		[300]	
450	CIVILIAN EDUCATION AND TRAINING	95,959	95,959	95,959		95,959
460	JUNIOR ROTC	50,494	50,494	50,494		50,494
	TOTAL, BA 03: TRAINING AND RECRUITING	**2,237,275**	**2,237,575**	**2,237,275**	**300**	**2,237,575**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT					
470	ADMINISTRATION	735,822	730,222	735,822	-5,588	730,234
	Unjustified Growth for Secretary of the Navy Organizational Restructuring		[-3,200]		[-3,188]	
	Navy Enterprise Office		[-2,400]		[-2,400]	
480	EXTERNAL RELATIONS	4,213	4,213	4,213		4,213
490	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	109,968	109,968	109,968		109,968
500	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	163,568	163,568	163,568		163,568
510	OTHER PERSONNEL SUPPORT	278,085	278,085	278,085		278,085
520	SERVICEWIDE COMMUNICATIONS	381,511	381,511	381,511		381,511
530	MEDICAL ACTIVITIES					

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT					
540	SERVICEWIDE TRANSPORTATION	257,008	257,008	257,008		257,008
550	ENVIRONMENTAL PROGRAMS					
560	PLANNING, ENGINEERING AND DESIGN	240,991	240,991	240,991		240,991
570	ACQUISITION AND PROGRAM MANAGEMENT	595,050	595,050	595,050		595,050
580	HULL, MECHANICAL AND ELECTRICAL SUPPORT	60,723	60,723	60,723		60,723
590	COMBAT/WEAPONS SYSTEMS	17,378	17,378	17,378		17,378
600	SPACE AND ELECTRONIC WARFARE SYSTEMS	79,615	79,615	79,615		79,615
	INVESTIGATIONS AND SECURITY PROGRAMS					
620	NAVAL INVESTIGATIVE SERVICE	504,649	504,649	504,649		504,649
	SUPPORT OF OTHER NATIONS					
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	6,570	6,570	6,570		6,570
	CANCELLED ACCOUNTS					
690	CANCELLED ACCOUNT ADJUSTMENTS					
700	JUDGMENT FUND					
	OTHER PROGRAMS					
999	OTHER PROGRAMS	557,618	557,618	557,618		557,618
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**3,992,769**	**3,987,169**	**3,992,769**	**-5,588**	**3,987,181**

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	UNDISTRIBUTED					
998	Unobligated Balances			-70,000		
998	Computing services			-50,000		
998	Overstatement of civilian pay			-65,800	[-65,800]	-65,800
998	Unobligated balances estimate		-115,000			
998	Overstatement of civilian pay		-110,000			
	Total Operation and Maintenance, Navy	**34,922,398**	**34,870,098**	**34,811,598**	**-72,088**	**34,850,310**
	Operation and Maintenance, Marine Corps					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	EXPEDITIONARY FORCES					
010	OPERATIONAL FORCES	759,814	808,714	762,314	7,000	766,814
	Marine Corps shelters			[2,500]	[2,000]	
	Clothing and Flame Resistant Organizational Gear (FROG)		[44,900]		[2,000]	
	Cold Weather Layering System (CWLS)		[4,000]		[3,000]	
020	FIELD LOGISTICS	611,660	633,360	619,260		611,660
	Mobile corrosion protection			[7,600]		
	Mobile Corrosion Prevention and Abatement Program		[7,600]			
	Consolidated Storage Program		[14,100]			

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
030	DEPOT MAINTENANCE	86,422	88,422	86,422		86,422
	BV206 Maintenance		[2,000]			
	USMC PREPOSITIONING					
040	MARITIME PREPOSITIONING	73,725	73,725	73,725		73,725
050	NORWAY PREPOSITIONING	5,217	5,217	5,217		5,217
	BASE SUPPORT					
060	SUSTAINMENT, RESTORATION, & MODERNIZATION	803,530	803,530	803,530		803,530
070	BASE OPERATING SUPPORT	1,940,671	1,940,671	1,940,671		1,940,671
	TOTAL, BA 01: OPERATING FORCES	**4,281,039**	**4,353,639**	**4,291,139**	**7,000**	**4,288,039**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING					
080	RECRUIT TRAINING	15,361	15,361	15,361		15,361
090	OFFICER ACQUISITION	411	411	411		411
	BASIC SKILLS AND ADVANCED TRAINING					
100	SPECIALIZED SKILL TRAINING	56,106	56,106	56,106		56,106
110	FLIGHT TRAINING	361	361	361		361
120	PROFESSIONAL DEVELOPMENT EDUCATION	22,882	22,882	22,882		22,882
130	TRAINING SUPPORT	312,339	312,339	312,339		312,339

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	RECRUITING AND OTHER TRAINING EDUCATION					
140	RECRUITING AND ADVERTISING	238,900	238,900	238,900		238,900
150	OFF-DUTY AND VOLUNTARY EDUCATION	64,080	64,080	64,080		64,080
160	JUNIOR ROTC	17,740	17,740	17,740		17,740
	BASE SUPPORT					
170	SUSTAINMENT, RESTORATION AND MODERNIZATION	55,737	55,737	55,737		55,737
180	BASE OPERATING SUPPORT	155,530	155,530	155,530		155,530
	TOTAL, BA 03: TRAINING AND RECRUITING	**939,447**	**939,447**	**939,447**		**939,447**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT					
190	SPECIAL SUPPORT	282,043	282,043	282,043		282,043
200	SERVICEWIDE TRANSPORTATION	30,662	30,662	30,662		30,662
210	ADMINISTRATION	45,545	49,445	45,545		45,545
	Heroes and Healthy Families		[1,000]			
	Total Force Structure Management System (TFSMS)		[2,900]			
	BASE SUPPORT					
220	SUSTAINMENT, RESTORATION, AND MODERNIZATION	3,169	9,469	3,169		3,169
	Critical Infrastructure Protection (CIP)		[6,300]			
230	BASE OPERATING SUPPORT	15,349	15,349	15,349		15,349

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**376,768**	**386,968**	**376,768**		**376,768**
	Total Operation and Maintenance, Marine Corps	**5,597,254**	**5,680,054**	**5,607,354**	**7,000**	**5,604,254**
	Operation and Maintenance, Air Force					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	AIR OPERATIONS					
010	PRIMARY COMBAT FORCES	4,158,181	4,160,181	4,206,081	48,900	4,207,081
	B-52 flying hours			[47,900]	[47,900]	
	MBU-20A/P oxygen masks with lights		[2,000]		[1,000]	
020	PRIMARY COMBAT WEAPONS	290,744	290,744	290,744		290,744
030	COMBAT ENHANCEMENT FORCES	680,109	650,109	680,109		680,109
	Contract Logistics Support		[-20,000]			
	Network defense		[-10,000]			
040	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,545,613	1,545,613	1,545,613		1,545,613
050	COMBAT COMMUNICATIONS	1,711,951	1,709,951	1,711,951		1,711,951
	Other costs		[-2,000]			

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
060	DEPOT MAINTENANCE	2,751,194	2,302,194	2,303,194	-373,000	2,378,194
	F-15 excess to requirement			[-497,000]	[-422,000]	
	B-2 excess to requirment			[-2,000]	[-2,000]	
	B-52 depot maintenance			[48,000]	[48,000]	
	Engine trailer life extension			[3,000]	[3,000]	
	B-2 depot maintenance		[-2,000]			
	F-15 maintenance support		[-447,000]			
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATI(	1,142,947	1,142,947	1,142,947		1,142,947
080	BASE SUPPORT	2,434,047	2,429,047	2,436,147	2,000	2,436,047
	Land mobile radios			[2,100]	[2,000]	
	Base communications		[-5,000]			
	COMBAT RELATED OPERATIONS					
090	GLOBAL C3I AND EARLY WARNING	1,167,875	1,160,875	1,170,675	2,800	1,170,675
	National Security Space Institute			[2,800]	[2,800]	
	Contract Logistics Support		[-7,000]			
100	NAVIGATION/WEATHER SUPPORT	277,681	277,681	277,681		277,681
110	OTHER COMBAT OPS SPT PROGRAMS	674,169	705,169	674,169		674,169
	Weapon System Evaluation Program (WSEP)		[-3,000]			
	Air sovereignty alert system		[34,000]			
120	JCS EXERCISES					
130	MANAGEMENT/OPERATIONAL HQ	215,775	215,775	215,775		215,775

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
140	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	546,822	526,822	536,822		546,822
	Threat finance			[-10,000]		
	Other contracts		[-20,000]			
	SPACE OPERATIONS					
150	LAUNCH FACILITIES	340,385	338,385	340,385		340,385
	Other contracts		[-2,000]			
160	LAUNCH VEHICLES	33,390	33,390	33,390		33,390
170	SPACE CONTROL SYSTEMS	228,617	228,617	228,617		228,617
180	SATELLITE SYSTEMS	91,067	91,067	91,067		91,067
190	OTHER SPACE OPERATIONS	326,784	324,784	326,784		326,784
	Management professional services		[-2,000]			
200	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATIC	191,764	191,764	191,764		191,764
210	BASE SUPPORT	675,821	675,821	675,821		675,821
	COCOM					
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	626,787	626,787	626,787		626,787
230	COMBATANT COMMANDERS CORE OPERATIONS	195,714	195,714	195,714		195,714
	TOTAL, BA 01: OPERATING FORCES	**20,307,437**	**19,823,437**	**19,902,237**	**-319,300**	**19,988,137**
	BUDGET ACTIVITY 02: MOBILIZATION					

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	MOBILITY OPERATIONS					
240	AIRLIFT OPERATIONS	3,228,790	3,208,790	3,228,790		3,228,790
	Other contracts		[-20,000]			
250	AIRLIFT OPERATIONS C3I	91,392	89,392	91,392		91,392
	Management professional services		[-2,000]			
260	MOBILIZATION PREPAREDNESS	181,713	181,713	181,713		181,713
270	PAYMENTS TO TRANSPORTATION BUSINESS AREA	308,895	308,895	308,895		308,895
280	DEPOT MAINTENANCE	378,429	378,429	378,429		378,429
290	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATIC	242,505	242,505	242,505		242,505
300	BASE SUPPORT	622,960	622,960	622,960		622,960
	TOTAL, BA 02: MOBILIZATION	**5,054,684**	**5,032,684**	**5,054,684**		**5,054,684**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING					
310	OFFICER ACQUISITION	88,547	88,547	88,547		88,547
320	RECRUIT TRAINING	16,557	16,557	16,557		16,557
330	RESERVE OFFICERS TRAINING CORPS (ROTC)	108,730	108,730	108,730		108,730
340	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATIC	79,052	79,052	79,052		79,052
350	BASE SUPPORT	95,807	95,807	95,807		95,807

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	BASIC SKILLS AND ADVANCED TRAINING					
360	SPECIALIZED SKILL TRAINING	420,590	423,590	420,590	2,000	422,590
	Engineering training and knowledge preservation system		[3,000]		[2,000]	
370	FLIGHT TRAINING	948,787	948,787	948,787		948,787
380	PROFESSIONAL DEVELOPMENT EDUCATION	178,749	178,749	178,749		178,749
390	TRAINING SUPPORT	114,435	114,435	114,435		114,435
400	DEPOT MAINTENANCE	14,711	14,711	14,711		14,711
410	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATIC	223,960	223,960	223,960		223,960
420	BASE SUPPORT	648,618	648,618	648,618		648,618
	RECRUITING, AND OTHER TRAINING AND EDUCATION					
430	RECRUITING AND ADVERTISING	196,140	196,140	196,140		196,140
440	EXAMINING	5,242	5,242	5,242		5,242
450	OFF-DUTY AND VOLUNTARY EDUCATION	206,608	206,608	206,608		206,608
460	CIVILIAN EDUCATION AND TRAINING	161,089	161,089	161,089		161,089
470	JUNIOR ROTC	74,558	74,558	74,558		74,558
	TOTAL, BA 03: TRAINING AND RECRUITING	**3,582,180**	**3,585,180**	**3,582,180**	**2,000**	**3,584,180**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	LOGISTICS OPERATIONS					
480	LOGISTICS OPERATIONS	917,794	917,794	918,794	1,000	918,794
	Advanced ultrasonic inspections			[1,000]	[1,000]	
490	TECHNICAL SUPPORT ACTIVITIES	666,546	666,546	666,546		666,546

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
500	SERVICEWIDE TRANSPORTATION	295,355	295,355	295,355		295,355
510	DEPOT MAINTENANCE	68,869	68,869	68,869		68,869
520	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATI(	313,182	313,182	313,182		313,182
530	BASE SUPPORT	1,192,616	1,192,616	1,192,616		1,192,616
	SERVICEWIDE ACTIVITIES					
540	ADMINISTRATION	226,665	226,665	226,665		226,665
550	SERVICEWIDE COMMUNICATIONS	576,493	576,493	576,493		576,493
560	PERSONNEL PROGRAMS	231,919	232,159	231,919		231,919
	Wage modification for employees in Azores		[240]			
570	ARMS CONTROL	38,669	38,669	38,669		38,669
580	OTHER SERVICEWIDE ACTIVITIES	851,904	851,904	851,904		851,904
590	OTHER PERSONNEL SUPPORT	23,851	23,851	23,851		23,851
600	CIVIL AIR PATROL	24,445	25,145	24,445		24,445
	Secure site at Ely NV radar site (Edwards AFB)		[700]			
610	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATI(	51,377	51,377	51,377		51,377
620	BASE SUPPORT	358,164	358,164	358,164		358,164
	SECURITY PROGRAMS					
	SUPPORT TO OTHER NATIONS					
640	INTERNATIONAL SUPPORT	35,113	35,113	35,113		35,113
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**6,958,186**	**3,618,772**	**3,617,592**	**1,000**	**6,959,186**

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	UNDISTRIBUTED					
998	Unobligated Balances			-72,000		
998	Computing services			-50,000		
998	Overstatement of civilian pay			-131,700	[-131,700]	-131,700
998	Unobligated balances estimate		-120,000			
998	Overstatement of civilian pay		-220,000			
	Total Operation and Maintenance, Air Force	**35,902,487**	**35,060,427**	**35,244,587**	**-448,000**	**35,454,487**
	Operation and Maintenance, Defense-wide					
	BUDGET ACTIVITY 1: OPERATING FORCES					
	DEFENSEWIDE ACTIVITIES					
010	JOINT CHIEFS OF STAFF	406,141	406,141	406,141		406,141
020	SPECIAL OPERATIONS COMMAND	3,652,060	3,652,060	3,652,060		3,652,060
	TOTAL, BUDGET ACTIVITY 1:	**4,058,201**	**4,058,201**	**4,058,201**		**4,058,201**
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING					

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	DEFENSEWIDE ACTIVITIES					
030	DEFENSE ACQUISITION UNIVERSITY	120,726	120,726	120,726		120,726
	RECRUITING AND OTHER TRAINING EDUCATION					
040	NATIONAL DEFENSE UNIVERSITY	79,960	79,960	79,960		79,960
	TOTAL, BUDGET ACTIVITY 3:	**200,686**	**200,686**	**200,686**		**200,686**
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES					
	DEFENSEWIDE ACTIVITIES					
050	AMERICAN FORCES INFORMATION SERVICE					
060	CIVIL MILITARY PROGRAMS	107,987	113,987	113,187	5,000	112,987
	Starbase		[1,000]	[5,200]		
	National Guard Youth Challenge		[5,000]		[5,000]	
090	DEFENSE BUSINESS TRANSFORMATION AGENCY	156,652	156,652	156,652		156,652
100	DEFENSE CONTRACT AUDIT AGENCY	418,006	418,006	418,006		418,006
110	DEFENSE FINANCE AND ACCOUNTING SERVICE					
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,227,626	1,205,626	1,182,626	-25,000	1,202,626
	SORTS		[-22,000]	[-20,000]		
	NECC			[-25,000]	[-25,000]	
140	DEFENSE LEGAL SERVICES	31,905	31,905	31,905		31,905
150	DEFENSE LOGISTICS AGENCY	345,838	350,838	345,838	5,000	350,838
	Commercial Technologies for Maintenance Activities		[5,000]		[5,000]	
160	DEFENSE MEDIA ACTIVITY	213,808	213,808	213,808		213,808

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
170	DEFENSE POW/MIA OFFICE	16,731	16,731	30,431		16,731
	Expand research in North Korea					
180	DEFENSE TECHNOLOGY SECURITY AGENCY	33,468	33,468	33,468		33,468
190	DEFENSE THREAT REDUCTION AGENCY	355,331	355,331	355,331		355,331
200	DEPARTMENT OF DEFENSE EDUCATION AGENCY	2,007,089	2,007,089	2,007,089		2,007,089
210	DOD HUMAN RESOURCES ACTIVITY	557,029	557,029	557,029		557,029
	FAMILY ADVOCACY PROGRAM (includes transfer from Defense Dependents Education)					
220	DEFENSE CONTRACT MANAGEMENT AGENCY	1,066,462	1,077,005	1,066,462		1,066,462
	Restoration of staffing		[10,543]			
230	DEFENSE SECURITY COOPERATION AGENCY	880,024	580,024	780,024	-200,000	680,024
	Global training and equip program		[-200,000]	[-100,000]	[-150,000]	
	Security and stabilization assistance		[-100,000]		[-50,000]	
240	DEFENSE SECURITY SERVICE	452,531	472,531	452,531		452,531
	Industrial security program		[20,000]			
260	OFFICE OF ECONOMIC ADJUSTMENT	50,654	110,654	50,654		50,654
	DOD impact aid		[50,000]			
	World War II Museum		[10,000]			
270	OFFICE OF THE SECRETARY OF DEFENSE	1,709,174	1,750,174	1,745,374	15,000	1,724,174
	Defense Readiness Reporting System			[16,200]		
	Office of Corrosion Policy and Oversight		[20,000]			
	Readiness and Environmental Protection Initiative (REPI)		[21,000]	[20,000]	[15,000]	
280	WASHINGTON HEADQUARTERS SERVICE	519,508	519,508	519,508		519,508
	OTHER PROGRAMS					
999	OTHER PROGRAMS	11,683,154	11,683,154	11,683,154		11,683,154

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	TOTAL, BUDGET ACTIVITY 4:	**21,832,977**	**21,653,520**	**21,743,077**	**-200,000**	**9,949,823**
	UNDISTRIBUTED					
998	Impact aid			30,000	[50,000]	50,000
998	Impact aid for children with disabilites			5,000	[5,000]	5,000
998	Special assistance to local eduction agencies			10,000		
998	Unobligated Balances			-70,400		
998	Computing services			-50,000		
998	Unobligated balances estimate		-124,000			
998	Interdisciplinary critical language and area studies		3,500		[2,000]	2,000
998	Family support programs		15,000			
998	Emergency and extraordinary expenses		-250			
	Total Operation and Maintenance, Defense-Wide	**26,091,864**	**25,806,657**	**25,926,564**	**-143,000**	**25,948,864**
	Operation and Maintenance, Army Reserve					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES					
010	MANEUVER UNITS	1,567	1,567	1,567		1,567
020	MODULAR SUPPORT BRIGADES	16,419	16,419	16,419		16,419
030	ECHELONS ABOVE BRIGADE	484,460	484,460	484,460		484,460
040	THEATER LEVEL ASSETS	173,583	173,583	173,583		173,583

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
050	LAND FORCES OPERATIONS SUPPORT	508,322	513,122	508,322		508,322
	Mobile Corrosion Prevention and Abatement Program		[4,800]			
060	AVIATION ASSETS	61,030	61,030	61,030		61,030
	LAND FORCES READINESS					
070	FORCE READINESS OPERATIONS SUPPORT	254,901	266,901	254,901		254,901
	Increase in full time Reservists		[12,000]			
080	LAND FORCES SYSTEMS READINESS	87,541	87,541	92,341		87,541
	Mobile corrosion protection			[4,800]		
090	LAND FORCES DEPOT MAINTENANCE	108,191	108,191	108,191		108,191
	LAND FORCES READINESS SUPPORT					
100	BASE OPERATIONS SUPPORT	548,086	548,086	548,086		548,086
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATI	255,912	255,912	255,912		255,912
120	ADDITIONAL ACTIVITIES	13,531	13,531	13,531		13,531
	TOTAL, BA 01: OPERATING FORCES	**2,513,543**	**2,530,343**	**2,518,343**		**2,513,543**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT					
130	ADMINISTRATION	70,806	70,806	70,806		70,806
140	SERVICEWIDE COMMUNICATIONS	6,189	6,189	6,189		6,189
150	MANPOWER MANAGEMENT	8,491	8,491	8,491		8,491
160	RECRUITING AND ADVERTISING	43,312	43,312	43,312		43,312

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITII	**128,798**	**128,798**	**128,798**		**128,798**
	UNDISTRIBUTED					
998	Military technician cost avoidance			-4,500		
998	First term dental readiness		22,300			
998	Demobilization dental treatment		8,500			
	Total Operation and Maintenance, Army Reserve	**2,642,341**	**2,689,941**	**2,642,641**		**2,642,341**
	Operation and Maintenance, Navy Reserve					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	AIR OPERATIONS					
010	MISSION AND OTHER FLIGHT OPERATIONS	604,501	604,501	604,501		604,501
020	INTERMEDIATE MAINTENANCE	16,083	16,083	16,083		16,083
030	AIR OPERATIONS AND SAFETY SUPPORT	3,156	3,156	3,156		3,156
040	AIRCRAFT DEPOT MAINTENANCE	144,515	144,515	144,515		144,515
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	427	427	427		427
	SHIP OPERATIONS					
060	MISSION AND OTHER SHIP OPERATIONS	55,920	55,920	55,920		55,920
070	SHIP OPERATIONS SUPPORT & TRAINING	595	595	595		595
080	SHIP DEPOT MAINTENANCE	62,629	62,629	62,629		62,629

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	COMBAT OPERATIONS SUPPORT					
090	COMBAT COMMUNICATIONS	14,834	14,834	14,834		14,834
100	COMBAT SUPPORT FORCES	122,567	122,567	122,567		122,567
	WEAPONS SUPPORT					
110	WEAPONS MAINTENANCE	5,385	5,385	5,385		5,385
	BASE SUPPORT					
120	ENTERPRISE INFORMATION	92,327	92,327	92,327		92,327
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	61,680	61,680	61,680		61,680
140	BASE OPERATING SUPPORT	111,296	111,296	111,296		111,296
	TOTAL, BA 01: OPERATING FORCES	**1,295,915**	**1,295,915**	**1,295,915**		**1,295,915**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT					
150	ADMINISTRATION	3,341	3,341	3,341		3,341
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	9,002	9,002	9,002		9,002
170	SERVICEWIDE COMMUNICATIONS	2,396	2,396	2,396		2,396
180	COMBAT/WEAPONS SYSTEMS					
190	OTHER SERVICEWIDE SUPPORT	431	431	431		431

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	CANCELLED ACCOUNTS					
200	CANCELLED ACCOUNT ADJUSTMENTS					
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**15,170**	**15,170**	**15,170**		**15,170**
	Total Operation and Maintenance, Navy Reserve	**1,311,085**	**1,311,085**	**1,311,085**		**1,311,085**
	Operation and Maintenance, Marine Corps Reserve					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	EXPEDITIONARY FORCES					
010	OPERATING FORCES	54,848	54,848	54,848		54,848
020	DEPOT MAINTENANCE	11,640	11,640	11,640		11,640
030	TRAINING SUPPORT	29,296	29,296	29,296		29,296
	BASE SUPPORT					
040	SUSTAINMENT, RESTORATION AND MODERNIZATION	16,174	16,174	16,174		16,174
050	BASE OPERATING SUPPORT	68,065	68,065	68,065		68,065
	TOTAL, BA 01: OPERATING FORCES	**180,023**	**180,023**	**180,023**		**180,023**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	SERVICEWIDE ACTIVITIES					
060	SPECIAL SUPPORT	7,616	7,616	7,616		7,616
070	SERVICEWIDE TRANSPORTATION	815	815	815		815
080	ADMINISTRATION	11,316	11,316	11,316		11,316
090	RECRUITING AND ADVERTISING	8,712	8,712	8,712		8,712
	BASE SUPPORT					
100	BASE OPERATING SUPPORT	4,649	4,649	4,649		4,649
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**33,108**	**33,108**	**33,108**		**33,108**
	UNDISTRIBUTED					
	Total Operation and Maintenance, Marine Corps Reserve	**213,131**	**213,131**	**213,131**		**213,131**
	Operation and Maintenance, Air Force Reserve					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	AIR OPERATIONS					
010	PRIMARY COMBAT FORCES	2,150,860	2,150,860	2,150,860		2,150,860
020	MISSION SUPPORT OPERATIONS	115,971	115,971	115,971		115,971
030	DEPOT MAINTENANCE	379,452	439,452	379,452	7,800	387,252
	Air Force Reserve DPEM		[60,000]		[7,800]	
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATI(	92,969	92,969	92,969		92,969

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
050	BASE SUPPORT	277,350	277,350	277,350		277,350
	TOTAL, BA 01: OPERATING FORCES	**3,016,602**	**3,076,602**	**3,016,602**	**7,800**	**3,024,402**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE ACTIVITIES					
060	ADMINISTRATION	71,059	71,059	71,059		71,059
070	RECRUITING AND ADVERTISING	25,392	25,392	25,392		25,392
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	22,513	22,513	22,513		22,513
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,625	6,625	6,625		6,625
100	AUDIOVISUAL	701	701	701		701
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**126,290**	**126,290**	**126,290**		**126,290**
	Total Operation and Maintenance, Air Force Reserve	**3,142,892**	**3,202,892**	**3,142,892**	**7,800**	**3,150,692**
	Operation and Maintenance, Army National Guard					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES					
010	MANEUVER UNITS	905,866	905,866	917,366	5,000	910,866
	Aircraft humidity protection			[5,000]		
	Expandable light air mobility shelters			[6,500]	[5,000]	

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
020	MODULAR SUPPORT BRIGADES	159,765	159,765	159,765		159,765
030	ECHELONS ABOVE BRIGADE	553,548	553,548	553,548		553,548
040	THEATER LEVEL ASSETS	267,183	267,183	267,183		267,183
050	LAND FORCES OPERATIONS SUPPORT	41,141	41,141	41,141		41,141
060	AVIATION ASSETS	852,986	852,986	852,986		852,986
	LAND FORCES READINESS					
070	FORCE READINESS OPERATIONS SUPPORT	316,359	335,359	330,359	9,000	325,359
	Extended Cold Weather Clothing System			[1,000]	[1,000]	
	Rapid data management system			[9,500]	[5,000]	
	Weapons skills trainer			[3,500]	[3,000]	
	Increase in full time National Guard		[19,000]			
080	LAND FORCES SYSTEMS READINESS	120,210	125,010	129,010	3,000	123,210
	Emergency satellite communications			[4,000]	[3,000]	
	Mobile corrosion protection			[4,800]		
	Mobile Corrosion Prevention and Abatement Program		[4,800]			
090	LAND FORCES DEPOT MAINTENANCE	367,551	367,551	367,551		367,551
	LAND FORCES READINESS SUPPORT					
100	BASE OPERATIONS SUPPORT	756,579	756,579	756,579		756,579
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATI	500,933	500,933	500,933		500,933
120	MANAGEMENT AND OPERATIONAL HQ	504,977	504,977	504,977		504,977
130	ADDITIONAL ACTIVITIES	87,089	87,089	87,089		87,089
	TOTAL, BA 01: OPERATING FORCES	**5,434,187**	**5,457,987**	**5,468,487**	**17,000**	**5,451,187**

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT					
140	ADMINISTRATION	124,769	124,769	124,769		124,769
150	SERVICEWIDE COMMUNICATIONS	50,668	50,668	50,668		50,668
160	MANPOWER MANAGEMENT	7,679	7,679	7,679		7,679
170	RECRUITING AND ADVERTISING	258,243	259,243	258,243	1,000	259,243
	Delaware Valley Continuing Education Initiative		[1,000]		[1,000]	
	UNDISTRIBUTED					
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**441,359**	**442,359**	**441,359**		**442,359**
	Total Operation and Maintenance, Army National Guard	**5,875,546**	**5,900,346**	**5,909,846**	**18,000**	**5,893,546**
	Operation and Maintenance, Air National Guard					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	AIR OPERATIONS					
010	AIRCRAFT OPERATIONS	3,580,927	3,580,927	3,585,277	2,750	3,583,677
	Controlled humidity protection			[3,600]	[2,000]	
	Crypto-linguist intelligence officer initiative			[750]	[750]	
020	MISSION SUPPORT OPERATIONS	670,554	670,554	670,554		670,554

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
030	DEPOT MAINTENANCE	691,199	741,199	691,199		691,199
	Depot Provided Equipment Maintenance		[50,000]			
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATI(	300,101	300,101	300,101		300,101
050	BASE SUPPORT	594,733	594,733	594,733		594,733
	TOTAL, BA 01: OPERATING FORCES	**5,837,514**	**5,887,514**	**5,841,864**	**2,750**	**5,840,264**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE ACTIVITIES					
060	ADMINISTRATION	31,234	31,234	31,234		31,234
070	RECRUITING AND ADVERTISING	10,828	10,828	10,828		10,828
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITI	**42,062**	**42,062**	**42,062**		**42,062**
	Total Operation and Maintenance, Air National Guard	**5,879,576**	**5,929,576**	**5,883,926**	**2,750**	**5,882,326**

Title III - Operation and Maintenance

(Dollars in Thousands)

Line Number	Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	MISCELLANEOUS APPROPRIATIONS					
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENS	13,254	13,254	13,254		13,254
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	83,273	83,273	83,273		83,273
010	COOPERATIVE THREAT REDUCTION	414,135	445,135	434,135	[20,000]	434,135
020	ENVIRONMENTAL RESTORATION, ARMY	447,776	447,776	447,776		447,776
030	ENVIRONMENTAL RESTORATION, NAVY	290,819	290,819	290,819		290,819
040	ENVIRONMENTAL RESTORATION, AIR FORCE	496,277	496,277	496,277		496,277
050	ENVIRONMENTAL RESTORATION, DEFENSE	13,175	13,175	13,175		13,175
060	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	257,796	257,796	257,796		257,796
070	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	9,101	9,101	9,101		9,101
080	IRAQ FREEDOM FUND					
090	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS					
100	EMERGENCY RESPONSE FUND					
110	EMERGENCY RESPONSE FUND, DEFENSE					
	TOTAL, MISCELLANEOUS APPROPRIATIONS	**2,025,606**	**2,056,606**	**2,045,606**	**20,000**	**2,045,606**
	TOTAL TITLE III -- OPERATION AND MAINTENANCE	**154,847,272**	**154,509,208**	**154,021,690**	**-598,928**	**154,248,344**

Subtitle A—Authorization of Appropriations

Operation and maintenance funding (sec. 301)

The House bill contained a provision (sec. 301) that would authorize fiscal year 2009 funding levels for all operation and maintenance accounts.

The Senate bill contained a similar provision (sec. 301).

The agreement includes this provision.

Subtitle B—Environmental Provisions

Authorization for Department of Defense participation in conservation banking programs (sec. 311)

The House bill contained a provision (sec. 311) that would authorize the Department of Defense to participate in conservation mitigation bank programs.

The Senate bill contained a similar provision (sec. 2811).

The agreement includes the House provision.

Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington (sec. 312)

The House bill contained a provision (sec. 312) that would authorize the Department of Defense to reimburse the Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.

The Senate bill contained a similar provision (sec. 312).

The agreement includes the House provision.

Expand cooperative agreement authority for management of natural resources to include off-installation mitigation (sec. 313)

The House bill contained a provision (sec. 313) that would expand the authority of the Department of Defense to enter cooperative agreements for the management of natural resources to cover off-installation mitigation efforts.

The Senate bill contained a similar provision (sec. 311).

The agreement includes the House provision.

Expedited use of appropriate technology related to unexploded ordnance detection (sec. 314)

The House bill contained a provision (sec. 314) that would require research on, deployment of, and training with unexploded ordnance (UXO) detection instrument technologies.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the expedited operational use of appropriate UXO detection technologies developed inside or outside the Department of Defense and further require the Secretary of Defense to report on activities related to the development and deployment of UXO detection technologies.

Closed loop re-refining of used motor vehicle lubricating oil (sec. 315)

The House bill contained a provision (sec. 315) that would require a report on Department of Defense policies concerning the sale and disposal of used motor vehicle lubricating oil.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense, rather than the Comptroller General to submit the report; extend the deadline for the report to one year; delete the requirement to implement closed loop policies; and make certain clarifying changes.

Comprehensive program for the eradication of the brown tree snake population from military facilities in Guam (sec. 316)

The Senate bill contained a provision (sec. 313) that would direct the Department of Defense to establish a comprehensive program to control and, to the extent practicable, eradicate the brown tree snake (Boiga irregularis) population from military facilities in Guam and prevent their spread to other areas.

The House bill contained no similar provision.

The agreement includes the Senate provision.

We are concerned about the adverse effects of the brown tree snake on native species on Guam and the ecological and economic risks posed by its inadvertent introduction to other areas in the Pacific region and the United States. We recommend that the Department of Defense place appropriate emphasis on brown tree snake interdiction and population reduction for the dual purposes of preventing inadvertent introduction outside of Guam and supporting programs to protect and restore native species on Guam. We further recommend that the Department execute this program in cooperation with the Government of Guam and consistent with its Integrated Natural Resources Management Plans.

Subtitle C—Workplace and Depot Issues

Comprehensive analysis and development of single government-wide definition of inherently governmental function and criteria for critical functions (sec. 321)

The House bill contained a provision (sec. 322) that would require the Office of Management and Budget, in consultation with appropriate representatives of federal agencies, to conduct a comprehensive analysis of existing definitions of inherently governmental functions and other functions that should be performed by government employees, and to clarify those definitions as determined appropriate.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Study on future depot capability (sec. 322)

The House bill contained a provision (sec. 323) that would require the Secretary of Defense to provide the Committees on Armed Services of the Senate and the House of Representatives an independent, quantitative assessment of the organic capability that

will be required to provide depot-level maintenance in the post-reset environment. The provision would require that the Comptroller General review the report and provide findings within 90 days of submission.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the independent assessment to review budget displays and the current visibility of reported depot workload to Congress.

We were made aware by a recent reprogramming action, FY 08–37 PA, that certain depot maintenance is not being reported in the military departments' depot budget lines. In addition, the military departments' inflexibility in budgeting between depot and operations budget lines may cause them to make less than optimal budgeting and maintenance workload decisions. The additional study requirement on the adequacy of maintenance workload visibility in reports and budget displays to Congress addresses these concerns.

Government Accountability Office review of high-performing organizations (sec. 323)

The House bill contained a provision (sec. 324) that would restrict the authority of the Department of Defense to establish high-performing organizations through business process reengineering.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment requiring the Government Accountability Office to review the Department's use of high-performing organizations.

Consolidation of Air Force and Air National Guard aircraft maintenance (sec. 324)

The House bill contained a provision (sec. 326) that would prohibit the Secretary of the Air Force from consolidating Air National Guard with active-duty Air Force maintenance activities and facilities without first consulting with, and obtaining the consent of, the National Guard Bureau. It would require the Secretary of the Air Force to report to the Committees on Armed Services of the Senate and the House of Representatives on the assumptions and criteria used to evaluate the feasibility of consolidation.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of the Air Force to submit reports to the Committees on Armed Services of the Senate and the House of Representatives prior to the consolidation of any active and Air National Guard aircraft repair facilities and personnel. Additionally, the agreement would require that an assessment by the Chief of the National Guard Bureau accompany the Secretary of the Air Force's reports and that the Secretary of Defense certify that any consolidation is in the national interest and would not adversely affect Air National Guard missions.

Report on Air Force civilian personnel consolidation plan (sec. 325)

The House bill contained a provision (sec. 327) that would prohibit the consolidation of certain civilian personnel functions.

The Senate bill contained no similar provision.

The agreement contains the House provision with an amendment that would require the Secretary of the Air Force to submit a report on the Air Force civilian personnel consolidation plan. In implementing the plan, we urge the Secretary to ensure that the Air Force retains the capability to manage appropriate personnel management and advisory functions at the large civilian centers where operations missions are complex and may be dependent upon the productivity of locally-managed civilian personnel numbering in the thousands. These large civilian centers include Hill Air Force Base, Utah; Robins Air Force Base, Georgia; Tinker Air Force Base, Oklahoma; and Wright-Patterson Air Force Base, Ohio. These large civilian centers are critical to the national security.

Report on reduction in number of firefighters on Air Force bases (sec. 326)

The House bill contained a provision (sec. 328) that would require the Secretary of the Air Force to submit a report to Congress on the effects of a reduction in the number of firefighters on Air Force bases.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Minimum capital investment for certain depots (sec. 327)

The Senate bill contained a provision (sec. 322) that would amend section 332 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to require the Department of Defense to report the separate levels of capital investment for Navy and Marine Corps depots. The provision would also add the following Army arsenals to the list of covered depots: Watervliet Arsenal, New York; Rock Island Arsenal, Illinois; and Pine Bluff Arsenal, Arkansas.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Subtitle D—Energy Security

Annual report on operational energy management and implementation of operational energy strategy (sec. 331)

The House bill contained a provision (sec. 331) that would require the Secretary of Defense to submit an annual operational energy management report to the congressional defense committees on operational energy consumption and initiatives.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Consideration of fuel logistics support requirements in planning, requirements development, and acquisition processes (sec. 332)

The House bill contained a provision (sec. 332) that would require the Secretary of Defense to develop a methodology for including the fully-burdened cost of fuel and energy efficiency in planning, capability requirements development, and acquisition proc-

esses. This section would require the Secretary, not later than 180 days after the date of enactment of this Act, to prepare an implementation plan and, within three years of enactment, certify to the Congress that the Department has complied with this section's requirements.

The Senate bill contained a similar provision that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to develop and report on an implementation plan for the incorporation of energy efficiency requirements into key performance parameters for fuel consuming systems.

The agreement includes the House provision with an amendment that would require a progress report after two years of implementation and that the Secretary of Defense notify Congress on the Department's compliance with the requirements of this section.

Study on solar and wind energy for use for expeditionary forces (sec. 333)

The House bill contained a provision (sec. 333) that would require the Secretary of Defense to submit a report, not later than March 1, 2009, on the feasibility of using solar energy to provide electricity at forward operating locations.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would add requirements to also study wind energy, the potential for experimenting with solar and wind energy during training, and change the due date of the report to not later than 120 days after enactment of the bill.

Study on alternative and synthetic fuels (sec. 334)

The House bill contained a provision (sec. 334) that would require the Secretary of Defense to conduct a study on alternatives to reduce the life cycle emissions of coal-to-liquid fuels.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary to study alternatives to reduce the life-cycle emissions of alternative and synthetic fuels (including coal-to-liquid fuels).

Mitigation of power outage risks for Department of Defense facilities and activities (sec. 335)

The Senate bill contained a provision (sec. 341) that would direct the Secretary of Defense to conduct a comprehensive energy technical and operational risk assessment for mission critical Department installations, facilities, and activities; to develop integrated prioritized plans to eliminate or mitigate risks; and to establish goals to mitigate or eliminate the greatest and most urgent risks. The provision would also require that the Secretary provide the defense committees an annual report on the Department's integrated prioritized plans and progress on efforts to mitigate or eliminate energy risks.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would add consideration of cost effectiveness to the development of risk mitigation plans.

Subtitle E—Reports

Comptroller General report on readiness of armed forces (sec. 341)

The House bill contained a provision (sec. 341) that would require the Comptroller General of the United States to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the readiness of the regular and reserve components of the armed forces.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Report on plan to enhance combat skills of Navy and Air Force personnel (sec. 342)

The House bill contained a provision (sec. 342) that would require the Secretary of Defense to submit a report on the plans of the Secretary of the Navy and the Secretary of the Air Force to improve the combat skills of the members of the Navy and the Air Force, respectively.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Comptroller General report on the use of the Army Reserve and National Guard as an operational reserve (sec. 343)

The House bill contained a provision (sec. 343) that would require the Comptroller General of the United States to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the use of Army Reserve and National Guard forces as an operational reserve.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Comptroller General report on link between preparation and use of Army reserve component forces to support ongoing operations (sec. 344)

The House bill contained a provision (sec. 344) that would require the Comptroller General of the United States to analyze and report to the Committees on Armed Services of the Senate and the House of Representatives on the preparation and operational use of the Army's reserve component forces.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Comptroller General report on adequacy of funding, staffing, and organization of Department of Defense military munitions response program (sec. 345)

The House bill contained a provision (sec. 345) that would require the Comptroller General to report to Congress on the adequacy of the funding, staffing, and organization of the military munitions response program of the Department of Defense.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle F—Other Matters

Extension of enterprise transition plan reporting requirement (sec. 351)

The House bill contained a provision (sec. 351) that would extend through 2013 the requirement in section 2222(i) of title 10, United States Code, for the Secretary of Defense to submit an annual report to the congressional defense committees on the progress of the Department of Defense in transforming and improving its business systems.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Demilitarization of loaned, given, or exchanged documents, historical artifacts, and condemned or obsolete combat materiel (sec. 352)

The House bill contained a provision (sec. 352) that would require the demilitarization of military equipment donated to museums and other entities under section 2572 of title 10, United States Code.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment to ensure that the Secretary concerned has flexibility to determine the level of demilitarization required.

Repeal of requirement that Secretary of Air Force provide training and support to other military departments for A–10 aircraft (sec. 353)

The House bill contained a provision (sec. 353) that would repeal outdated language regarding fleet support and depot maintenance for A–10 aircraft.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Display of annual budget requirements for air sovereignty alert mission (sec. 354)

The House bill contained a provision (sec. 354) that would require the Secretary of Defense to submit budget justification material that displays funds requested for all programs and activities of the air sovereignty alert mission of the Air Force.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Revision of certain Air Force regulations required (sec. 355)

The House bill contained a provision (sec. 356) that would require the Secretary of the Air Force to bring the Air Freight Transportation Regulation Number 5, issued by the Air Mobility Command, into full compliance with Department of Defense transportation regulations requiring commercial best practices.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Transfer of C–12 aircraft to California Department of Forestry and Fire Protection (sec. 356)

The House bill contained a provision (sec. 357) that would authorize the Secretary of the Army to convey to the California Department of Forestry and Fire Protection, all right, title, and interest of the Federal Government in three C–12 aircraft that the Secretary has determined are surplus to need.

The Senate bill contained no similar provision.

The agreement includes the House provision.

We understand from the Department of the Army and the Department of the Air Force that: (1) these three C–12 aircraft have no residual value to the Army; (2) they are not sufficiently capable that they would represent any value to the Air Force in meeting its emerging needs for manned reconnaissance aircraft; and (3) the Army would otherwise dispose of these aircraft as scrap.

Limitation on treatment of retired B–52 aircraft for Air Combat Command Headquarters (sec. 357)

The House bill contained a provision (sec. 360) that would prohibit the Commander of Air Combat Command from obligating more than 80 per cent of the operation and maintenance funds available for Air Combat Command Management Headquarters, Sub-Activity Group 012E until the Secretary of Defense certifies that the future years defense program includes funding for 76 B–52 aircraft.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would prohibit the Commander of Air Combat Command from utilizing more than four of the 18 retired B–52 aircraft, which were retired pursuant to section 131 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) as maintenance ground training aircraft.

Increase of domestic breeding of military working dogs used by the Department of Defense (sec. 358)

The House bill contained a provision (sec. 361) that would establish require the Secretary of Defense to work toward the goal of procuring all military working dogs from domestic breeders.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to identify Department of Defense requirements for military working dogs and take steps to ensure that these requirements are met, including encouraging increased domestic breeding.

LEGISLATIVE PROVISIONS NOT ADOPTED

Time limitation on duration of public-private competitions

The House bill contained a provision (sec. 321) that would place a time limit on the duration of public-private competitions for any function performed by Department of Defense employees.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Authority to consider depot-level maintenance and repair using contractor furnished equipment or leased facilities as core logistics

The Senate bill contained a provision (sec. 321) that would authorize the military departments to count workload performed by government employees using contractor furnished equipment, or in facilities leased to the government, as sustaining a core logistics capability under section 2464 of title 10, United States Code, if that work is being performed pursuant to a public-private partnership as defined by section 2474 of title 10, United States Code.

The House bill contained no similar provision.

The agreement does not include the provision.

Temporary suspension of studies and public-private competitions regarding conversion of functions of the Department of Defense performed by civilian employees to contractor performance

The House bill contained a provision (sec. 325) that would place a 3-year moratorium on public-private competitions within the Department of Defense.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Over the last decade, the number of contractor employees performing services for the Department of Defense (DOD) has nearly doubled, while the number of DOD civilian employees has remained essentially unchanged. Shortages of qualified civilian personnel in key functional areas have raised questions about the Department's ability to manage its operations. At the same time, the Department's aggressive effort to privatize functions currently performed by civilian employees has led to turbulence and low morale in some segments of the Department's workforce. In addition, we are concerned that the savings generated from such competitions may not justify the turmoil generated at a time when the military services are stressed by ongoing operations in Iraq and Afghanistan, transformation initiatives, and actions being taken to implement the 2005 base closure and realignment. These problems may be further exacerbated when the process of conducting public-private competitions drags out over a period of years, while the threat of job loss continues to hang over the heads of impacted employees. We believe that these factors require a serious reconsideration of the Department's strategy regarding public-private competitions of functions performed by the Department's civilian employees.

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 fuel that is not an alternative or synthetic fuel or predominantly produced from a nonconventional petroleum source in certain circumstances.

The Senate bill contained no similar provision.

The agreement does not include the provision. Section 526 was not intended to preclude the Department of Defense from purchasing the fuel that it needs for the national defense from the

generally-available fuel supply. We expect the Department to continue making such purchases.

Study of consideration of greenhouse gas emissions

The House bill contained a provision (sec. 336) that would require the Secretary of Defense to study processes and methods for the consideration of greenhouse gas emissions in the acquisition process and develop a timeline for the implementation of such processes and methods.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Increased authority to accept financial and other incentives related to energy savings and new authority related to energy systems

The Senate bill contained a provision (sec. 342) that would authorize the Secretary of Defense to accept financial and other incentives in connection with the construction of an energy system using solar energy or other renewable forms of energy.

The House bill contained no similar provision.

The agreement does not include the provision.

Recovery of improperly disposed of Department of Defense property

The Senate bill contained a provision (sec. 343) that would enable the Department of Defense to recover military or Department of Defense property that has been disposed of in violation of applicable statutes and regulatory requirements.

The House bill contained no similar provision.

The agreement does not include the provision.

Report on options for providing ship repair capabilities to support ships operating near Guam

The House bill contained a provision (sec. 346) that would require the Secretary of the Navy to submit a report on the best option or options for providing voyage repair capabilities to support United States Navy ships operating at or near Guam.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Sense of Congress that air sovereignty alert mission should receive sufficient funding and resources

The House bill contained a provision (sec. 355) that would express the sense of Congress that air sovereignty alert mission should receive sufficient funding and resources.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Availability of funds for Irregular Warfare Support program

The House bill contained a provision (sec. 358) that would require as much as $75.0 million to be made available for the Irregular Warfare Support (IWS) program from funds made available for the Joint Improvised Explosive Device Defeat Organization (JIEDDO) in fiscal year 2009.

The Senate bill contained no similar provision.

The agreement does not include this provision. However, the agreement does include funding for the IWS program in title XV.

Sense of Congress regarding procurement and use of munitions

The House bill contained a provision (sec. 359) that would express the sense of Congress regarding the procurement of military munitions.

The Senate bill contained no similar provision.

The agreement does not include the provision.

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, 2009: Army, 532,400; Navy, 326,323; Marine Corps, 194,000; and Air Force, 317,050. The House provision included increases of 7,000 and 5,000 for the Army and Marine Corps, respectively, to support those services' growth in ground forces.

The Senate bill contained a similar provision (sec. 401) that would authorize active-duty end strengths of 325,300 for the Navy and 316,771 for the Air Force, and identical end strengths for the Army and Marine Corps.

The agreement includes the House provision.

The Secretary of Defense has stated that he will support the Air Force's request to maintain its active-duty end strength well above the 316,000 level previously approved in connection with its recapitalization planning. While excessive and poorly managed manpower cuts aimed primarily at saving money must be avoided, the Department of Defense must demonstrate in the next budget cycle how it intends to balance these competing, readiness-related goals. We do not oppose the Air Force's efforts to maintain a higher end strength, and expect the Department and the Air Force to work with the Congress in finding appropriate funding sources in 2009.

End strength levels for the active forces for fiscal year 2009 are set forth in the following table:

Service	FY 2009			Change from	
	FY 2008 authorized	Request	Recommendations	FY 2009 request	FY 2008 authorized
Army	525,400	532,400	532,400	0	7,000
Navy	329,098	325,300	326,323	1,023	−2,775
Marine Corps	189,000	194,000	194,000	0	5,000
Air Force	329,563	316,600	317,050	450	−12,513
DOD Total	1,373,061	1,368,300	1,369,773	1,473	−3,288

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, 2009: Army, 532,400; Navy, 326,323; Marine Corps, 194,000; and Air Force 317,050.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would establish a minimum end strength of 325,300 active-duty personnel for the Navy.

Minimum end strength levels for active forces are set forth in the following table:

Service	FY 2008 authorized	FY 2009	Change from
		Recommendation	FY 2008
Army	525,400	532,400	7,000
Navy	328,400	325,300	−3,100
Marine Corps	189,000	194,000	5,000
Air Force	328,600	317,050	−11,550
DOD Total	1,371,400	1,368,750	−2,650

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, 2009: the Army National Guard of the United States, 352,600; the Army Reserve, 205,000; the Navy Reserve, 66,700; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 106,700; the Air Force Reserve, 67,400; and the Coast Guard Reserve, 10,000.

The Senate bill contained a similar provision (sec. 411) that would authorize an end strength of 106,756 for the Air National Guard of the United States and identical end strengths for the other services.

The agreement includes the Senate provision.

End strength levels for the Selected Reserve for fiscal year 2009 are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Conferee recommendation	FY 2009 request	FY 2008 authorized
Army National Guard	351,300	352,600	352,600	0	1,300
Army Reserve	205,000	205,000	205,000	0	0
Navy Reserve	67,800	66,700	66,700	0	−1,100
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	106,700	106,700	106,756	56	56
Air Force Reserve	67,500	67,400	67,400	0	−100
DOD Total	837,900	838,000	838,056	0	156
Coast Guard Reserve	10,000	10,000	10,000	0	0

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, 2009: the Army National Guard of the United States, 32,060; the Army Reserve, 17,070; the Navy Reserve, 11,099; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 14,337; and the Air Force Reserve, 2,733.

The Senate bill contained a similar provision (sec. 412) that would authorize end strengths of 29,950 for the Army National Guard of the United States; 16,170 for the Army Reserve; 14,360 for the Air National Guard of the United States; and identical end strengths for the other components.

The agreement includes the House provision with an amendment that would authorize end strengths of 16,170 for the Army Reserve and 14,360 for the Air National Guard of the United States.

End strength levels for reserves on active duty in support of the reserves are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Recommendation	FY 2009 request	FY 2008 authorized
Army National Guard	29,204	29,950	32,060	2,110	2,856
Army Reserve	15,870	16,170	16,170	0	300
Navy Reserve	11,579	11,099	11,099	0	−480
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	13,936	14,337	14,360	23	424
Air Force Reserve	2,721	2,733	2,733	0	12
DOD Total	75,571	76,550	78,683	2,133	3,112

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, 2009: the Army Reserve, 8,395; the Army National Guard of the United States, 27,210; the Air Force Reserve, 10,003; and the Air National Guard of the United States, 22,452.

The Senate bill contained a similar provision (sec. 413) that would authorize an end strength of 22,459 for the Air National Guard of the United States, and identical end strengths for the other components.

The agreement includes the House provision.

End strength levels for military technicians (dual status) are set forth in the following table:

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Recommendation	FY 2009 request	FY 2008 authorized
Army Reserve	8,249	8,395	8,395	0	146
Army National Guard	26,502	27,210	27,210	0	708
Air Force Reserve	9,909	10,003	10,003	0	94
Air National Guard	22,553	22,452	22,452	0	−101
DOD Total	67,213	68,060	68,060	0	847

Fiscal year 2009 limitation on number of non-dual status technicians (sec. 414)

The House bill contained a provision (sec. 414) that would establish the maximum end strengths for the reserve components of the Army and Air Force for non-dual status technicians as of September 30, 2009.

The Senate bill contained an identical provision (sec. 414).

The agreement includes this provision.

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 2009 to provide operational support.

The Senate bill contained an identical provision (sec. 415).

The agreement includes this provision.

Additional waiver authority of limitation on number of reserve component members authorized to be on active duty (sec. 416)

The House bill contained a provision (sec. 416) that would amend section 123a of title 10, United States Code, to authorize the President to waive the limitations on the number of reserve component personnel who can be on active duty for operational support to provide assistance in responding to a major disaster or emergency.

The Senate bill contained no similar provision.

The agreement includes the House provision.

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 bill contained a similar provision (sec. 421).

The 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	324.0
Restore military to civilian conversions-Navy	26.8
Restore military to civilian conversions-Air Force	38.8
Restore military to civilian conversions-Undistributed	35.5
Increase Air National Guard end strength	3.3
Increase Army National Guard full-time support positions	85.0
Senior Leadership Diversity Commission	0.3
Permanent prohibition on charging meals at MTFs	1.0
Increase in maximum temporary lodging expenses	37.0
Second family housing allowance for dual military couples	2.0
Nurse candidate accession bonus and monthly stipend	2.0
New bonuses for psychologists and other mental health officers	13.0
Additional weight allowance for spouses	13.0
Continuation of bonuses for certain service members	1.0
Reduction of unobligated military personnel balances	−1,038.2
Total	−455.5

LEGISLATIVE PROVISION NOT ADOPTED

Increased end strengths for Reserves on active duty in support of the Army National Guard and Army Reserve and military technicians (dual status) of the Army National Guard

The Senate bill contained a provision (sec. 416) that would authorize additional Active Guard and Reserve (AGR) end strength for the Army National Guard and Army Reserve, and additional end strength for Army National Guard military technicians (dual status).

The House bill contained no similar provision.

The agreement does not include the provision.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

Mandatory separation requirements for regular warrant officers for length of service (sec. 501)

The House bill contained a provision (sec. 501) that would amend section 1305 of title 10, United States Code, to provide that regular warrant officers of the Navy, Marine Corps, and Coast Guard who have at least 30 years of total active service that could be credited to the officer shall be retired 60 days after the date the warrant officer completes that service. For regular Army warrant officers, the provision would specify that only years of active service as a warrant officer should be used in calculating 30 years of active service for mandatory retirement.

The Senate bill contained a similar provision (sec. 509).

The agreement includes the House provision.

Requirements for issuance of posthumous commissions and warrants (sec. 502)

The House bill contained a provision (sec. 502) that would amend sections 1521 and 1522 of title 10, United States Code, to replace the condition for a posthumous commission or warrant that the death be in the line of duty with a requirement for a certification by the secretary concerned that, at the time of death, the member was qualified for appointment to the next higher grade.

The Senate bill contained a similar provision (sec. 510).

The agreement includes the House provision with a technical amendment.

Authorized number of general officers on active duty in the Army and Marine Corps, limited exclusion for joint duty requirements, and increase in number of officers serving in grades above major general and rear admiral (sec. 503)

The House bill contained a provision (sec. 504) that would amend sections 525 and 526 of title 10, United States Code, to allow an increase of one general officer in the rank of lieutenant general for the Marine Corps.

The Senate bill contained a provision (sec. 501) that would increase from 16.3 percent to 16.4 percent the percentage of general and flag officers in a military service that may be appointed above

the grade of major general or rear admiral, and exclude from the limitations of section 525 of title 10, United States Code, those reserve general or flag officers on active duty under orders specifying a period of active duty of not longer than three years.

The agreement includes the House provision with an amendment that would amend section 526 of title 10, United States Code, to increase the authorized number of Army general officers on active duty from 302 to 307, with the increased authorization reserved for Army general officers who serve in acquisition positions and increase the number of Marine Corps general officers on active duty from 80 to 81. The provision would increase from 12 to 65 the number of general and flag officer joint duty assignment positions that the Chairman of the Joint Chiefs of Staff can exclude from the limitations on general and flag officers on active duty, five of which are reserved for general or flag officers who serve in an acquisition position, including one assignment in the Defense Contract Management Agency. The provision would also amend section 525 of title 10, United States Code, to increase from 16.3 percent to 16.4 percent the percentage of general and flag officers in a military service that may be appointed above the grade of major general or rear admiral.

Modification of authority on Staff Judge Advocate to the Commandant of the Marine Corps (sec. 504)

The House bill contained a provision (sec. 551) that would amend section 5046 of title 10, United States Code, to require that the Staff Judge Advocate to the Commandant of the Marine Corps serve in the grade of major general.

The Senate bill contained a similar provision (sec. 507) that would also exclude an officer serving in this grade and position from the limitation on the authorized number of officers serving in grades above brigadier general in the Marine Corps.

The agreement includes the Senate provision with a technical amendment.

Eligibility of reserve officers to serve on boards of inquiry for separation of regular officers for substandard performance and other reasons (sec. 505)

The Senate bill contained a provision (sec. 506) that would amend section 1187 of title 10, United States Code, to authorize reserve officers to serve as members of boards of inquiry convened to consider whether regular officers should be retained on active duty. This implements a recommendation of the Commission on the National Guard and Reserves regarding elimination of policies which unnecessarily distinguish reserve component personnel from their active duty counterparts and thereby impede full integration.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Delayed authority to alter distribution requirements for commissioned officers on active duty in general officer and flag officer grades and limitations on authorized strengths of general and flag officers (sec. 506)

The Senate amendment contained a provision (sec. 502) that would amend section 526 of title 10, United States Code, to authorize the Secretary of Defense to designate up to 324 general and flag officer positions as joint duty assignments that would be excluded from the limitation on the number of general and flag officers in each service and would specify the minimum number of officers required to serve in these positions for each service. The provision would realign the number of general and flag officers authorized to serve on active duty in the Army from 302 to 222 officers; in the Navy from 216 to 159 officers; in the Air Force from 279 to 206 officers; and in the Marine Corps from 80 to 59 officers. The provision would also repeal section 721 of title 10, United States Code, which limits the number of general and flag officers authorized to serve in positions outside their own service. The provision would also establish goals for the number of general and flag officers in the Department of Defense (DOD) and the military services who serve in acquisition positions and who have significant contracting experience.

The House bill contained no similar provision.

The agreement includes the provision with an amendment that would delay implementation until 1 year after the Secretary of Defense submits to Congress a report on the proposed implementation of the provision. The amendment would also amend sections 525 and 526 of title 10, United States Code, to specify the distribution and authorized strength limits of commissioned officers on active duty in general officer and flag officer grades. Finally, the amendment would remove the goals for the number of general and flag officers who serve in acquisition positions as this is addressed elsewhere in this bill.

Subtitle B—Reserve Component Management

Extension to other reserve components of Army authority for deferral of mandatory separation of military technicians (dual status) until age 60 (sec. 511)

The House bill contained a provision (sec. 511) that would amend section 10216(f) of title 10, United States Code, to extend to the Secretary of the Air Force the same authority previously granted to the Secretary of the Army to delay mandatory separation of dual status military technicians for years of service or other policy consideration until age 60.

The Senate bill contained a similar provision (sec. 532).

The agreement includes the Senate provision.

Modification of authorized strengths for certain Army National Guard, Marine Corps Reserve, and Air National Guard officers and Army National Guard enlisted personnel serving on full-time reserve component duty (sec. 512)

The House bill contained a provision (sec. 512) that would amend section 12011 of title 10, United States Code, to increase the limit

on the number of Marine Corps lieutenant colonels authorized to serve on full-time reserve component duty at the end of any fiscal year.

The Senate bill contained a similar provision (sec. 417).

The agreement includes the House provision with an amendment that would also increase the limit on Army and Air National Guard officers and Army National Guard enlisted personnel serving on full-time reserve component duty.

Clarification of authority to consider for a vacancy promotion National Guard officers ordered to active duty in support of a contingency operation (sec. 513)

The House bill contained a provision (sec. 513) that would amend section 14317 of title 10, United States Code, to authorize the promotion of reserve component officers, including National Guard officers, who are recommended for promotion to fill a position vacancy under section 14315 of title 10, United States Code, and who are ordered to active duty in support of a contingency operation.

The Senate bill contained a similar provision (sec. 534).

The agreement includes the House provision.

Increase in mandatory retirement age for certain Reserve officers (sec. 514)

The House bill contained a provision (sec. 514) that would amend sections 12647 and 14702 of title 10, United States Code, to increase the mandatory retirement age from age 60 to age 62 for commissioned officers assigned to the Selective Service System, as National Guard property and fiscal officers, and Army National Guard officers assigned to a headquarters or headquarters detachment of a State.

The Senate bill contained a similar provision (sec. 533).

The agreement includes the House provision.

Age limit for retention of certain Reserve officers on active-status list as exception to removal for years of commissioned service (sec. 515)

The House bill contained a provision (sec. 515) that would authorize the Secretary of the Army and the Secretary of the Air Force to retain Reserve officers in the grade of lieutenant general beyond mandatory retirement for years of service until the officer becomes 66 years of age.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Authority to retain Reserve chaplains and officers in medical and related specialties until age 68 (sec. 516)

The House bill contained a provision (sec. 516) that would amend section 14703(b) of title 10, United States Code, and section 324(a) of title 32, United States Code, to authorize reserve component chaplains and medical officers to be retained in an active status until the date on which the officer becomes 68 years of age.

The Senate bill contained a similar provision (sec. 535).

The agreement includes the House provision.

Modification of authorities on dual duty status of National Guard officers (sec. 517)

The Senate bill contained a provision (sec. 536) that would amend section 325 of title 32, United States Code, to authorize all National Guard officers, not just those in command of National Guard units, to retain their state status while serving on active duty when authorized by the President and with the consent of the Governor or the commanding general of the District of Columbia National Guard as applicable. The provision would also allow the consent or authorization to be given in advance for the purpose of establishing the succession of command of a unit.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Study and report regarding Marine Corps personnel policies regarding assignments in Individual Ready Reserve (sec. 518)

The House bill contained a provision (sec. 517) that would require the Secretary of the Navy to conduct a study on the policies, procedures, and impact on personnel of the Marine Corps Reserve relating to transfers between the Selected Reserve and Individual Ready Reserve.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Report on collection of information on civilian skills of members of the reserve components of the armed forces (sec. 519)

The Senate bill contained a provision (sec. 538) that would require the Secretary of Defense to submit a report by March 1, 2009, on the feasibility, uses, and cost effectiveness of collecting information about skills, qualifications, and professional certifications possessed by members of the reserve components.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Subtitle C—Joint Qualified Officers and Requirements

Joint duty requirements for promotion to general or flag officer (sec. 521)

The House bill contained a provision (sec. 521) that would amend section 619a of title 10, United States Code, to provide that with certain exceptions, an officer must be designated as a joint qualified officer, rather than a joint specialty officer, in accordance with section 661 of title 10, United States Code, before being eligible for promotion to general or flag officer.

The Senate bill contained a similar provision (sec. 503).

The agreement includes the House provision with a technical amendment.

Technical, conforming, and clerical changes to joint specialty terminology (sec. 522)

The House bill contained a provision (sec. 522) that would amend the terminology used in sections 661, 663, 665, and 667 of title 10, United States Code, to correspond with changes made in section

516 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), replacing references to "joint specialty officer" with "joint qualified officer."

The Senate bill contained a similar provision (sec. 505).

The agreement includes the House provision.

Promotion policy objectives for joint qualified officers (sec. 523)

The House bill contained a provision (sec. 523) that would amend section 662 of title 10, United States Code, to provide that officers in the grade of major or lieutenant commander and above who are designated as joint qualified officers are expected, as a group, to be promoted to the next higher grade at a rate not less than the rate for all officers of the same armed force in the same grade and competitive category.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would retain the current requirement that officers who are serving or have served on the joint staff are expected, as a group, to be promoted to the next higher grade at a rate not less than the rate for officers of the same armed force in the same grade and competitive category who are serving or have served on the headquarters staff of their armed force.

Length of joint duty assignments (sec. 524)

The House bill contained a provision (sec. 524) that would amend section 664 of title 10, United States Code, to align prescribed joint duty assignment lengths with the joint qualification system implemented pursuant to section 516 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), to take into account multiple joint experiences in satisfying joint duty assignment requirements.

The Senate bill contained a similar provision (sec. 504).

The agreement includes the House provision.

Designation of general and flag officer positions on Joint Staff as positions to be held only by reserve component officers (sec. 525)

The House bill contained a provision (sec. 525) that would amend section 526 of title 10, United States Code, to allow the Chairman of the Joint Chiefs of Staff to exempt up to three reserve general and flag officers from counting against the general and flag officer limitations.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Modification of limitations on authorized strengths of reserve general and flag officers in active status serving in joint duty assignments (sec. 526)

The Senate bill contained a provision (sec. 531) that would amend section 12004 of title 10, United States Code, to exclude from the limitations on the numbers of reserve general and flag officers in an active status those reserve general and flag officers serving in joint duty assignments. The number of reserve general and flag officers excluded could not exceed 20 percent of the num-

ber of authorized flag and general officers authorized for the service concerned.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment to also exclude from the limitations on the numbers of reserve general and flag officers in an active status Marine Corps reserve officers serving in joint duty assignments.

Reports on joint education courses available through the Department of Defense (sec. 527)

The House bill contained a provision (sec. 526) that would amend section 10506(a)(3) of title 10, United States Code, to require that service of an officer as the adjutant general of the National Guard of a State be treated as joint duty experience for assignment or promotion to any position designated by law as open to a National Guard general officer. The provision would require the Chief of the National Guard Bureau to issue a report to the Chairman of the Joint Chiefs of Staff and Congress recommending which duty of officers of the National Guard in the Joint Force Headquarters of the National Guard of the States should qualify as joint duty or joint duty experience. The provision would require that the Chairman of the Joint Chiefs of Staff submit three annual reports to Congress on the joint educational courses available through the Department. The provision would also require Commander, United States Northern Command, Commander, United States Pacific Command, and the Chief of the National Guard Bureau, with the approval of the Secretary of Defense, to jointly enter into a memorandum of understanding regarding operational relationships and individual roles and responsibilities during responses to domestic emergencies.

The Senate bill contained no similar provision.

The agreement requires the Chairman of the Joint Chiefs of Staff to report to Congress on the joint education courses available through the Department in 3 successive years starting in 2009.

The Department is requested to expedite review of the findings of the final report to Congress and the Secretary of Defense of the Commission on the National Guard and Reserves, dated January 31, 2008, as required elsewhere in this bill.

Subtitle D—General Service Authorities

Increase in maximum period of reenlistment of regular members of the armed forces (sec. 531)

The House bill contained a provision (sec. 531) that would amend section 505(d) of title 10, United States Code, and section 308(a) of title 37, United States Code, to increase from 6 to 8 years the maximum period of reenlistment of regular members of the armed forces.

The Senate bill contained a similar provision (sec. 521).

The agreement includes the House provision with a technical amendment.

Paternity leave for members of the armed forces (sec. 532)

The Senate bill contained a provision (sec. 583) that would amend section 701 of title 10, United States Code, to authorize up to 21 days of leave for a male service member whose spouse gives birth to a child. The leave would be in addition to any other leave to which the service member is entitled.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would mandate 10 days of paternity leave for service members, and would authorize the secretaries concerned to implement the benefit by service regulation.

Pilot programs on career flexibility to enhance retention of members of the armed forces (sec. 533)

The House bill contained a provision (sec. 532) that would authorize the secretaries of the military departments to conduct pilot programs to evaluate the need for more flexibility in career patterns of a limited number of active-duty officers and enlisted members. Under the pilot programs, selected service members would leave active duty for a period of up to 3 years, and then return to active duty in the same grade and years of service that they held at the time they were inactivated. Time spent while inactivated would not count toward retirement eligibility, computation of retired pay, or years of service.

The Senate bill contained a similar provision (sec. 585) that would provide that the authority to conduct pilot programs would commence January 1, 2009, and end December 31, 2014. The provision would also require the secretaries of the military departments to submit interim reports in 2010 and 2012. The Secretary of Defense would be required to submit a final report no later than March 1, 2015, evaluating all the pilot programs conducted under this authority.

The agreement includes the Senate provision with an amendment that would limit participation in the pilot programs to 20 enlisted personnel and 20 officers per year per service. The amendment would also establish that the pilot program authority would commence January 1, 2009, and that no member of the armed forces could be released from active duty under a pilot program after December 31, 2012. Finally, the amendment would require interim reports from the service secretaries to the congressional defense committees no later than June 1, 2011, and June 1, 2013, and a final report from the Secretary of Defense no later than March 1, 2016.

Subtitle E—Education and Training

Authorized strength of military service academies and repeal of prohibition on phased increase in midshipmen and cadet strength limit at Naval Academy and Air Force Academy (sec. 540)

The House bill contained a provision (sec. 541) that would amend sections 6954 and 9342 of title 10, United States Code, to extend the authority of the Secretary of the Navy and the Secretary of the Air Force to increase the size of the Brigade of Midshipmen and the Cadet Wing at the United States Naval Academy and Air Force

Academy respectively by up to 100 cadets per year to a maximum of 4,400 cadets.

The Senate bill contained a similar provision (sec. 551) that would provide that the authorized strength of the Brigade of Midshipmen at the United States Naval Academy is 4,400 midshipmen, or such lower number as may be prescribed by the Secretary of the Navy.

The agreement includes the Senate provision with an amendment that would provide that the maximum authorized strengths of the Military Academy, the Naval Academy, and the Air Force Academy are each 4,400 cadets or midshipmen.

Promotion of foreign and cultural exchange activities at military service academies (sec. 541)

The House bill contained a provision (sec. 542) that would amend chapters 403, 603, and 903 of title 10, United States Code, to allow the military service academies to support foreign and cultural exchange programs for up to two weeks a year to foster the development of foreign language skills, cross cultural interactions and understanding, and cultural immersion of cadets and midshipmen.

The Senate bill contained a similar provision (sec. 555).

The agreement includes the House provision.

Increased authority to enroll defense industry employees in defense product development program (sec. 542)

The House bill contained a provision (sec. 544) that would amend section 7049 of title 10, United States Code, to increase from 25 to 125 the number of defense industry employees who could receive instruction at the Naval Postgraduate School.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Expanded authority for institutions of professional military education to award degrees (sec. 543)

The House bill contained a provision (sec. 549) that would authorize the President of the National Defense Intelligence College, the President of the National Defense University, the Commandant of the United States Army Command and General Staff College, the Commandant of the United States Army War College, the President of the Naval Postgraduate School, the President of the Naval War College, the President of the Marine Corps University, and the Commander of the Air University, for both the Air Force Institute of Technology and for the Air University, to confer appropriate degrees upon graduates who meet degree requirements. A degree would not be conferred under this authority unless the Secretary of Education has recommended approval of the degree and the college or university is accredited by the appropriate civilian academic accrediting agency or organization.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Tuition for attendance of federal employees at the United States Air Force Institute of Technology (sec. 544)

The Senate bill contained a provision (sec. 552) that would amend section 9314(c) of title 10, United States Code, to require the United States Air Force Institute of Technology to charge tuition for instruction of civilians from the military departments, other components of the Department of Defense, and other federal agencies, and to use these funds to defray the costs of such instruction.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical amendment.

Increase in number of permanent professors at the United States Air Force Academy (sec. 545)

The Senate bill contained a provision (sec. 508) that would amend section 9331 of title 10, United States Code, to increase from 21 to 25 the number of permanent professors at the Air Force Academy.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would increase from 21 to 23 the number of permanent professors at the Air Force Academy.

Requirement of completion of service under honorable conditions for purposes of entitlement to educational assistance for reserve component members supporting contingency operations (sec. 546)

The House bill contained a provision (sec. 545) that would amend section 16164 of title 10, United States Code, to clarify that only service members who separate under honorable conditions are eligible to use the educational benefits under chapter 1607 of title 10, United States Code, for a period of 10 years after separation.

The Senate bill contained a similar provision (sec. 554).

The agreement includes the Senate provision with an amendment that would make this provision effective on the date of enactment of this Act and apply to persons who separate after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) who, as of the date of enactment of this Act, have not used any of their entitlement under chapter 1607 of title 10, United States Code.

Consistent education loan repayment authority for health professionals in regular components and Selected Reserve (sec. 547)

The House bill contained a provision (sec. 546) that would equate the maximum limits for loan repayment programs for health professionals in the reserve components under section 16302 of title 10, United States Code, with the maximum limits for loan repayment programs for active-duty health professionals under section 2173 of title 10, United States Code.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Increase in number of units of Junior Reserve Officers' Training Corps (sec. 548)

The House bill contained a provision (sec. 547) that would require the Secretary of Defense, in consultation with the secretaries of the military departments, to develop and implement a plan to establish and support 4,000 Junior Reserve Officers' Training Corps units by fiscal year 2020. The section would also require the Secretary of Defense to submit a report to the congressional defense committees that would provide information on how the services will achieve this goal, as well as other pertinent information, by March 31, 2009.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment to develop and implement a plan to establish and support 3,700 Junior Reserve Officers' Training Corps units by fiscal year 2020.

Correction of erroneous Army College Fund benefit amounts (sec. 549)

The House bill contained a provision (sec. 548) that would authorize the Secretary of the Army, through the Army Board for Correction of Military Records, to consider, from January 1, 2009, through June 30, 2009, a request for the correction of military records relating to the amount of the Army College Fund benefit to which an applicant may be entitled under an Army incentive program contract. The provision would clarify that the Secretary may pay such amounts as the Secretary considers necessary without regard to any limits on the total combined amounts established for the Army College Fund and the Montgomery G.I. Bill.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would allow consideration of such requests through December 31, 2009.

Enhancing education partnerships to improve accessibility and flexibility for members of the Armed Forces (sec. 550)

The House bill contained a provision (sec. 550) that would authorize service secretaries to enter into partnership agreements with educational institutions in the United States for the purpose of developing plans to improve accessibility and flexibility of college courses available to service members; improving the application process for the armed forces tuition assistance programs and raising awareness regarding educational opportunities available to service members; developing curriculum, distance education programs, and career counseling designed to meet the professional, financial, academic, and social needs of service members; and assessing how resources may be applied more effectively to meet the educational needs of service members.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle F—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. 551)

The House bill contained a provision (sec. 571) that would authorize $50.0 million for continuation of the Department of Defense (DOD) assistance program to local 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 military and civilian school-aged dependent children due to base closures, force structure changes, or force relocations.

The Senate bill contained a similar provision (sec. 561) that would authorize $30.0 million and $10.0 million for each assistance program, respectively.

The agreement includes the Senate provision with an amendment that would authorize $35.0 million and $15.0 million for each program, respectively.

Impact aid for children with severe disabilities (sec. 552)

The Senate bill contained a provision (sec. 562) that would authorize $5.0 million for impact aid payments for children with disabilities 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 agreement includes the Senate provision.

Transition of military dependent students among local educational agencies (sec. 553)

The Senate bill contained a provision (sec. 563) that would require the Secretary of Defense to work with the Secretary of Education in any efforts to ease the transition of military dependent students between Department of Defense schools, schools of local educational agencies, and other schools. The provision would authorize the Secretary of Defense to use funds of the Department of Defense Education Activity for this purpose.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would make the authority temporary, expiring on September 30, 2013. The amendment would also allow distance learning and training programs for military students and teachers.

Calculation of payments for eligible federally connected children under Department of Education's impact aid program (sec. 554)

The House bill contained a provision (sec. 572) that would amend section 8003(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(c)) to allow calculation of impact aid payments for certain local educational agencies to be based on student population data from the current school year rather than the previous school year's population.

The Senate bill contained no similar provision.

The agreement included the House provision with an amendment that would amend the Elementary and Secondary Education Act of 1965 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 in fiscal year 2009.

Subtitle G—Military Justice

Effective period of military protective orders (sec. 561)

The House bill contained a provision (sec. 552) that would amend chapter 80 of title 10, United States Code, to extend a standing military protective order by a military commander until the allegation prompting the protective order is resolved by investigation, courts martial, or other command determined adjudication, or the military commander issues a new order.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would provide that a military protective order issued by a military commander shall remain in effect until the military commander terminates the order or issues a new order.

Mandatory notification of issuance of military protective order to civilian law enforcement (sec. 562)

The House bill contained a provision (sec. 553) that would amend chapter 80 of title 10, United States Code, to require the commander of a military installation to notify appropriate civilian authorities in the event a military protective order is issued against a member of the armed forces when any individual involved in the order does not reside on a military installation.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Implementation of information database on sexual assault incidents in the armed forces (sec. 563)

The House bill contained a provision (sec. 554) that would require the Secretary of Defense to implement a centralized, case-level database for the collection and maintenance of information regarding sexual assaults involving members of the armed forces.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the status of the Defense Incident-Based Reporting System and an explanation of how this system will relate to the sexual assault database.

Subtitle H—Decorations, Awards, and Honorary Promotions

Replacement of military decorations (sec. 571)

The House bill contained a provision (sec. 561) that would amend chapter 57 of title 10, United States Code, to require the secretary concerned to replace, on a one-time basis and without charge, a

military decoration upon the request of the recipient of the military decoration or the next of kin of a deceased recipient.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Authorization and request for award of Medal of Honor to Richard L. Etchberger for acts of valor during the Vietnam War (sec. 572)

The House bill contained a provision (sec. 562) that would authorize the President to award the Medal of Honor to Richard L. Etchberger, who served in the United States Air Force during the Vietnam War. This section would also waive the statutory time limitation under section 8744 of title 10, United States Code.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Subtitle I—Military Families

Presentation of burial flag to the surviving spouse and children of deceased members of the armed forces (sec. 581)

The House bill contained a provision (sec. 581) that would amend section 1482 of title 10, United States Code, to authorize the presentation of a burial flag to the surviving spouse of a deceased service member when the surviving spouse is not otherwise entitled to a flag as the person designated to direct the disposition of the remains.

The Senate bill contained a similar provision (sec. 641) that would also authorize the presentation of a burial flag to each child of a deceased service member.

The agreement includes the House provision with an amendment that would authorize the presentation of a burial flag to each child of a deceased service member.

Education and training opportunities for military spouses (sec. 582)

The House bill contained a provision (sec. 582) that would authorize the Secretary of Defense to establish programs to assist the spouse of a service member serving on active duty in receiving education and training required for a degree, credential, or professional licensure in order to expand employment and career opportunities for spouses. The provision would also authorize tuition assistance to pursue such education and training.

The Senate bill contained a provision (sec. 571) that would authorize the Secretary to establish programs to provide or make available to spouses of service members on active duty education, training, and financial assistance to facilitate the pursuit of a portable career.

The agreement includes the House provision with an amendment that would clarify that these programs may be used to enable a spouse to pursue a portable career, and would clarify the definition of a portable career.

Sense of the Congress regarding honor guard details for funerals of veterans (sec. 583)

The House bill contained a provision (sec. 583) that would express the sense of Congress that the secretaries of the military departments should, to the maximum extent practicable, provide honor guard details for the funerals of veterans.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle J—Other Matters

Prohibition on interference in independent legal advice by the Legal Counsel to the Chairman of the Joint Chiefs of Staff (sec. 591)

The Senate bill contained a provision (sec. 586) that would amend section 156(d) of title 10, United States Code, to prohibit any officer or employee of the Department of Defense from interfering with the ability of the legal counsel to the Chairman of the Joint Chiefs of Staff to give independent legal advice to the Chairman of the Joint Chiefs of Staff and to the Joint Chiefs of Staff.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Interest payments on certain claims arising from correction of military records (sec. 592)

The House bill contained a provision (sec. 592) that would require the service secretaries to pay interest on claims arising from the correction of a military record that involves setting aside a conviction by court-martial. The provision would apply to any sentence of a court-martial set aside by a corrections board after October 1, 2007.

The Senate bill contained a provision (sec. 582) that would authorize the Secretary of Defense and the service secretaries to provide relief to a member or former member of the armed forces who, in the determination of the Secretary concerned, had suffered imprisonment pursuant to a court-martial conviction as a result of an injustice or error on the part of the Department of Defense or any of its employees acting in their official capacity. The relief provided would include the payment of monies, including interest, from funds available for emergency and extraordinary expenses under section 127 of title 10, United States Code.

The agreement includes the House provision with an amendment that would specify that the interest paid be at a rate determined by the Secretary concerned, unless the Secretary concerned determines that the payment of interest is inappropriate under the circumstances.

Extension of limitation on reductions of personnel of agencies responsible for review and correction of military records (sec. 593)

The House bill contained a provision (sec. 593) that would amend section 1559(a) of title 10, United States Code, to change the termination date for the limitation on reductions of personnel of the service boards of correction of military records from October 1, 2008, to December 31, 2010.

The Senate bill contained no such provision.

The agreement includes the House provision.

The boards for correction of military records perform a vital function in ensuring timely review and disposition of applications for relief under chapter 79 of title 10, United States Code. The Secretary of Defense is directed to submit a report to the Committees on Armed Services of the Senate and House of Representatives no later than July 1, 2009, regarding the operation of the services' boards of correction. The report should discuss the compliance by each service with the statutory timeliness standards for disposition of applications before corrections boards since 2001 and an assessment whether the limitation on personnel reductions in section 1559(a) continue to be necessary to ensure compliance with processing time requirements.

Modification of matching fund requirements under National Guard Youth Challenge Program (sec. 594)

The Senate bill contained a provision (sec. 537) that would amend section 509(d) of title 32, United States Code, to clarify that the limitation on assistance provided by the Department of Defense to a State National Guard Youth Challenge Program may not be construed as a limitation on the amount of assistance that may be provided by other sources, nor should contributions from other sources be included in calculating the Department's share of the costs of operating State programs.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Military salute for the flag during the national anthem by members of the armed forces not in uniform and by veterans (sec. 595)

The Senate bill contained a provision (sec. 1081) that would amend section 301 of title 36, United States Code, to authorize veterans and members of the armed forces not in uniform to render a military salute in the same manner as members of the armed forces in uniform during the playing of the national anthem.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Military Leadership Diversity Commission (sec. 596)

The House bill contained a provision (sec. 595) that would establish the Senior Military Leadership Diversity Commission to study the diversity within the senior leadership of the armed forces.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would establish the Military Leadership Diversity Commission to conduct a comprehensive evaluation and assessment of policies that provide for opportunities for the promotion and advancement of minority members of the armed forces, including minority members who are senior officers.

Demonstration project on service of retired nurse corps officers as faculty at civilian nursing schools (sec. 597)

The House bill contained a provision (sec. 941) that would require the Secretary of Defense to establish a Department of Defense School of Nursing, and would authorize the Secretary to con-

duct a demonstration project to enable retired military nurses to serve as faculty at civilian nursing schools.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would authorize the Secretary of Defense to conduct a demonstration project to encourage retired military nurses to serve as faculty at civilian nursing schools.

Report on planning for participation and hosting of the Department of Defense in international sports activities, competitions, and events (sec. 598)

The Senate bill contained a provision (sec. 584) that would amend section 717 of title 10, United States Code, to include the Military World Games as an international sports competition in which members of the armed forces may be authorized to participate. The provision would increase the maximum amounts from $3.0 million to $6.0 million that the Secretary of Defense may apportion among the military departments, and from $100,000 to $200,000 for the Coast Guard and Department of Homeland Security, that may be spent during each successive 4 year period beginning on October 1, 2008, for participation in certain international sports competitions. The provision would also require the Secretary to submit to the Committees on Armed Services of the Senate and the House of Representatives not later than October 1, 2009, a report setting forth a comprehensive plan for participation in and planning for hosting of international sports activities, competitions, and events.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the report only.

LEGISLATIVE PROVISIONS NOT ADOPTED

Extension of authority to reduce minimum length of active service required for voluntary retirement as an officer

The House bill contained a provision (sec. 503) that would extend the period during which the Secretary of Defense may authorize the secretaries of the military departments to lower the years of active service as a commissioned officer required for retirement as an officer from a minimum of 10 years to a minimum of 8 years.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Compensation for civilian President of Naval Postgraduate School

The House bill contained a provision (sec. 543) that would authorize the Secretary of the Navy to compensate the civilian President of the Naval Post Graduate School as the Secretary prescribes, except that basic pay could not exceed the rate of compensation authorized for Level I of the Executive Schedule.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Advancement of Brigadier General Charles E. Yeager, United States Air Force (Retired), on the retired list

The House bill contained a provision (sec. 563) that would entitle Brigadier General Yeager to hold the rank of major general on the retired list of the Air Force.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Brigadier General Yeager is an extraordinary American hero. During World War II he distinguished himself in aerial combat over France and Germany by shooting down 13 enemy aircraft including five on one mission. As an Air force test pilot he played a pivotal role in the advancement of aviation. Brigadier General Yeager made history on October 14, 1947, when he became the first man to fly faster than the speed of sound and on December 12, 1953, he also became the first man to fly faster than twice the speed of sound. During the Vietnam War he flew 127 missions over South Vietnam as the Commander of the 405th Fighter Wing. He is one of only four individuals to have received the Special Medal of Honor, the non-combat equivalent of the Medal of Honor.

For these and many other achievements in a remarkable life of leadership, commitment, and achievement in service to the Air Force and the United States, we urge the President to reconsider Brigadier General Yeager's advancement on the retired list and immediately nominate him for promotion to the grade of Major General.

Advancement of Rear Admiral Wayne E. Meyer, United States Navy (Retired), on the retired list

The House bill contained a provision (sec. 564) that would authorize and request the President to appoint, by and with the advice and consent of the Senate, Rear Admiral Wayne E. Meyer to the grade of vice admiral on the retired list of the Navy.

The Senate bill contained no similar provision.

The agreement does not include the provision.

The Department of Defense is encouraged to review the military records of Rear Admiral Meyer and to consider whether he should be appointed to the grade of vice admiral on the retired list of the Navy. If the Department concludes that he should be so appointed, the Administration should request legislation authorizing the appointment, with the advice and consent of the Senate.

Award of Vietnam Service Medal to veterans who participated in Mayaguez rescue operation

The House bill contained a provision (sec. 565) 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 for participation in the Mayaguez rescue operation of May 12 through May 15, 1975.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Retroactive award of Army Combat Action Badge

The House bill contained a provision (sec. 566) that would authorize the Secretary of the Army to award the Army Combat Ac-

tion Badge to individuals who, while a member of the Army, participated in combat between December 7, 1941, and September 18, 2001.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Inclusion of Reserves in providing federal aid for State governments, enforcing federal authority, and responding to major public emergencies

The House bill contained a provision (sec. 591) that would amend sections 331, 332, and 333 of title 10, United States Code, to clarify that the President's authority to use the armed forces, including units and members of the Army Reserve, Navy Reserve, Air Force Reserve, Marine Corps Reserve, and Coast Guard Reserve, for the purposes delineated in those sections.

The Senate bill contained no similar provision.

The agreement does not include the provision.

This provision was requested by the Department of Defense to give the President the maximum flexibility in employing the armed forces, including the unique capabilities in the Army, Navy, Marine Corps, and Coast Guard Reserves when necessary to respond to major disasters or emergencies. Many State governors have expressed concern about unity of effort of State and Federal forces in delivering emergency services to citizens of their States and are concerned that they lack sufficient authority to direct the efforts of Federal forces, including personnel and units of the armed forces.

We agree that this proposal has significant merit. The Department of Defense should engage with the community of governors to work out an understanding of unity of effort during domestic terrorist events and public emergencies. This key underlying issue must be addressed to allow this and other promising proposals to be enacted.

Authority to order Reserve units to active duty to provide assistance in response to a major disaster or emergency

The House bill contained a provision (sec. 594) that would amend section 12304(b) of title 10, United States Code, to provide that when the President determines that it is necessary to assist in responding to a major disaster or emergency as defined in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when not operating as a service for the Navy, may be authorized to order any unit or member of the Army Reserve, Air Force Reserve, Navy Reserve, Marine Corps Reserve, or Coast Guard Reserve to active duty for not more than 365 days.

The Senate bill contained no similar provision.

The agreement does not include the provision.

This provision was requested by the Department of Defense to give the President the maximum flexibility in employing the armed forces, including the unique capabilities in the Army, Navy, Marine Corps, and Coast Guard Reserves when necessary to respond to major disasters or emergencies. Many State governors have expressed concern about unity of effort of State and Federal forces in

delivering emergency services to citizens of their States and are concerned that they lack sufficient authority to direct the efforts of Federal forces, including personnel and units of the armed forces.

We agree that this proposal has significant merit. The Department of Defense should engage with the community of governors to work out an understanding of unity of effort during domestic terrorist events and public emergencies. This key underlying issue must be addressed to allow this and other promising proposals to be enacted.

Limitation on simultaneous deployment to combat zones of dual-military couples who have minor dependents

The House bill contained a provision (sec. 596) that would authorize a member of the armed forces with minor dependents to request a deferment of deployment to an area for which imminent danger pay is authorized if the member has a spouse who is a member of the armed forces deployed to such an area.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Additional funds to carry out funeral honor functions at funerals for veterans

The House bill contained a provision (sec. 597) that would provide an additional $3.0 million for compliance with the funeral honors requirements of section 1491 of title 10, United States Code.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Protection of child custody arrangements for parents who are members of the armed forces deployed in support of a contingency operation

The House bill contained a provision (sec. 4510) that would amend Title II of the Servicemembers' Civil Relief Act (50 U.S.C. App. 521 et seq.) (SCRA) to provide that a court may not modify or amend any previous judgment or order, or issue a new order, that would change the custody arrangements for a child of a servicemember deployed in support of a contingency operation unless there is clear and convincing evidence that it is in the best interest of the child. The provision would also provide that a court may not consider the absence of a service member by reason of deployment, or possibility of deployment, in determining the best interest of the child.

The Senate bill contained no similar provision.

The agreement does not include this provision.

It is the sense of Congress that, when addressing the best interests of minor children in child custody cases, judges should, whenever possible, allow service members to return from deployment before issuing a permanent order regarding child custody arrangements.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Fiscal year 2009 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 3.9 percent effective on January 1, 2009. This across-the-board pay raise is 0.5 percent above the budget request.

The Senate bill contained an identical provision (sec. 601).

The agreement includes this provision.

Permanent extension of prohibition on charges for meals received at military treatment facilities by members receiving continuous care (sec. 602)

The House bill contained a provision (sec. 602) that would amend section 402 of title 37, United States Code, to make permanent the prohibition on charges for meals received at military treatment facilities by certain service members receiving continuous care.

The Senate bill contained a similar provision (sec. 616).

The agreement includes the Senate provision.

Increase in maximum authorized payment or reimbursement amount for temporary lodging expenses (sec. 603)

The House bill contained a provision (sec. 604) that would increase the maximum authorized payment or reimbursement rate for temporary lodging expenses from $180 per day to $290 per day.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Availability of second family separation allowance for married couples with dependents (sec. 604)

The House bill contained a provision (sec. 605) that would require the service secretaries to pay one member of a married couple, both of whom are members of the uniformed services who are residing together with dependents prior to a qualifying deployment, a full family separation allowance under section 427 of title 37, United States Code, and to pay the other member one-half of such allowance.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the service secretaries to pay each member of a married couple who qualify under this provision a full family separation allowance under section 427 of title 37, United States Code.

Extension of authority for income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service (sec. 605)

The House bill contained a provision (sec. 607) that would extend for 1 year the authority to pay income replacement for reserve component members experiencing extended and frequent mobilization for active duty service.

The Senate bill contained a provision (sec. 614) that included an identical extension.

The agreement includes the House provision.

Subtitle B—Bonuses and Special and Incentive Pays

Extension of certain bonus and special pay authorities for reserve forces (sec. 611)

The House bill contained a provision (sec. 611) that would extend for 1 year the authority to pay the Selected Reserve reenlistment bonus; the Selected Reserve affiliation or enlistment bonus; 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; and the Selected Reserve enlistment bonus for persons with prior service.

The Senate bill contained an identical provision (sec. 611).

The agreement includes this provision.

Extension of certain bonus and special pay authorities for health care professionals (sec. 612)

The House bill contained a provision (sec. 612) that would extend until December 31, 2009, 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; 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 bill contained a similar provision (sec. 612).

The agreement includes the House provision.

Extension of special pay and bonus authorities for nuclear officers (sec. 613)

The House bill contained a provision (sec. 613) that would extend for 1 year the authority to pay the special pay for nuclear-qualified officers extending their period of active duty; the nuclear career accession bonus; and the nuclear career annual incentive bonus.

The Senate bill contained an identical provision (sec. 613).

The agreement includes this provision.

Extension of authorities relating to payment of other title 37 bonuses and special pays (sec. 614)

The House bill contained a provision (sec. 614) 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 accession bonus for officer candidates; and the retention bonus for members with critical military skills or assigned to high priority units.

The Senate bill contained a provision (sec. 614) that would extend for 1 year the authority to pay the foregoing bonuses and special pays and income replacement for reserve members experiencing extended and frequent mobilizations.

The agreement includes the House provision.

Extension of authorities relating to payment of referral bonuses (sec. 615)

The House bill contained a provision (sec. 615) 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 bill contained a similar provision (sec. 615).

The agreement includes the House provision.

Increase in maximum bonus and stipend amounts authorized under nurse officer candidate accession program and Health Professions Stipend Program (sec. 616)

The House bill contained a provision (sec. 616) that would increase the bonus that may be paid to nurse officer candidates under section 2130a of title 10, United States Code, from $10,000 to $20,000, and the monthly stipend that may be paid to such candidates from $1,000 to $1,250. The provision would also increase the maximum initial installment of the bonus from $5,000 to $10,000.

The Senate bill contained a provision (sec. 553) that would equate the authority for the stipend paid to baccalaureate students in nursing or other health professions under the Health Professions Stipend Program for health care professionals in reserve components with the amount of the stipend paid to participants in the Armed Forces Health Professions Scholarship Program under section 2121(d) of title 10, United States Code.

The agreement includes the House provision with an amendment that includes the provisions of section 553 of the Senate bill, and equates the maximum monthly stipend that may be paid to nurse officer candidates to the stipend paid under section 2121(d) of title 10, United States Code.

Maximum length of nuclear officer incentive pay agreements for service (sec. 617)

The House bill contained a provision (sec. 617) that would amend section 312 of title 37, United States Code, to require only that a qualifying agreement to remain on active duty be for a period of not less than 3 years with the objective of providing more flexibility in administering the nuclear officer continuation pay.

The Senate bill contained a similar provision (sec. 618).

The agreement includes the House provision.

Technical changes regarding consolidation of special pay, incentive pay, and bonus authorities of the uniformed services (sec. 618)

The House bill contained a provision (sec. 618) that would make technical changes to facilitate the utility of provisions included in the initiative to reform special and incentive pays adopted in the

National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Use of new skill incentive pay and proficiency bonus authorities to encourage training in critical foreign languages and foreign cultural studies and authorization of incentive pay for members of precommissioning programs pursuing foreign language proficiency (sec. 619)

The House bill contained a provision (sec. 619) that would amend section 353 of title 37, United States Code, to authorize a skill proficiency bonus of up to $12,000 annually to a member enrolled in an officer training program and certain Senior Reserve Officers' Training Corps program participants who agree to participate in educational programs aimed at acquiring proficiency in critical foreign languages or expertise in critical foreign cultural studies. The provision would also require the Secretary of Defense to conduct a pilot program through December 31, 2013, that would pay a skill proficiency bonus to members of reserve components who similarly participate in designated foreign language or cultural studies programs.

The Senate bill contained a similar provision (sec. 619) that would create a new section 316a of title 37, United States Code, to authorize the Secretary of Defense to pay incentive pay of up to $3,000 per year to an individual pursuing foreign language proficiency while enrolled in the Senior Reserve Officers' Training Corps or the Marine Corps Platoon Leaders Class.

The agreement includes the House provision with an amendment that would authorize the Secretary of Defense to pay incentive pay to an individual pursuing foreign language proficiency in a critical foreign language while enrolled in the Senior Reserve Officers' Training Corps or the Marine Corps Platoon Leaders Class.

Accession and retention bonuses for the recruitment and retention of officers in certain health professions (sec. 620)

The House bill contained a provision (sec. 620) that would designate qualified psychologists, registered nurses, and other mental health professionals as determined by the service secretaries, as critically short wartime specialties.

The Senate bill contained a provision (sec. 617) that would add a new section 301f to title 37, United States Code, to authorize a multiyear retention bonus for uniformed psychologists in the maximum amount of $25,000 per year for up to 4 years. The provision would also add a new section 302m to title 37, United States Code, to authorize an accession bonus for uniformed psychologists of up to $400,000 for an active-duty commitment of at least 4 years.

The agreement includes the House provision with an amendment that would add the multiyear retention bonus and accession bonus for uniformed psychologists.

Subtitle C—Travel and Transportation Allowances

Special weight allowance for transportation of professional books and equipment for spouses (sec. 621)

The House bill contained a provision (sec. 632) that would authorize an additional weight allowance of 200 pounds for shipping materials associated with the employment or community support activities of the service member's spouse.

The Senate bill contained a provision (sec. 632) that would authorize the service secretaries to permit an additional weight allowance of up to 500 pounds for professional books and equipment belonging to spouses of service members changing their permanent duty station. The provision would take effect October 1, 2009.

The agreement includes the Senate provision with an amendment that would make the provision effective upon date of enactment of the Act.

Shipment of family pets during evacuation of personnel (sec. 622)

The House bill contained a provision (sec. 633) that would authorize transportation, including payment of shipping and quarantine costs, of two household pets in cases of evacuation from a permanent station located in a foreign area.

The Senate bill contained a similar provision (sec. 631).

The agreement includes the Senate provision with an amendment that would subject the allowances for transportation of family pets to regulations prescribed by the Secretary of Defense that may specify limitations on the types, size, and number of pets for which transportation may be provided or reimbursement paid.

Subtitle D—Retired Pay and Survivor Benefits

Extension to survivors of certain members who die on active duty of special survivor indemnity allowance for persons affected by required Survivor Benefit Plan annuity offset for Dependency and Indemnity Compensation (sec. 631)

The House bill contained a provision (sec. 643) that would extend the special survivor indemnity allowance enacted in section 644 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to survivors of certain service members who die on active duty.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Correction of unintended reduction in Survivor Benefit Plan annuities due to phased elimination of two-tier annuity computation and supplemental annuity (sec. 632)

The House bill contained a provision (sec. 646) that would require the Secretary of Defense to determine if the phased elimination of the two-tier annuity computation system, formerly a part of the Survivor Benefit Plan, and related supplemental survivor annuities, resulted in some Survivor Benefit Plan annuitants receiving a smaller annuity than they would have received if the two-tier computation system had not been eliminated, and to take such ac-

tions as necessary to adjust the annuity amounts to eliminate the reduction.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

Use of commissary stores surcharges derived from temporary commissary initiatives for reserve components and retired members (sec. 641)

The House bill contained a provision (sec. 651) that would authorize the Secretary of Defense to use the proceeds derived from surcharges imposed in connection with sales of commissary merchandise to members of reserve components, retired members, and others eligible for commissary benefits through use of temporary and mobile equipment to offset the cost of such initiatives.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Enhanced enforcement of prohibition on sale or rental of sexually explicit material on military installations (sec. 642)

The House bill contained a provision (sec. 654) that would require the Secretary of Defense to establish a Resale Activities Review Board to make recommendations to the Secretary regarding whether material sold or rented, or proposed for sale or rental, on military installations is barred from sale or rental due to its sexually explicit nature.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle F—Other Matters

Continuation of entitlement to bonuses and similar benefits for members of the uniformed services who die, are separated or retired for disability, or meet other criteria (sec. 651)

The House bill contained a provision (sec. 662) that would require the service secretaries to pay the unpaid portions of bonuses to, and prohibit the service secretaries from recouping unearned portions of paid bonuses from, service members or their estates in the case of members who die, other than as a result of their own misconduct, or who are retired or separated under chapter 61 of title 10, United States Code. The provision would also authorize the service secretaries to waive recoupment of unearned bonuses and to pay the unpaid amounts of contracted bonuses in any circumstance where failing to do so would be against equity and good conscience or contrary to the best interests of the United States.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would clarify that the prohibition against requiring repayment of the unearned portion of any bonus, and the requirement to pay out the remainder of any bonus not yet paid, applies to service members who die while on active duty, or service members who retire or separate due to a disability that is determined to be combat-

related as defined in section 1413a(e) of title 10, United States Code.

LEGISLATIVE PROVISIONS NOT ADOPTED

Equitable treatment of senior enlisted members in computation of basic allowance for housing

The House bill contained a provision (sec. 603) that would amend section 403 of title 37, United States Code, to provide that the determination of what constitutes adequate housing for members in the pay grade of E–8 with dependents shall be equivalent to the standard in effect for members in the pay grade of E–9 with dependents.

The Senate bill contained no similar provision.

The agreement does not include the provision.

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. 606) that would authorize a member of the armed forces who accepts an appointment or reappointment as an officer, without a break in service, to retain the pay and allowances to which the member was entitled in the previous grade if it is more than the pay and allowances to which the member is entitled in the grade to which he is appointed or reappointed.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Guaranteed pay increase for members of the armed forces of one-half of one percentage point higher than employment cost index

The House bill contained a provision (sec. 608) that would mandate that pay raises for all service members during fiscal years 2010 through 2013 be one-half of 1 percent higher than the annual rise in the Employment Cost Index.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Increased weight allowance for transportation of baggage and household effects for certain enlisted members

The House bill contained a provision (sec. 631) that would authorize an additional weight allowance for noncommissioned officers in the grades E–5 through E–9 for shipping household goods during permanent changes in station.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Travel and transportation allowances for members of the reserve components of the armed forces on leave for suspension of training

The Senate bill contained a provision (sec. 633) that would add a new section 411k to title 37, United States Code, to authorize travel and transportation allowances for 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 during times 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 agreement does not include the provision.

We urge the services to be mindful of training suspensions and minimal staffing periods when devising training schedules for the reserve components. Suspension of training activities for mobilized Reserve and National Guard units must be carefully managed to avoid wasted time and unnecessary absence from home duty stations, particularly during the holiday season.

Equity in computation of disability retired pay for reserve component members wounded in action

The House bill contained a provision (sec. 641) that would change the method of calculating retired pay for reserve component members who have been awarded the Purple Heart by crediting the members with a year of active-duty service for each year the members received at least 50 reserve retirement points.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Effect of termination of subsequent marriage on payment of Survivor Benefit Plan annuity to surviving spouse or former spouse who previously transferred annuity to dependent children

The House bill contained a provision (sec. 642) that would authorize surviving spouses or former spouses, who had previously transferred their Survivor Benefit Plan annuity to a child or children, to reclaim their eligibility for the annuity after the termination of a subsequent marriage if the child or children were no longer eligible for the annuity.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Repeal of requirement of reduction of SBP survivor annuities by Dependency and Indemnity Compensation

The Senate bill contained a provision (sec. 642) 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 agreement does not include the provision.

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

The House bill contained a provision (sec. 644) that would allow officers with at least 20 years of active-duty service to retire and join the Selected Reserve and, after serving at least 2 years in the Selected Reserve, to receive retired pay in a higher grade if they are promoted after their active-duty retirement.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Recomputation of retired pay and adjustment of retired grade of Reserve retirees to reflect service after retirement

The House bill contained a provision (sec. 645) that would amend section 10145 of title 10, United States Code, to require recomputation of retired pay and adjustment of retired grade of non-regular retirees recalled to an active status in the Selected Reserve who complete not less than 2 years of service in that status.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Presumption of death for participants in Survivor Benefit Plan in missing status

The House bill contained a provision (sec. 647) that would prohibit a determination of presumed death by the Secretary of State for retired service members who are Survivor Benefit Plan annuitants, and who have been kidnapped in Iraq or Afghanistan.

The Senate bill contained no similar provision.

The agreement does not include the provision.

While current law explicitly entitles an active-duty service member to continued pay and allowances upon a determination that the member is missing, retired pay is stopped when a retired service member is determined to be missing, regardless of whether the member is still in a direct employment relationship with the Federal Government. Under the Survivor Benefit Plan, commencement of payment of the survivor benefit annuity may begin upon such a determination. We are sensitive to the fact that the annuity is typically but a portion of full retired pay. The Department of Defense must balance the need to avoid erroneous payments to survivors with the need to protect the interests of survivors in situations where death cannot or should not be presumed. We urge the Department to study whether retired pay should be stopped in the case of retired service members who are still in a direct employment relationship with the Federal Government, and to recommend statutory changes to the Congress, as necessary.

Eligibility for disability retired pay and separation pay of certain former cadets and midshipmen with prior enlisted service

The House bill contained a provision (sec. 648) that would extend retroactively the eligibility for disability retired pay and separation pay to cadets and midshipmen with prior enlisted service whose physical disabilities were incurred after January 1, 2000.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Separation pay, transitional health care, and transitional commissary and exchange benefits for members of the armed forces separated under surviving son or daughter policy

The Senate bill contained a provision (sec. 651) that would entitle service members who are separated under the Department of Defense surviving son or daughter policy to separation pay, transitional health care, and transitional commissary and exchange benefits.

The House bill contained no similar provision.

The agreement does not include the provision. The benefits of this section were included in the Hubbard Act (Public Law 110–317) enacted August 29, 2008.

Requirements for private operation of commissary store functions

The House bill contained a provision (sec. 652) that would amend section 2485(a)(2) of title 10, United States Code, to extend the moratorium on studies to compare the cost effectiveness of commissary operations employing federal civilian employees and private sector employees from December 31, 2008, to December 31, 2013.

The Senate amendment contained no similar provision.

The agreement does not include the House provision.

Before initiating a cost comparison study of a commissary store under Office of Management and Budget Circular A–76, we recommend that the Secretary of Defense confirm that the government workforce in question has transitioned to the Defense Commissary Agency's Workforce of the Future and ensure that the private sector competitor has demonstrated experience in grocery store operations.

Additional exception to limitation on use of appropriated funds for Department of Defense golf courses

The House bill contained a provision (sec. 653) that would amend section 2491a of title 10, United States Code, to authorize the use of appropriated funds to purchase and maintain golf carts designed to accommodate persons with disabilities and the use of such golf carts on military golf courses.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Use of appropriated funds to pay post allowance or overseas cost of living allowances to nonappropriated fund instrumentality employees serving overseas

The House bill contained a provision (sec. 656) that would authorize the Secretary of Defense to pay post or cost of living allowances to nonappropriated fund instrumentality employees who are United States citizens and employed full-time at an overseas location utilizing appropriated funds. Appropriated funds may be used to pay such allowances only if they were due to a nonappropriated fund instrumentality employee or former employee since December 1, 2001, but have not been previously paid.

The Senate bill contained no similar provision.

The agreement does not include the provision.

We are aware that there has been some confusion about the requirement for nonappropriated fund entities to pay post allowances at overseas locations when the employee is hired locally. We are also aware that the Department of Defense is reconsidering the current policy that requires post allowances to be paid to nonappropriated fund employees who are locally hired. Given the confusion over the specifics of the policy, we believe that nonappropriated fund entities should be protected from the burden of making additional unexpected retroactive and current payments until the Department's reassessment of the policy is completed. We

strongly urge the Secretary of Defense to identify and allocate appropriated funding to pay post allowances to locally hired nonappropriated fund employees at overseas locations and ensure that no nonappropriated fund entity incurs additional cost resulting from confusion over the Department's policy on these matters.

Study regarding sale of alcoholic wine and beer in commissary stores in addition to exchange stores

The House bill contained a provision (sec. 657) that would require the Secretary of Defense to conduct a study to evaluate the propriety, patron convenience, and financial utility of including alcoholic wine and beer for sale in, at, or by commissary stores, and to report the findings of this study to Congress. This provision would also authorize the Secretary to conduct a pilot program involving the sale of alcoholic wine and beer in commissary stores.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Bonus to encourage Army personnel and other persons to refer persons for enlistment in the Army

The House bill contained a provision (sec. 661) that would authorize the Secretary of the Army to train, directly or through a contractor, members of the general public to refer recruit candidates for enlistment. The provision would also provide the Secretary greater flexibility on the timing of referral bonus payments and the use of a contractor to manage the payment of such bonuses.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Providing injured members of the armed forces information concerning benefits

The House bill contained a provision (sec. 663) that would amend section 1651 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to add additional requirements to the handbook required by that section.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Postal benefits program for members of the armed forces serving in Iraq or Afghanistan

The House bill contained a provision (sec. 664) 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 Iraq or Afghanistan, or who are hospitalized in a Department of Defense facility as a result of service in Iraq or Afghanistan.

The Senate bill contained no similar provision.

The agreement does not include this provision.

TITLE VII—HEALTH CARE AND WOUNDED WARRIOR PROVISIONS

Subtitle A—Improvements to Health Benefits

One-year extension of prohibition on increases in certain health care costs for members of the uniformed services (sec. 701)

The House bill contained a provision (sec. 701) that would extend until September 30, 2009, the statutory prohibition on increases in any premium, deductible, and copayment under TRICARE; the maximum charge for inpatient care under TRICARE Standard; and the enrollment fee for TRICARE Prime.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program (sec. 702)

The House bill contained a provision (sec. 702) that would limit the cost sharing requirements for drugs provided through the TRICARE retail pharmacy program to amounts not more than $3 for generic drugs, $9 for formulary drugs, and $22 for non-formulary drugs during fiscal year 2009.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Chiropractic health care for members on active duty (sec. 703)

The House bill contained a provision (sec. 704) that would require the Secretary of Defense to provide chiropractic services for members of the uniformed services who are entitled to care under section 1074(a) of title 10, United States Code. The provision would also authorize the Secretary to conduct demonstration projects to provide chiropractic services to deployed members of the uniformed services.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense, not later than September 30, 2009, to provide chiropractic services to active duty service members at 11 additional Military Treatment Facilities that do not currently provide chiropractic services, the selection of which would be decided by the Department of Defense.

Calculation of monthly premiums for coverage under TRICARE Reserve Select after 2008 (sec. 704)

The House bill contained a provision (sec. 705) that would require the Secretary of Defense to recalculate the monthly premium for TRICARE Standard coverage. The premium could not cost more than 28 percent of the total average monthly amount for coverage based on actual cost data for the preceding fiscal year. If the amount calculated based on actual cost data is more than the amount in effect for the month of March 2006, then the Secretary would be required to offer coverage at the March 2006 rate.

The Senate bill contained a provision (sec. 701) that would require the Secretary of Defense to calculate calendar year 2009 monthly premiums for TRICARE Standard coverage based on the

actual cost of coverage during calendar years 2006 and 2007. The provision would require the premiums for subsequent years to be calculated using the actual cost of providing benefits during the preceding calendar years.

The agreement includes the Senate provision with an amendment that would stipulate that calendar year 2009 monthly premium calculations must be limited to no more than 28 percent of the total average monthly amount for that coverage, as determined by the cost of providing benefits during calendar years 2006 and 2007, but may not exceed the amount in effect for the month of March 2007. For subsequent years, the premium calculation must be based on the actual cost of providing benefits during the preceding calendar years.

Program for health care delivery at military installations projected to grow (sec. 705)

The House bill contained a provision (sec. 706) that would require the Secretary of Defense to develop a plan to establish a program to build cooperative health care arrangements and agreements between military installations projected to grow and local and regional civilian health care systems. The provision would also require the Secretary to implement such a program at each installation participating in the pilot program conducted pursuant to section 721 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375). The Secretary would be required to submit an annual report to the Committees on Armed Services of the Senate and House of Representatives describing the results of the program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would authorize the Secretary to develop a plan, and that would delete the requirement that the program be implemented at each installation participating in the pilot program under section 721 of Public Law 108–375.

We are encouraged by the Department of Defense's assessment of the pilot programs for health care delivery established by Public Law 108–375 in its July 2007 interim report on the status of these programs. At the two sites selected to test the program, Fort Drum, New York, and Yuma, Arizona, the Department found that "substantive partnerships, significant cooperative health care arrangements, and agreements" have been established between each installation and its local civilian medical community. We urge the Department of Defense to take the best practices learned from these respective programs and use them as a model for future initiatives established under this section.

Guidelines for combined medical facilities of the Department of Defense and the Department of Veterans Affairs (sec. 706)

The House bill contained a provision (sec. 707) that would require the Secretaries of Defense and Veterans Affairs to complete a written agreement including, at a minimum, plans for patient priority categories, budgeting, staffing, construction, and physical plant management before a facility could be designated a combined

federal medical facility of the Department of Defense and the Department of Veterans Affairs.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would add governance, training, contingency planning, quality assurance, and information technology to the list of minimum requirements for the written agreement.

Subtitle B—Preventive Care

Waiver of copayments for preventive services for certain TRICARE beneficiaries (sec. 711)

The House bill contained a provision (sec. 711) that would require the Secretary of Defense to waive all TRICARE copayments for preventive services for all beneficiaries who would otherwise pay copayments, and to ensure that a beneficiary pays nothing for preventive services during a year even if the beneficiary has not paid the amount necessary to cover their annual deductible. The provision would also authorize the Secretary to refund the copayment amounts paid by certain Medicare-eligible beneficiaries for preventive services obtained during fiscal year 2009. Covered preventive services would include colorectal screening, breast screening, cervical screening, prostate screening, annual physical exams, and vaccinations.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would expand the list of covered preventive services to include any other services as determined by the Secretary of Defense.

We believe that the Department of Defense should also consult with and consider the recommendations of the U.S. Preventive Services Task Force, as well as consider including screenings for other preventable health care conditions such as osteoporosis.

Military health risk management demonstration project (sec. 712)

The House bill contained a provision (sec. 712) that would require the Secretary of Defense to conduct a demonstration project evaluating the efficacy of providing monetary and non-monetary incentives to assist enrolled beneficiaries to improve and encourage healthy behaviors. The demonstration project must include a wellness assessment with physiological and biometric measures such as blood pressure, glucose level, lipids, and nicotine use. Non-Medicare eligible retired TRICARE Prime beneficiaries and their dependents who reside in the demonstration project service area would be enrolled in the demonstration project.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would offer, rather than require, eligible beneficiaries to enroll in the demonstration project, and would add weight to the list of measures to be included in the wellness assessment.

Smoking cessation program under TRICARE (sec. 713)

The House bill contained a provision (sec. 713) that would require the Secretary of Defense to establish a smoking cessation program under TRICARE. The program would be made available to all

non-Medicare eligible beneficiaries covered under TRICARE. The program would include, at a minimum: pharmaceuticals used for smoking cessation through the mail-order pharmacy program at no cost to the beneficiary if appropriate; access to a 24 hour, 7 days a week toll-free quit line; and access to tobacco cessation materials.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would add counseling as a required program element, and provide for involvement of the military chain of command.

We urge the Department of Defense to look at the work of other nationally recognized programs and consider implementing any appropriate best practices into its program.

Preventive health allowance (sec. 714)

The House bill contained a provision (sec. 714) that would require the Secretary of Defense to conduct a demonstration project to evaluate the efficacy of providing an annual preventive health services allowance to eligible service members, in order to increase the use of preventive health services by those service members and their dependents.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would add to the list of preventive health services weight and body mass screening.

Additional authority for studies and demonstration projects relating to delivery of health and medical care (sec. 715)

The Senate bill contained a provision (sec. 712) that would authorize the Secretary of Defense to conduct additional studies and demonstrations relating to the delivery of health and medical care, which may include:

(1) projects to provide awards and incentives to TRICARE covered service members and beneficiaries who obtain certain health promotion and disease prevention health care services;

(2) projects to provide awards and incentives to individual health care professionals to encourage improved quality and effectiveness of health care services;

(3) projects to improve the medical and dental readiness of the reserve components; and

(4) projects to improve the continuity of health care services for family members of mobilized members of the reserve components, including payment of a stipend for continuation of employer-provided health coverage.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would clarify that health promotion and disease prevention health care services received by members and covered beneficiaries are required to be obtained under the TRICARE program. The amendment would also clarify that personnel incentives available to individual health care professionals should be made available to civilian personnel as well as members of the armed forces.

Subtitle C—Wounded Warrior Matters

Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injuries (sec. 721)

The House bill contained a provision (sec. 721) that would require the Secretary of Defense to establish within the Department of Defense a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injury. The Secretary would be required to collaborate with the Secretary of Veterans Affairs, institutions of higher education, and other appropriate public and private entities to carry out the work of the center.

The Senate bill contained no similar provision.

The agreement includes the House provision.

We note that tinnitus, characterized by ringing in the ears, can be a severely disabling condition that impacts military personnel, particularly those exposed to blasts. The genesis and nature of this condition requires further study, including whether it disproportionately affects military personnel, and its correlation to other combat related neurological conditions.

Clarification to center of excellence relating to military eye injuries (sec. 722)

The House bill contained a provision (sec. 722) that would remove the phrase "in combat" from section 1623(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to match sections 1621 and 1623 of the same Act.

The Senate bill contained no similar provision.

The agreement includes the House provision.

We direct that not later than 30 days after the date of 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 status of implementation of the Vision Center of Excellence. The report shall include, at a minimum, a description of the mission of the center, the resources and funds available for the center in fiscal years 2009 through 2013, and the planned programs and priorities of the center.

Center of excellence in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations (sec. 723)

The House bill contained a provision (sec. 724) that would require the Secretary of Defense and the Secretary of Veterans Affairs to establish a competitive, peer-reviewed research program to conduct peer-reviewed medical research designed to develop scientific information aimed at saving injured extremities, avoiding amputations, and preserving and restoring the function of injured extremities. The Secretary would also be required to submit a report on the plans for establishment, management, and operation of this research program.

The Senate bill contained a similar provision (sec. 1066).

The agreement includes the Senate provision with an amendment that would add conducting research on saving injured ex-

tremities, avoiding amputations, and preserving and restoring the function of injured extremities to the responsibilities of the center.

Additional responsibilities for the Wounded Warrior Resource Center (sec. 724)

The Senate bill contained a provision (sec. 1064) that would amend section 1616(a) of the Wounded Warrior Act (title XVI of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181)) to require the Secretary of Defense to provide referrals for legal assistance where appropriate to wounded warriors, their families, and primary caregivers.

The House bill contained no similar provision.

The agreement includes the Senate provision.

We note that the intent of this provision is not to create a new entitlement for legal assistance, but to provide a referral service to connect wounded service members and their families with their local judge advocate office or other appropriate entity.

Sense of Congress on research on traumatic brain injury (sec. 725)

The Senate bill contained a provision (sec. 1065) that would amend section 1621(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to authorize the Secretary of Defense to conduct pilot programs to promote or assess the efficacy of treatment approaches for all forms of traumatic brain injury, to include mild traumatic brain injury.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment to express the sense of Congress that the requirement under section 1621(c)(7) to conduct basic science and translational research on traumatic brain injury includes pilot programs designed to test the efficacy of clinical approaches, including the use of pharmacological agents. The amendment would express support for continued joint research with the National Institutes of Health in this area.

Extension of Senior Oversight Committee with respect to wounded warrior matters (sec. 726)

The Senate bill contained a provision (sec. 1067) that would require the Secretary of Defense and the Secretary of Veterans Affairs to jointly take actions to continue the operations of the Senior Oversight Committee established to address concerns related to the treatment of wounded, ill, and injured members of the armed forces and veterans until September 30, 2011.

The House bill contained no similar provision.

The agreement contains the Senate provision with an amendment to require the Secretary of Defense and the Secretary of Veterans Affairs to continue the operations of the Senior Oversight Committee until December 31, 2009, and to report by August 31, 2009, on the future operations of the Senior Oversight Committee.

Modification of utilization of veterans' presumption of sound condition in establishing eligibility of members of the armed forces for retirement for disability (sec. 727)

The Senate bill contained a provision (sec. 1061) that would amend sections 1201 and 1203 of title 10, United States Code, to adopt the same presumption of sound condition used by the Department of Veterans Affairs in accordance with section 1111 of title 38, United States Code, that a disability is incurred while on active duty if the disability was not noted at the time of a member's entrance on active duty unless clear and unmistakable evidence demonstrates that the disability existed before the member's entrance on active duty and was not aggravated by active military service.

The House bill contained no similar provision.

The agreement includes this provision.

We believe that the Department of Defense and the Department of Veterans Affairs must make consistent determinations as to whether a disability existed before the member's entrance or was aggravated by active military service.

Subtitle D—Other Matters

Report on providing the Extended Care Health Option program to dependents of military retirees (sec. 731)

The House bill contained a provision (sec. 732) that would require the Secretary of Defense to submit a report on including autistic dependents of military retirees in the Extended Care Health Option (ECHO) program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would expand the scope of the report to cover all dependents of retirees who participate in the ECHO program, and clarify that the report should discuss including such dependents for a limited transitional period following retirement.

Increase in cap on extended benefits under Extended Health Care Option (ECHO) (sec. 732)

The House bill contained a provision (sec. 733) that would ensure that autistic children of members of the armed forces enrolled in the Extended Health Care Option (ECHO) program would be eligible for a minimum of $5,000 per month of autistic therapy services.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would replace the monthly cap on services under the ECHO program with an annual cap of $36,000.

We are concerned that the needs of military dependent children with autism are not being fully met due to the lack of availability of providers nationwide to provide therapeutic and other support services to children with autism. We expect the demonstration project initiated under TRICARE to go forward, incorporating to the maximum extent practicable, improvements identified by military family members. The demonstration project must complement other essential services to military dependent children with autism, including those authorized in section 587 of the National Defense

Authorization Act for Fiscal Year 2008 (Public Law 110–181). Those services include assignment of case managers, development of individualized services plans, and establishment of autism support centers.

We direct the Secretary of Defense to report not later than 90 days after the enactment of this Act, and semi-annually thereafter, on the status of implementation of the TRICARE demonstration project, including the numbers of autistic children served, the type and frequency of services provided, the number of available providers by region, and whether reimbursement levels are sufficient to retain qualified providers in the TRICARE networks.

Not later than February 1, 2009, the Secretary shall report to the congressional defense committees on the feasibility of establishing one or more autism support centers, as authorized by Public Law 110–181. The report shall describe the capabilities of such centers to serve military dependent children with autism of all services, the potential efficacy of such centers to meet the needs of military families with children with a diagnosis of autism, as well as the potential for training additional qualified providers of services to children with autism. We believe that each center should utilize medical, educational, and developmental therapies that have been successfully used to treat children with autism.

Department of Defense task force on the prevention of suicides by members of the armed forces (sec. 733)

The House bill contained a provision (sec. 735) that would require the Secretary of Defense to conduct a study to identify the mental health risks associated with the performance of military duties.

The Senate bill contained a provision (sec. 581) that would require the Secretary of Defense to develop a comprehensive policy designed to prevent suicide by members of the armed forces.

The agreement includes the Senate provision with an amendment that would require the Secretary of Defense to establish a task force to examine matters relating to prevention of suicide by members of the armed forces.

Transitional health care for certain members of the armed forces who agree to serve in the Selected Reserve of the Ready Reserve (sec. 734)

The House bill contained a provision (sec. 737) that would provide transitional health care benefits to members who separate from active duty and who agree to become a member of the Selected Reserve.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would delete the language related to funding, which is reflected in the tables.

Enhancement of medical and dental readiness of members of the armed forces (sec. 735)

The House bill contained a provision (sec. 362) that would authorize $22.3 million to be appropriated for first term dental readi-

ness, and $8.5 million to be appropriated for demobilization dental treatment.

The Senate bill contained a provision (sec. 711) that would require the secretary of each military department to provide to members of the Selected Reserve who are assigned to units scheduled for deployment within 75 days after mobilization annual medical screenings, a full physical examination for members who are over the age of 40 every 2 years, and annual dental screenings and dental care required to ensure that a member meets the dental standards required for deployment, all at no cost to the member. The provision would also authorize the secretaries concerned to provide the same services to other members of the Selected Reserve and to a member of the Individual Ready Reserve with a deployment responsibility, if those services are necessary to ensure medical and dental readiness. In addition, the provision would clarify that reserve components may use available operation and maintenance funds to achieve these goals.

The Senate provision would also authorize the Secretary of Defense to waive, in whole or in part, during a time of national emergency, the requirement for members of the Selected Reserve enrolled in the TRICARE dental insurance program to pay copayments for restorative care necessary to meet dental readiness standards, in order to facilitate readiness of a unit or individual scheduled for deployment. Finally, the provision would require the Secretary of Defense to submit a report on the policies and procedures to ensure medical and dental readiness of service members.

The agreement includes the Senate provision with an amendment that would clarify that waivers of charges determined necessary by the Secretary to ensure the readiness of a unit or individual for deployment should be subject to regulation and limited to dental services required for readiness.

We remind the Department of Defense that readiness includes not only pre-deployment medical and dental work necessary to make the member deployable, but also post-deployment medical and dental care to bring the member back up to readiness standards after they return from a long absence, where such medical and dental care may not have been available.

LEGISLATIVE PROVISIONS NOT ADOPTED

Prohibition on conversion of military medical and dental positions to civilian medical and dental positions

The House bill contained a provision (sec. 703) that would prohibit the military departments from converting any military medical or dental position to a civilian medical or dental position on or after October 1, 2008. This provision would also require that any military medical or dental position that has been converted to a civilian medical or dental position from October 1, 2004, through September 30, 2008, be restored to a military medical or dental position if the position is not filled by a civilian by September 30, 2008.

The Senate bill contained a provision (sec. 721) that would repeal subsection (a) of section 721 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), which prohibits the

military departments from converting any military medical or dental position through September 30, 2012. The provision would also restore subsections (a) and (b) of section 742 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), which requires certification by the secretary of a military department that any planned conversion will not increase the cost or decrease the quality of care or access to military health care, and requires a review by the Comptroller General of these certifications. The provision would keep the requirement set forth in subsection (b) of section 721 of Public Law 110–181 requiring the military departments to restore any positions converted between October 1, 2004, and September 30, 2008, that have not yet been filled by a civilian back to military positions.

The agreement does not include these provisions.

Reserve component behavioral health care provider locator and appointment assistance demonstration project

The House bill contained a provision (sec. 708) that would require the Secretary of Defense to conduct a demonstration project to assess the feasibility and efficacy of providing a behavioral health care provider locator and appointment assistance service to members of the reserve components, and to submit reports on this demonstration project.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Travel for anesthesia services for childbirth for dependents of members assigned to very remote locations outside the continental United States

The Senate bill contained a provision (sec. 713) that would authorize the Secretary of Defense to pay travel expenses for a dependent of a service member assigned to a very remote location outside the continental United States who requires or elects anesthesia services for childbirth to a location in the United States.

The House bill contained no similar provision.

The agreement did not include the Senate provision.

National Casualty Care Research Center

The House bill contained a provision (sec. 723) that would require the Secretary of Defense to designate a National Casualty Care Research Center at the Army Medical Research and Materiel Command, for the purpose of establishing additional linkages between military and civilian casualty research.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Review of policies and processes related to the delivery of mail to wounded members of the armed forces

The House bill contained a provision (sec. 725) that would require the Secretary of Defense to review the policies and processes related to the delivery of letters, packages, messages, and other communications that are intended as measures of support and are addressed generally to wounded and injured members of the armed

forces in military medical treatment facilities and other locations where members of the armed forces are treated and rehabilitated.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Post-deployment mental health screening demonstration project

The House bill contained a provision (sec. 726) that would require the Secretary of Defense to conduct a demonstration project to assess the feasibility and efficacy of providing a face to face post-deployment mental health screening between a service member and a mental health provider.

The Senate bill contained no similar provision.

The agreement does not include this provision.

Report on stipend for members of reserve components for health care for certain dependents

The House bill contained a provision (sec. 731) 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).

The Senate bill contained no similar provision.

The agreement does not include this provision.

Report on implementation of recommendations contained in report on health effects of exposure to depleted uranium

The House bill contained a provision (sec. 734) that would direct the Secretary of Defense to submit a report to Congress describing the measures underway to implement the report required by section 716 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Implementation of recommendations of Department of Defense Mental Health Task Force

The House bill contained a provision (sec. 736) that would require the Comptroller General of the United States to conduct a review of the implementation by the Department of Defense of the recommendations made by the Department of Defense Task Force on Mental Health.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Inclusion of service members in inpatient status in wounded warrior policies and protections

The Senate bill contained a provision (sec. 1062) that would amend section 1602(7) of the Wounded Warrior Act (title XVI of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181)) to include inpatient service members in the definition of a "recovering service member" for purposes of policies and protections for wounded warriors.

The House bill contained no similar provision.

The agreement does not include this provision.

Clarification of certain information sharing between the Department of Defense and Department of Veterans Affairs for wounded warrior purposes

The Senate bill contained a provision (sec. 1063) that would amend section 1614(b)(11) of the Wounded Warrior Act (title XVI of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181)) to require the Secretary of Defense and the Secretary of Veterans Affairs to implement a process for transferring medical records of a recovering service member from the Department of Defense to the Department of Veterans Affairs when the transfer is authorized by regulations implementing the Health Insurance Portability and Accountability Act of 1996.

The House bill contained no similar provision.

The agreement does not include the provision.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Assessment of urgent operational needs fulfillment (sec. 801)

The House bill contained a provision (sec. 802) that would require the Secretary of Defense to commission an independent study and report on the effectiveness of the processes used by the Department of Defense to identify, prioritize, and meet urgent operational needs.

The Senate bill contained a provision (sec. 813) that would require the expedited review and validation of urgent operational needs documents.

The agreement includes the House provision with an amendment that would require the independent study and report to make specific recommendations as to how to ensure the expedited review and validation of urgent operational needs documents.

Implementation of statutory requirements regarding the national technology and industrial base (sec. 802)

The House bill contained a provision (sec. 805) that would authorize the Secretary of Defense to provide for the application of a domestic industrial base evaluation factor during source selection for a major defense acquisition program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment requiring the Secretary of Defense to issue guidance regarding the implementation of certain existing statutory requirements regarding the national technology and industrial base. We understand that the Department of Defense currently meets the requirement of section 2440, United States Code, by conducting industrial capabilities assessments.

Commercial software reuse preference (sec. 803)

The House bill contained a provision (sec. 806) that would require the Secretary of Defense to ensure that contracting officials

reuse commercial computer software, whenever practicable, instead of developing new software.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment requiring the Secretary to ensure that contracting officials reuse commercial or off-the-shelf software, whenever practicable, instead of developing new software.

Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies (sec. 804)

The Senate bill contained a provision (sec. 811) that would modify requirements adopted in previous years for the Inspector General of the Department of Defense (DOD) to conduct joint reviews with the inspectors general of non-defense agencies to determine whether procurements conducted by the non-defense agencies on behalf of DOD have been conducted in compliance with defense procurement requirements.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment streamlining the provision.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

Inclusion of major subprograms to major defense acquisition programs under acquisition reporting requirements (sec. 811)

The Senate bill contained a provision (sec. 801) that would address the inclusion of certain information on major subprograms in reports issued in accordance with the requirements of chapter 144 of title 10, United States Code.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical amendment.

Inclusion of certain major information technology investments in acquisition oversight authorities for major automated information system programs (sec. 812)

The Senate bill contained a provision (sec. 802) that would extend reporting requirements for major automated information system programs to cover certain other major automated information technology investments.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

Transfer of sections of title 10 relating to milestone A and milestone B for clarity (sec. 813)

The House bill contained a provision (sec. 843) that would reverse sections of title 10 relating to milestone A and milestone B.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment making technical changes to the requirement for milestone A certifications.

Configuration Steering Boards for cost control under major defense acquisition programs (sec. 814)

The House bill contained a provision (sec. 846) that would require the Secretary of Defense to report to Congress on certain major defense acquisition programs and to establish Configuration Steering Boards (CSBs) for such programs.

The Senate bill contained a provision (sec. 803) that would require the Secretary to establish CSBs for all major defense acquisition programs.

The agreement includes the Senate provision with an amendment modifying the membership of CSBs and adding a new restriction on certain changes to programs receiving Milestone B approval during fiscal year 2008.

Preservation of tooling for major defense acquisition programs (sec. 815)

The House bill contained a provision (sec. 803) that would require the preservation of all unique tooling associated with the production of hardware for a major defense acquisition program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would streamline the requirement and the waiver authority, to clarify that the Secretary of Defense may waive the requirement to preserve unique production tooling, or any category of unique production tooling, if he determines that such a waiver is in the best interest of the Department of Defense and so notifies Congress. We note that the Secretary may delegate this authority, as he may delegate any authority provided to him by statute.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

Definition of system for defense acquisition challenge program (sec. 821)

The House bill contained a provision (sec. 812) that would clarify the meaning of the term "system" for the purpose of the defense acquisition challenge program.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Technical data rights (sec. 822)

The House bill contained a provision (sec. 814) that would require the Secretary of Defense to issue policy guidance on technical data rights in non-Federal Acquisition Regulation agreements.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment providing the Secretary greater flexibility in the drafting of the new guidance.

Revision to the application of cost accounting standards (sec. 823)

The House bill contained a provision (sec. 815) that would make the cost accounting standards apply to certain federal contracts performed outside the United States.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment requiring the Cost Accounting Standards Board to study the issue and determine whether the application of the standards to contracts or subcontracts outside the United States would benefit the Federal Government.

Modification and extension of pilot program for transition to follow-on contracts under authority to carry out certain prototype projects (sec. 824)

The Senate bill contained a provision (sec. 822) that would extend for 4 years the authority for the Secretary of Defense to carry out a pilot program under section 847 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), and modify such authority.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment extending the authority for 2 years. We direct the Secretary of Defense to report to the congressional defense committees not later than 270 days after the date of the enactment of this Act on the extent to which such authority has been used and, if it has not been used, whether modifications are needed to achieve the purpose of the provision.

Clarification of status of Government rights in designs of Department of Defense vessels, boats, craft, and components thereof (sec. 825)

The House bill contained a provision (sec. 841) that would clarify government rights in the designs of Department of Defense vessels, boats, and craft, and components of such vessels, boats, and craft.

The Senate bill contained a similar provision (sec. 1011).

The agreement includes the Senate provision with an amendment to address designs of all Department of Defense vessels, boats, craft, and components, regardless whether they are developed at public or private expense.

Subtitle D—Provisions Relating to Acquisition Workforce and Inherently Governmental Functions

Development of guidance on personal services contracts (sec. 831)

The House bill contained a provision (sec. 822) that would require the Secretary of Defense to develop guidance and safeguards for the use of personal services contracts by the Department of Defense.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment cross-referencing the definition of personal services contracts in section 2330(a) of title 10, United States Code.

Sense of Congress on the performance by private security contractors of certain functions in an area of combat operations (sec. 832)

The House bill contained a provision (sec. 824) that would require the Secretary of Defense to modify existing regulations to ensure that private security contractors are not authorized to perform inherently governmental functions in an area of combat operations.

The Senate bill contained a similar provision (sec. 841) that would also specify certain functions that constitute inherently governmental functions when performed in highly hazardous public areas.

The agreement includes a provision that expresses the Sense of Congress with regard to the performance of certain functions by private security contractors in an area of combat operations.

Acquisition workforce expedited hiring authority (sec. 833)

The House bill contained a provision (sec. 811) that would authorize the Department of Defense to use direct hiring authority for acquisition positions designated by the Secretary of Defense as shortage positions.

The Senate bill contained a similar provision (sec. 851).

The agreement includes the House provision.

Career path and other requirements for military personnel in the acquisition field (sec. 834)

The House bill contained a provision (sec. 813) that would require the Department of Defense to establish policies and issue guidance to ensure the proper development, assignment, and employment of military personnel in the acquisition field.

The Senate bill contained a provision (sec. 502(e)) that would establish minimum numbers of billets for general officers and flag officers serving in acquisition positions and in contracting positions in the military departments.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to ensure that a sufficient number of acquisition and contracting billets are reserved for general and flag officers with appropriate qualifications to ensure the optimum management of the acquisition functions of the Department of Defense. Elsewhere in the bill, we would increase the authorized number of Army general officers serving in acquisition positions by five, and authorize the Chairman of the Joint Chiefs of Staff to exclude from limitations on flag and general officers an additional five positions, one of whom must be assigned to the Defense Contract Management Agency.

Subtitle E—Department of Defense Contractor Matters

Ethics safeguards related to conflicts of interest (sec. 841)

The House bill contained a provision (sec. 821) that would require the Department of Defense to develop a standard policy aimed at preventing personal conflicts of interest by employees of Department of Defense contractors and implement that policy through a standard contract clause.

The House bill also contained a provision (sec. 4404) that would require the Administrator for Federal Procurement Policy to establish uniform, government-wide policies for the prevention of personal and organizational conflicts of interest by contractors and their employees and to implement those policies through a standard clause or a set of standard clauses.

The Senate bill contained a similar provision (sec. 832) that would require the Department of Defense to develop a contract

clause addressing financial conflicts of interest of certain contractor employees.

The agreement includes a provision that would combine the requirements of the three provisions into a single, government-wide provision. The provision would require the development of a government-wide policy and a standard clause or set of clauses regarding personal conflicts of interest by contractor employees performing acquisition functions closely associated with inherently governmental functions. The provision would also require the Administrator for Federal Procurement Policy to consider any additional revisions to the Federal Acquisition Regulation that may be necessary to address personal or organizational conflicts of interest by contractors or their employees.

We note that the Department of Defense Panel on Contracting Integrity is also reviewing these issues and expect the Panel to continue that review.

Information for Department of Defense contractor employees on their whistleblower rights (sec. 842)

The Senate bill contained a provision (sec. 833) that would require the Secretary of Defense to prescribe in regulations a policy for informing Department of Defense (DOD) contractor employees of whistleblower rights and protections.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment requiring the Secretary to ensure that DOD contractor employees are informed of their whistleblower rights and protections.

Requirement for Department of Defense to adopt an acquisition strategy for Defense Base Act insurance (sec. 843)

The House bill contained a provision (sec. 850) that would require the Secretary of Defense to adopt an acquisition strategy for insurance required by the Defense Base Act (section 1651 of title 42, United States Code) which minimizes the cost of such insurance to the Department and its contractors.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Report on use of off-shore subsidiaries by defense contractors (sec. 844)

The House bill contained a provision (sec. 852) that would prohibit contractors from using foreign shell companies to employ United States persons to perform Department of Defense contracts.

The Senate bill contained a provision (sec. 823) that would ensure that an offeror for a Department of Defense contract cannot receive a competitive advantage by reducing costs through the use of overseas subsidiaries to avoid U.S. taxes.

The agreement includes the House provision with an amendment requiring a report by the Comptroller General on the use of foreign shell companies by Department of Defense contractors. We note that the tax issue has already been addressed in section 302 of Public Law 110–245.

Defense industrial security (sec. 845)

The House bill contained a series of provisions (sec. 831–833) that would codify certain requirements regarding facility clearances; foreign ownership, control and influence; and congressional oversight of these requirements.

The Senate bill contained no similar provision.

The agreement includes a provision that would make the Secretary of Defense responsible for the protection of classified information disclosed to contractors of the Department of Defense and require certain reports on the manner in which the Secretary carries out this responsibility.

Subtitle F—Matters Relating to Iraq and Afghanistan

Clarification and modification of authorities relating to the Commission on Wartime Contracting in Iraq and Afghanistan (sec. 851)

The Senate bill contained a provision (sec. 843) that would ensure that federal retirees serving as members or staff of the Commission on Wartime Contracting in Iraq and Afghanistan may be paid for their work without forfeiting retired pay.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Comprehensive audit of spare parts purchases and depot overhaul and maintenance of equipment for operations in Iraq and Afghanistan (sec. 852)

The Senate bill contained a provision (sec. 844) that would require the audit agencies of the military departments to conduct thorough audits of spare parts purchases and depot overhaul and maintenance of equipment for operations in Iraq and Afghanistan.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would clarify that this provision may not be construed to require the duplication of audit work that has already been performed by Department of Defense audit agencies.

Additional matters required to be reported by contractors performing security functions in areas of combat operations (sec. 853)

The House bill contained a provision (sec. 847) that would amend section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to expand the categories of incidents that must be reported by private security contractors operating in areas of combat operations.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment reemphasizing the requirement for contractors of all federal agencies, pursuant to section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), to comply with regulations prescribed by the Secretary of Defense, other applicable laws and regulations, and orders and directives issued by commanders on the battlefield.

Additional contractor requirements and responsibilities relating to alleged crimes by or against contractor personnel in Iraq and Afghanistan (sec. 854)

The House bill contained a provision (sec. 849) that would require the Secretary of Defense to require the reporting of crimes against contractor personnel in Iraq and Afghanistan and to ensure that the victims of such crimes receive appropriate assistance.

The Senate bill contained a similar provision (sec. 842). The Senate provision would amend section 861 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to ensure that reporting and victim assistance requirements would apply to contractors of all federal agencies.

The agreement includes the Senate provision with an amendment combining the reporting and assistance requirements of the two provisions.

Suspension of statutes of limitations when Congress authorizes the use of military force (sec. 855)

The Senate bill contained a provision (sec. 1083) that would amend the wartime suspension of the statute of limitations in section 3287 of title 18, United States Code, to apply in cases where Congress has enacted a specific authorization for the use of the armed forces.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Subtitle G—Governmentwide Acquisition Improvements

Short title (sec. 861)

The House bill contained a provision (sec. 4001) that would provide a short title for Division D of the House bill.

The Senate bill contained no similar provision.

The agreement includes a provision that would provide a short title for the government-wide acquisition subtitle of Title VIII.

Limitation on length of certain noncompetitive contracts (sec. 862)

The House bill contained a provision (sec. 4102) that would limit the length of contracts entered on a noncompetitive basis because of urgent and compelling circumstances.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would limit such contracts to a period of no longer than one year and apply the limitation to contracts in excess of the simplified acquisition threshold.

Requirements for purchase of property and services pursuant to multiple award contracts (sec. 863)

The House bill contained a provision (sec. 4103) that would: (1) extend on a government-wide basis certain requirements already applicable to the Department of Defense for purchases under multiple award contracts; and (2) establish public notice requirements for sole source purchase under such contracts.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Regulations on the use of cost-reimbursement contracts (sec. 864)

The House bill contained a provision (sec. 4201) that would require the issuance of government-wide regulations to minimize the inappropriate use of cost-reimbursement contracts.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would streamline reporting requirements and simplify the provision.

Preventing the abuse of interagency contracts (sec. 865)

The House bill contained a provision (sec. 4202) that would require the Office of Management and Budget to establish guidelines for the use of interagency acquisitions.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Limitations on tiering of subcontractors (sec. 866)

The House bill contained a provision (sec. 4204) that would extend on a government-wide basis certain regulatory requirements already applicable to the Department of Defense with respect to excessive pass-through charges on contracts.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Linking of award and incentive fees to acquisition outcomes (sec. 867)

The House bill contained a provision (sec. 4205) that would extend on a government-wide basis certain requirements already applicable to the Department of Defense regarding the linking of award and incentive fees to acquisition outcomes.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment clarifying that the Department of Defense will continue to be subject to guidance on award and incentive fees issued pursuant to section 814 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

Minimizing abuse of commercial services item authority (sec. 868)

The House bill contained a provision (sec. 4206) that would extend on a government-wide basis certain regulatory requirements already applicable to the Department of Defense with respect to: (1) the purchase of commercial services; and (2) the use of time and materials contracts.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment deleting the requirement with respect to time and materials contracts.

Acquisition workforce development strategic plan (sec. 869)

The House bill contained a provision (sec. 4301) that would establish an acquisition workforce development fund for civilian agencies, similar to the fund already in place for the Department of Defense.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment requiring the Administrator for Federal Procurement Policy to develop a strategic plan for funding improvements to support the development of the civilian acquisition workforce.

Contingency contracting corps (sec. 870)

The House bill contained a provision (sec. 4302) that would establish a government-wide contingency contracting corps.

The Senate bill contained a provision (sec. 812) that would establish a contingency contracting corps within the Department of Defense (DOD).

The agreement includes the House provision with an amendment that would ensure that members of the Armed Forces or DOD civilian employees who are members of the government-wide contingency contracting corps may not be deployed without the concurrence of the Secretary of Defense or the Secretary's designee. The provision would also preserve the independent authority of the Secretary of Defense to deploy members of the Armed Forces or DOD civilian employees, including members of the government-wide contingency contracting corps, in support of a contingency operation, as defined in section 101(o)(13) of title 10, United States Code.

Access of Government Accountability Office to contractor employees (sec. 871)

The House bill contained a provision (sec. 4403) that would ensure that the Government Accountability Office has access to contractor employees for the purpose of conducting interviews.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Database for federal agency contract and grant officers and suspension and debarment officials (sec. 872)

The House bill contained a series of provisions (sec. 4502–4504) that would require the establishment of a government-wide database of information regarding integrity and performance of persons awarded federal contracts and grants.

The Senate bill contained a provision (sec. 831), which would require the establishment of a database of information regarding the integrity and performance of persons awarded Department of Defense contracts.

The agreement includes the Senate provision with an amendment that would require the establishment of a government-wide database and making certain clarifying changes.

Role of interagency committee on debarment and suspension (sec. 873)

The House bill contained a provision (sec. 4505) that would establish requirements for the Interagency Committee on Debarment and Suspension.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Improvements to the Federal Procurement Data System (sec. 874)

The House bill contained a provision (sec. 4509) that would require the Director of the Office of Management and Budget to direct appropriate revisions to the Federal Procurement Data System to facilitate the collection of complete, timely, and reliable data on interagency contracting actions and on other transactions.

The House bill also contained a provision (sec. 4508) that would require the Administrator of General Services to make recommendations to Congress on steps needed to create a centralized, comprehensive federal contracting and federal grant database.

The Senate bill contained no similar provisions.

The agreement includes the House provisions with an amendment that would combine them into a single section.

Subtitle H—Other Matters

Expansion of authority to retain fees from licensing of intellectual property (sec. 881)

The House bill contained a provision (sec. 842) that would clarify the authority for the Department of Defense and the Department of Homeland Security to retain fees from licensing of intellectual property.

The Senate bill contained a similar provision (sec. 852) applicable only to the Department of Defense.

The agreement includes the House provision.

Report on market research (sec. 882)

The House bill contained a provision (sec. 845) that would require the Secretary of Defense to submit a report to Congress on market research conducted by the Department of Defense (DOD) to identify commercial or nondevelopmental items that could meet DOD needs.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment streamlining the reporting requirement.

Report relating to munitions (sec. 883)

The House bill contained a provision (sec. 848) that would require the Secretary of Defense to report to the congressional defense committees justifying any decision to procure certain categories of ammunition from non-domestic sources and providing a plan to develop a domestic producer as the source for such ammunition by 2012.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment deleting the requirement that the report include a plan to develop a domestic producer for the covered categories of ammunition.

Motor carrier fuel surcharges (sec. 884)

The House bill contained a provision (sec. 851) that would require that motor carriers: (1) pass on the amount of all fuel surcharges to the person who bears the cost of such fuel; and (2) make the amount of any fuel-related adjustment publicly available on the internet.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require that: (1) the Secretary of Defense take appropriate steps to ensure that, to the maximum extent practicable, fuel-related adjustments are passed through to the person who bears the cost of the fuel; (2) the steps taken by the Secretary include the use of contract clauses in contracts providing for fuel-related adjustments; and (3) the Secretary publicly disclose any decision by the Department of Defense to pay fuel-related adjustments under such contracts (or a category of such contracts).

Procurement by State and local governments of equipment for homeland security and emergency response activities through the Department of Defense (sec. 885)

The Senate bill contained a provision (sec. 1031) that would amend section 381 of title 10, United States Code, to authorize the State and local governments to purchase specialized homeland security and emergency response equipment through the Department of Defense.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Review of impact of covered subsidies on acquisition of KC–45 aircraft (sec. 886)

The House bill contained a provision (sec. 801) that would require the Secretary of the Air Force to review a ruling by the World Trade Organization (WTO) regarding subsidies to a manufacturer of large commercial aircraft, including a notice and comment process, and take certain actions on the basis of such review.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to review the subsidies issue upon a ruling by the WTO, in consultation with certain other officials and experts without notice and public comment or the requirement to take any action on the basis of the review.

Report on the implementation of earned value management at the Department of Defense (sec. 887)

The House bill contained a provision (sec. 844) that would require the Secretary of Defense to study and report to Congress on the implementation of earned value management systems by the Department of Defense and its contractors.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment extending the deadline for the completion of the study and report.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authorization of appropriations

The House bill contained a provision (sec. 4507) that would authorize funds for the Administrator of General Services to establish a database of information regarding integrity and performance of federal contractors.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Authorization of independent agencies

The House bill contained a provision (sec. 4506) that would address the participation of independent agencies in the suspension and debarment system.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Comprehensive proposal analysis required during source selection

The House bill contained a provision (sec. 807) that would require the Secretary of Defense to provide for the consideration of costs borne by a foreign government in the evaluation of a proposal for a major defense acquisition program, a significant portion of which will be performed outside the United States.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Disclosure of CEO salaries

The House bill contained a provision (sec. 4501) that would require certain contractors to disclose the names and total compensation of their five most highly compensated officers.

The Senate bill contained no similar provision.

The agreement does not include the provision. This issue has already been addressed in section 6202 of the Fiscal Year 2008 Supplemental Appropriations Act (Public Law 110–252).

Limitation on performance of product support integrator functions

The House bill contained a provision (sec. 823) that would prohibit contractors from performing product support integrator functions.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Mandatory fraud reporting

The House bill contained a provision (sec. 4402) that would require contractors to report violations of Federal criminal law or overpayments in connection with the award of performance of contracts.

The Senate bill contained no similar provision.

The agreement does not include the provision. This issue has already been addressed in section 6102 of the Fiscal Year 2008 Supplemental Appropriations Act (Public Law 110–252).

Minimizing sole-source contracts

The House bill contained a provision (sec. 4101) that would require federal agencies to develop and implement plans to minimize, to the maximum extent practicable, the use of contracts entered into using procedures other than competitive procedures.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Multiyear procurement authority for the Department of Defense for the purchase of alternative and synthetic fuels

The Senate bill contained a provision (sec. 821) that would authorize the Secretary of Defense to enter multiyear contracts for the purchase of alternative and synthetic fuels.

The House bill contained no similar provision.

The agreement does not include the provision.

Prohibition on procurement from beneficiaries of foreign subsidies

The House bill contained a provision (sec. 804) that would prohibit the Secretary of Defense for entering a contract for the procurement of goods or services from any foreign person whom the United States has alleged, in proceedings under the Agreement on Subsidies and Countervailing Measures, to have received a prohibited subsidy.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Prohibitions on the use of lead systems integrators

The House bill contained a provision (sec. 4203) that would prohibit the award of new contracts for lead systems integrator functions in the acquisition of major systems.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Protection of contractor employees from reprisal for disclosure of certain information

The House bill contained a provision (sec. 4401) that would provide enhanced protections for contractor employees of non-defense agencies who blow the whistle on waste, fraud and abuse in government contracting.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Repeal of requirements relating to the military system essential item breakout list

The Senate bill contained a provision (sec. 853) that would repeal section 813 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136).

The House bill contained no similar provision.

The agreement does not include the provision.

Requirement to buy military decorations, ribbons, badges, medals, insignia, and other uniform accoutrements produced in the United States

The House bill contained a provision (sec. 655) that would require military exchange stores and other nonappropriated fund entities of the Department of Defense (DOD) to purchase military decorations, ribbons, badges, medals, insignia, and other uniform accoutrements produced in the United States, subject to certain exceptions.

The Senate bill contained no similar provision.

The agreement does not include the provision.

We understand that contracts entered by DOD nonappropriated fund entities for the purchase of military decorations, awards and insignia include clauses requiring that such decorations, awards and insignia be manufactured, assembled and produced in the United States unless there are no U.S. manufacturing sources available. We believe that the Secretary of Defense should take steps, including periodic audits, to ensure contractor compliance with the terms and conditions of these contracts, including terms and conditions relating to product quality, conformance with technical specifications, and point of origin.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Plan required for personnel management of special operation forces (sec. 901)

The House bill contained a provision (sec. 903) that would require the commander of the special operations command to submit a plan to the congressional defense committees on the personnel management of special operations forces.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment clarifying that the Commander of the United States Special Operations Command shall submit the required report to the Secretary of Defense, who shall provide that report to the congressional defense committees together with any additional comments the Secretary of Defense and the Chairman of the Joint Chiefs of Staff consider appropriate.

Director of Operational Energy Plans and Programs (sec. 902)

The House bill contained a provision (sec. 904) that would establish a Director for Operational Energy Plans and Programs within the Office of the Secretary of Defense and senior operational energy officials within each of the military services.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Corrosion control and prevention executives for the military departments (sec. 903)

The House bill contained a provision (sec. 905) that would require the Assistant Secretary of each military department with responsibility for acquisition, technology, and logistics to designate an employee of the military department to act as the senior official to coordinate department-level Corrosion Prevention and Control Program activities.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would make the annual report provided by the corrosion control and prevention executives of the military departments due to the Secretary of Defense by December 31 each year. We understand that the first report submitted by the corrosion control and prevention executives would be December 2009.

Participation of Deputy Chief Management Officer of the Department of Defense on Defense Business System Management Committee (sec. 904)

The House bill contained a provision (sec. 906) that would clarify the role of the Deputy Chief Management Officer of the Department of Defense.

The Senate bill contained a similar provision (sec. 902).

The agreement includes the Senate provision with a clarifying amendment.

Modification of status of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (sec. 905)

The Senate bill contained a provision (sec. 901) that would amend section 142 of title 10, United States Code, to clarify that the Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense is equivalent to an assistant secretary of defense.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Requirement for the Secretary of Defense to prepare a strategic plan to enhance the role of the National Guard and Reserves (sec. 906)

The House bill contained a provision (sec. 907) that would require the Secretary of Defense to develop a plan for enhancing the roles of the National Guard and reserves, and submit a report on that plan to the Committees on Armed Services of the Senate and the House of Representatives by April 1, 2009.

The Senate bill contained a similar provision (sec. 1053).

The agreement includes the House provision with a clarifying amendment.

General Counsel to the Inspector General of the Department of Defense (sec. 907)

The Senate bill contained a provision (sec. 904) that would provide for a General Counsel to the Inspector General of the Department of Defense who would report only to the Inspector General.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Business transformation initiatives for the military departments (sec. 908)

The Senate bill contained a provision (sec. 906) that would require the Secretary of each military department, acting through the Chief Management Officer of such department, to carry out a business transformation initiative. The provision would also require each military department to establish an Office of Business Transformation to assist the Chief Management Officer in carrying out the initiative.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment extending the timelines for the initiative and clarifying the responsibilities of the new Office of Business Transformation.

Subtitle B—Space Activities

Extension of authority for pilot program for provision of space surveillance network services to entities outside United States Government (sec. 911)

The House bill contained a provision (sec. 911) that would extend the authority to continue the pilot program to provide network surveillance assistance to entities outside the U.S. Government.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Investment and acquisition strategy for commercial satellite capabilities (sec. 912)

The House bill contained a provision (sec. 912) that would require the Secretary of Defense to conduct an assessment to determine a recommended investment and acquisition strategy for a broad range of commercial satellite capabilities. The report on the strategy would be due February 2009.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the due date of the report to February 1, 2010. The assessment would address fiscal years after 2010.

Space posture review (sec. 913)

The Senate bill contained a provision (sec. 911) that would direct the Secretary of Defense, in conjunction with the Director of National Intelligence, to conduct a comprehensive review of the space posture of the United States. The review would cover a 10 year period beginning February 1, 2009. The Secretary would be required to submit the report no later than December 1, 2009.

The House bill contained no similar provision.

The agreement includes the House provision with an amendment that would add industrial base policy to the list of policies for which the provision requires an assessment of interrelationships.

Subtitle C—Chemical Demilitarization Program

Responsibilities for Chemical Demilitarization Citizens' Advisory Commissions in Colorado and Kentucky (sec. 921)

The House bill contained a provision (sec. 921) that would require the Secretary of the Army to transfer responsibility for the Chemical Demilitarization Citizens' Advisory Commissions in Colorado and Kentucky to the Program Manager for Assembled Chemical Weapons Alternatives.

The Senate bill contained a similar provision (sec. 1431).

The agreement includes the Senate provision with a clarifying amendment.

Cost-benefit analysis of future treatment of hydrolysate at Pueblo Chemical Depot, Colorado (sec. 922)

The House bill contained a provision (sec. 922) that would prohibit the Department of Defense from transporting hydrolysate from the Pueblo Chemical Depot, Colorado, to an off-site location for treatment, storage, or disposal during fiscal year 2009, and would require a report containing a cost-benefit analysis between on-site and off-site methods of disposing of such hydrolysate.

The Senate bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to conduct a cost-benefit analysis of future options for treatment and disposal of hydrolysate at the Pueblo Chemical Depot, Colorado, and to submit a report to Congress, together with the budget request for fiscal year 2010, containing the results of that analysis. The provision would also require the Secretary to provide notification to Congress 60 days prior to commencing any transport of hydrolysate from the Pueblo Chemical Depot to an off-site location during fiscal year 2009, if he decides to conduct such transport after the report is submitted.

Subtitle D—Intelligence-Related Matters

Technical changes following the re-designation of National Imagery and Mapping Agency as National Geospatial-Intelligence Agency (sec. 931)

The House bill contained a provision (sec. 931) that would make certain technical changes in the United States Code and other laws to reflect the changing of the name of the National Imagery and Mapping Agency to the National Geospatial-Intelligence Agency.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Technical amendments to title 10, United States Code, arising from enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 (sec. 932)

The House bill contained a provision (sec. 932) that would make certain technical changes in title 10, United States Code, to reflect enactment of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458).

The Senate bill contained no similar provision.

The agreement includes the House provision.

Technical amendments relating to the Associate Director of the CIA for Military Affairs (sec. 933)

The House bill contained a provision (sec. 933) that would change section 528(c) in title 10, United States Code, to reflect changing of the title of the position within the Central Intelligence Agency (CIA) from the Associate Director of the CIA for Military Support, to the Associate Director of the CIA for Military Affairs.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle E—Other Matters

Enhancement of authorities relating to Department of Defense regional centers for security studies (sec. 941)

The House bill contained a provision (sec. 942) that would amend section 184(f) of title 10, United States Code, to allow funds authorized under that section to be available for programs that begin in that fiscal year but end in the following one, starting with fiscal year 2009. The provision would also establish a pilot program providing temporary authority for the Secretary of Defense, with the concurrence of the Secretary of State, to waive reimbursement of certain costs of activities of Regional Centers in connection with the participation of personnel of nongovernmental or international organizations in those activities. The provision would also require the Secretary of Defense to report on the extent of nongovernmental and international organization participation in regional center programs.

The Senate bill contained a similar provision (sec. 1212).

The agreement includes the Senate provision.

Restriction on obligation of funds for United States Southern Command development assistance activities (sec. 942)

The House bill contained a provision (sec. 944) that would require that the Secretary of Defense, within 30 days after the date of enactment of this Act, to submit to the congressional defense committees a report describing the development assistance activities carried out by the United States Southern Command (SOUTHCOM) and containing a certification that such activities: will not negatively impact the readiness of SOUTHCOM; do not divert resources from funded or unfunded requirements of SOUTHCOM; are not already, or will not be, undertaken by other federal departments or agencies; and are designed, planned, and conducted as derivative activities of SOUTHCOM's warfighting responsibilities under title 10 of the United States Code.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would increase the time permitted for the Secretary of Defense to deliver the required report to the Congressional defense committees to 120 days.

Authorization of non-conventional assisted recovery capabilities (sec. 943)

The House bill contained a provision (sec. 945) that would codify authority for Joint Forces Command to act as the Executive Agent

for the non-conventional assisted recovery (NAR) capabilities and authorize the Department to develop a personnel recovery program for isolated personnel representing all parts of the U.S. Government.

The Senate bill contained a similar provision (sec. 1207) that would authorize the commander of a combatant command, with the concurrence of the relevant chief of mission, to expend funds in fiscal years 2009 and 2010 to establish, develop, and maintain NAR capabilities in a foreign country if the commander determines that expenditure of such funds for that purpose is necessary.

The agreement includes a provision that would authorize the commander of a combatant command, with the concurrence of the relevant chiefs of mission, to expend funds in fiscal years 2009 through 2011 to establish, develop, and maintain NAR capabilities and would require a notification to the congressional defense committees of the use of this authority within 72 hours of a combatant commander exercising this authority.

Report on homeland defense and civil support issues (sec. 944)

The House bill contained a provision (sec. 946) that would require the Secretary of Defense to submit a report on progress made to address concerns raised by the Government Accountability Office (GAO) related to U.S. Northern Command, and would require Northern Command to perform a number of functions related to State and federal domestic response planning, capabilities, and coordination.

The Senate bill contained a related provision (sec. 905) that would express the sense of the Congress concerning the importance of establishing and assigning to U.S. Northern Command forces for the mission of managing the consequences of an incident in the United States homeland involving a chemical, biological, radiological, or nuclear device, or high-yield explosives (CBRNE). The provision would also require reports on progress toward achieving that goal, including progress in addressing concerns raised by GAO related to U.S. Northern Command.

The agreement includes a provision that would require the Secretary of Defense to submit a report to the congressional defense committees on progress made to address the concerns raised by GAO related to U.S. Northern Command, including improved coordination with other agencies, and on plans and progress to establish CBRNE consequence management response forces.

Report on National Guard resource requirements (sec. 945)

The House bill contained a provision (sec. 947) that would require the Chief of the National Guard Bureau to submit to the Secretary of Defense, not later than 6 months after the date of enactment of this Act, a report on the effectiveness of the implementation of the various provisions in title XVIII of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) and assessing the adequacy of Department of Defense funding for the resource requirements of the National Guard. The Secretary of Defense would be required to submit the report, with any explanatory comments the Secretary considers necessary, to Congress not later than 30 days after the Secretary receives the report.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Chief of the National Guard Bureau to submit to the Secretary of Defense a report on the extent to which the various provisions in title XVIII of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) have been effective in giving the Chief of the National Guard Bureau the proper set of authorities and resources to perform the responsibilities and duties of the Chief.

LEGISLATIVE PROVISIONS NOT ADOPTED

Revisions in functions and activities of Special Operations Command

The House bill contained a provision (sec. 901) that would revise the statutory authority governing special operations activities.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Requirement to designate officials for irregular warfare

The House bill contained a provision (sec. 902) that would require the Secretary of Defense to designate an Assistant Secretary of Defense to be responsible for overall management and coordination of irregular warfare activities. The provision would also require the establishment of a single executive agent for such activities.

The Senate bill contained no similar provision.

The agreement does not contain this provision.

We note that the Secretary of Defense has authorized a review of the management and execution of both current and future irregular warfare activities throughout the Department of Defense. We understand that the Secretary will soon approve a Department Directive pertaining to irregular warfare activities. We applaud the review effort, await the completion of the approval process, and direct the Secretary to provide the results of that review to the congressional defense committees no later than 30 days after approval.

Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps

The House bill contained a provision (sec. 908) that would redesignate the Department of the Navy as the Department of the Navy and Marine Corps and would redesignate the position of the Secretary of the Navy as the Secretary of the Navy and Marine Corps.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Support to committee to review

The House bill contained a provision (sec. 909) that would require the Secretary of Defense to provide certain information to the House Committee on Armed Services within 15 days after receiving a request.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Requirement for certain officers of the armed forces on active duty in certain intelligence positions

The Senate bill contained a provision (sec. 921) that would require that the principal deputy to the senior service intelligence officer be a commissioned officer of the armed forces on active duty.

The House bill contained no similar provision.

The agreement does not include the provision.

Transfer of management of Intelligence Systems Support Office

The Senate bill contained a provision (sec. 922) that would transfer management of the Intelligence Systems Support Office and other projects and activities currently conducted by the Office of the Under Secretary of Defense for Intelligence to other components of the Department of Defense.

The House bill contained no similar provision.

The agreement does not include the provision.

Program on advanced sensor applications

The Senate amendment contained a provision (sec. 923) that would transfer management oversight of the Advanced Sensor Applications Program (ASAP) to the Under Secretary of Defense for Acquisition, Technology and Logistics and mandate other aspects of the management of the program.

The House bill contained no similar provision.

The Senate recedes.

The Deputy Secretary of Defense sent a letter to the congressional defense and intelligence committees, dated July 22, 2008, outlining certain changes in the Department's position on the ASAP effort. The conferees agree that the revised funding and management approach described in the Deputy Secretary's letter should help ensure that the Department abides by congressional intent without the need for immediate legislative intervention.

The conferees agree to authorize $20.0 million for the ASAP program for fiscal year 2009.

Additional direction on the ASAP program is contained in the classified annex to this report.

Findings and sense of Congress regarding the Western Hemisphere Institute for Security Cooperation

The House bill contained a provision (sec. 943) that would express the sense of congress that the Western Hemisphere Institute for Security Cooperation is one of the most effective mechanisms that the United States has to build relationships with future leaders throughout the Western Hemisphere, influence the human rights records and democracy trajectory of countries in the Western Hemisphere, and mitigate the growing influence of non-hemispheric powers.

The Senate bill contained no similar provision.

The agreement does not include this provision.

TITLE X—GENERAL PROVISIONS

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 2009 in division A of this Act. This section would limit the total amount transferred under this authority to $4.0 billion. This section would also require prompt notification to Congress of each transfer made.

The Senate bill contained a similar provision (sec. 1001) that would provide $5.0 billion in transfer authority.

The agreement provides for transfer authority of $4.2 billion.

One-time shift of military retirement payments (sec. 1002)

The House bill contained a provision (sec. 1004) that would shift a portion of the military retirement payments disbursed in September 2013 to October 2013. The provision would also require the Secretary of Defense to transfer $40.0 million from the National Defense Stockpile Transaction Fund.

The Senate bill contained no similar provision.

The agreement contains this provision.

Management of purchase cards (sec. 1003)

The House bill contained a provision (sec. 1005) that would require new safeguards and internal controls for the use of purchase cards by the Department of Defense.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to report to Congress on the steps that the Department of Defense has taken or plans to take to implement the recommendations of a Government Accountability Office report on actions needed to strengthen internal controls for the use of purchase cards (GAO report 08–333).

Codification of recurring authority on United States contributions to the North Atlantic Treaty Organization common-funded budgets (sec. 1004)

The Senate bill contained a provision (sec. 1003) that would authorize the U.S. contribution to the North Atlantic Treaty Organization (NATO) common-funded budgets for fiscal year 2008, including the use of unexpended balances.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that provides permanent authority for amounts contributed by the Secretary of Defense in any fiscal year for the NATO common-funded budgets to exceed the maximum amount that would otherwise be applicable under the fiscal year 1998 baseline limitation set out in the Senate resolution of ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic. The amendment also requires the Secretary of Defense to report annually to Congress regarding U.S. contributions to the NATO common-funded budgets.

Incorporation of funding decisions into law (sec. 1005)

The House bill contained a provision (sec. 1431) that would state that Executive Order No. 13457 shall not apply to this Act.

The Senate bill contained a provision (sec. 1002) that would incorporate the funding tables into the Act.

The agreement includes the Senate provision with a clarifying amendment that would incorporate the authorized amounts in funding tables into the Act. For the purposes of this provision, a funding table means a list of specific programs, projects and activities, and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities, but does not include a table included in the joint explanatory statement in compliance with Rule XLIV of the Standing Rules of the Senate or Rule XXI of the Rules of the House of Representatives.

The Government Printing Office (GPO) has informed us that incorporating the funding tables into bill language would add 3 full days to the time required to prepare a bill for floor consideration, even if the GPO does not have other high priority work to accomplish at the time. This delay is in addition to the day and a half it would require for the committee staff to prepare the funding tables in a form that could be processed by GPO, and to ensure the accuracy of GPO's work. With only 3 days left for the House and the Senate to consider the bill before the scheduled end of this year's session of Congress, we have determined that incorporating the funding tables into bill language was not an option that was available to us.

Subtitle B—Policy Relating to Vessels and Shipyards

Conveyance, Navy drydock, Aransas Pass, Texas (sec. 1011)

The House bill contained a provision (sec. 1011) that would authorize the Secretary of the Navy to convey the floating drydock AFDL–23, located at Aransas Pass, Texas, to Gulf Copper Ship Repair, the company currently leasing the drydock from the Navy. The Secretary would be allowed to place such terms and conditions on the transfer as he feels appropriate, and the company would be required to compensate the Federal Government for the fair market value of the drydock, as determined by the Secretary.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Report on repair of naval vessels in foreign shipyards (sec. 1012)

The House bill contained a provision (sec. 1012) that would amend section 7310 of title 10, United States Code, to require the Secretary of the Navy to submit a report at least 30 days before conducting repair work on any vessel in a shipyard outside the United States or Guam.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary to provide a report, with the submission of the President's budget, regarding any ship repair work conducted on any vessel in a shipyard outside the United States or Guam during the previous year.

Report on plan for disposal of certain vessels stricken from the Naval Vessel Register (sec. 1013)

The House bill contained a provision (sec. 1015) that would require the Secretary of the Navy to submit a report within 30 days to the congressional defense committees on the contribution of scrapping vessels larger than 50,000 tons displacement to the domestic market for steel and other metals.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would allow the Secretary 180 days to complete the report.

Reimbursement of expenses for certain Navy mess operations (sec. 1014)

The Senate bill contained a provision (sec. 1012) that would authorize the Secretary of Defense to fund from agency operating accounts the cost of meals on United States naval and naval auxiliary vessels for non-military personnel. For the purposes of this provision, this includes nongovernmental organization and host and partner nation participants in civil-military operations and foreign national patients treated during the conduct of civil-military operations, as well as their escorts.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would place an annual limit of $1.0 million on such costs and would require an annual report on the Department's use of this authority.

Policy relating to major combatant vessels of the strike forces of the United States Navy (sec. 1015)

The House bill contained a provision (sec. 1013) that would amend the section 1012(c)(1) of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–181) to add all amphibious ships larger than 15,000 dead weight ton light ship displacement to the definition of major surface combatants in that section. Section 1012 stated that it is the policy of the United States to construct major surface combatants of the strike forces of the United States with integrated nuclear power systems.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle C—Counter-Drug Activities

Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities (sec. 1021)

The House bill contained a provision (sec. 1021) that would extend, by 1 year, the requirement for the Secretary of Defense to submit a report detailing the expenditure of funds by the Department during fiscal year 2008 in direct and indirect support of the counterdrug activities of foreign governments.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities (sec. 1022)

The House bill contained a provision (sec. 1022) that would extend the authority provided in section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), which expires at the end of fiscal year 2008, through fiscal year 2009. The current authority provides that a joint task force of the Department of Defense, which is providing support to law enforcement agencies conducting counterdrug activities, may also provide, subject to all applicable laws and regulations, these law enforcement agencies with support for their counterterrorism activities.

The Senate bill contained a nearly identical provision (sec. 1021).

The agreement includes the provision.

The agreement directs the Deputy Assistant Secretary of Defense for Counternarcotics, Counterproliferation and Global Threats to provide an annual briefing about the use of this authority to the congressional defense committees.

Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia and continuation of numerical limitation on assignment of United States personnel (sec. 1023)

The House bill contained a provision (sec. 1023) that would extend the authority provided in section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) to use counterdrug funds to support the Government of Colombia's unified campaign against narcotics cultivation and trafficking, and against terrorist organizations involved in such drug trafficking activities through fiscal year 2009.

The Senate bill contained a nearly identical provision (sec. 1022).

The agreement includes the provision.

Expansion and extension of authority to provide additional support for counter-drug activities of certain foreign governments (sec. 1024)

The House bill contained a provision (sec. 1024) that would extend by 1 fiscal year the duration of authority for assistance under section 1033 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 1998 (Public Law 105–85), as amended by section 1021 of the NDAA for FY 2004 (Public Law 108–136), section 1022 of the John Warner NDAA for FY 2007 (Public Law 109–364), and section 1022 of the NDAA for FY 2008 (Public Law 110–181); would expand the list of countries that could qualify for assistance under section 1033 to include three West African countries; and would increase the funding limitation under section 1033 from $60.0 million to $65.0 million for fiscal year 2009.

The Senate bill contained no similar provision.

The agreement includes a provision that would extend by one fiscal year the duration of this authority; would expand the list of countries that could qualify for assistance under section 1033 to include: El Salvador, Guinea-Bissau, Honduras, and Senegal; and would increase the funding limitation under section 1033 from $60.0 million to $75.0 million for fiscal year 2009.

Comprehensive Department of Defense strategy for counter-narcotics efforts for United States Africa Command (sec. 1025)

The House bill contained a provision (sec. 1025) that would require the Secretary of Defense, in consultation with the Secretary of State, to prepare a counterdrug plan for all eligible governments under section 1033 of the National Defense Authorization Act for fiscal year 1998 (Public Law 105–85) for fiscal year 2009 and updates thereafter, as well as a region-wide, counterdrug plan for Africa, with a special emphasis on West Africa and the Maghreb.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would expand the scope of this reporting requirement to include the remainder of the African continent.

Comprehensive Department of Defense strategy for counter-narcotics efforts in South and Central Asian regions (sec. 1026)

The House bill contained a provision (sec. 1026) that would require the Secretary of Defense to submit a report to the congressional defense committees that outlines the Department's role, missions, objectives, and budget in support of the overall U.S. Government counternarcotics strategy and activities in the south and central Asian regions and other geographically proximate countries.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment which would provide the Department with additional time to complete the report, as well as a technical change.

Subtitle D—Miscellaneous Authorities and Limitations

Enhancement of the capacity of the United States Government to conduct complex operations (sec. 1031)

The Senate bill contained a provision (sec. 1032) that would authorize the Secretary of Defense to establish a Center for Complex Operations. The center would facilitate the activities of a consortium composed of education and training institutions from across the U.S. Government in order to increase unity of effort in complex operations.

The House bill contained no similar provision.

The agreement contains the Senate provision with an amendment clarifying that the Secretary of Defense will seek the concurrence of the Secretary of State to the extent that the activities of the Center involve foreign government or militaries, international organizations or international nongovernmental organizations.

Crediting of admiralty claim receipts for damage to property funded from a Department of Defense working capital fund (sec. 1032)

The Senate bill contained a provision (sec. 1033) that would provide that payments received by the United States in settlement of an admiralty claim for damage or loss to property that is operated and maintained using monies from a Department of Defense working capital fund account would be credited to the working capital fund which was used to operate and maintain the damaged or lost property.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Minimum annual purchase requirement for charter air transportation services from carriers participating in the Civil Reserve Air Fleet (sec. 1033)

The Senate bill contained a provision (sec. 1034) that would authorize the Secretary of Defense to guarantee higher minimum levels of business than are currently authorized by law to United States air carriers participating in the Civil Reserve Air Fleet (CRAF).

The House bill contained no similar provision.

The agreement includes the Senate provision, amended to provide authority to the Secretary to guarantee minimum levels of business to CRAF participants operating passenger travel contracts only.

Semi-annual reports on status of Navy Next Generation Enterprise Networks(NGEN) program (sec. 1034)

The Senate bill contained a provision (sec. 1035) that would modify the termination date of the base contract for the Navy-Marine Corps Intranet (NMCI) program.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment establish a semi-annual reporting requirement on the Navy's transition between the NMCI and NGEN programs.

The NGEN program represents one of the largest, farthest reaching, and complex acquisition programs and technology deployments for the Navy and Marine Corps in the next decade. We note with concern the lack of planning and oversight that the Department of Defense has dedicated to the requirements generation, acquisition strategy development, outreach to industry, contracting mechanisms, realistic testing, and transition planning for the NGEN program. The lack of transparency and dialogue with industry about the acquisition strategy for NGEN and the planned transition of assets and intellectual property currently associated with the NMCI program is a continuing concern.

The Secretary of Defense is directed to keep the congressional defense committees well informed about the development of acquisition and transition strategies for NGEN. It is expected that the semi-annual reporting requirement in this provision will provide an efficient mechanism to support that dialogue.

Sense of Congress on nuclear weapons management (sec. 1035)

The Senate bill contained a provision (sec. 1038) that would find that the unauthorized transfer of nuclear weapons from Minot Air Force Base, North Dakota, to Barksdale Air Force Base, Louisiana, in August 2007; the unauthorized transfer of classified intercontinental ballistic missile parts, discovered in March 2008; and a lack of training and staffing for nuclear matters, demonstrate a lack of attention by the Department of Defense (DOD) to nuclear issues in general. In addition, the provision would set forth the sense of Congress that safety and security of nuclear weapons and related equipment should be a high priority for the United States; that the President should take steps to nominate an individual to fill the

position of the Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs; and that the Secretary of Defense should establish a senior position in the DOD Office of Policy at an assistant secretarial or deputy under secretarial level with responsibility for nuclear policy issues.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would add an additional finding to the provision. The amendment would set forth the sense of the Congress that maintaining the safety and security of nuclear weapons would be more easily achieved if greater attention were paid to the nuclear matters in the Offices of the Secretary of Defense, the Under Secretary of Defense for Policy and the Under Secretary of Defense for Acquisition, Technology, and Logistics. The amendment would also set forth the sense of the Congress that the Secretary of Defense should clarify lines of responsibility and accountability for nuclear weapons matters.

Sense of Congress on joint Department of Defense-Federal Aviation Administration executive committee on conflict and dispute resolution (sec. 1036)

The Senate bill contained a provision (sec. 1039) that would express the sense of the Congress that the Secretary of Defense should seek an agreement with the Administrator of the Federal Aviation Administration to establish a Joint Executive Committee to serve as the focal point for dispute resolution and policy development, and as a mechanism for identifying solutions to a range of mutual issues.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Sense of Congress on sale of new outsize cargo, strategic airlift aircraft for civilian use (sec. 1037)

The Senate bill contained a provision (sec. 1040) that would encourage the Secretary of Defense, in consultation with the Secretary of Transportation, to: (1) review the benefits and feasibility of pursuing new production of a commercial C–17 variant to determine whether such capability would be in the national interest; and (2) if he determines it to be in the national interest, take appropriate action with the Federal Aviation Administration to achieve type certification of such aircraft.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

Subtitle E—Studies and Reports

Report on corrosion control and prevention (sec. 1041)

The House bill contained a provision (sec. 1041) that would require the Department of Defense, through the Office of Corrosion Policy and Oversight, to provide a report to the Senate Committee on Armed Services and the House Committee on Armed Services by February 1, 2009, regarding the potential for improvements in corrosion control and prevention in weapons systems by planning

for corrosion control and prevention earlier in the system requirements and acquisition processes.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would change the due date of the report to not later than 120 days after the date of enactment of the Act.

Study on using Modular Airborne Fire Fighting Systems (MAFFS) in a Federal response to wildfires (sec. 1042)

The House bill contained a provision (sec. 1042) that would require the Secretary of Defense to carry out a study on how to utilize the Department's Modular Airborne Fire Fighting Systems (MAFFFS) in all contingencies where there is a Federal response to wildfires, and how to decrease costs of using MAFFS when supporting National Interagency Fire Center fire fighting operations. The provision would require that the Secretary submit that report to the congressional defense committees within six months of the date of enactment of this Act.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Study on rotorcraft survivability (sec. 1043)

The House bill contained a provision (sec. 1043) that would require the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to conduct a study on rotorcraft survivability.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Report on nuclear weapons (sec. 1044)

The House bill contained a provision (sec. 1045) that would require the Secretary of Defense, in consultation with the Secretary of State, the Secretary of Energy, and the Director of National Intelligence, to conduct a review of nonstrategic nuclear weapons world wide, and submit a report to Congress setting forth the results of the review. The report would be due 180 days after the date of enactment of this Act.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the scope of the review. The review would cover nuclear weapons world wide and include a description of each country's nuclear weapons arsenal and an assessment of the various risks associated with nuclear weapons deemed to be attractive to terrorists, states, and other non-state actors. For those weapons that are deemed to be attractive to terrorists and state and non-state actors, the review would also include recommendations on mechanisms and procedures to improve the security of such weapons, monitor and track such weapons, and identify options to transparently and verifiably dismantle and dispose of such weapons. The President shall submit a report that would be due 1 year after the date of enactment of this Act. The report shall be unclassified but may have a classified annex.

Report on compliance by Department of Defense with Guam tax and licensing laws (sec. 1045)

The House bill contained a provision (sec. 1047) that would require the Secretary of Defense to report to Congress on steps the Department is taking to ensure that defense contractors performing work on Guam comply with local tax and licensing requirements.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment simplifying the reporting requirement.

Report on detention operations in Iraq (sec. 1046)

The Senate bill contained a provision (sec. 1052) that would require the Secretary of Defense to submit a detailed report to the congressional defense committees on detention operations at theater internment facilities and reintegration centers in Iraq. The Senate provision would require that the report contain information on changes in detention policies and procedures intended to incorporate counterinsurgency doctrine, and a description of policies and programs to prepare detainees for reintegration upon their release.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment clarifying the elements to be included as part of the report. We note that the description of how counterinsurgency doctrine has been incorporated at theater internment facilities in Iraq should include the changes, if any, to procedures for reviewing the detention status of individuals under detention at such facilities.

Review of bandwidth capacity requirements of the Department of Defense and the intelligence community (sec. 1047)

The Senate bill contained a provision (sec. 1055) that would direct the Secretary of Defense and the Director of National Intelligence to conduct a joint review of the current and future bandwidth capacity requirements of the Department of Defense and the intelligence community over the next 10 years. The review would also include a discussion of any mitigation concepts, including operational or technical options that might be used to address bandwidth capacity shortfalls. Not later than 1 year after the date of enactment of this Act, the Secretary and the Director would be required to submit a report setting forth the results of the review to the congressional defense committees and the intelligence committees of the Senate and the House of Representatives. The Secretary and the Director should include and fully address in the review all means by which bandwidth is provided, including ground, aerial, and satellite options.

The provision would also direct the Secretary and the Director to establish a formal process, for each major defense acquisition or major system acquisition program, to ensure during the Milestone B or key decision point B phase of the acquisition process, that the bandwidth requirements of each such system can be met.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would expand the assessment of bandwidth capacities and capabilities to include airborne relays and expand the elements

of the assessment to include technologies that could increase data transport.

Review of findings and recommendations applicable to the Department of Defense regarding electromagnetic pulse attack (sec. 1048)

The House bill contained a provision (sec. 1033) that would extend the duration of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack (EMP Commission) by 4 years to 2012, expand its scope and membership, and authorize additional funds.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would direct the Secretary of Defense to submit a report in each odd numbered year until 2015 that sets forth the results of a review of the findings and recommendations of the EMP Commission that are applicable to the Department of Defense (DOD).

We note that an electromagnetic attack on the United States could have a devastating impact on the ability of the DOD and the military services to carry out their missions. The EMP Commission, over the course of 7 years has made extensive findings and recommendations for the Department of Defense and other Executive Branch agencies.

Subtitle F—Other Matters

Additional information under annual submissions of information regarding information technology capital assets (sec. 1051)

The House bill contained a provision (sec. 1061) that would clarify reporting requirements relating to budget submissions for information technology capital assets.

The Senate amendment contained a similar provision (sec. 331).

The agreement includes a provision that clarifies and reduces the burden on the Department of Defense in terms of reporting on budget requests related to information technology capital assets. The Department should continue to work to ensure that public information on the information technology budget is informative and provides visibility into the use of public funds for these important activities.

Submission to Congress of revision to regulation on enemy prisoners of war, retained personnel, civilian internees, and other detainees (sec. 1052)

The House bill contained a provision (sec. 1064) that would prohibit implementation of any successor regulation to Army Regulation 190–8, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees (dated October 1, 1997) until 60 days after the Secretary of Defense submits that successor regulation to the Committees on Armed Services of the Senate and the House of Representatives.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Barnegat Inlet to Little Egg Inlet, New Jersey (sec. 1053)

The House bill contained a provision (sec. 1067) that would authorize the Secretary of the Army to pay the full cost of removing munitions from the beach at Barnegat Inlet to Little Egg Inlet, New Jersey.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the language regarding reimbursement for any non-federal expenses incurred.

Standing advisory panel on improving coordination among the Department of Defense, the Department of State, and the United States Agency for International Development on matters of national security (sec. 1054)

The House bill contained a provision (sec. 1071) that would require the Secretary of Defense, the Secretary of State, and the Administrator of the U.S. Agency for International Development (USAID) to jointly establish an advisory panel to review the roles and responsibilities of the Department of Defense, the Department of State, and the USAID on matters of national security and make recommendations to improve collaboration and coordination.

The Senate bill contained no similar provision.

The agreement contains the House provision with an amendment allowing the Secretary of Defense, the Secretary of State, and the Administrator of the USAID to jointly establish an advisory panel to advise on ways to improve coordination among the Department of Defense, the Department of State, and USAID on matters relating to national security, including reviewing their respective roles and responsibilities.

Reports on strategic communication and public diplomacy activities of the Federal Government (sec. 1055)

The House bill contained a provision (sec. 1074) that would require the President to submit to Congress a report on a comprehensive interagency strategy for public diplomacy and strategic communication efforts for the Federal Government.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment. We note that numerous studies from independent commissions, the Government Accountability Office, and the Defense Science Board have indicated a lack of clearly articulated strategic goals for the Federal Government's efforts at strategic communication and public diplomacy. Taken as a whole, these studies point to deficiencies in the U.S. approach to this mission that have not been adequately addressed by previous strategies, or by any other official government initiative. For example, these studies indicate that the Federal Government's approach to strategic communication and public diplomacy has not been effective enough at garnering greater participation from the private sector, academic institutions or other non-governmental organizations. We commend the establishment of the Global Strategic Engagement Center at the Department of State, but note that its role within a whole-of-government approach to strategic communication and public diplomacy still needs to be further clarified.

Prohibitions relating to propaganda (sec. 1056)

The House bill contained a provision (sec. 1075) that would prohibit the use of Department of Defense funds for propaganda purposes not specifically authorized by law.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment. We intend the term "publicity or propaganda", as used in the provision, to have the meaning given to such term in decisions of the Government Accountability Office on this subject.

Sense of Congress on interrogation of detainees by contractor personnel (sec. 1057)

The House bill contained a provision (sec. 1077) that would require the Secretary of Defense to revise applicable regulations, not later than one year after the date of the enactment of this Act, to prohibit the use of contractor personnel to interrogate detainees.

The Senate bill contained a similar provision (sec. 1036).

The agreement includes the Senate provision with an amendment expressing the Sense of Congress that the interrogation of detainees is an inherently governmental function and that within one year after the date of the enactment of this Act, the Department of Defense should develop the resources needed to ensure that all such interrogations can be conducted by government personnel rather than contractor employees.

Sense of Congress with respect to 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. 1058)

The House bill contained a provision (sec. 1078) that would require the Secretary of Defense to ensure that all strategic intelligence interrogations of individuals in Department of Defense (DOD) custody or under detention in a DOD facility are videotaped or otherwise electronically recorded.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would express the Sense of Congress that the Secretary of Defense should take the necessary actions to ensure that all strategic interrogations of individuals in DOD custody or under detention in a DOD facility are videotaped or otherwise electronically recorded.

Modification of deadlines for standards required for entry to military installations in the United States (sec. 1059)

The Senate bill contained a provision (sec. 1082) that would amend section 1069 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to extend deadlines for the establishment and implementation of standards for entry to military installations in the United States.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment modifying the deadlines.

Extension of certain dates for Congressional Commission on the Strategic Posture of the United States (sec. 1060)

The House bill contained a provision (sec. 1032) that would extend the due date for the final report of the Congressional Commission on the Strategic Posture of the United States from December 1, 2008 to March 1, 2009, and the sunset date for the Commission from June 1, 2009, to September 30, 2009. The provision would also direct the Commission to submit an interim report no later than December 1, 2009.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would extend the due date of the final report to April 1, 2009.

The Commission should be prepared to brief Congress on the results of the interim report when it becomes available.

Technical and clarifying amendments (sec. 1061)

The House bill contained a provision (sec. 1063) that would make technical and clarifying amendments.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment adding additional technical and clarifying language.

Notification of Committees on Armed Services with respect to certain nonproliferation and proliferation activities (sec. 1062)

The Senate bill contained a provision (sec. 1037) that would direct the Departments of Defense, Energy, State, and Commerce, and the Nuclear Regulatory Commission to keep the Committees on Armed Services of the Senate and the House of Representatives fully and currently informed with respect to their activities to prevent the proliferation of weapons of mass destruction and the Director of National Intelligence to keep the committees currently informed with respect to the current activities of foreign nations that are of significance from the proliferation standpoint.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Assessment of security measures at consolidated center for North American Aerospace Defense Command and United States Northern Command (sec. 1073)

The House bill contained a provision (sec. 1062) that would prohibit the Secretary of Defense from relocating any mission from Cheyenne Mountain Air Force Station until 30 days after the Secretary submits a report to the congressional defense committees with information concerning any such relocation.

The Senate bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to conduct an assessment of the adequacy of security measures for the consolidated command center for North American Aerospace Defense Command (NORAD) and United States Northern Command (USNORTHCOM), and to report on the results of the assessment by no later than March 1, 2009. The provision would also require the Secretary to ensure that redundant facilities and equipment, along with appropriate manning, are maintained at Cheyenne Mountain Air Force Station until the Sec-

retary of Defense certifies that measures have been instituted that bring the consolidated NORAD/USNORTHCOM command center into full compliance with Protection Level One requirements.

LEGISLATIVE PROVISIONS NOT ADOPTED

Strategic Communication Management Board

The House bill contained a provision (sec. 1031) that would require the Secretary of Defense to establish a Strategic Communication Management Board to provide interdepartmental and interagency coordination for Department of Defense strategic communication efforts.

The Senate bill contained no similar provision.

The agreement does not contain the provision.

Studies to analyze alternative models for acquisition and funding of interconnected cyberspace systems

The House bill contained a provision (sec. 1044) that would require the Secretary of Defense to contract for an independent assessment on a variety of issues related to the development, acquisition, and operational use of technologies supporting network centric operations.

The Senate bill contained no similar provision.

The agreement does not include the provision.

This provision contains aspects worthy of future consideration by the Department of Defense, as well as Congress, as they relate to acquisition of information technology systems. For example, the development of a taxonomy for understanding the key components of systems supporting network centric operations is long overdue. The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) contained a provision (sec. 887) that required the Defense Science Board (DSB) to conduct a study of policies and procedures for the acquisition of information technology. This DSB study will address the majority of issues raised by the House provision, and thus it would be premature to commission another study until those results have been reported back to Congress.

Study on national defense implications of section 1083

The House bill contained a provision (sec. 1046) that would require the Department of Defense to study the national defense implications of section 1083 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The Senate bill contained no similar provision.

The agreement does not include the provision.

Study on methods to verifiably reduce the likelihood of accidental nuclear launch

The House bill contained a provision (sec. 1048) that would direct the Secretary of Defense to carry out a study to evaluate procedural and physical options to introduce time delays into the nuclear weapons launch procedures of the United States, Russia, and China.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Sense of Congress honoring the Honorable Duncan Hunter

The House bill contained a provision (sec. 1051) that would express the sense of Congress honoring the Honorable Duncan Hunter.

The Senate bill contained no similar provision.

The agreement does not include the provision. The material from the provision is incorporated into section 1, the short title of the bill.

Sense of Congress in honor of the Honorable Jim Saxton, a Member of the House of Representatives

The House bill contained a provision (sec. 1052) that would express the sense of Congress honoring the Honorable Jim Saxton.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Sense of Congress honoring the Honorable Terry Everett, a Member of the House of Representatives

The House bill contained a provision (sec. 1053) that would express the sense of Congress honoring the Honorable Terry Everett.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Sense of Congress honoring the Honorable Jo Ann Davis, a Member of the House of Representatives

The House bill contained a provision (sec. 1054) that would express the sense of Congress honoring the Honorable Jo Ann Davis.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Authorization of appropriations for payments to Portuguese nationals employed by the Department of Defense

The House bill contained a provision (sec. 1065) that would authorize payments for salary increases based on wage survey data for fiscal years 2006 and 2007 to Portuguese nationals employed by the Department of Defense.

The Senate bill contained no similar provision.

The agreement does not include this provision.

State defense force improvement

The House bill contained a provision (sec. 1066) that would amend section 109 of title 32, United States Code, to recognize state defense forces as an integral military component of the United States, and would authorize the Secretary of Defense to coordinate, assist, train, and transfer excess equipment to a state defense force provided the Secretary determines certain conditions are met.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Sense of Congress regarding the roles and missions of the Department of Defense and other national security institutions

The House bill contained a provision (sec. 1068) that would express the sense of Congress regarding coordination between the Department of Defense and other national security organizations.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Sense of Congress relating to 2008 supplemental appropriations

The House bill contained a provision (sec. 1069) that would state the sense of Congress regarding readiness shortfalls.

The Senate bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress regarding defense requirements of the United States

The House bill contained a provision (sec. 1070) that would state the sense of Congress regarding the funding of national defense requirements.

The Senate bill contained no similar provision.

The agreement does not include this provision.

Nonapplicability of the Federal Advisory Committee Act to the Congressional Commission on the Strategic Posture of the United States

The House bill contained a provision (sec. 1072) that would exempt the Congressional Commission on the Strategic Posture of the United States from the applicability of the Federal Advisory Committee Act (Public Law 92–463) or 5 U.S.C. App.

The Senate bill contained no similar provision.

The agreement does not include this provision.

Study and report on the use of power management software

The House bill contained a provision (sec. 1073) that would require a report on the use of power management software.

The Senate bill contained no similar provision.

The agreement does not include the provision.

The strides that the Department of Defense has made in improving energy efficiency across the entire organization are encouraging. The Department is working to increase the fuel efficiency and alternative fuel options of its vast fleet of vehicles, but also developing options for improving the energy efficiency of its extensive information technology (IT) enterprise. IT systems, including all of the desktop computing, servers, routers, and associated equipment consume significant quantities of energy, and any gains of efficiency will likely translate to significant cost savings. The adoption of innovative business practices will also help contribute to the reduction of the energy consumption for these resources. The Department should continue to undertake further measures to reduce energy consumption in its information technology enterprise, and keep industry and academia aware of opportunities for them to support efforts in this area.

Public disclosure of names of students and instructors at Western Hemisphere Institute for Security Cooperation

The House bill contained a provision (sec. 1079) that would require the Secretary of Defense to release to the public, upon request, the names, ranks, countries of origin, and other information of students and instructors of the Western Hemisphere Institute for Security Cooperation.

The Senate bill contained no similar provision.

The agreement does not include this provision.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Authority to waive annual limitation on premium pay and aggregate limitation on pay for federal civilian employees working overseas (sec. 1101)

The House bill contained a provision (sec. 1101) that would extend for an additional year the authority of a head of a federal agency to waive the limitations on the amount of premium pay that may be given to a civilian employee who performs certain work in an overseas location that falls under the responsibility of the United States Central Command, or in support of a military operation or responding to an emergency declared by the President. The total compensation would be limited to $212,100 for the calendar year.

The Senate bill contained a provision (sec. 1108) that would authorize the head of an executive agency to waive limitations on the aggregate of basic and premium pay, and on allowances, differentials, bonuses, awards, and similar cash payments payable during calendar year 2009 to an employee who performs work in an overseas location under the area of responsibility of the Commander, United States Central Command, in support of a contingency operation or an operation in response to a declared emergency. The total amount payable may not exceed the total annual compensation payable to the Vice President under section 104 of title 3, United States Code.

The agreement includes the Senate provision with an amendment that would account for the possibility of certain employees no longer working under the area of responsibility of the United States Central Command due to the changes that would accompany the stand up of the United States Africa Command. The amendment would also address the manner in which premium pay caps and aggregate compensation limits are handled.

Temporary discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone (sec. 1102)

The House bill contained a provision (sec. 1107) that would provide temporary discretionary authority to federal agencies to grant allowances, benefits, and gratuities comparable to those provided to members of the foreign service to an agency's civilian employees on official duty in a combat zone. This authority would expire in 2011.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Election of insurance coverage by federal civilian employees deployed in support of a contingency operation (sec. 1103)

The Senate bill contained a provision (sec. 1105) that would authorize federal civilian employees deployed in support of a contingency operation and Department of Defense employees designated as emergency essential to elect to receive automatic life insurance coverage upon notification of deployment or designation. The provision would also authorize such civilian employees to elect optional life insurance or additional optional life insurance within 60 days after the employee's date of notification of deployment or designation.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Extension of authority to make lump-sum severance payments (sec. 1104)

The House bill contained a provision (sec. 1102) that would extend until the end of fiscal year 2014 the authority of the Secretary of Defense or the secretaries of the military departments to pay an employee the total amount of severance pay in one lump sum.

The Senate bill contained a similar provision (sec. 1107).

The agreement includes the House provision.

Extension of voluntary reduction-in-force authority of Department of Defense (sec. 1105)

The House bill contained a provision (sec. 1103) that would extend, from 2010 to 2014, existing authorities under section 3502(f)(5) of title 5, United States Code, to allow an employee who is not affected by a reduction in force (RIF) to volunteer to be separated to protect another employee from being involuntarily separated by RIF procedures.

The Senate bill contained a provision (sec. 1106) that would make permanent the authority under section 3502(f) of title 5, United States Code.

The agreement includes the House provision.

Enhancement of authorities relating to additional positions under the National Security Personnel System (sec. 1106)

The Senate bill contained a provision (sec. 1103) that would clarify the authority of the Department of Defense (DOD) to utilize streamlined hiring practices under the National Security Personnel System (NSPS).

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) substantially revised the Department's authority under the NSPS legislation, with the objective of restoring the collective bargaining rights of DOD employees. Unfortunately, proposed regulations, issued May 22, 2008, to implement that legislation would restrict such rights by unilaterally removing negotiable issues from the scope of collective bargaining. In particular, the law provided that while unions would not be able to negotiate over the "rate of pay," they would be permitted to bargain over

"procedures and appropriate arrangements," as defined in chapter 71 of title 5, United States Code, regarding pay. However, the proposed regulations define "rate of pay" so broadly that it would be impossible to negotiate over any procedures or appropriate arrangements. We intend to carefully scrutinize the final regulation when published. Should it fail to comport with the intent of Congress to restore the collective bargaining rights of DOD employees, we shall revisit the issue in the National Defense Authorization Act for Fiscal Year 2010.

Expedited hiring authority for health care professionals (sec. 1107)

The House bill contained a provision (sec. 1105) that would amend section 1599c of title 10, United States Code, to authorize the Secretary of Defense to designate any category of medical or health care professional position within the Department of Defense as a shortage category position, and would authorize the Secretary to recruit and appoint highly qualified individuals directly to those designated positions. This bill would also extend health care hiring authorities under this section until September 30, 2012.

The Senate bill contained a similar provision (sec. 1104).

The agreement includes the House provision.

Direct hire authority at personnel demonstration laboratories for certain candidates (sec. 1108)

The House bill contained a provision (sec. 1109) that would authorize the Secretary of Defense to make a limited number of appointments to positions at specified defense laboratories using expedited hiring procedures.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that clarifies that the authority is intended for the purposes of hiring a limited number of qualified candidates with advanced degrees into scientific and engineering positions in specified defense laboratories. There are clear difficulties facing defense laboratories in recruiting and retaining a highly qualified, technical workforce to support their designated national security missions. It is expected that this authority, if aggressively implemented, will assist in addressing these challenges.

Status reports relating to laboratory personnel demonstration projects (sec. 1109)

The House bill contained a provision (sec. 1110) that would require status reports on the utilization of personnel authorities granted to the Department of Defense related to the laboratory personnel demonstration program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that clarifies that the report should include information on any defense laboratories that are seeking to be newly designated as a demonstration laboratory and the status of those applications. The amendment also clarifies that the designation of a "demonstration laboratory" is distinct from the designation of a "science and technology reinvention laboratory."

Technical amendment relating to definition of professional accounting position for purposes of certification and credentialing standards (sec. 1110)

The House bill contained a provision (sec. 1104) that would amend section 1599d(e) of title 10, United States Code, to update the definition of a "professional accounting position."

The Senate bill contained a similar provision (sec. 1109).

The agreement includes the Senate provision.

Exceptions and adjustments to limitations on personnel and reports on such exceptions and adjustments (sec. 1111)

The House bill contained a provision (sec. 1106) that would authorize the Secretary of Defense to adjust statutory ceilings on management headquarters personnel.

The Senate bill contained a provision (sec. 903) that would repeal the ceilings.

The agreement includes the House provision with an amendment that would establish certain exceptions to the ceilings and authorize the Secretary of Defense to adjust the ceilings.

LEGISLATIVE PROVISIONS NOT ADOPTED

Department of Defense strategic human capital plans

The Senate bill contained a provision (sec. 1101) that would codify the requirement for the Secretary of Defense to submit an annual strategic human capital plan and consolidate the requirements of section 1122 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), section 1102 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), and section 851 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The House bill contained no similar provision.

The agreement does not include the provision.

Conditional increase in authorized number of Defense Intelligence Senior Executive Service personnel

The Senate bill contained a provision (sec. 1102) that would increase the authorized number of Defense Intelligence Senior Executive Service personnel, provided that certain conditions are met.

The House bill contained no similar provision.

The agreement does not include the provision.

Requirement relating to furloughs during the time of a contingency operation

The House bill contained a provision (sec. 1108) that would require the Secretary of Defense to certify that he has no other legal measures available to avoid issuing furlough notices to civilian employees of the Department of Defense on the basis of a lack of funds during contingency operations.

The Senate bill contained no similar provision.

The agreement does not include the provision.

We expect that execution of a furlough of civilian employees during a contingency operation will be a measure of last resort only,

after all other alternative actions are taken or considered, in order to avoid disruption of civilian workforce operations.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Extension of authority to build the capacity of the Pakistan Frontier Corps (sec. 1201)

The House bill contained a provision (sec. 1201) that would extend through fiscal year 2010 the authority under section 1206 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) for the Secretary of Defense, with the concurrence of the Secretary of State, to provide up to $75.0 million in assistance to enhance the ability of the Pakistan Frontier Corps to conduct counterterrorism operations along the border between Pakistan and Afghanistan.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment to extend this authority through fiscal year 2009 and limit the authorized funding level for such assistance to $25.0 million. We note that the Department of State intends to seek Foreign Military Financing funding for the Pakistan Frontier Corps program in fiscal year 2009 and encourage the transition of funding for this program from the Department of Defense to the Department of State.

Availability across fiscal years of funds for military-to-military contacts and comparable activities (sec. 1202)

The House bill contained a provision (sec. 1202) that would amend section 168(e) of title 10, United States Code, to allow funds authorized under that section in a fiscal year to be used for programs that begin in that fiscal year but end in the following one, starting with fiscal year 2009.

The Senate bill contained a similar provision (sec. 1211).

The agreement includes the Senate provision.

Availability across fiscal years of funds to pay incremental expenses for participation of developing countries in combined exercises (sec. 1203)

The House bill contained a provision (sec. 1203) that would amend section 2010 of title 10, United States Code, to allow funds authorized under that section in any fiscal year to be available for programs that begin in that fiscal year but end in the following one, beginning in fiscal year 2009.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Extension of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability (sec. 1204)

The House bill contained a provision (sec. 1204) that would extend the authority granted by section 1202 of the John Warner Na-

tional Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), as amended by section 1252 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), through September 30, 2010. This provision would also add two elements to the existing reporting requirement regarding types and disposition of equipment lent to foreign nations but not returned to the United States.

The Senate bill contained a provision (sec. 1206) that would extend the section 1202 authority through September 30, 2013.

The agreement includes the House provision with an amendment to extend the section 1202 authority through September 30, 2011.

Authority for distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces (sec. 1205)

The House bill contained a provision (sec. 1205) that would amend section 1207 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to extend the authority through fiscal year 2009.

The Senate bill contained a provision (sec. 1202) that would make permanent the authority provided under section 1207 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

The agreement includes the Senate provision with an amendment that would require that the annual report on the use of this authority, which is provided to the Committees on Armed Services of the Senate and the House of Representatives, also be provided to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Modification and extension of authorities relating to program to build the capacity of foreign military forces (sec. 1206)

The House bill contained a provision (sec. 1206) that would extend through fiscal year 2010 the authority provided in section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163). The provision would also permit the use of funds provided in a fiscal year for programs to build the capacity of foreign military forces that began in that fiscal year but continued into the next fiscal year.

The Senate bill contained a provision (sec. 1204) that would extend and modify the authority under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163). The provision would expand the types of security forces eligible to be trained and equipped under this authority and increase the annual limitation on authorized funding from $300.0 million to $400.0 million. The provision would also extend the section 1206 authority through September 30, 2011.

The agreement includes the Senate provision with an amendment that would expand the types of security forces eligible to receive assistance under this section to include maritime security forces for the purpose of building capacity to conduct counterterrorism operations. The amendment would also increase the authorized funding level to $350.0 million per fiscal year. The amendment would allow funds available in a fiscal year to be used

for programs that begin in that fiscal year but end in the next fiscal year. The amendment would extend the section 1206 authority through September 30, 2011.

The train and equip authority under section 1206 was initiated as a pilot program and is generally intended to address emerging needs for building the capacity of foreign military forces, particularly those of developing or other countries that otherwise would be unable to build this capacity on their own. This authority is not intended to duplicate or substitute for other foreign assistance authorities, nor is it intended to sustain, train and equip programs over multiple years. We continue to view this authority as provisional and intend to continue to carefully monitor its implementation.

Moreover, as clearly articulated in the conference report accompanying the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), we continue to believe strongly that foreign assistance programs are more appropriately funded through the foreign assistance accounts, as administered by the Department of State, and expect future budget requests to include sufficient funding for foreign military assistance in those accounts.

It is essential that the Department choose projects that strictly meet the criteria stipulated by the authority—projects that will contribute directly to building the capacity of a foreign country's national military forces to conduct counterterrorist operations or participate in or support military and stability operations in which the United States armed forces are participants. When this authority is used for counterterrorism purposes, nations that face a known terrorist threat, and that do not have the resources to build their military capacity without U.S. assistance, should be given the highest priority.

Extension of authority and increased funding for security and stabilization assistance (sec. 1207)

The House bill contained a provision (sec. 1207) that would extend 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), through September 30, 2010.

The Senate bill contained a similar provision (sec. 1205) that would extend the section 1207 authority through September 30, 2011, and increase the authorized annual funding level from $100.0 million to $200.0 million.

The agreement includes the Senate provision with an amendment that would extend the 1207 authority through September 30, 2009. The amendment provides that up to $50.0 million in assistance under section 1207 may be provided to the Republic of Georgia, without that assistance counting against the authorized annual funding limit of $100.0 million. The amendment also clarifies that Section 1207 authority is not to be used to provide budgetary support to a foreign country.

The Congress established this authority as a temporary measure to allow the Department of Defense to support Department of State

efforts to address security and stabilization missions. Budget proposals for the Department of State should provide adequate resources to accomplish those missions without relying on this temporary transfer authority, and we urge the administration to request sufficient funding for the Department of State in future budget submissions.

Extension and expansion of authority for support of special operations to combat terrorism (sec. 1208)

The House bill contained a provision (sec. 1208) that would make permanent the authority provided in section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) for the Secretary of Defense 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. The provision would also increase the amount that may be expended during any fiscal year from $25.0 million to $35.0 million.

The Senate bill contained a similar provision (sec. 1203) that would extend the section 1208 authority through 2011 and also increase the authorized annual funding level to $35.0 million.

The agreement includes the Senate provision with an amendment extending this authority through 2013.

Increase in amount available for costs of education and training of foreign military forces under Regional Defense Combating Terrorism Fellowship Program (sec. 1209)

The House bill contained a provision (sec. 1209) that would amend section 2249(c) of title 10, United States Code, to increase the authorized annual funding level for the Regional Defense Combating Terrorism Fellowship Program from $25.0 million to $35.0 million.

The Senate bill (sec. 1201) contained a similar provision.

The agreement includes the Senate provision.

Subtitle B—Matters Relating to Iraq and Afghanistan

Limitation on availability of funds for certain purposes relating to Iraq (sec. 1211)

The House bill contained a provision (sec. 1211) that would prohibit the use of funds authorized by this Act or any other act to establish any military bases in Iraq for the permanent stationing of United States Armed Forces in that country or to establish U.S. control over Iraqi oil resources.

The Senate bill contained a similar provision (sec. 2913) applicable to the use of funds authorized by this Act only.

The agreement includes the Senate provision.

Report on status of forces agreements between the United States and Iraq (sec. 1212)

The House bill contained a provision (sec. 1212) that would require the President to submit a 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 within 90 days after the date of enactment of this Act on any status of forces agreement between the United States and the Republic of Iraq.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Strategy for United States-led Provincial Reconstruction Teams in Iraq (sec. 1213)

The House bill contained a provision (sec. 1213) that would require the President to establish a strategy for U.S.-led Provincial Reconstruction Teams (PRTs) in Iraq to ensure those PRTs are supporting the operational and strategic goals of coalition forces in Iraq.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would clarify that the strategy established by the President should also ensure that PRTs are developing the capacity of Iraqi government and other civil institutions to assume increasing responsibility for the formulation, implementation, and oversight of reconstruction and development activities.

Commanders' Emergency Response Program (sec. 1214)

The House bill contained a provision (sec. 1214) that would amend section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), as amended by section 1205 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), to modify the authorized level of funding for the activities of the Commanders' Emergency Response Program (CERP). The provision would authorize $1.7 billion for the activities of this program in fiscal year 2008, and $1.5 billion in fiscal year 2009. The provision would also impose a new limitation on the amounts that could be obligated and expended through the CERP in the Republic of Iraq during fiscal year 2009 of twice the amount obligated during calendar year 2008 by the Government of Iraq through the Government of Iraq CERP (I–CERP).

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would amend section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), as amended by section 1205 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), to authorize $1.7 billion for the activities of this program in fiscal year 2008, and $1.5 billion in fiscal year 2009. The provision would also impose a limitation of $2.0 million on the amount of U.S. CERP funds that could be contributed to any individual humanitarian and reconstruction project in Iraq. The provision would allow the Secretary of Defense to waive this limitation if he determines that a waiver is required to meet urgent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi people. The provision would also require the Secretary, or the Deputy Secretary of Defense, to certify that any project that is funded with U.S. CERP funds at a level of $1.0 million or more addresses urgent humanitarian relief and reconstruction requirements that will immediately assist the Iraqi

people. The amendment would also require certain elements be included in the quarterly CERP reports to the congressional defense committees. The amendment also includes a sense of the Congress that the Government of Iraq should assume increasing responsibility for funding and carrying out projects currently funded by the United States through CERP, and should assume all costs associated with the Sons of Iraq as expeditiously as possible.

Performance monitoring system for United States-led Provincial Reconstruction Teams in Afghanistan (sec. 1215)

The House bill contained a provision (sec. 1215) that would require the President to develop and implement a system for monitoring the performance of U.S.-led Provincial Reconstruction Teams (PRTs) in Afghanistan.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would clarify that the PRT-specific work plans, required as part of the performance monitoring system, will include plans for developing the capacity of the Afghan government and other civil institutions to assume increasing responsibility for the formulation, implementation, and oversight of reconstruction and development activities.

Report on command and control structure for military forces operating in Afghanistan (sec. 1216)

The House bill contained a provision (sec. 1216) that would require the Secretary of Defense to report on the command and control structure for military forces operating in Afghanistan.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to report on any efforts to modify the chain of command structure for military forces in Afghanistan to better coordinate and de-conflict military operations and achieve unity of command whenever possible in Afghanistan. We welcome the decision to dual-hat the position of Commander, International Security Assistance Force, and Commander, U.S. Forces Afghanistan.

The report required by this section, or the report required by section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), should identify which offices in the U.S. and NATO ISAF military headquarters are responsible for coordinating counternarcotics operations. That report should also include an assessment of the coordination between U.S. and NATO ISAF military forces, and the Government of Afghanistan to coordinate and de-conflict operations relating to or in support of the counternarcotics activities of the national and provincial governments of Afghanistan and of other Departments and agencies of the United States and other member countries of NATO ISAF.

Reports on enhancing security and stability in the region along the border of Afghanistan and Pakistan (sec. 1217)

The House bill contained a provision (sec. 1217) that would add the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives as recipi-

ents of the notifications, required under section 1232(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), relating to Department of Defense Coalition Support Funds for Pakistan.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to provide copies of the notifications required under section 1232(b) to the Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House. The amendment further specifies additional information to be provided in the notification required under section 1232(b) or within 180 days if not submitted as part of the notification.

The amendment to the House provision also requires the Secretary of Defense to provide semi-annually the report required by section 1232(a) on enhancing security and stability in the region along the border of Afghanistan and Pakistan.

In addition, the amendment to the House provision requires the Secretary of Defense to provide a report on the efforts of the Department of Defense to address the findings and implement the recommendations of the report by the Government Accountability Office entitled "Combating Terrorism: Increased Oversight and Accountability Needed Over Pakistan Reimbursement Claims for Coalition Support Funds." The report's recommendations include: that the Department of Defense consistently implement strong guidance concerning reimbursements to the Pakistan Government; that the Department of Defense define and formalize the roles and responsibilities of the Department of Defense's Office of Defense Representative to Pakistan concerning such reimbursements; that the Department of Defense clarify guidance for the Department of Defense Comptroller in connection with such reimbursements; and that the Department of Defense work with the Government of Pakistan to develop procedures to allow the Office of the Defense Representative to Pakistan or other U.S. representatives to conduct greater oversight of such reimbursements.

Study and report on Police Transition Teams to train, assist, and advise units of the Iraqi Police Service (sec. 1218)

The House bill contained a provision (sec. 1218) that would require the Secretary of Defense to submit a report within 60 days after the date of enactment of this Act regarding the staffing and funding of Police Training Teams in Iraq.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Subtitle C—Other Matters

Payment of personnel expenses for multilateral cooperation programs (sec. 1231)

The House bill contained a provision (sec. 1231) that would amend section 1051(a) of title 10, United States Code, to authorize payment by the Secretary of Defense of the travel, subsistence, and personal expenses of defense personnel of developing countries in

connection with the attendance of such personnel at multilateral conferences, seminars, or similar meetings when in the national security interests of the United States.

The Senate bill contained a similar provision (sec. 1213).

The agreement includes the Senate provision with a technical amendment.

Participation of the Department of Defense in multinational military centers of excellence (sec. 1232)

The House bill contained a provision (sec. 1232) that would extend through fiscal year 2009 the authority granted by section 1205 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), as amended by section 1204 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), for Department of Defense personnel to participate in North Atlantic Treaty Organization multinational military centers of excellence.

The Senate bill contained a provision (sec. 1214) that would make permanent the authority granted by section 1205 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

The agreement includes the Senate provision with a clarifying amendment.

Review of security risks of participation by defense contractors in certain space activities of the People's Republic of China (sec. 1233)

The House bill contained a provision (sec. 1233) that would prohibit the Secretary of Defense from obligating or expending any fiscal year 2009 or other fiscal year funds available to the Department of Defense (DOD) for classified work under contracts with a company if that company or affiliate is engaged with the People's Republic of China in the development of "ITAR-free" satellites. The restriction could be waived following a certification by the Secretary of Defense in consultation with the Secretary of State. The requirement to implement the restriction would not take effect until 60 days after enactment or if the Secretary of Defense submits a report to the congressional defense committees with a determination that implementation of the requirement does not promote the national interest.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would direct the Secretary of Defense to conduct a review to determine whether there are any security risks associated with the participation by covered contractors in certain space activities of the People's Republic of China. The provision would direct the Secretary of Defense to submit a report to the congressional defense committees setting forth the conclusions of the review by March 1, 2009.

One of the elements of the review to be conducted is whether there have been any incidents with respect to which a determination has been made that an improper disclosure of covered information occurred during the 5 year period preceding the date of enactment. We would urge, in the event that the Secretary determines

that such an event has occurred after the date of enactment and before the due date of the report, that any such incident should be included to the extent practicable.

Given the nature of the subject matter in the report we expect it to be classified, but to the extent practicable an unclassified summary should be submitted.

Report on Iran's capability to produce nuclear weapons (sec. 1234)

The House bill contained a provision (sec. 1234) that would direct the Director of National Intelligence (DNI) to submit to Congress, 180 days after the enactment of this Act and annually thereafter, an update of the National Intelligence Estimate entitled "Iran: Nuclear Intentions and Capabilities" dated November 2007. The issues to be addressed in the report include, the status of Iran's uranium enrichment program; an estimate of the amount of weapons grade material held by Iran; a description of weaponization and delivery system activities; and an assessment made by US allies of Iran's nuclear weapons capabilities.

The provision would direct the DNI to notify Congress within 15 days if there were significant changes in the Iranian program.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would direct the DNI to submit an annual report on Iran's capacity to produce nuclear weapons. The first report is due not later than 180 days after the date of enactment of this Act. The report may be submitted in classified form. The amendment would also modify the issues to address the uranium enrichment program and to address plutonium production capabilities. In addition, the President would be required to notify Congress if Iran resumes its nuclear weapons program.

The report required by this provision shall be prepared following standard procedures used to produce reports by the national intelligence community and should include dissenting opinions from other intelligence community elements.

Employment for resettled Iraqis (sec. 1235)

The House bill contained a provision (sec. 1235) that would create a joint Department of Defense/Department of State program for the purpose of hiring Iraqis, who supported the United States' efforts in Iraq and have resettled in the U.S., as interpreters, translators, and cultural awareness instructors for agencies of the Federal Government.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Extension and modification of updates on report on claims relating to the bombing of the Labelle Discotheque (sec. 1236)

The Senate bill contained a provision (sec. 1231) that would extend and modify a reporting requirement on the status of negotiations between the Government of Libya and United States claimants in connection with the bombing of the Labelle Discotheque in Berlin, Germany, that occurred in April 1986. The reporting requirement is an extension of section 1225 of the National Defense

Authorization Act for Fiscal Year 2006 (Public Law 109–163) and section 1261 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181).

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the next report to be submitted not later than 90 days following the enactment of this Act, and that subsequent reports be submitted every 180 days thereafter. The amendment would further terminate the reporting requirement upon submission by the Secretary of State to Congress of the certification described in the Libya Claims Resolution Act (Public Law 110–301).

We note the recent enactment of the Libya Claims Resolution Act and are hopeful the cases of the American victims of Libyan-sponsored acts of terrorism can be resolved in short order. We will continue to monitor the implementation of the Libya Claims Resolution Act.

Report on utilization of certain global partnership authorities (sec. 1237)

The Senate bill contained a provision (sec. 1232) that would require the Secretary of Defense, in consultation with the Secretary of State, to submit a report not later than December 31, 2010, on the implementation of certain Building Global Partnership authorities.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Modification and repeal of requirement to submit certain annual reports to Congress regarding allied contributions to the common defense (sec. 1238)

The Senate bill contained a provision (sec. 1051) that would repeal certain requirements for the Secretary of Defense to report annually on allied contributions to the common defense and on costsharing by North Atlantic Treaty Organization (NATO) allies.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would repeal the reporting requirement regarding NATO cost-sharing and modify the other reports to require the Secretary of Defense to provide information on allied annual defense spending and contributions to military and stability operations in which United States Armed Forces participate.

LEGISLATIVE PROVISIONS NOT ADOPTED

Declaration of policy relating to status of forces agreements between the United States and Iraq

The House bill contained a provision (sec. 1219) that would declare that it is U.S. policy to ensure that any agreement between the United States and Iraq on the status of U.S. forces requires burden-sharing by the Government of Iraq in support of U.S. Armed Forces stationed in Iraq.

The Senate bill contained no similar provision.

The agreement does not include the House provision. We note that the agreement includes a provision (sec. 1508) calling for the United States to initiate negotiations with Iraq on a cost-sharing agreement relating to the costs of combined operations of Iraqi Security Forces and Multi-National Force-Iraq.

Limitation on certain status of forces agreements between the United States and Iraq

The House bill contained a provision (sec. 1220) that would prohibit any agreement between the United States and Iraq that obligates the United States to respond to internal or external threats against Iraq from being in force with respect to the United States unless the agreement is approved by Congress, either in the form of a treaty or by an Act of Congress enacted after the date of this Act.

The Senate bill contained no similar provision.

The agreement does not include the House provision. It is well established that any agreement that obligates the United States to come to the defense of another country against internal or external threats must be approved by Congress. There is no need to restate the current state of existing law in this Act.

Report on long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom

The House bill contained a provision (sec. 1221) that would require the President to submit to Congress a report estimating the long-term direct and indirect costs of Operations Iraqi Freedom and Enduring Freedom under three different scenarios.

The Senate bill contained no similar provision.

The agreement does not include the provision.

Waiver of certain sanctions against North Korea

The Senate bill contained a provision (sec. 1221) that would provide the President with limited authority to waive, with respect to North Korea, the application of sanctions under section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1(b)). The President would be required to notify Congress 15 days in advance of exercising such waiver authority. In addition, the provision would require the President to submit an annual report to Congress listing all the waivers granted during the preceding year and describe in detail the progress being made by North Korea in implementing the commitments included in the Joint Statement of September 19, 2005, to abandon all nuclear weapons, existing nuclear programs, and all other programs associated with the elimination of the ability of North Korea to develop, deploy, transfer, or maintain weapons of mass destruction or their delivery systems.

The House bill contained no similar provision.

The agreement does not include the provision. A similar provision was included in the Supplemental Appropriations Act for Fiscal Year 2008 (Public Law 110–252).

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

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 authorized to be appropriated in section 301 of the bill, and authorize CTR funds to be available for obligation for 3 years.

The Senate bill contained a similar provision (sec. 1301).

The agreement includes the House provision with a technical amendment.

Funding allocations (sec. 1302)

The House bill contained a provision (sec. 1302) that would authorize $445.1 million for the Cooperative Threat Reduction (CTR) program.

The Senate bill contained a similar provision that would authorize $434.1 million (sec. 1302).

The agreement includes the House provision with an amendment that would authorize $434.1 million for the CTR program, an increase of $20.0 million above the budget request. In addition, the agreement would reduce the notification period for obligations and expenditures to 15 days from 30 days. The Agreement would also authorize a specific amount for each of the CTR program elements. The agreement authorizes an increase of $10.0 million for new initiatives including activities in states outside of the former Soviet Union, $1.0 million for additional expenses associated with the Russian chemical weapons destruction activities, and an increase of $9.0 million for weapons of mass destruction proliferation prevention in the former Soviet Union.

TITLE XIV—OTHER AUTHORIZATIONS

TITLE XIV - OTHER AUTHORIZATIONS
(Dollars in Thousands)

Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
REVOLVING AND MANAGEMENT FUNDS					
DEFENSE WORKING CAPITAL FUNDS					
Defense Working Capital Funds	198,150	198,150	198,150		198,150
Defense Commissary Agency	1,291,084	1,291,084	1,291,084		1,291,084
NATIONAL DEFENSE SEALIFT FUND					
National Defense Sealift Fund	1,962,253	1,401,553	1,608,553	-353,681	1,608,572
MPF(F) LHA(R) advance procurement - transfer to SCN 16 MPF (F)				[-348,281]	[-348,281]
MPF(F) LHA(R) R&D - transfer to RDN 112 [PE 0604567N]				[-5,400]	[-5,400]
DEFENSE COALITION SUPPORT FUND					
Defense Coalition Support Fund	22,000	22,000		-22,000	
NATIONAL DEFENSE STOCKPILE TRANSACTION FUND					
NDSTF Transfer to Defense Health Program	-1,300,000	-1,300,000	-1,300,000		-1,300,000
Inflation Savings (section 1407)			-1,048,000		

TITLE XIV - OTHER AUTHORIZATIONS
(Dollars in Thousands)

Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
MILITARY PROGRAMS					
DEFENSE HEALTH PROGRAM					
DEFENSE HEALTH PROGRAM O&M	24,301,359	24,281,029	24,301,359	165,715	24,467,074
[Memo: Funds derived by transfer from National Defense Stockpile]	[1,300,000]	[1,300,000]	[1,300,000]		[1,300,000]
Restore military to civilian conversions (transfer to Milpers)				[-101,085]	
Madigan Medical Center Trauma Assistance Program				[2,000]	
Fort Drum Regional Health Planning Organization				[800]	
Temporary Prohibition on TRICARE Pharamcy Copayments [sec. 702]				[75,000]	
One-year extension of Prohibtion on TRICARE Health Fees [sec. 701]				[47,000]	
Increase Full Time Support Authorization Army NG				[10,000]	
Preventive Health Care Co-Pay Initiative				[57,000]	
Preventive Health Care for TRICARE for Life				[10,000]	
Military Health Risk Management				[2,000]	
Smoking Cessation TRICARE Program				[20,000]	
Smoking Cessation TRICARE for Life Program				[3,000]	
Center of Excellence on Extremity Injuries				[5,000]	
Center of Excellence on Auditory Injuries				[5,000]	
Preventive Health Allowance				[3,000]	
Wide Angel Virtual Environment for USUHS				[5,000]	
Transitional Health Care				[22,000]	

TITLE XIV - OTHER AUTHORIZATIONS
(Dollars in Thousands)

Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
DEFENSE HEALTH PROGRAM LEGISLATIVE PROPOSAL	-1,184,000			1,184,000	
DEFENSE HEALTH PROGRAM R&D	193,938	198,738	196,938	2,000	195,938
PULSE!! Virtual Clinical Learning Lab					
US Army Medical Research and Material Command					
Copper Antimicrobial Research Program				[2,000]	
TBI and PTSD research initiative (PE 63115HP)					
DEFENSE HEALTH PROGRAM PROCUREMENT	303,905	288,405	303,905		303,905
Reduction in ALHTA Block 3					
Total Defense Health Program	**23,615,202**	**24,768,172**	**24,802,202**	**1,351,715**	**24,966,917**
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION					
CHEM DEMILITARIZATION - O&M	1,152,668	1,152,668	1,152,668		1,152,668
CHEM DEMILITARIZATION - RDT&E	268,881	268,881	268,881		268,881
Blue Grass Chemical Agent Destruction Pilot Plant					
CHEM DEMILITARIZATION - PROC	64,085	64,085	64,085		64,085
Total Chemical Agents and Munitions Destruction	**1,485,634**	**1,485,634**	**1,485,634**		**1,485,634**

TITLE XIV - OTHER AUTHORIZATIONS
(Dollars in Thousands)

Program Title	FY2009 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES					
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,060,463	1,060,463	1,060,463		1,060,463
International Support				-2,000	
Southwestern Border Fence				2,000	
Total Drug Interdiction and Counter-Drug Activities	**1,060,463**	**1,060,463**	**1,060,463**		**1,060,463**
OFFICE OF THE INSPECTOR GENERAL					
OPERATION AND MAINTENANCE	246,445	270,445	270,445	24,000	270,445
PROCUREMENT	1,400	3,400	3,400	2,000	3,400
Total Office of the Inspection General	**247,845**	**273,845**	**273,845**	**26,000**	**273,845**
CIVIL PROGRAMS (non-defense, function 600)					
Armed Forces Retirement Home	63,010	63,010	63,010		63,010
TOTAL OTHER AUTHORIZATIONS	**28,645,641**	**29,263,911**	**28,434,941**	**1,002,034**	**29,293,994**

Subtitle A—Military Programs

Working capital funds (sec. 1401)

The House bill contained a provision (sec. 1401) that would authorize appropriations for the working capital funds of the Department of Defense, including the Defense Commissary Agency.

The Senate bill contained an identical provision (sec. 1401).

The agreement includes this provision.

National Defense Sealift Fund (sec. 1402)

The House bill contained a provision (sec. 1402) that would authorize appropriations for the National Defense Sealift Fund.

The Senate bill contained a similar provision (sec. 1402).

The agreement includes this provision.

Defense Health Program (sec. 1403)

The House bill contained a provision (sec. 1403) that would authorize fiscal year 2009 funds for the Defense Health Program and other programs.

The Senate bill contained a similar provision (sec. 1403).

The agreement includes this provision.

Chemical agents and munitions destruction, Defense (sec. 1404)

The House bill contained a provision (sec. 1404) that would authorize appropriations for chemical agents and munitions destruction.

The Senate bill contained an identical provision (sec. 1404).

The agreement includes this provision.

Drug Interdiction and Counterdrug Activities, Defense-wide (sec. 1405)

The House bill contained a provision (sec. 1405) that would authorize fiscal year 2009 funds for drug interdiction and counterdrug activities and other programs.

The Senate bill contained a similar provision authorizing appropriations for drug interdiction and counterdrug activities (sec. 1405).

The agreement includes the provision.

Defense Inspector General (sec. 1406)

The House bill contained a provision (sec. 1406) that would authorize appropriations for the Inspector General of the Department of Defense.

The Senate bill contained an identical provision (sec. 1406).

The agreement includes this provision.

National Defense Sealift Fund amendments (sec. 1407)

The House bill contained a provision (sec. 1014) that would change the definition of what vessels would be funded within the National Defense Sealift Fund (NDSF) account, and would strike subsection (J) of section 2218 of title 10, United States Code, which allows the Secretary of Defense to transfer resources within the NDSF if he determines that the action serves the national defense interest.

The Senate bill contained a similar provision (sec. 1432) that would change the definition of what vessels would be funded in the NDSF.

The agreement includes the House provision.

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 $41.2 million from the National Defense Stockpile Transaction Fund for the operation and maintenance of the National Defense Stockpile for fiscal year 2009. This section would also permit the use of additional funds for extraordinary or emergency conditions 45 days after Congress receives notification.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Revisions to previously authorized disposals from the National Defense Stockpile (sec. 1412)

The House bill contained a provision (sec. 1412) that would authorize revisions on limitations in National Defense Stockpile (NDS) by amending section 3303(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), as amended most recently by section 1412(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to increase the Department's disposal authority from $1.1 billion to $1.5 billion.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would increase the Department's disposal authority from $1.1 billion to $1.4 billion.

We note that in June 2008 the Deputy Under Secretary of Defense for Logistics and Materiel Readiness determined the need to suspend, or limit, the authorized sales of selected materials in the NDS inventory pending a review of critical and strategic materials. This provision is not intended to supersede this determination, but to provide additional authority if the Department's review of materials justifies continued sales.

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 $63.0 million to be appropriated for fiscal year 2009 from the Armed Forces Retirement Home Trust Fund for the operation of the Armed Forces Retirement Home.

The Senate bill contained a similar provision (sec. 1421).

The agreement includes the Senate provision.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

LEGISLATIVE PROVISIONS ADOPTED

Authorization of additional appropriations for operations in Afghanistan and Iraq for fiscal year 2009 (sec. 1501)

The House bill contained a series of provisions (sections 1501–1507 and 1509–1515) that would authorize $70.0 billion in fiscal year 2009 appropriations for military operations in Afghanistan and Iraq.

The Senate bill contained a series of provisions (sections 1501–1512) that would authorize $19.9 billion in fiscal year 2009 funding for military operations in Afghanistan.

The Senate bill also contained a series of provisions (sections 1601–1613) that would authorize $49.6 billion in fiscal year 2009 funding for military operations in Iraq.

The agreement includes a provision that would authorize $66.0 billion in fiscal year 2009 appropriations for operations in Iraq and Afghanistan in accordance with the funding provided in Chapter 2 of title IX of the Supplemental Appropriations Act, 2008 (Public Law 110–252).

The agreement would also authorize $2.1 billion for an additional six C–17 aircraft.

Requirement for separate display of budgets for Afghanistan and Iraq (sec. 1502)

The House bill contained a provision (sec. 1002) that would require the Secretary of Defense, for any annual or supplemental budget request of the Department of Defense, to clearly and separately set forth any funding requested for any U.S. operations in Afghanistan.

The House bill also contained a provision (sec. 1003) that would require a similar separate budget display for operations in Iraq.

The Senate bill contained a similar provision (sec. 1516) that would require a separate budget display for funding of operations in Afghanistan.

The agreement combines the House and Senate provisions into a single provision that would require separate budget displays for operations in Afghanistan and operations in Iraq.

Joint improvised explosive device defeat fund (sec. 1503)

The House bill contained a provision (sec. 1507) that would authorize funding for the Joint Improvised Explosive Device Defeat Fund (JIEDDF). This section would require that of the funds appropriated to the Joint Improvised Explosive Device Defeat Fund, $50.0 million shall be made available for the rapid fielding of additional Aerial Reconnaissance Multi-Sensor platforms for tactical operations in Operation Iraqi Freedom and Operation Enduring Freedom.

The Senate bill contained two similar provisions (sec. 1505 and sec. 1605) both of which would authorize funding for the Joint Improvised Explosive Device Defeat Fund.

The agreement includes a provision authorizing funding for the Joint Improvised Explosive Device Defeat Fund.

We urge the Joint Improvised Explosive Device Defeat Organization (JIEDDO) to direct $5.0 million each to ongoing Marine Corps and Army efforts to develop specialized improvised explosive device (IED) dog teams. The Marine Corps program has already deployed IED dog teams embedded with combat forces successfully to Iraq and intends to expand the program. JIEDDO has been funding the development of specialized IED dog team capabilities in the Army ($2.75 million in fiscal years 2008 and 2009), and the Army is now fielding its first embedded IED dog team with a Brigade Combat team (BCT). However, the Marine Corps needs additional funds to sustain its research and development program, and the Army will be able to field this counter-IED capability to only one BCT in fiscal year 2009 unless JIEDDO provides additional funds or the Army re-prioritizes its military working dog budget. We direct the director of JIEDDO, the Deputy Chief of Staff of the Army for Intelligence, and the Army Provost Marshal General review this situation and notify the Armed Services Committees of the Senate and the House of Representatives of their decision within 30 days of the enactment of this Act.

Further, we also urge JIEDDO to continue funding at a level of not less than $65.0 million the ongoing efforts of the Irregular Warfare Support office under the Assistant Secretary of Defense for Special Operations/Low Intensity Conflict.

Science & technology investment strategy to defeat or counter improvised explosive devices (sec. 1504)

The House bill contained a provision (sec. 1508) that would limit the amount of funds that the Joint Improvised Explosive Devise Defeat Organization (JIEDDO) may obligate for science and technology (S&T) efforts until it delivers to Congress a report describing its S&T strategy.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Director of JIEDDO, jointly with the Director for Defense Research and Engineering, to develop and deliver to the congressional defense committees an annual report outlining the Department of Defense's (DOD) investment strategy for S&T to defeat and counter improvised explosive devices (IEDs).

According to DOD Directive 2000.19E, JIEDDO's mission is to "focus (lead, advocate, coordinate) all DOD actions in support of the Combatant Commanders' and their respective Joint Task Forces' efforts to defeat Improvised Explosive Devices as weapons of strategic influence." Even more specifically, it requires the Director of JIEDDO to "integrate all IED Defeat solutions throughout the Department of Defense, seeking Interagency assistance, as necessary, and identifying innovative near-term solutions." While JIEDDO has actively invested in S&T efforts to support its mission, it has neglected its responsibility to lead, advocate and coordinate the Department's total S&T investment in this area. If JIEDDO does not

serve in this coordination role, then the likelihood for duplicative and redundant investment with Service and Defense Agencies investments increases dramatically.

Limitation on Iraq Security Forces Fund (sec. 1505)

The House bill contained a provision (sec. 1512) that would authorize fiscal year 2009 appropriations for the Iraq Security Forces Fund (ISFF).

The Senate bill contained a similar provision (sec. 1613).

The agreement includes a provision that would subject funds authorized in this title for the ISFF to the terms and conditions of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). The funding authorization for this program is contained in section 1501 of this Act. Additional restrictions on the use of the ISFF for infrastructure projects are contained elsewhere in this Act.

Limitations on Afghanistan Security Forces Fund (sec. 1506)

The House bill contained a provision (sec. 1513) that would authorize fiscal year 2009 appropriations for the Afghanistan Security Forces Fund (ASFF).

The Senate bill contained a similar provision (sec. 1512).

The agreement includes a provision that would subject funds authorized in this title for the ASFF to the terms and conditions of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). The funding authorization for the ASFF is contained in section 1501 of this Act.

Special transfer authority (sec. 1507)

The House bill contained a provision (sec. 1516) that would authorize the transfer of up to $4.0 billion of war-related funding authorizations in this title among the accounts in this title.

The Senate bill contained a similar provision (sec. 1514) that would authorize transfers of up to $3.0 billion.

The agreement includes the House provision.

This special transfer authority is in addition to the general transfer authority contained in section 1001 of this Act, but the same reprogramming procedures applicable to transfers under section 1001 would also apply to transfers under this section.

Prohibition on use of United States funds for certain facilities projects in Iraq and contributions by Iraq to combined operations and other activities in Iraq (sec. 1508)

The House bill contained a provision (sec. 1512) that would prohibit the use of certain funds for the acquisition, conversion, rehabilitation, or installation of facilities for the Iraqi Security Forces.

The Senate bill contained a provision (sec. 1616) that would prohibit the use of funds authorized by this Act to pay for any large-scale infrastructure project commenced after the date of enactment of this Act. The provision would also require the United States Government to begin negotiating an agreement with the Government of Iraq to share the costs of combined operations between the Government of Iraq and Multi-National Force Iraq. The provision would further require that the United States Government act to

ensure that Iraqi funds are used to pay the costs of training, equipping, and sustaining the Iraqi Security Forces and the costs associated with the Sons of Iraq.

The agreement includes a provision that would prohibit the use of certain funds for the acquisition, conversion, rehabilitation, or installation of facilities 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 provision would also require the United States Government to begin negotiating an agreement with the Government of Iraq to share the costs of combined operations between the Government of Iraq and Multi-National Force-Iraq. The provision would further require that the United States Government act to ensure that Iraqi funds are used to pay the costs of training, equipping, and sustaining the Iraqi Security Forces.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on use of funds

The Senate bill contained a provision (sec. 1515) that would require the Secretary of Defense to provide a report to Congress on the allocation of funding for operations in Afghanistan at the line-item level 15 days prior to the obligation of such funds.

The House bill contained no similar provision.

The agreement does not include this provision.

Treatment as additional authorizations

The House bill contained a provision (sec. 1517) that would provide that the authorizations in this title are in addition to any other authorizations in this Act.

The Senate bill contained identical provisions relating to funding for military operations in Afghanistan (sec. 1513) and Iraq (sec. 1614).

The agreement does not include this provision.

Limitation on use of funds

The Senate bill contained a provision (sec. 1615) that would require the Secretary of Defense to provide a report to Congress on the allocation of funding for operations in Iraq at the line-item level 15 days prior to the obligation of such funds.

The House bill contained no similar provision.

The agreement does not include this provision.

TITLE XVI—RECONSTRUCTION AND STABILIZATION CIVILIAN MANAGEMENT

LEGISLATIVE PROVISIONS ADOPTED

Short title (sec. 1601)

The House bill contained a provision (sec. 1601) that would provide that the title may be referred to as the "Reconstruction and Stabilization Civilian Management Act of 2008."

The Senate bill contained no similar provision.

The agreement includes the House provision.

Findings (sec. 1602)

The House bill contained a provision (sec. 1602) that would contain congressional findings regarding efforts to improve U.S. capacity to prepare, plan for, and conduct stabilization and reconstruction operations.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Definitions (sec. 1603)

The House bill contained a provision (sec. 1603) that would provide definitions for use in the Act.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Authority to provide assistance for reconstruction and stabilization crises (sec. 1604)

The House bill contained a provision (sec. 1604) that would amend chapter 1 of part III of the Foreign Assistance Act of 1961 (Public Law 87–195) to provide authority for the President to furnish stabilization or reconstruction assistance to a country or region that is at risk of, in, or is in transition from, conflict or civil strife if the President determines it is in the national security interests of the United States for U.S. civilian agencies or non-federal employees to do so. The provision also provided that funds available for stabilization and reconstruction assistance under this section would be funds made available under any other provision of law and under other provisions of the Foreign Assistance Act and transferred or reprogrammed for the purposes of this section, subject to the procedures applicable to a notification under section 634A of the Foreign Assistance Act.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would allow funds available for stabilization and reconstruction assistance under this section to be limited to funds made available under other provisions of the Foreign Assistance Act and transferred or reprogrammed for the purposes of this section, subject to the procedures applicable to a notification under section 634A of the Foreign Assistance Act.

Reconstruction and stabilization (sec. 1605)

The House bill contained a provision (sec. 1605) that would amend the State Department Basic Authorities Act of 1956 (Public Law 84–85) to add a new section establishing within the Department of State the Office of the Coordinator for Reconstruction and Stabilization, and authorize the Secretary of State, in consultation with the Administrator of the U.S. Agency for International Development and the heads of other appropriate U.S. Government agencies, to establish and maintain a Response Readiness Corps to provide assistance in support of reconstruction and stabilization operations.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Authorities related to personnel (sec. 1606)

The House bill contained a provision (sec. 1606) that would authorize the Secretary of State, or the head of any U.S. agency with respect to personnel of that agency, to extend certain death gratuity, training, and travel expense benefits or privileges, that are provided to members of the Foreign Service under the Foreign Service Act of 1980 (Public Law 96–465), to any individual assigned, detailed, or deployed to carry out reconstruction and stabilization activities under the Reconstruction and Stabilization Civilian Management Act of 2008.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Reconstruction and Stabilization Strategy (sec. 1607)

The House bill contained a provision (sec. 1607) that would require the Secretary of State, in consultation with the Administrator of the U.S. Agency for International Development, to develop an interagency strategy for responding to stabilization and reconstruction operations.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Annual reports to Congress (sec. 1608)

The House bill contained a provision (sec. 1608) that would require the Secretary of State to report annually to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of the Reconstruction and Stabilization Civilian Management Act of 2008.

The Senate bill contained no similar provision.

The agreement includes the House provision.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army	ALABAMA	ANNISTON ARMY DEPOT	POWERTRAIN TRANSMISSION REPAIR FACILITY	27,000		27,000
Army	ALABAMA	ANNISTON ARMY DEPOT	SMALL ARMS REPAIR SHOP-DEPOT LEVEL	18,000		18,000
Army	ALABAMA	ANNISTON ARMY DEPOT	Lake Yard Interchange		1,400	1,400
Army Guard	ALABAMA	FORT MCCLELLAN	MULTIPURPOSE MACHINE GUN RANGE	3,000		3,000
Army	ALABAMA	FORT RUCKER	Chapel Center		6,800	6,800
Air Force	ALABAMA	MAXWELL AFB	AIR & SPACE BASIC COURSE COMBAT ARMS TNG FAC	15,556		15,556
Army	ALABAMA	Redstone Arsenal	System Software Engineering Annex Phase III		16,500	16,500
Army Guard	ALASKA	Bethel Armory	Bethel Readiness Center		16,000	16,000
Air Force	ALASKA	ELMENDORF AFB	C-17 RESTORE ROAD	2,000		2,000
Air Force	ALASKA	ELMENDORF AFB	F-22 AEROSPACE GROUND EQUIP SHOP	7,200		7,200
Air Force	ALASKA	ELMENDORF AFB	F-22 CORROSION CTRL/LO MX/COMPOSITE REPAIR FAC	22,400		22,400
Air Force	ALASKA	ELMENDORF AFB	F-22 FLIGHT SIMULATOR	16,400		16,400
Air Force	ALASKA	ELMENDORF AFB	F-22A 7 BAY AIRCRAFT SHELTER	20,400		20,400
Air Force	ALASKA	ELMENDORF AFB	F-22A 8 BAY AIRCRAFT SHELTER	22,200		22,200
Air Force	ALASKA	ELMENDORF AFB	F-22A FIELD TRAINING DETACHMENT	6,600		6,600
Air Force	ALASKA	ELMENDORF AFB	F-22A SQUADRON OPS/AMU 6 BAY HANGAR	41,100		41,100
Army	ALASKA	FORT RICHARDSON	CHILD DEVELOPMENT CENTER	15,000		15,000
Army	ALASKA	Fort Richardson	Multipurpose Machine Gun Range		3,100	3,100
Defense-Wide	ALASKA	FORT RICHARDSON	DENTAL CLINIC ADDITION/ALTERATION	6,300		6,300
Army	ALASKA	FORT WAINWRIGHT	BARRACKS COMPLEX	63,000		63,000
Army	ALASKA	FORT WAINWRIGHT	ORGANIZATIONAL VEHICLE PARKING	14,000		14,000
Army	ALASKA	FORT WAINWRIGHT	Pedestrian Access Bridge			0
Army	ALASKA	FORT WAINWRIGHT	TACTICAL VEHICLE WASH FACILITY	21,000		21,000
Army	ALASKA	FORT WAINWRIGHT	TRAINING AIDS SUPPORT CENTER	12,400		12,400
Army Guard	ARIZONA	CAMP NAVAJO	READINESS CENTER	13,000		13,000
Air Force	ARIZONA	Davis Monthan AFB	Fire/Crash Rescue Station		15,000	15,000
Army Guard	ARIZONA	FLORENCE	READINESS CENTER	13,800		13,800
Army	ARIZONA	FORT HUACHUCA	UNIT MAINTENANCE FACILITIES	11,200		11,200
Army	ARIZONA	FORT HUACHUCA	Air Traffic Control Radar Operations Building		2,000	2,000
Army Guard	ARIZONA	PAPAGO MILITARY RES	READINESS CENTER	24,000		24,000
Army	ARIZONA	YUMA	RAW SEWAGE LAGOON AND OXIDATION POND	3,800		3,800
Navy	ARIZONA	YUMA	APPLIED INSTRUCTION FACILITY (MAWTS)	19,490		19,490
Army Guard	ARKANSAS	CABOT	Readiness Center		10,868	10,868
Air Guard	ARKANSAS	Little Rock AFB	Engine Inspection and Maintenance Facility		4,000	4,000
Navy	CALIFORNIA	BARSTOW MCLB	BACHELOR ENLISTED QUARTERS	7,830		7,830
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - (41 AREA)	32,430		32,430
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - 33 AREA	30,300		30,300
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - 43 AREA	15,150		15,150

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - 62 AREA	25,920		25,920
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - AREA 13	33,320		33,320
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - AREA 14	32,350		32,350
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - CHAPPO (22 AREA)	48,640		48,640
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - DEL MAR (21 AREA)	33,190		33,190
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - DEL MAR (21 AREA)	33,440		33,440
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - HORNO (13 AREA)	33,790		33,790
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - HORNO (53 AREA)	40,660		40,660
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - LAS PULGAS AREA	34,340		34,340
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - PICO (24 AREA)	32,870		32,870
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - PICO (24 AREA)	32,260		32,260
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS - SAN MATEO AREA	34,500		34,500
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS -DEL MAR (21 AREA)	34,120		34,120
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS, SAN MATEO AREA	32,550		32,550
Navy	CALIFORNIA	CAMP PENDLETON	BACHELOR ENLISTED QUARTERS-MARGARITA (33 AREA)	31,170		31,170
Navy	CALIFORNIA	CAMP PENDLETON	BEQ - ARMORY, TRAINING FAC, SOI (52 AREA)	54,730		54,730
Navy	CALIFORNIA	CAMP PENDLETON	CONSOLIDATED COMM/ELEC MAINTENANCE & STORAGE	10,050		10,050
Navy	CALIFORNIA	CAMP PENDLETON	CORROSION CONTROL WATER TREATMENT FACILITY	52,520		52,520
Navy	CALIFORNIA	CAMP PENDLETON	INDOOR FITNESS CENTER	12,230		12,230
Navy	CALIFORNIA	CAMP PENDLETON	INFANTRY TRAINING CENTER	11,500		11,500
Navy	CALIFORNIA	CAMP PENDLETON	OPERATIONS ACCESS POINTS, RED BEACH	11,970		11,970
Navy	CALIFORNIA	CAMP PENDLETON	REGIMENTAL MAINTENANCE COMPLEX (PHASE 3)	33,620		33,620
Navy	CALIFORNIA	CAMP PENDLETON	SPECIAL OPERATIONS TRAINING BATTLE COURSE	22,250		22,250
Defense-Wide	CALIFORNIA	CORONADO	SOF COMBAT CREW TRAINING FACILITY	9,800		9,800
Defense-Wide	CALIFORNIA	DEF DISTRIB DEPOT-TRACY	REPLACE GENERAL PURPOSE WAREHOUSE	41,000		41,000
Defense-Wide	CALIFORNIA	DEF DISTRIB DEPOT-TRACY	REPLACE TRUCK ENTRANCE/CONTROL FACILITY	9,300		9,300
Air Force	CALIFORNIA	EDWARDS AFB	F-35 RAMP & SECURITY UPGRADE	3,100		3,100
Air Force	CALIFORNIA	EDWARDS AFB	Runway Repair		6,000	6,000
Navy	CALIFORNIA	EL CENTRO	COMBINED CHILD CARE AND YOUTH CENTER	8,900		8,900
Army Reserve	CALIFORNIA	FORT HUNTER LIGGETT	MODIFIED RECORD FIRE RANGE	3,950		3,950
Army	CALIFORNIA	FORT IRWIN	BARRACKS COMPLEX	17,500		17,500
Army	CALIFORNIA	FORT IRWIN	MILITARY OPERATIONS URBAN TERRAIN, PHASE 3	22,100		22,100
Naval Reserve	CALIFORNIA	LEMOORE	MARINE CORPS RESERVE CENTER	15,420		15,420
Navy	CALIFORNIA	MIRAMAR	COMBAT TRAINING TANK COMPLEX	10,820		10,820
Navy	CALIFORNIA	MIRAMAR	EMERGENCY RESPONSE STATION	6,530		6,530
Navy	CALIFORNIA	MIRAMAR	IN-LINE FUELING STATION MODIFICATION	22,930		22,930
Navy	CALIFORNIA	MIRAMAR	MILITARY WORKING DOG OPERATIONS CENTER	4,800		4,800
Navy	CALIFORNIA	MIRAMAR	MV-22 WASH RACK	3,690		3,690

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Navy	CALIFORNIA	MONTEREY	Education Facility		9,990	9,990
Navy	CALIFORNIA	NORTH ISLAND	BERTHING LIMA CONVERSION	38,992		38,992
Navy	CALIFORNIA	NORTH ISLAND	CHILD DEVELOPMENT CENTER	14,270		14,270
Navy	CALIFORNIA	NORTH ISLAND	Pool Replacement		6,890	6,890
Army	CALIFORNIA	PRESIDIO MONTEREY	GENERAL INSTRUCTIONAL BUILDING	15,000		15,000
Navy	CALIFORNIA	SAN CLEMENTE ISLAND	BACHELOR ENLISTED QUARTERS	34,020		34,020
Navy	CALIFORNIA	SAN DIEGO	RECRUIT RECONDITIONING FACILITY	16,790		16,790
Navy	CALIFORNIA	SAN DIEGO	RECRUIT SUPPORT BARRACKS	34,430		34,430
Army	CALIFORNIA	SIERRA ARMY DEPOT	WATER TREATMENT PLANT	12,400		12,400
Air Force	CALIFORNIA	Travis AFB	Large Crash Rescue Station		12,100	12,100
Navy	CALIFORNIA	TWENTYNINE PALMS	BACHELOR ENLISTED QUARTERS	36,470		36,470
Navy	CALIFORNIA	TWENTYNINE PALMS	BACHELOR ENLISTED QUARTERS	36,280		36,280
Navy	CALIFORNIA	TWENTYNINE PALMS	BEQ AND PARKING STRUCTURE	51,800		51,800
Navy	CALIFORNIA	TWENTYNINE PALMS	COMBINED ARMS MOUT (PHASE 2)	21,000		21,000
Navy	CALIFORNIA	TWENTYNINE PALMS	Lifelong Learning Center Phase 1		9,760	9,760
Air Guard	COLORADO	Buckley AFB	Alert Crew Headquarters		4,200	4,200
Defense-Wide	COLORADO	BUCKLEY AIR FORCE BASE	SATELLITE PHARMACY	3,000		3,000
Army Guard	COLORADO	DENVER	READINESS CENTER	9,000		9,000
Army	COLORADO	FORT CARSON	BARRACKS & DINING	154,000	-60,000	94,000
Army	COLORADO	FORT CARSON	BATTALION COMPLEX	45,000		45,000
Army	COLORADO	FORT CARSON	BRIGADE/BATTALION HQS	46,000		46,000
Army	COLORADO	FORT CARSON	COMPANY OPERATIONS FACILITIES	93,000		93,000
Army	COLORADO	FORT CARSON	INFRASTRUCTURE, BCT	69,000		69,000
Army	COLORADO	FORT CARSON	PHYSICAL FITNESS FACILITY	22,000	6,000	28,000
Army	COLORADO	FORT CARSON	UNIT MAINTENANCE FACILITIES	15,000		15,000
Army	COLORADO	FORT CARSON	VEHICLE MAINTENANCE SHOPS	84,000		84,000
Army Guard	COLORADO	GRAND JUNCTION	READINESS CENTER	9,000		9,000
Air Force	COLORADO	Peterson AFB	Land Acquisition - 23 Acres		4,900	4,900
Chemical Demil	COLORADO	PUEBLO DEPOT	AMMUNITION DEMILITARIZATION FACILITY PHASE 10	65,060		65,060
Air Force	COLORADO	U.S. AIR FORCE ACADEMY	UPGRADE ACADEMIC FACILITY, PHASE 5	18,000		18,000
Air Guard	CONNECTICUT	BRADLEY IAP	TFI Upgrade Engine Shop		7,200	7,200
Army Guard	CONNECTICUT	CAMP RELL	REGIONAL TRAINING INSTITUTE	28,000		28,000
Army Guard	CONNECTICUT	EAST HAVEN	KD RANGE ADD/ALT	13,800		13,800
Navy	CONNECTICUT	GROTON	PIER 31 REPLACEMENT	46,060		46,060
Navy	CONNECTICUT	SUB Base New London	Indoor Small Arms Range		11,000	11,000
Air Force	DELAWARE	DOVER AFB	ADAL PHYSICAL FITNESS CENTER	19,000		19,000
Defense-Wide	DELAWARE	DOVER AFB	ALTER FUEL STORAGE TANK	3,373		3,373
Army Guard	DELAWARE	NEW CASTLE	ARMY AVIATION SUPPORT FACILITY ADD/ALT	28,000		28,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Air Guard	DELAWARE	New Castle County Airport	Replace C-130 Aircraft Maintenance Shops		11,600	11,600
Air Guard	DELAWARE	NEW CASTLE COUNTY APT	TFI - INFO OPS SQUADRON (IOS) FACILITY	3,200		3,200
Naval Reserve	DELAWARE	WILMINGTON	NOSC PORTION, ARMED FORCES RESERVE CENTER	11,530		11,530
Navy	DISTRICT OF COLUMBIA	DISTRICT OF COLUMBIA	AUTONOMOUS SYSTEM RESEARCH LAB	24,220		24,220
Army Guard	FLORIDA	CAMP BLANDING	AMMUNITION SUPPLY POINT	12,400		12,400
Army Guard	FLORIDA	CAMP BLANDING	Regional Training Institute Phase 4		20,907	20,907
Air Force	FLORIDA	Cape Canaveral Air Station	Satellite Operations Support Facility		8,000	8,000
Air Force	FLORIDA	EGLIN AFB	F-35 STUDENT DORMITORY (144 ROOM)	19,000		19,000
Defense-Wide	FLORIDA	EGLIN AFB	SOF BATTALION OPS COMPLEX	40,000		40,000
Defense-Wide	FLORIDA	HURLBURT FIELD	SOF SPECIAL TACTICS GROUP FACILITY	8,900		8,900
Defense-Wide	FLORIDA	JACKSONVILLE	REPLACE FUEL STORAGE TANKS	34,000		34,000
Navy	FLORIDA	JACKSONVILLE	CHILD DEVELOPMENT CENTER	12,890		12,890
Air Force	FLORIDA	MACDILL AFB	SOCCENT HDQTRS & COMMANDANT FACILITY	21,000		21,000
Air Force	FLORIDA	MACDILL AFB	Combat Training Facility		5,000	5,000
Defense-Wide	FLORIDA	MACDILL AFB	SOF ADD/ALTER 501B (HQ SOCOM)	10,500		10,500
Navy	FLORIDA	MAYPORT	ALPHA WHARF IMPROVEMENTS	14,900		14,900
Navy	FLORIDA	MAYPORT	Aircraft Refueling		3,380	3,380
Army	FLORIDA	MIAMI DORAL	SOUTHCOM HEADQUARTERS, INCREMENT II	81,600		81,600
Navy	FLORIDA	TAMPA	JOINT COMMUNICATIONS SQUADRON FACILITY	29,000		29,000
Air Force	FLORIDA	TYNDALL AFB	325 ACS Operations Training Complex		11,600	11,600
Navy	GEORGIA	ALBANY MCLB	BEQ REPLACEMENT	15,320		15,320
Defense-Wide	GEORGIA	AUGUSTA	REGIONAL SECURITY OPERATIONS CENTER INCR IV	100,220		100,220
Air Force Reserve	GEORGIA	Dobbins Air Reserve Base	Construct New Control Tower		6,450	6,450
Army Guard	GEORGIA	DOBBINS ARB	READINESS CENTER	45,000		45,000
Army	GEORGIA	FORT BENNING	AUTOMATED ANTI-ARMOR RANGE	8,800		8,800
Army	GEORGIA	FORT BENNING	BASIC 10M-25M FIRING RANGE 1	2,400		2,400
Army	GEORGIA	FORT BENNING	BASIC 10M-25M FIRING RANGE 2	2,400		2,400
Army	GEORGIA	FORT BENNING	BASIC 10M-25M FIRING RANGE 3	2,350		2,350
Army	GEORGIA	FORT BENNING	BASIC 10M-25M FIRING RANGE 4	2,500		2,500
Army	GEORGIA	FORT BENNING	BASIC 10M-25M FIRING RANGE 5	2,500		2,500
Army	GEORGIA	FORT BENNING	DIGITAL MULTIPURPOSE TRAINING RANGE	17,500		17,500
Army	GEORGIA	FORT BENNING	FIRE AND MOVEMENT RANGE	2,450		2,450
Army	GEORGIA	FORT BENNING	MAINTENANCE SHOP	42,000		42,000
Army	GEORGIA	FORT BENNING	MODIFIED RECORD FIRE RANGE 1	4,900		4,900
Army	GEORGIA	FORT BENNING	MODIFIED RECORD FIRE RANGE 2	4,900		4,900
Army	GEORGIA	FORT BENNING	MODIFIED RECORD FIRE RANGE 3	4,500		4,500
Army	GEORGIA	FORT BENNING	RANGE ACCESS ROAD	9,100		9,100
Army	GEORGIA	FORT BENNING	RECEPTION STATION PHASE 2	39,000		39,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army	GEORGIA	FORT BENNING	STATIONARY TANK RANGE	6,900		6,900
Army	GEORGIA	FORT BENNING	TACTICAL VEHICLE WASH FACILITY	10,800		10,800
Army	GEORGIA	FORT BENNING	TRACKED VEHICLE DRIVERS COURSE	16,000		16,000
Army	GEORGIA	FORT BENNING	TRAINEE COMPLEX	32,000		32,000
Army	GEORGIA	FORT BENNING	TRAINING AREA INFRASTRUCTURE - OSUT AREA	16,000		16,000
Army	GEORGIA	FORT BENNING	TRAINING AREA INFRASTRUCTURE-NORTHERN AREA	13,800		13,800
Army	GEORGIA	FORT BENNING	UNIT MAINTENANCE FACILITIES	27,000		27,000
Defense-Wide	GEORGIA	FORT BENNING	CONSOLIDATED TROOP MEDICAL CLINIC	3,900		3,900
Army	GEORGIA	FORT GORDON	AIT Complex I, Phase I			0
Army	GEORGIA	FORT STEWART	BARRACKS & DINING	121,000	-80,000	41,000
Army	GEORGIA	FORT STEWART	BRIGADE COMPLEX	30,000		30,000
Army	GEORGIA	FORT STEWART	BRIGADE/BATTALION HQS	36,000		36,000
Army	GEORGIA	FORT STEWART	CHILD DEVELOPMENT CENTER	20,000		20,000
Army	GEORGIA	FORT STEWART	COMPANY OPERATIONS FACILITIES	75,000		75,000
Army	GEORGIA	FORT STEWART	INFRASTRUCTURE	59,000		59,000
Army	GEORGIA	FORT STEWART	PHYSICAL FITNESS FACILITY	28,000	-6,000	22,000
Army	GEORGIA	FORT STEWART	SHOOT HOUSE	2,300		2,300
Army	GEORGIA	FORT STEWART	VEHICLE MAINTENANCE SHOPS	67,000		67,000
Defense-Wide	GEORGIA	HUNTER ARMY AIRFIELD	REPLACE FUEL STORAGE TANK	3,500		3,500
Navy	GEORGIA	KINGS BAY NSB	Addition to Limited Area Reaction Force Facility		6,130	6,130
Naval Reserve	GEORGIA	MARIETTA	MARINE CORPS RESERVE CENTER	7,560		7,560
Air Force	GEORGIA	ROBINS AFB	AIRCRAFT HANGAR	24,100		24,100
Air Force	GEORGIA	ROBINS AFB	Avionics Facility		5,250	5,250
Air Guard	GEORGIA	SAVANNAH CRTC	Troop Training Quarters		7,500	7,500
Navy	HAWAII	BARKING SANDS	ADVANCED RADAR DETECTION LABORATORY	28,900		28,900
Army Reserve	HAWAII	FORT SHAFTER	ARMY RESERVE CENTER	19,199		19,199
Air Force	HAWAII	Hickam AFB	Upgrade Electrical Distribution, Phase VI			0
Navy	HAWAII	KANEOHE	BACHELOR ENLISTED QUARTERS	28,200		28,200
Defense-Wide	HAWAII	PEARL HARBOR	REPLACE FUEL PIPELINE	27,700		27,700
Navy	HAWAII	PEARL HARBOR	CHILD DEVELOPMENT CENTER	29,300		29,300
Navy	HAWAII	PEARL HARBOR	FITNESS CENTER	45,000		45,000
Navy	HAWAII	PEARL HARBOR	JOINT FORCES DEPLOYMENT STAGING AREA FISC	5,990		5,990
Navy	HAWAII	PEARL HARBOR	SUB DRIVE-IN MAGNETIC SILENCING FAC (INCREMENT II)	41,088		41,088
Army	HAWAII	POHALUKA TRAINING AREA	Saddle Road, Phase V		30,000	30,000
Army	HAWAII	SCHOFIELD BARRACKS	BARRACKS	42,000		42,000
Army	HAWAII	SCHOFIELD BARRACKS	BATTALION CDMPLEX	69,000		69,000
Army	HAWAII	SCHOFIELD BARRACKS	BATTALION COMPLEX	27,000		27,000
Army	HAWAII	SCHOFIELD BARRACKS	BRIGADE COMPLEX	65,000		65,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army	HAWAII	SCHOFIELD BARRACKS	INFRASTRUCTURE EXPANSION	76,000		76,000
Army	HAWAII	WAHIAWA	WIDEBAND SATCOM OPERATIONS CENTER	40,000		40,000
Army Reserve	IDAHO	HAYDEN LAKE	AR CENTER/OMS/UNHEATED STORAGE	9,580		9,580
Army Guard	IDAHO	ORCHARD TRAINIG AREA	LIVE FIRE SHOOT HOUSE	1,850		1,850
Navy	ILLINOIS	GREAT LAKES	RTC SPECIAL PROGRAMS BARRACKS	62,940		62,940
Defense-Wide	ILLINOIS	SCOTT AFB	USTRANSCOM JOINT INTEL OPERATIONS CENTER	13,977		13,977
Army Guard	ILLINOIS	Urbana Armory	Readiness Center		16,186	16,186
Army	INDIANA	Crane Army Ammo Activity	Ready Service Magazine Complex		8,300	8,300
Army Guard	INDIANA	CAMP ATTERBURY	MULTI PURPOSE MACHINE GUN RANGE	5,800		5,800
Air Guard	INDIANA	FORT WAYNE INTL AIRPORT	Aircraft Shelter/Fuel Stands		5,600	5,600
Army Guard	INDIANA	LAWRENCE	READINESS CENTER	21,000		21,000
Army Guard	INDIANA	MUSCATATUCK	Combined Arms Collective Training Facility Phase 1		6,000	6,000
Army Guard	IOWA	CAMP DODGE	MOUT Site Addition/Alteration		1,500	1,500
Army Guard	IOWA	DAVENPORT	Readiness Center Addition/Alteration		1,550	1,550
Air Guard	IOWA	Fort Dodge	Vehicle Maintenance and Communications Training		5,600	5,600
Army Guard	IOWA	MOUNT PLEASANT	Mount Pleasant Air Force Readiness Center Additions/Alterations		1,500	1,500
Army Reserve	KANSAS	DODGE CITY	ARMY RESERVE CENTER/LAND	8,100		8,100
Army	KANSAS	FORT LEAVENWORTH	Chapel Complex Phase 2		4,200	4,200
Army	KANSAS	FORT RILEY	BATTALION COMPLEX	38,000		38,000
Army	KANSAS	FORT RILEY	BRIGADE COMPLEX	79,000		79,000
Army	KANSAS	FORT RILEY	COMMISSARY	23,000		23,000
Army	KANSAS	FORT RILEY	RAIL SIDING	15,000		15,000
Defense-Wide	KANSAS	FORT RILEY	HOSPITAL ADDITION/ALTERATION	52,000	-52,000	0
Army	KANSAS	FORT RILEY	Fire Station		3,000	3,000
Air Force	KANSAS	MCCONNELL AFB	MXG Consolidation and Forward Logistics Center Phase 2		6,800	6,800
Air Guard	KANSAS	Smoky Hill ANG Range	Smoky Hill Range Support Facility		7,100	7,100
Chemical Demil	KENTUCKY	BLUE GRASS ARMY DEPOT	AMMUNITION DEMILITARIZATION FACILITY PH IX	57,218	10,000	67,218
Chemical Demil	KENTUCKY	BLUE GRASS ARMY DEPOT	BLUE GRASS DEPOT DEFENSE ACCESS ROAD	12,000		12,000
Army	KENTUCKY	FORT CAMPBELL	BATTALION COMPLEX	37,000		37,000
Army	KENTUCKY	FORT CAMPBELL	CHILD DEVELOPMENT CENTER	8,600		8,600
Army	KENTUCKY	FORT CAMPBELL	TRAINING SUPPORT CENTER	15,513		15,513
Army	KENTUCKY	FORT CAMPBELL	UNIT MAINTENANCE FACILITIES	47,000		47,000
Army	KENTUCKY	Fort Campbell	School Age Services Center		10,000	10,000
Defense-Wide	KENTUCKY	FORT CAMPBELL	MEDICAL/DENTAL CLINIC	24,000		24,000
Defense-Wide	KENTUCKY	FORT CAMPBELL	NEW ELEMENTARY SCHOOL	21,400		21,400
Defense-Wide	KENTUCKY	FORT CAMPBELL	SOF TACTICAL EQUIPMENT SHOP	15,000		15,000
Army Guard	KENTUCKY	LONDON	Aviation Operations Facility Phase 3		7,191	7,191
Air Force	LOUISIANA	Barksdale AFB	Security Forces Complex		14,600	14,600

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army	LOUISIANA	FORT POLK	UNIT OPERATIONS FACILITIES	29,000		29,000
Army Guard	MAINE	BANGOR	REGIONAL TRAINING INSTITUTE PHASE 1	20,000		20,000
Navy	MAINE	PORTSMOUTH	Consolidated Global Submarine Component Phase 1		9,980	9,980
Navy	MAINE	Portsmouth Naval Shipyard	Dry Dock #3 Waterfront Support Facility		20,660	20,660
Defense-Wide	MARYLAND	ABERDEEN PROVING GROUND	USAMRICD REPLACEMENT, INCREMENT I	23,750		23,750
Air Force	MARYLAND	ANDREWS AFB	ADMIN FACILITY ADDITION	28,000		28,000
Air Force	MARYLAND	ANDREWS AFB	NCR RELOCATION - ADMIN FACILITY	49,648		49,648
Army Reserve	MARYLAND	BALTIMORE	ARMY RESERVE CENTER	11,600		11,600
Navy	MARYLAND	CADEROCK NSWC	RDT&E Support Facility Phase 1		6,980	6,980
Army Guard	MARYLAND	EDGEWOOD	AASF ADD/ALT	28,000		28,000
Defense-Wide	MARYLAND	FORT DETRICK	USAMRIID STAGE I, INCREMENT III	209,000		209,000
Defense-Wide	MARYLAND	FORT MEADE	SOUTH CAMPUS UTILITY PLANT PHASE 1	31,000		31,000
Navy	MARYLAND	INDIAN HEAD	SEWAGE TREATMENT PLANT UPGRADES	13,930		13,930
Air Guard	MARYLAND	MARTIN STATE AIRPORT	Fire Station		7,900	7,900
Navy	MARYLAND	NSWC, Indian Head	Energetics Systems and Technology Lab Complex		12,050	12,050
Army Guard	MARYLAND	SALISBURY	READINESS CENTER ADD/ALT	9,800		9,800
Navy	MARYLAND	SUITLAND	NATIONAL MARITIME INTEL CENTER (INCREMENT III)	12,439		12,439
Army Reserve	MASSACHUSETTS	FORT DEVENS	SHOOTHOUSE	1,900		1,900
Army Guard	MASSACHUSETTS	METHUEN	READINESS CENTER, ADD/ALT (ADRS)	21,000		21,000
Air Guard	MASSACHUSETTS	Otis ANG Base	Digital Ground Station Phase 1		14,300	14,300
Army Guard	MICHIGAN	Camp Grayling	Barracks Replacement, Phase I		16,943	16,943
Army Guard	MICHIGAN	Camp Grayling	Infantry Squad Battle Course		2,000	2,000
Army Guard	MICHIGAN	CAMP GRAYLING	Live Fire Shoot House		2,000	2,000
Army Guard	MICHIGAN	Camp Grayling	Urban Assault Course		2,000	2,000
Army	MICHIGAN	Detroit Arsenal	Access Control Point		6,100	6,100
Army Reserve	MICHIGAN	SAGINAW	ARMY RESERVE CENTER/LAND	11,500		11,500
Army Guard	MINNESOTA	ARDEN HILLS	READINESS CENTER	15,000		15,000
Air Guard	MINNESOTA	DULUTH	Replace Fuel Cell Hangar		4,500	4,500
Air Guard	MINNESOTA	MINNEAPOLIS-ST PAUL	Aircraft Deicing Apron		1,500	1,500
Air Force	MISSISSIPPI	COLUMBUS AFB	CHILD DEVELOPMENT CENTER	8,100		8,100
Navy	MISSISSIPPI	GULFPORT	25 NAVAL CONSTRUCTION REGIMENT HQ FACILITY	6,900		6,900
Navy	MISSISSIPPI	Gulfport	Battalion Maintenance Facility & Equip Yard		5,870	5,870
Air Guard	MISSISSIPPI	Gulfport-Biloxi IAP	Relocate Munitions Storage Complex		3,400	3,400
Air Force	MISSISSIPPI	Keesler AFB	Indoor Firing Range		6,600	6,600
Navy	MISSISSIPPI	NAS Meridian	Fitness Center		6,340	6,340
Army	MISSOURI	FORT LEONARD WOOD	TRAINING SUPPORT CENTER	18,500		18,500
Army	MISSOURI	FORT LEONARD WOOD	URBAN ASSAULT COURSE	2,350		2,350
Army	MISSOURI	Fort Leonard Wood	Mine Detection Training Facility and K-9 Kennel		10,800	10,800

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army	MISSOURI	Fort Leonard Wood	Wastewater Treatment Plant		7,400	7,400
Army	MISSOURI	FORT LEONARD WOOD	Chapel Complex Increment II		3,500	3,500
Army	MISSOURI	FORT LEONARD WOOD	Vehicle Maintenance Shop			0
Defense-Wide	MISSOURI	FORT LEONARD WOOD	PRIMARY CARE CLINIC ADDITION/ALTERATION	22,000		22,000
Army Reserve	MISSOURI	WELDON SPRINGS	ARMY RESERVE CENTER	11,700		11,700
Air Force	MISSOURI	WHITEMAN AFB	Security Forces Animal Clinic		4,200	4,200
Air Force	MONTANA	Malmstrom AFB	Upgrade Weapons Storage Area, Phase 1		10,000	10,000
Air Force	NEBRASKA	Offutt AFB	38th Recon Squadron Facility			0
Air Force	NEVADA	CREECH AFB	UAS 432 WING HQ MISSION SUPT FACILITY	7,000		7,000
Air Force	NEVADA	CREECH AFB	UAS DINING HALL	9,000		9,000
Air Force	NEVADA	CREECH AFB	UAS FLIGHT SIM & ACADEMICS FACILITY	9,800		9,800
Air Force	NEVADA	CREECH AFB	UAS MAIN GATE/SEWER TRANSFER FAC/INFRASTRUCT.	6,500		6,500
Air Force	NEVADA	CREECH AFB	UAS OPS FACILITY	16,200		16,200
Army Guard	NEVADA	Elko	Readiness Center		11,375	11,375
Army Reserve	NEVADA	LAS VEGAS	ARMY RESERVE CENTER	33,900		33,900
Air Force	NEVADA	NELLIS AFB	F-16 AGGRESSOR HANGAR/AIRCRAFT MAINT UNIT	30,800		30,800
Air Force	NEVADA	NELLIS AFB	F-16 AGRESSOR SQUADRON OPS/INFRASTRUCTURE	17,500		17,500
Air Force	NEVADA	NELLIS AFB	F-35 AIRFIELD PAVEMENTS	5,000		5,000
Air Force	NEVADA	Nellis AFB	Airfield Fire Rescue Station, Nellis		9,800	9,800
Air Guard	NEW JERSEY	ATLANTIC CITY INTL AIRPORT	Operations and Training Facility		8,400	8,400
Army Reserve	NEW JERSEY	FORT DIX	MODIFIED RECORD FIRE RANGE	3,825		3,825
Navy	NEW JERSEY	LAKEHURST	ADVANCED ARRESTING GEAR TEST SITE	15,440		15,440
Air Force	NEW JERSEY	McGUIRE AFB	Security Forces Operations Facility Phase I		7,200	7,200
Navy	NEW JERSEY	NWS Earle	Main Gate Security Improvements		8,160	8,160
Army	NEW JERSEY	PICATINNY ARSENAL	Ballistic Evaluation Facility Phase 1		9,900	9,900
Air Force	NEW MEXICO	Cannon AFB	CV-22 Flight Simulator Facility			0
Defense-Wide	NEW MEXICO	CANNON AFB	SOF MAINTENANCE HANGAR	18,100		18,100
Defense-Wide	NEW MEXICO	Cannon AFB	CV-22 Flight Simulator Facility		8,300	8,300
Air Force	NEW MEXICO	HOLLOMAN AFB	F-22 ALTER HANGAR FOR LO/CRF	14,500		14,500
Air Force	NEW MEXICO	HOLLOMAN AFB	F-22A ADAL A/C MAINT UNIT	1,050		1,050
Air Force	NEW MEXICO	HOLLOMAN AFB	F-22A ADAL FLIGHT SIMULATOR FAC	3,150		3,150
Air Force	NEW MEXICO	HOLLOMAN AFB	F-22A ADAL JET ENGINE MAINTENANCE SHOP	2,150		2,150
Air Force	NEW MEXICO	HOLLOMAN AFB	F-22A AEROSPACE GROUND EQUIP FAC	4,600		4,600
Defense-Wide	NEW MEXICO	KIRTLAND AFB	REPLACE FUEL STORAGE TANKS	14,400		14,400
Army	NEW YORK	FORT DRUM	BRIGADE COMPLEX-BARRACKS	29,000		29,000
Army	NEW YORK	FORT DRUM	BRIGADE COMPLEX-BARRACKS	24,000		24,000
Army	NEW YORK	FORT DRUM	Fire Station		6,900	6,900
Army	NEW YORK	FORT DRUM	UNIT MAINTENANCE FACILITIES	37,000		37,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army Guard	NEW YORK	FORT DRUM	MANEUVER AREA TRAINING EQUIP SITE PH3	11,000		11,000
Air Guard	NEW YORK	Gabreski Airport, Westhampton	Pararescue Facility, 106th Rescue Wing, Phase 2		7,500	7,500
Air Guard	NEW YORK	HANCOCK FIELD	TFI - REAPER IOC/FOC BEDDOWN	5,000		5,000
Air Guard	NEW YORK	HANCOCK FIELD	Upgrade ASOS Facilities		5,400	5,400
Army Reserve	NEW YORK	KINGSTON	ARMY RESERVE CENTER/LAND	13,494		13,494
Air Force Reserve	NEW YORK	NIAGARA FALLS ARS	Dining Facility		9,000	9,000
Army Guard	NEW YORK	QUEENSBURY	FIELD MAINTENANCE SHOP	5,900		5,900
Army Reserve	NEW YORK	SHOREHAM	ADD/ALT ARMY RESERVE CENTER	15,031		15,031
Army Reserve	NEW YORK	STATEN ISLAND	ARMY RESERVE CENTER	18,550		18,550
Army	NEW YORK	U.S. MILITARY ACADEMY	SCIENCE FACILITY, PHASE 1	67,000		67,000
Defense-Wide	NORTH CAROLINA	CAMP LEJEUNE	Hospital Renovation & MRI Addition			0
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS - CAMP JOHNSON	38,230		38,230
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS - CAMP JOHNSON	23,760		23,760
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS - FRENCH CREEK	33,960		33,960
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS - HADNOT POINT	39,890		39,890
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS - HADNOT POINT	39,320		39,320
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS- COURTHOUSE BAY	35,890		35,890
Navy	NORTH CAROLINA	CAMP LEJEUNE	BACHELOR ENLISTED QUARTERS- HADNOT POINT	42,950		42,950
Navy	NORTH CAROLINA	CAMP LEJEUNE	CHILD DEVELOPMENT CENTER	13,960		13,960
Navy	NORTH CAROLINA	CAMP LEJEUNE	CONSOLIDATED MESSHALL-HADNOT POINT (200 AREA)	25,000		25,000
Navy	NORTH CAROLINA	CAMP LEJEUNE	INFANTRY PLATOON BATTLE COURSE - SR1	18,250		18,250
Navy	NORTH CAROLINA	CAMP LEJEUNE	MESSHALL - HADNOT POINT (400 AREA)	21,660		21,660
Navy	NORTH CAROLINA	CAMP LEJEUNE	MOD K-RANGES (PHASE 2)	20,220		20,220
Navy	NORTH CAROLINA	CHERRY POINT MCAS	2ND MAW COMMAND OPERATIONS FACILITY	30,480		30,480
Navy	NORTH CAROLINA	CHERRY POINT MCAS	BACHELOR ENLISTED QUARTERS	30,100		30,100
Navy	NORTH CAROLINA	CHERRY POINT MCAS	ENGINEERING PRODUCT SUPPORT FACILITY	16,840		16,840
Army	NORTH CAROLINA	FORT BRAGG	ACCESS ROADS PHASE 1	13,200		13,200
Army	NORTH CAROLINA	FORT BRAGG	TRAINING SUPPORT CENTER	20,500		20,500
Army	NORTH CAROLINA	FORT BRAGG	UTILITY UPGRADE (CAMP MACKALL)	3,200		3,200
Army	NORTH CAROLINA	FORT BRAGG	Chapel		11,600	11,600
Army	NORTH CAROLINA	FORT BRAGG	Defense Access Road Funding		8,600	8,600
Army	NORTH CAROLINA	FORT BRAGG	Mass Casualty Facility		1,300	1,300
Defense-Wide	NORTH CAROLINA	FORT BRAGG	NEW ELEMENTARY SCHOOL	28,170		28,170
Defense-Wide	NORTH CAROLINA	FORT BRAGG	NEW INTERMEDIATE SCHOOL (IRWIN)	27,945		27,945
Defense-Wide	NORTH CAROLINA	FORT BRAGG	NEW MIDDLE SCHOOL	22,356		22,356
Defense-Wide	NORTH CAROLINA	FORT BRAGG	SOF EXPAND TRAINING COMPOUND	14,200		14,200
Defense-Wide	NORTH CAROLINA	FORT BRAGG	SOF HEADQUARTERS FACILITY	14,600		14,600
Defense-Wide	NORTH CAROLINA	FORT BRAGG	SOF SECURITY/FORCE PROTECTION	4,150		4,150

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Defense-Wide	NORTH CAROLINA	FORT BRAGG	SOF TRAINING FACILITY	5,300		5,300
Navy	NORTH CAROLINA	NEW RIVER	AIRCRAFT PARKING APRON ADDITION	6,830		6,830
Navy	NORTH CAROLINA	NEW RIVER	BACHELOR ENLISTED QUARTERS	36,740		36,740
Navy	NORTH CAROLINA	NEW RIVER	BACHELOR ENLISTED QUARTERS - MCAS	25,620		25,620
Navy	NORTH CAROLINA	NEW RIVER	ENLISTED DINING FACILITY	17,090		17,090
Army Reserve	NORTH CAROLINA	RALEIGH	ARMY RESERVE CENTER/LAND	25,581		25,581
Air Force	NORTH CAROLINA	Seymour Johnson AFB	Consolidated Support Center		12,200	12,200
Air Force	NORTH DAKOTA	Grand Forks AFB	Fire Station		13,000	13,000
Army Guard	OHIO	CAMP PERRY	Barracks		2,000	2,000
Army Guard	OHIO	RAVENNA	Barracks		2,000	2,000
Air Guard	OHIO	SPRINGFIELD ANGB	Combat Communications Training Complex		12,800	12,800
Air Force	OHIO	WRIGHT PATTERSON AFB	Security Forces Operations Building		14,000	14,000
Air Force	OKLAHOMA	Altus AFB	Consol Digital Airport Surveill Radar (DASR)/RAPCON Facil		10,200	10,200
Defense-Wide	OKLAHOMA	ALTUS AFB	REPLACE FUEL STORAGE DIKES	2,850		2,850
Army	OKLAHOMA	FORT SILL	TRAINING COMPLEX UPGRADE	63,000		63,000
Army	OKLAHOMA	MCALESTER AAP	AP3 Connecting Rail		5,800	5,800
Air Force	OKLAHOMA	TINKER AFB	AIRCRAFT MAINTENANCE HANGAR	48,600		48,600
Air Force	OKLAHOMA	TINKER AFB	Realign Street at Tinker Gate		5,400	5,400
Air Force Reserve	OKLAHOMA	TINKER AFB	AFR SCHEDULED MAINTENANCE HANGAR	9,900		9,900
Defense-Wide	OKLAHOMA	TINKER AFB	MEDICAL/DENTAL CLINIC REPLACEMENT	65,000		65,000
Army	PENNSYLVANIA	CARLISLE BARRACKS	MUSEUM SUPPORT FACILITY	13,400		13,400
Army Guard	PENNSYLVANIA	HONESDALE	Readiness Center Addition/Alteration		6,117	6,117
Army	PENNSYLVANIA	LETTERKENNY ARMY DEPOT	Upgrade Munition Igloos Phase 2		7,500	7,500
Army Reserve	PENNSYLVANIA	LETTERKENNY ARMY DEPOT	ARMY RESERVE CENTER	14,914		14,914
Defense-Wide	PENNSYLVANIA	PHILADELPHIA	CONVERT WAREHOUSE TO ADMIN SPACE	1,200		1,200
Navy	PENNSYLVANIA	PHILADELPHIA	FULL SCALE ELECTRIC DRIVE TEST FACILITY	22,020		22,020
Army	PENNSYLVANIA	TOBYHANNA ARMY DEPOT	ELECTRONICS MAINTENANCE SHOP	15,000		15,000
Navy	RHODE ISLAND	NEWPORT	FITNESS FACILITY	29,900		29,900
Navy	RHODE ISLAND	NEWPORT	Unmanned ASW Support Facility		9,900	9,900
Army Guard	RHODE ISLAND	North Kingstown	Army Aviation Support Facility (addition to FY2008)		5,000	5,000
Air Guard	RHODE ISLAND	Quonset State Airport	Construct Air Traffic Control Tower		7,700	7,700
Army Guard	SOUTH CAROLINA	ANDERSON	READINESS CENTER	12,000		12,000
Army Guard	SOUTH CAROLINA	BEAUFORT	READINESS CENTER ADD/ALT	3,400		3,400
Navy	SOUTH CAROLINA	BEAUFORT	EOD/ORDNANCE OPERATIONS FACILITY	5,940		5,940
Air Force	SOUTH CAROLINA	CHARLESTON AFB	C-17 FLIGHT SIMULATOR ADDITION	4,500		4,500
Army Guard	SOUTH CAROLINA	EASTOVER	JOINT FORCES HEADQUARTERS	28,000		28,000
Army	SOUTH CAROLINA	FORT JACKSON	TRAINING COMPLEX UPGRADE	30,000		30,000
Army	SOUTH CAROLINA	FORT JACKSON	Student Barracks			

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army Guard	SOUTH CAROLINA	HEMINGWAY	Field Maintenance Shop Phase 1		4,600	4,600
Navy	SOUTH CAROLINA	PARRIS ISLAND	THIRD RECRUIT TRAINING BATTALION (PHASE 2)	36,400		36,400
Navy	SOUTH CAROLINA	PARRIS ISLAND	THIRD RECRUIT TRAINING BN COMPLEX (PHASE 3)	28,350		28,350
Air Force	SOUTH CAROLINA	Shaw AFB	Physical Fitness Center		9,900	9,900
Army Guard	SOUTH DAKOTA	Camp Rapid	Barracks/Dining/Admin and Parking Complex Phase I		14,463	14,463
Air Force	SOUTH DAKOTA	Ellsworth AFB	Base Entry and Perimeter Gates		11,000	11,000
Air Guard	SOUTH DAKOTA	JOE FOSS FIELD	Aircraft Ready Shelters/AMU		4,500	4,500
Army Guard	SOUTH DAKOTA	RAPID CITY	ARMED FORCES RESERVE CENTER	29,000		29,000
Army Reserve	TENNESSEE	CHATTANOOGA	ARMY RESERVE CENTER	10,600		10,600
Air Guard	TENNESSEE	Knoxville	Replace Squadron Operations		8,000	8,000
Army Guard	TENNESSEE	TULLAHOMA	Readiness Center		10,372	10,372
Army	TEXAS	CAMP BULLIS	Live Fire Shoot House		4,200	4,200
Army	TEXAS	CORPUS CHRISTI	DYNAMIC COMPONENT REBUILD FACILITY	39,000		39,000
Navy	TEXAS	CORPUS CHRISTI	Parking Apron Recapitalization		3,500	3,500
Air Force	TEXAS	DYESS AFB	Multipurpose C-130 Maintenance Hangar		21,000	21,000
Air Guard	TEXAS	ELLINGTON FIELD	ASOS Facility		7,600	7,600
Army	TEXAS	FORT BLISS	BARRACKS & DINING	148,000		148,000
Army	TEXAS	FORT BLISS	BARRACKS & DINING	148,000		148,000
Army	TEXAS	FORT BLISS	BATTALION COMPLEX	34,000		34,000
Army	TEXAS	FORT BLISS	BRIGADE/BATTALION HQS	44,000		44,000
Army	TEXAS	FORT BLISS	BRIGADE/BATTALION HQS	44,000		44,000
Army	TEXAS	FORT BLISS	CHAPEL	9,000		9,000
Army	TEXAS	FORT BLISS	COMPANY OPERATIONS FACILITIES, BCT	90,000		90,000
Army	TEXAS	FORT BLISS	COMPANY OPERATIONS FACILITIES, BCT 1	90,000		90,000
Army	TEXAS	FORT BLISS	DIGITAL MULTIPURPOSE RANGE COMPLEX	42,000		42,000
Army	TEXAS	FORT BLISS	INFRASTRUCTURE, IBCT1	98,000		98,000
Army	TEXAS	FORT BLISS	INFRASTRUCTURE, IBCT2	100,000		100,000
Army	TEXAS	FORT BLISS	TRAINING SUPPORT CENTER	12,600		12,600
Army	TEXAS	FORT BLISS	UNIT MAINTENANCE FACILITIES	10,200		10,200
Army	TEXAS	FORT BLISS	VEHICLE MAINTENANCE SHOPS	81,000		81,000
Army	TEXAS	FORT BLISS	VEHICLE MAINTENANCE SHOPS	81,000		81,000
Army	TEXAS	FORT BLISS	Medical Parking Facility Phase 1		12,500	12,500
Air Force	TEXAS	FORT HOOD	TACP JOINT AIR GROUND CTR	10,800		10,800
Army	TEXAS	FORT HOOD	Chapel w/ Religious Education Center		17,500	17,500
Army	TEXAS	FORT HOOD	UNIT MAINTENANCE FACILITIES	32,000		32,000
Army	TEXAS	FORT SAM HOUSTON	TRAINEE BARRACKS COMPLEX	96,000		96,000
Army	TEXAS	FORT SAM HOUSTON	AIT Barracks			0
Defense-Wide	TEXAS	FORT SAM HOUSTON	MEDICAL INSTRUCTIONAL FACILITY	13,000		13,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Air Guard	TEXAS	FORT WORTH NAS JRB	Security Forces Training Facility		5,000	5,000
Navy	TEXAS	KINGSVILLE	Fitness Center		11,580	11,580
Air Force	TEXAS	LACKLAND AFB	BMT RECRUIT DORMITORY	75,515		75,515
Army	TEXAS	RED RIVER ARMY DEPOT	MANEUVER SYSTEMS SUSTAINMENT CTR, PHASE 1	6,900		6,900
Army Reserve	TEXAS	SINTON	ARMY RESERVE CENTER	9,700		9,700
Army Guard	UTAH	CAMP WILLIAMS	AMMUNITION SUPPLY POINT	17,500		17,500
Air Force	UTAH	HILL AFB	F-22A HEAVY MAINT FAC & COMPOSITE BACK SHOP	36,000		36,000
Air Force	UTAH	Hill AFB	Three-bay Fire Station		5,400	5,400
Defense-Wide	UTAH	HILL AFB	HYDRANT FUEL SYSTEM	20,400		20,400
Air Guard	VERMONT	BURLINGTON IAP	SECURITY FORCES AND COMM FACILITY	6,600		6,600
Army Guard	VERMONT	Ethan Allen Firing Range Jericho	Readiness Center		10,200	10,200
Army Guard	VIRGINIA	ARLINGTON	ARLINGTON HALL READINESS CENTER PHASE 2	15,500		15,500
Defense-Wide	VIRGINIA	CRANEY ISLAND	REPLACE FUEL STORAGE TANKS	39,900		39,900
Defense-Wide	VIRGINIA	DAM NECK	SOF OPERATIONAL FACILITY INCREMENT II	31,000		31,000
Army	VIRGINIA	FORT BELVOIR	EMERGENCY SERVICES CENTER	7,200		7,200
Army	VIRGINIA	FORT EUSTIS	UNIT OPERATIONS FACILITIES	14,400		14,400
Army	VIRGINIA	FORT EUSTIS	Training Support Center, Phase 1		13,600	13,600
Army	VIRGINIA	FORT EUSTIS	Vehicle Paint Facility		3,900	3,900
Army	VIRGINIA	FORT LEE	DINING FACILITY	10,600		10,600
Army	VIRGINIA	FORT LEE	TRAINEE BARRACKS COMPLEX	90,000		90,000
Army	VIRGINIA	FORT MYER	BARRACKS	14,000		14,000
Army Guard	VIRGINIA	FORT PICKETT	MULTIPURPOSE MACHINE GUN RANGE	2,950		2,950
Defense-Wide	VIRGINIA	FORT STORY	SOF SMALL ARMS RANGE	11,600		11,600
Naval Reserve	VIRGINIA	NORFOLK	EODMU 10 OPERATIONS FACILITY	8,170		8,170
Navy	VIRGINIA	NORFOLK	CHILD DEVELOPMENT CENTER	10,500		10,500
Navy	VIRGINIA	NORFOLK	NORFOLK HARBOR CHANNEL DREDGING	42,830		42,830
Navy	VIRGINIA	NORFOLK	Fire Station		9,960	9,960
Navy	VIRGINIA	NORFOLK	Industrial Access Improvements		9,990	9,990
Defense-Wide	VIRGINIA	PENTAGON	PENTAGON ATHLETIC CENTER PHASE 2	6,967		6,967
Defense-Wide	VIRGINIA	PENTAGON	PFPA HAZMAT FACILITY	16,401		16,401
Defense-Wide	VIRGINIA	PENTAGON	RAVEN ROCK WEST POWER PLANT	15,572		15,572
Navy	VIRGINIA	QUANTICO	AIRCRAFT MAINTENANCE HANGAR, TYPE II	27,750		27,750
Navy	VIRGINIA	QUANTICO	AIRCRAFT PARKING APRON (GREEN SIDE)	36,280		36,280
Navy	VIRGINIA	QUANTICO	Marine Corps Officer Candidate School HQ Facility		5,980	5,980
Navy	VIRGINIA	QUANTICO	INFRASTRUCTURE - RUSSELL ROAD (PHASE 1)	7,450		7,450
Navy	VIRGINIA	QUANTICO	INSTRUCTION FACILITY ADDITION - TBS	6,350		6,350
Navy	VIRGINIA	QUANTICO	INSTRUCTION FACILITY TBS (PHASE I)	25,200		25,200
Navy	VIRGINIA	QUANTICO	MESS HALL - OCS	13,750		13,750

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Navy	VIRGINIA	QUANTICO	STUDENT QUARTERS - TBS (PHASE 3)	27,530		27,530
Naval Reserve	VIRGINIA	WILLIAMSBURG	ORDNANCE HANDLING CARGO OPS TRAINING SUPPORT	12,320		12,320
Navy	WASHINGTON	BANGOR	LIMITED AREA PROD & STORAGE COMPLEX (INCR V)	50,700		50,700
Army	WASHINGTON	FORT LEWIS	BATTALION COMPLEX	54,000		54,000
Army	WASHINGTON	FORT LEWIS	BATTALION COMPLEX	47,000		47,000
Army	WASHINGTON	FORT LEWIS	BRIGADE COMPLEX	30,000		30,000
Army	WASHINGTON	FORT LEWIS	BRIGADE COMPLEX, INCREMENT III	102,000		102,000
Army	WASHINGTON	FORT LEWIS	CHILD DEVELOPMENT CENTER	27,000		27,000
Army Guard	WASHINGTON	FORT LEWIS	AVIATION READINESS CENTER	32,000		32,000
Defense-Wide	WASHINGTON	FORT LEWIS	SOF RANGER BATTALION COMPLEX	38,000		38,000
Navy	WASHINGTON	KITSAP NB	Saltwater Cooling and Fire Protection Improvements		5,110	5,110
Air Force	WASHINGTON	MCCHORD AFB	C-17 ADAL FLIGHT SIMULATOR	5,500		5,500
Air Guard	WASHINGTON	McChord AFB	262 Information Warfare Aggressor SQ (IWAS) Facility		8,600	8,600
Army Reserve	WASHINGTON	SEATTLE	ARMY RESERVE CENTER	37,500		37,500
Navy	WASHINGTON	WHIDBEY ISLAND	Firefighting Facility		6,160	6,160
Navy	WASHINGTON	WHIDBEY ISLAND	HANGAR 5 RECAPITALIZATION (INCREMENT II)	34,000		34,000
Army Guard	WEST VIRGINIA	CAMP DAWSON	Access Control Point		2,000	2,000
Army Guard	WEST VIRGINIA	CAMP DAWSON	Multi-Purpose Building Phase 2		5,000	5,000
Army Guard	WEST VIRGINIA	CAMP DAWSON	Shoot House		2,000	2,000
Air Guard	WEST VIRGINIA	Yeager Airport, Charleston	Fuel System/Corrosion Control Hangar		27,000	27,000
Army Reserve	WISCONSIN	FORT MCCOY	AUTO QUALIFICATION TRAINING RANGE	4,000		4,000
Air Guard	WISCONSIN	Truax Field	Communications and Audio Visual Training Facility		6,300	6,300
Air Guard	WYOMING	CHEYENNE MAP	TFI - C-130 SQDN OPERATIONS FACILITY	7,000		7,000
Air Force	WYOMING	F. E. WARREN AFB	RENOVATE HISTORIC DORMITORY	8,600		8,600
Army	AFGHANISTAN	BAGRAM AIR BASE	BULK FUEL STORAGE & SUPPLY, PHASE 8	26,000		26,000
Army	AFGHANISTAN	BAGRAM AIR BASE	BULK FUEL STORAGE & SUPPLY, PHASE 5	22,000		22,000
Army	AFGHANISTAN	BAGRAM AIR BASE	SOF HQ COMPLEX	19,000		19,000
Air Force	AFGHANISTAN	BAGRAM AIR BASE	C-130 MAINTENANCE HANGAR	27,400		27,400
Air Force	AFGHANISTAN	BAGRAM AIR BASE	CARGO HANDLING AREA EXPANSION	8,800		8,800
Air Force	AFGHANISTAN	BAGRAM AIR BASE	REFUELER RAMP	21,000		21,000
Navy	CUBA	GUANTANAMO BAY NS	CONSOLIDATED FITNESS COMPLEX	20,600		20,600
Defense-Wide	CZECH REPUBLIC	VARIOUS LOCATIONS	BMDS-EUROPEAN MIDCOURSE RADAR SITE	108,560		108,560
Navy	DIEGO GARCIA	DIEGO GARCIA	WHARF UPGRADE AND WAREHOUSE	35,060		35,060
Navy	DJIBOUTI	CAMP LEMONIER	AIRCRAFT MAINTENANCE HANGAR	12,830		12,830
Navy	DJIBOUTI	CAMP LEMONIER	AIRCRAFT PARKING APRON	15,250		15,250
Navy	DJIBOUTI	CAMP LEMONIER	TELECOM FACILITY	3,330		3,330
Army	GERMANY	KATTERBACH	AIRCRAFT/VEHICLE MAINTENANCE COMPLEX	19,000		19,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Army	GERMANY	WIESBADEN MIL CMTY	COMMAND & BATTLE CENTER	119,000	-59,500	59,500
Defense-Wide	GERMANY	GERMERSHEIM	LOGISTICS DISTRIBUTION CENTER EUROPE	48,000		48,000
Defense-Wide	GREECE	SOUDA BAY	FUEL STORAGE TANKS AND PIPELINE REPL	27,761	-19,761	8,000
Navy	GUAM	GUAM	BACHELOR ENLISTED QUARTERS, MAIN BASE	62,360		62,360
Navy	GUAM	GUAM	KILO WHARF EXTENSION (INCREMENT II)	50,912		50,912
Navy	GUAM	GUAM	WASTEWATER COLLECTION SYSTEM & UPGRADE	26,070		26,070
Air Force	GUAM	ANDERSEN AFB	COMBAT COMM MAINTENANCE FACILITY	5,200		5,200
Air Force	GUAM	ANDERSEN AFB	ISR/STF Realign Arc Light Blvd		5,400	5,400
Defense-Wide	GUAM	GUAM	CENTRAL UTILITY PLANT	30,000		30,000
Army	ITALY	VICENZA	BRIGADE COMPLEX-BARRACKS/COMMUNITY, INCR II	15,000	0	15,000
Army	ITALY	VICENZA	BRIGADE COMPLEX-OPERATIONS SPT FAC, INCR II	15,000	0	15,000
Army	JAPAN	CAMP ZAMA	SENSITIVE COMPARTMENTED INFORMATION FACILITY	2,350		2,350
Army	JAPAN	SAGAMIHARA	BATTLE COMMAND TRAINING CENTER	17,500		17,500
Army	KOREA	CAMP HUMPHREYS	VEHICLE MAINTENANCE SHOP	20,000		20,000
Air Force	KYRGYZSTAN	MANAS AIR BASE	HOT CARGO PAD	6,000		6,000
Defense-Wide	POLAND	VARIOUS LOCATIONS	BMDS-EUROPEAN INTERCEPTOR SITE	132,600	-90,000	42,600
Air Force	QATAR	AL UDEID	CAS PARKING APRON	59,638	-59,638	0
Defense-Wide	QATAR	AL UDEID	SOF TRAINING RANGE	9,200		9,200
Air Force	UNITED KINGDOM	RAF LAKENHEATH	LARGE VEHICLE INSPECTION STATION	7,400		7,400
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	SPECIAL EVALUATION PROJECT	891		891
Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	DATA CENTER	28,000	7,000	35,000
Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	JOINT OPERATIONS & SUPPORT COMPLEX, PHASE 1	17,800		17,800
Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	P-8A INTEGRATED TRAINING CENTER	48,220		48,220
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	COMMON BATTLEFIELD AIRMAN TRAINING COMPLEX	15,000	-15,000	0
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UAS FIELD TRAINING UNIT MAINT COMPLEX	22,000		22,000
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UAS FIELD TRAINING UNIT OPS COMPLEX	15,500		15,500
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	ARMY-NAVY/TRANSPORT. RADAR SURVEILLANCE-2 #3	25,500	-25,500	0
NSIP	WORLDWIDE UNSPEC	NATO	NATO SECURITY INVESTMENT PROGRAM	240,867	-10,000	230,867
NSIP	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	NATO Headquarters			
Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	HOST NATION SUPPORT	24,000		24,000
Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	23,000		23,000
Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	176,807	-22,122	154,685
Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	239,128	7,400	246,528
Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	13,670		13,670
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	70,494	12,942	83,436
Naval Reserve	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION			
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	15,000		15,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	CONTINGENCY CONSTRUCTION	10,000	-5,000	5,000
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	ENERGY CONSERVATION IMPROVEMENT PROGRAM	80,000	10,000	90,000
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (TMA)	3,990		3,990
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN (NSA)	20,221	-2,500	17,721
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN (MDA)	14,889		14,889
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN (SOCOM)	16,833	-2,300	14,533
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN (OSD)	43,768	-17,768	26,000
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN (DODEA)	1,830		1,830
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (SOCOM)	7,697		7,697
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (MDA)	3,457		3,457
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (OSD)	3,000	-3,000	0
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (DODEA)	382		382
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (JCS)	9,228		9,228
Defense-Wide	WORLDWIDE UNSPEC	VARIOUS WORLDWIDE	PLANNING AND DESIGN (TMA)	58,252		58,252
Defense-Wide	WORLDWIDE UNSPEC	VARIOUS WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION (DLA)	4,099		4,099
Army Guard	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	48,796	10,029	58,825
Army Guard	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	11,800	7,220	19,020
Air Guard	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	7,200	5,000	12,200
Air Guard	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	5,374	10,350	15,724
Army Reserve	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	13,963	920	14,883
Army Reserve	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	3,100		3,100
Naval Reserve	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	2,045		2,045
Air Force Reserve	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	3,922	2,243	6,165
Air Force Reserve	WORLDWIDE UNSPEC	VARIOUS WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	5,443		5,443
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Stratcom Replacement Facility Design		10,000	10,000

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
FamHouse Con Navy	CUBA	GUANTANAMO BAY NS	REPLACE BARGO HOUSING (48)	22,385	-950	21,435
FamHouse Con Navy	CUBA	GUANTANAMO BAY NS	REPLACE GRANADILLO CIRCLE HOUSING (38)	16,547	-701	15,846
FamHouse Con Navy	CUBA	GUANTANAMO BAY NS	REPLACE GRANADILLO POINT HOUSING (60)	23,666	-1,004	22,662
FamHouse Con Army	GERMANY	WEISBADEN	FAMILY HOUSING REPLACEMENT CONSTRUCTION	32,000		32,000
FamHouse Con Army	GERMANY	WIESBADEN AB	FAMILY HOUSING REPLACEMENT CONSTRUCTION	20,000	-10,000	10,000
FamHouse Con Army	GERMANY	WIESBADEN AB	FAMILY HOUSING REPLACEMENT CONSTRUCTION	43,000	-11,000	32,000
FamHouse Con Army	GERMANY	WIESBADEN AB	FAMILY HOUSING REPLACEMENT CONSTRUCTION	38,000	-11,000	27,000
FamHouse Con Army	KOREA	CAMP HUMPHREYS	FAMILY HOUSING NEW CONSTRUCTION	125,000		125,000
FamHouse Con AF	UNITED KINGDOM	RAF LAKENHEATH	REPLACE FAMILY HOUSING (182 UNITS)	71,828		71,828
FamHouse Con Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	CONSTRUCTION IMPROVEMENTS (1608 UNITS)	420,001		420,001
FamHouse Con Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FAMILY HOUSING PLANNING AND DESIGN	579		579
FamHouse Ops Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	113,017		113,017
FamHouse Ops Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	OPERATIONS	124,780		124,780
FamHouse Ops Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MISCELLANEOUS ACCOUNT	1,241		1,241
FamHouse Ops Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	LEASING	192,849		192,849
FamHouse Ops Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	252,189		252,189
FamHouse Ops Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PRIVATIZATION SUPPORT COSTS	32,034		32,034
FamHouse Con Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	CONSTRUCTION IMPROVEMENTS	318,011		318,011
FamHouse Con Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FAMILY HOUSING PLANNING AND DESIGN	2,169		2,169
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	44,068		44,068
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT	15,036		15,036
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	60,063		60,063
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MISCELLANEOUS ACCOUNT	655		655
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	SERVICES ACCOUNT	13,347		13,347
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	LEASING	130,261		130,261
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	87,074		87,074
FamHouse Ops Navy	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	PRIVATIZATION SUPPORT COSTS	25,558		25,558
FamHouse Con AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	CONSTRUCTION IMPROVEMENTS	316,343		316,343
FamHouse Con AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FAMILY HOUSING PLANNING AND DESIGN	7,708		7,708
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	100,997		100,997
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	1,559		1,559
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	56,837	-5,000	51,837
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	SERVICES ACCOUNT	20,166		20,166
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT	42,189		42,189
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MISCELLANEOUS ACCOUNT	1,999		1,999
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	LEASING ACCOUNT	565		565
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	LEASING ACCOUNT	93,681		93,681

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MAINTENANCE ACCOUNT	2,142		2,142
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MAINTENANCE (RMPA & RMPC)	225,770		225,770
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	DEBT ACCOUNT	1		1
FamHouse Ops AF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	HOUSING PRIVATIZATION	53,559		53,559
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	OPERATIONS	35		35
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	LEASING (NSA)	10,407		10,407
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	70		70
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT (DIA)	4,359		4,359
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	LEASING (DIA)	33,066		33,066
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	346		346
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT (DLA)	38		38
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	SERVICES ACCOUNT	33		33
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	382		382
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	495		495
FHIF	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	FAMILY HOUSING IMPROVEMENT FUND	850		850
HOAP	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	HOMEOWNERS ASSISTANCE PROGRAM	4,500		4,500
BRAC IV	WORLDWIDE UNSPEC	ARMY VARIOUS	BASE REALIGNMENT & CLOSURE IV, ARMY	72,855	15,000	87,855
BRAC IV	WORLDWIDE UNSPEC	NAVY VARIOUS	BASE REALIGNMENT & CLOSURE IV, NAVY	178,700	50,000	228,700
BRAC IV	WORLDWIDE UNSPEC	AIR FORCE VARIOUS	BASE REALIGNMENT & CLOSURE IV, AIR FORCE	139,155		139,155
BRAC IV	WORLDWIDE UNSPEC	DEF-WIDE VARIOUS	BASE REALIGNMENT & CLOSURE IV, DEFENSE-WIDE	2,667		2,667
BRAC 05	WORLDWIDE UNSPEC	ARMY VARIOUS	BASE REALIGNMENT & CLOSURE 2005, ARMY	4,486,178		4,486,178
BRAC 05	WORLDWIDE UNSPEC	NAVY VARIOUS	BASE REALIGNMENT & CLOSURE 2005, NAVY	871,492		871,492
BRAC 05	WORLDWIDE UNSPEC	AIR FORCE VARIOUS	BASE REALIGNMENT & CLOSURE 2005, AIR FORCE	1,072,925		1,072,925
BRAC 05	WORLDWIDE UNSPEC	DEF-WIDE VARIOUS	BASE REALIGNMENT & CLOSURE 2005, DEFENSE-WIDE	2,634,791		2,634,791
			TOTAL FY2009 AUTHORIZATIONS	**24,400,239**	**621,402**	**25,021,641**
Army Guard	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 110-161)		-1,400	-1,400
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 110-161)		-20,821	-20,821
Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 110-5)		-34,720	-34,720
Army	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 110-161)		-16,600	-16,600
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 110-5)			
Air Force	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 109-114)			

FY2009 MILITARY CONSTRUCTION AUTHORIZATIONS

Account Title	State/Country	Installation	Project Title	Budget Request	Agreement vs Request	Agreement
Defense-Wide	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Rescission (Public Law 110-324)		-3,589	-3,589
Fam House Ops DW	WORLDWIDE UNSPEC	UNSPECIFIED WORLDWIDE	Recission (Public Law 110-5)		-6040	-6,040
			Prior Year Savings	**0**	**-83,170**	**-83,170**
			GRAND TOTAL	**24,400,239**	**538,232**	**24,938,471**

LEGISLATIVE PROVISIONS ADOPTED

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 2009.

The Senate bill contained an identical provision (sec. 2001).

The 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, 2011, or the date of enactment of an act authorizing funds for military construction for fiscal year 2012, whichever is later.

The Senate bill contained an identical provision (sec. 2002).

The agreement includes this provision.

Effective date (sec. 2003)

The Senate bill contained a provision that would provide that titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXIX of this Act take effect on October 1, 2008, or the date of enactment of this Act, whichever is later.

The House bill contained no similar provision.

The agreement includes the Senate provision.

TITLE XXI—ARMY

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 2009.

The Senate bill contained a similar provision (sec. 2101).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate bill contained an identical provision (sec. 2102).

The 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 2009 to improve existing Army family housing units.

The Senate bill contained an identical provision (sec. 2103).

The 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 2009. This provision would also provide an overall limit on the cost of the fiscal year 2009 military construction and family housing projects authorized for the active-duty component of the Army.

The Senate bill contained a similar provision (sec. 2104).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2008 projects (sec. 2105)

The House bill contained a provision (sec. 2105) that would cancel the authorization for several fiscal year 2008 military construction projects.

The Senate bill contained no similar provision.

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2007 projects (sec. 2106)

The House bill contained a provision (sec. 2106) that would modify the authorization for several fiscal year 2007 military construction projects.

The Senate bill contained no similar provision.

The agreement includes this provision.

Extension of authorizations of certain fiscal year 2006 projects (sec. 2107)

The House bill contained a provision (sec. 2107) that would extend the authorization for certain Army fiscal year 2006 military construction projects until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained a similar provision (sec. 2105).

The agreement includes the House provision.

Extension of authorizations of certain fiscal year 2005 project (sec. 2108)

The House bill contained a provision (sec. 2108) that would extend the authorization for an Army fiscal year 2005 military construction project at Schofield Barracks, Hawaii, until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained a similar provision (sec. 2106).

The agreement includes the House provision.

TITLE XXII—NAVY

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 2009.

The Senate bill contained a similar provision (sec. 2201).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate bill contained a similar provision (sec. 2202).

The agreement includes the Senate provision.

Improvements to military family housing units (sec. 2203)

The House bill contained a provision (sec. 2203) that would authorize funding for fiscal year 2009 to improve existing Navy and Marine Corps family housing units.

The Senate bill contained an identical provision (sec. 2203).

The 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 2009. This provision would also provide an overall limit on the cost of the fiscal year 2009 military construction and family housing projects authorized for the active-duty component of the Navy and Marine Corps.

The Senate bill contained a similar provision (sec. 2204).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2005 project (sec. 2205)

The House bill contained a provision (sec. 2205) that would increase the authorization for a Strategic Weapons Facility Pacific project at Bangor, Washington.

The Senate bill contained an identical provision (sec. 2205).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2007 projects (sec. 2206)

The House bill contained a provision (sec. 2206) that would increase the authorization for projects at the Naval Support Activity, Suitland, Maryland, and at naval Air Station, Whidbey Island, Washington.

The Senate bill contained an identical provision (sec. 2206).

The agreement includes this provision.

LEGISLATIVE PROVISION NOT ADOPTED

Report on impacts of surface ship homeporting alternatives

The House bill contained a provision (sec. 2207) that would prohibit the Secretary of the Navy from issuing a record of decision for the proposed homeporting of additional ships at Naval Station Mayport until at least 30 days after the date on which the Secretary submits a report on the socio-economic impact and economic justification of the preferred alternatives identified in the final environmental impact statement.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

TITLE XXIII—AIR FORCE

Legislative Provisions Adopted

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would authorize Air Force military construction projects for fiscal year 2009.

The Senate bill contained a similar provision (sec. 2301).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate bill contained an identical provision (sec. 2302).

The 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 2009 to improve existing Air Force family housing units.

The Senate bill contained an identical provision (sec. 2303).

The 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 2009. This provision would also provide an overall limit on the cost of the fiscal year 2009 military construction and family housing projects authorized for the active-duty component of the Air Force.

The Senate bill contained a similar provision (sec. 2304).

The agreement includes this provision.

Extension of authorizations of certain fiscal year 2006 projects (sec. 2305)

The House bill contained a provision (sec. 2305) that would extend the authorizations for certain Air Force fiscal year 2006 military construction projects until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained an identical provision (sec. 2305).

The agreement includes this provision.

Extension of authorizations of certain fiscal year 2005 projects (sec. 2306)

The House bill contained a provision (sec. 2306) that would extend the authorizations for certain Air Force fiscal year 2005 military construction projects until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained a similar provision (sec. 2306).

The agreement includes the Senate provision.

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

Authorized defense agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would authorize military construction projects for the defense agencies for fiscal year 2009.

The Senate bill contained a similar provision (sec. 2401).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement provides the binding list of specific construction projects authorized at each location.

Energy conservation projects (sec. 2402)

The House bill contained a provision (sec. 2402) that would authorize the Secretary of Defense to carry out energy conservation projects.

The Senate bill contained a similar provision (sec. 2402).

The agreement includes the Senate provision.

Authorization of appropriations, defense agencies (sec. 2403)

The House bill contained a provision (sec. 2403) that would authorize appropriations for the military construction projects of the defense agencies for fiscal year 2009. This provision would also provide an overall limit on the cost of the fiscal year 2009 military construction projects authorized for the defense agencies.

The Senate bill contained a similar provision (sec. 2403).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2007 projects (sec. 2404)

The House bill contained a provision (sec. 2404) that would amend section 2401 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364) to increase the construction authorization for a project at Fort Detrick, Maryland by $133.0 million.

The Senate bill contained a similar provision (sec. 2404).

The agreement includes the House provision.

Modification of authority to carry out certain fiscal year 2005 projects (sec. 2405)

The House bill contained a provision (sec. 2405) that would terminate the military construction authorization provided in the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375) for a project at the Defense Fuel Supply Point at Naval Air Station Oceana, Virginia.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Extension of authorization of certain fiscal year 2006 project (sec. 2406)

The House bill contained a provision (sec. 2406) that would extend the authorization for a fiscal year 2006 military construction project for the Defense Logistics Agency until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained an identical provision (sec. 2405).

The agreement includes this provision.

Subtitle B—Chemical Demilitarization Authorizations

Authorized chemical demilitarization program construction and land acquisition projects (sec. 2411)

The House bill contained a provision (sec. 2411) that would authorize military construction projects for the chemical demilitarization program for fiscal year 2009.

The Senate bill contained an identical provision (sec. 2411).

The agreement includes this provision.

The authorized amounts are listed on an installation-by-installation basis in this provision.

Authorization of appropriations, chemical demilitarization construction, defense-wide (sec. 2412)

The House bill contained a provision (sec. 2412) that would authorize specific appropriations for each line item contained in the budget request for fiscal year 2009 for the chemical demilitarization construction. This section would also provide overall limit on the amount the chemical demilitarization office may spend on military construction projects.

The Senate bill contained a similar provision (sec. 2412).

The agreement includes the Senate provision with an amendment making a technical correction.

Modification of authority to carry out certain fiscal year 1997 project (sec. 2413)

The House bill contained a provision (sec. 2413) that would modify the authorization for a chemical demilitarization construction project at Pueblo Army Depot, Colorado.

The Senate bill contained an identical provision (sec. 2413).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2000 project (sec. 2414)

The House bill contained a provision (sec. 2414) that would modify the authorization for a chemical demilitarization construction project at Blue Grass Army Depot, Kentucky.

The Senate bill contained an identical provision (sec. 2414).

The agreement includes this provision.

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 bill contained an identical provision (sec. 2501).

The agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize appropriations for the United States' contribution to the North Atlantic Treaty Organization Security Investment Program for fiscal year 2009.

The Senate bill contained an identical provision (sec. 2502).

The agreement includes this provision.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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 2009.

The Senate bill contained a similar provision (sec. 2601).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009.

The Senate bill contained a similar provision (sec. 2602).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009.

The Senate bill contained an identical provision (sec. 2603).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009.

The Senate bill contained a similar provision (sec. 2604).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009.

The Senate bill contained a similar provision (sec. 2605).

The agreement includes this provision.

The authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table included in the joint explanatory statement 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 2009.

The Senate bill contained a similar provision (sec. 2606).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2008 project (sec. 2607)

The Senate bill contained a provision (sec. 2609) that would amend section 2601 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181) to increase the authorization for a project for the Army National Guard at North Kingstown, Rhode Island, by $5.0 million.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Extension of authorizations of certain fiscal year 2006 projects (sec. 2608)

The House bill contained a provision (sec. 2607) that would extend the authorizations for certain Guard and reserve fiscal year 2006 military construction projects until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained an identical provision (sec. 2607).

The agreement includes that provision.

Extension of authorization of certain fiscal year 2005 project (sec. 2609)

The House bill contained a provision (sec. 2608) that would extend the authorization for an Army National Guard fiscal year 2005 military construction project in California until October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later.

The Senate bill contained an identical provision (sec. 2608).

The agreement includes this provision.

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars In Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	80,110	Elmendorf AFB	AK	Aircraft Support Equip Shop	3,000	3,000
Air Force	80,110	Elmendorf AFB	AK	Add to Aerial Port	1,900	1,900
Air Force	80,110	Elmendorf AFB	AK	Add to and Alter for Squad Ops and AMU	8,200	8,200
Air Force	80	Elmendorf AFB	AK	Add to Combat Arms Maint. and Training Simulator	1,000	1,000
Air Force	80	Elmendorf AFB	AK	Alter Bldg 8515 for Supply and Security Forces	5,600	5,600
Air Force	80	Elmendorf AFB	AK	Base Engineer Complex	500	500
Air Force	80,110	Elmendorf AFB	AK	Fuel Cell/Corrosion Control Facility	22,000	22,000
Air Force	80	Elmendorf AFB	AK	Medical Training Facility	5,400	5,400
Air Force	80	Elmendorf AFB	AK	Operations and Training Facility	8,900	8,900
Air Force	80	Elmendorf AFB	AK	Training Fire Station	2,500	2,500
Air Force	80	Elmendorf AFB	AK	Vehicle Maintenance Shop	1,500	1,500
Army	189	Redstone Arsenal	AL	Rotary Wing Center	46,000	46,000
Army	148	Redstone Arsenal	AL	AMC & USASAC Headquarters, Increment II	0	98,000
MDA	134	Redstone Arsenal	AL	Von Braun Complex Phase 3 Increment II	0	127,000
Army	13	Jonesboro	AR	Armed Forces Reserve Center	23,000	23,000
Army	13	NW Arkansas (Fayetteville)	AR	Armed Forces Reserve Center	25,000	25,000
Navy	137B	MCAS Miramar	CA	HRSC Consolidation	20,940	20,940
Navy	138	MCAS Miramar	CA	Construct & Alter Regional Confinement Facility	31,950	31,950
Navy	184	NAWS China Lake	CA	Weapons and Armament Facility #1	32,870	32,870
Navy	184	NAWS China Lake	CA	Renovate Facilities, Ordnance Area	9,270	9,270
Navy	184	NAWS China Lake	CA	Lab Renovation, Building 5	25,520	25,520
Navy	184	NAWS China Lake	CA	Ordnance Storage Facilities	12,110	12,110
Air Force	91	Buckley AFB	CO	BRAC AFR Training Facility	7,200	7,200
Air Force	143B	Buckley AFB	CO	BRAC ARPC Administrative	25,000	25,000
Army	15	AFRC Middletown	CT	Armed Forces Reserve Center	68,000	68,000
Army	15	Newtown Armory	CT	Armed Forces Reserve Center	66,800	66,800
Air Force	85	Bradley IAP AGS	CT	Upgrade A-10 Engine CIRF	1,100	1,100
Navy	149	Washington	DC	Navy Systems Management Activity Relocation	14,963	14,963
Navy	149	Washington	DC	Navy Systems Management Activity Warehouse	7,610	7,610

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars in Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Army	169	Dover AFB	DE	Joint Medical Examiner Facility	52,000	52,000
Army	16	AFRC Newark	DE	Armed Forces Reserve Center	26,000	26,000
Army	4	Eglin AFB	FL	Special Forces Complex	148,000	148,000
Air Force	125	Eglin AFB	FL	BRAC F-35 Construction Haul Road	810	810
Air Force	125	Eglin AFB	FL	BRAC F-35 Duke Field Barriers	1,550	1,550
Air Force	125	Eglin AFB	FL	F-35 (JSF) Renovate Maintenance Dock B1318	3,810	3,810
Air Force	125	Eglin AFB	FL	F-35 (JSF) Renovate Maintenance Dock B1344	2,006	2,006
Air Force	125	Eglin AFB	FL	F-35 (JSF) Renovate Warehouse B1404	1,050	1,050
Air Force	125	Eglin AFB	FL	F-35 (JSF) Utility Infrastructure Upgrades	10,400	10,400
Air Force	125	Eglin AFB	FL	JSF IFT Dining Facility	5,000	5,000
Air Force	125	Eglin AFB	FL	JSF Marine Corps/Navy Hangar (Increment II)	0	21,800
Air Force	125	Eglin AFB	FL	JSF Munition Maintenance	8,900	8,900
Air Force	128	NAS Pensacola	FL	BRAC-CSO Bachelor Quarters	39,600	39,600
Army	9	Fort Benning	GA	Medical Facility, Increment I	157,000	80,000
Army	9	Fort Benning	GA	Heaquarters Bldg, Armor Officer Basic Crs	7,700	7,700
Army	9	Fort Benning	GA	General Instruction Complex 2, Increment I	77,000	39,000
Army	9	Fort Benning	GA	Vehicle Maintenance Instruction Facility	63,000	63,000
Army	2	Fort Benning	GA	CIDC Field Operations Bldg	3,050	3,050
Army	9	Fort Benning	GA	Infrastructure Support, Increment II	0	74,000
Army	2	Fort Gillem	GA	Armed Forces Reserve Center, Add/Alt	12,000	12,000
Air Force	79,103	Moody AFB	GA	BRAC Add/Alter Dental Clinic	1,000	1,000
Air Force	79,103	Moody AFB	GA	BRAC Child Development Center	4,000	4,000
Air Force	79,103	Moody AFB	GA	BRAC Community Activity Center	4,400	4,400
Air Force	79,103	Moody AFB	GA	BRAC Transient Lodging Facility	1,800	1,800
Air Force	79,103	Moody AFB	GA	BRAC Visiting Quarters	2,600	2,600
Air Force	79,103	Moody AFB	GA	LOLA/Ramp/Gun Berm	2,550	2,550
Air Force	104	Hickam AFB	HI	Flight Simulator Training Facility	5,000	5,000
Air Force	116	Sioux Gateway APT	IA	KC-135 Test Apron and Taxiway	3,000	3,000
Army	19	Carbondale	IL	Armed Forces Reserve Center	11,800	11,800

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars in Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	90	Capital APT AGS	IL	F-16 CIRF Sound Suppressor Foundation	1,600	1,600
Air Force	90	Capital APT AGS	IL	Upgrade F-16 Engine CIRF	6,200	6,200
Army	20	Greenwood (Indianapolis)	IN	Armed Forces Reserve Center	39,000	39,000
Air Force	112	McConnell AFB	KS	Munitions Delivery Road	1,450	1,450
Air Force	112	McConnell AFB	KS	STAMP Relocation	4,900	4,900
Air Force	112	McConnell AFB	KS	STRAPP Relocation	1,800	1,800
Army	143	Fort Knox	KY	Human Resources Command Complex, Increment III	0	55,400
Army	9	Fort Knox	KY	Army Reserve Center, Phase 2	28,000	28,000
Army	23	Shreveport	LA	Armed Forces Reserve Center	16,500	16,500
Air Force	119	New Orleans ARS	LA	Establish F-15 CIRF	5,100	5,100
Air Force	119	New Orleans ARS	LA	F-15 CIRF Sound Suppressor Foundation	1,500	1,500
Air Force	94	Barnes MPT AGS	MA	EOD Facility	1,750	1,750
Army	169	Aberdeen Proving Ground	MD	Medical Research Lab, Chem Bio Defense	27,000	27,000
Army	174	Aberdeen Proving Ground	MD	Non-Medical Chem Bio Fac	27,000	27,000
Army	136	Aberdeen Proving Ground	MD	Headquarters Bldg, Army Test and Eval Cmd	43,000	43,000
Army	5	Aberdeen Proving Ground	MD	C4ISR, Phase 2, Increment I	251,000	99,000
Army	5	Aberdeen Proving Ground	MD	C4ISR, Phase 1, Increment III	0	142,000
Army	187	Aberdeen Proving Ground	MD	Army Research Lab Vehicle Technology	35,000	35,000
Army	169	Bethesda	MD	Community Support Facilities	11,200	11,200
Army	130	Fort Meade	MD	MILDEP Adjudication Activities	51,000	51,000
Army	141	Fort Meade	MD	Defense Media Activity, Increment I	61,000	44,000
Air Force	129	Andrews AFB	MD	BRAC Construct Administrative Facility	53,000	53,000
Air Force	129	Andrews AFB	MD	BRAC Construct POV Lane, Pearl Harbor Gate	1,350	1,350
DISA	140	Fort Meade	MD	Construct DISA Building	130,128	130,128
TMA	169	Bethesda (WRNMMC)	MD	Medical Center Addition - Increment II	200,500	201,350
Navy	65	Inspector-Instructor Bath	ME	Facility Renovation Project	540	540
Navy	65	Portsmouth	ME	Special Purpose BN Ops Facility	2,900	2,900
Army	176	Detroit Arsenal	MI	Administrative Office Buildings, Increment I	99,000	56,000
Army	176	Detroit Arsenal	MI	Weapons Maintenance and Operations Fac	6,400	6,400

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars in Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	95	Selfridge ANGB	MI	Add To Alert Complex	870	870
Army	127	Leonard Wood	MO	Prime Power School Complex	29,000	29,000
Air Force	94	Lambert - St. Louis IAP AGS	MO	Relocate 157 AOG	4,000	4,000
TMA	173G	Keesler AFB	MS	Community Hospital	67,700	67,700
Army	3	Fort Bragg	NC	Headquarters Bldg, FORSCOM/USARC, Increment II	0	150,000
Army	30	Beatrice Readiness Center	NE	Armed Forces Reserve Center	13,290	13,290
Army	31	Pease AFRC	NH	Armed Forces Reserve Center	34,000	34,000
Army	53	Lakehurst AFRC	NJ	Equipment Concentration Site	27,000	27,000
Army	186	Picatinny Arsenal	NJ	Packaging, Handling, Shipping & Trans Ctr	26,000	26,000
Army	186	Picatinny Arsenal	NJ	Fuze Eng Cmplx/Explosive Magazines	25,000	25,000
Army	186	Picatinny Arsenal	NJ	Guns & Weapons Systems Lab (Turret)	12,000	12,000
Army	186	Picatinny Arsenal	NJ	Guns & Weapons Systems Tech Data	13,000	13,000
Navy	68	McGuire AFB (Cookstown)	NJ	Aviation Supply Dept & AIMD Ops Facility	37,010	37,010
Navy	68	McGuire AFB (Cookstown)	NJ	Munitions Maintenance Facility	1,800	1,800
Navy	68	McGuire AFB (Cookstown)	NJ	NAVY VR Fleet Logistics Ops Facility (INCR II of II)	0	28,882
Navy	68	McGuire AFB (Cookstown)	NJ	Aviation Support Facility Hangar Renovation	12,000	12,000
Navy	68	McGuire AFB (Cookstown)	NJ	C-130 Flight Simulator Facility	4,260	4,260
Navy	68	McGuire AFB (Cookstown)	NJ	Helicopters Hangars & MAG HQ (INCR II of II)	0	41,941
Air Force	89,100	Nellis AFB	NV	Construct Airfield Pavements	7,800	7,800
Army	34	AFRC Farmingdale	NY	Armed Forces Reserve Center, Increment II	0	27,000
Army	5	West Point	NY	US Military Academy Prep School, Increment I	198,000	100,000
Army	37	Columbus	OH	Armed Forces Reserve Center	65,218	65,218
Army	37	Mansfield	OH	Armed Forces Reserve Center	30,714	30,714
Air Force	187	Wright-Patterson AFB	OH	Add to and Alter Sensors Laboratory (AFRL/SN)	40,000	40,000
Air Force	170	Wright-Patterson AFB	OH	Pipeline Dormitory	12,600	12,600
Air Force	170	Wright-Patterson AFB	OH	USAFSAM (Increment II)	0	30,000
Army	73	Broken Arrow	OK	Armed Forces Reserve Center	12,100	12,100
Army	38	Broken Arrow	OK	Armed Forces Reserve Center	54,900	54,900
Army	38	Muskogee	OK	Armed Forces Reserve Center	23,000	23,000

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars in Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Army	10	Fort Sill	OK	ADA Brigade Complex, Increment II	0	47,000
Army	39	Camp Wythcombe	OR	Armed Forces Reserve Center	45,500	45,500
Army	40	AFRC Lewisburg	PA	Armed Forces Reserve Center	24,000	24,000
Army	40	AFRC Williamsport	PA	Armed Forces Reserve Center	18,500	18,500
Army	40	AFRC Willow Grove	PA	Armed Forces Reserve Center	30,000	30,000
Navy	137B	Philadelphia	PA	Renovate Building 9	20,570	20,570
Navy	57	Tobyhanna Army Depot	PA	Radar Maintenance Facility	2,450	2,450
Navy	73	NMCRC Pittsburgh	PA	NMCRC Moundsville to NMCRC Pittsburgh, PA	4,920	4,920
Army	41	AFRC Fort Allen	PR	Armed Forces Reserve Center	19,500	19,500
Army	41	AFRC Fort Buchanan	PR	Armed Forces Reserve Center	28,000	28,000
Army	41	Ceiba	PR	Armed Forces Reserve Center	36,000	36,000
Army	41	Mayaguez	PR	Armed Forces Reserve Center	37,000	37,000
Navy	181	NS Newport	RI	Maritime Subsurface Sensor Operations Facility	15,320	15,320
Army	3	Shaw AFB	SC	Headquarters Building, Third US Army	102,000	102,000
Air Force	3A	Shaw AFB	SC	Dormitory Renovation for HQ 3rd Army	2,350	2,350
Army	43	Kingsport	TN	Armed Forces Reserve Center	19,300	19,300
Air Force	92	McGhee Tyson APT AGS	TN	Expand Parking Apron & Hydrant Sys	5,200	5,200
Army	44	AFRC Amarillo	TX	Armed Forces Reserve Center	24,000	24,000
Army	10	Fort Bliss	TX	Division Headquarters Building	25,000	25,000
Army	10	Fort Bliss	TX	Combat Aviation Brigade Complex, Increment III	0	103,000
Army	10	Fort Bliss	TX	Brigade Combat Team Complex #3, Increment II	0	145,000
Army	10	Fort Bliss	TX	Tactical Equipment Maintenance Facility 1	79,000	79,000
Army	10	Fort Bliss	TX	Community Infrastructure	32,000	32,000
Army	44	AFRC Dyess AFB	TX	Armed Forces Reserve Center	40,000	40,000
Army	44	AFRC Lewisville	TX	Armed Forces Reserve Center	22,000	22,000
Army	44	AFRC Round Rock	TX	Armed Forces Reserve Center	41,000	41,000
Army	44	AFRC San Marcos	TX	Armed Forces Reserve Center	29,000	29,000
Army	44	AFRC Tyler	TX	Armed Forces Reserve Center	29,000	29,000
Air Force	113	NAS-JRB Fort Worth	TX	BRAC AFR Add Avionics Shop	1,050	1,050

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars in Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	113	NAS-JRB Fort Worth	TX	BRAC AFR ECM Shop	1,150	1,150
Air Force	111	Ellington Field	TX	Relocate 272 EIS HQ	2,650	2,650
Air Force	172	Fort Sam Houston	TX	Medical Field Training Complex	18,000	18,000
Air Force	172	Fort Sam Houston	TX	METC Medical Instructional Facility (Increment II)	0	96,400
Air Force	172	Fort Sam Houston	TX	METC Student Dorm #1 (Increment II)	0	41,200
Air Force	172	Fort Sam Houston	TX	METC Student Dorm #2 (Increment II	0	33,700
Air Force	172	Fort Sam Houston	TX	METC Student Dorm #3 (Increment I)	48,000	48,000
Air Force	170	Fort Sam Houston	TX	Tri-Service Research Facility	79,500	79,500
Air Force	170	Randolph AFB	TX	AF Audit Agency Relocation	1,336	1,336
TMA	172	Fort Sam Houston	TX	San Antonio Military Medical Center (North) Incr II	162,700	294,074
TMA	172	Lackland AFB	TX	WHMC Rennovation of Ambulatory Care Center	51,000	51,000
Air Force	113	Hill AFB	UT	Renovate LANTIRN CIRF Bldgs 584 & 578	2,500	2,500
Army	129	Arlington Hall	VA	Armed Forces Reserve Center, Add/Alt	80,100	80,100
Army	5	Fort Belvoir	VA	Network Operations Center	8,300	8,300
Army	132	Fort Belvoir	VA	Infrastructure Support, Increment II	0	23,000
Army	168	Fort Belvoir	VA	Infrastructure Support, Increment II	0	48,000
Army	169	Fort Belvoir	VA	Infrastructure Support, Increment II	0	20,000
Army	168	Fort Belvoir	VA	Defense Access Roads, EPG	36,000	36,000
Army	8	Fort Eustis	VA	Headquarters Building, TRADOC	113,000	113,000
Army	122	Fort Lee	VA	USAF Transportation Management School	16,500	16,500
Army	121	Fort Lee	VA	Warrior Training Facilities	12,000	12,000
Army	121	Fort Lee	VA	Combat Service Support School, Ph 1, Increment III	0	6,348
Army	133	Fort Lee	VA	Administrative Building (DCMA)	23,000	23,000
Army	121	Fort Lee	VA	Combat Service Support School, Ph 2, Increment II	0	143,000
Army	123	Fort Lee	VA	JCOE for Culinary Training	17,000	17,000
NGA	168	Fort Belvoir	VA	NGA Headquarters Facility	324,900	743,868
TMA	169	Fort Belvoir	VA	Hospital Replacement - Increment III	249,000	197,750
WHS	133	Fort Belvoir	VA	Office Complex	0	274,330
Navy	131	MCB Quantico	VA	Collocate MILDEP Invest Agencies (INCR II of II)	0	213,109

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars In Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Navy	138	Chesapeake	VA	Joint Regional Correctional Facility (INCR I of II)	33,000	33,000
Navy	138	MCB Quantico	VA	Pre-trial Detainee Facility	5,570	5,570
Navy	8	NS Norfolk	VA	Renovate V47 for Combat Craft Facility	7,140	7,140
DIA	167	Rivanna Sta (Charlottesville)	VA	Joint Use Intelligence Analysis Facility - Phase 2	3,000	21,000
Army	45	AFRC White River Junction	VT	Armed Forces Reserve Center	28,000	28,000
Army	46	AFRC Everett	WA	Armed Forces Reserve Center	28,000	28,000
Air Force	116	Fairchild AFB	WA	Relocate Combat Communications	12,800	12,800
Army	48	Madison	WI	Armed Forces Reserve Center	25,375	25,375
Army	73	Madison	WI	Armed Forces Reserve Center	6,600	6,600
Air Force	97	Gen Mitchell IAP AGS	WI	Add Hydrant Refueling Outlet	1,150	1,150
Air Force	-	Various	Worldwide	Planning and Design	4,173	4,173
Army	-	Various	Worldwide	Planning and Design	12,000	12,000
Army	-	Various	Worldwide	Planning and Design (GDPR)	3,700	3,700
				Total Military Construction and P&D	**5,141,743**	**7,224,795**
Army	-	Various	Various	Environmental	54,831	54,831
Navy	-	Various	Various	Environmental	8,627	8,627
Air Force	-	Various	Various	Environmental	11,486	11,486
Defense Wide	-	Various	Various	Environmental	0	0
				Total Environmental	**74,944**	**74,944**
Army	-	Various	Various	Operation and Maintenance	481,561	481,561
Navy	-	Various	Various	Operation and Maintenance	254,336	254,336
Air Force	-	Various	Various	Operation and Maintenance	253,272	253,272
Defense Wide	-	Various	Various	Operation and Maintenance	340,152	340,152
				Total Operation and Maintenance	**1,329,321**	**1,329,321**
Army	-	Various	Various	MilPers PCS	0	0
Navy	-	Various	Various	MilPers PCS	9,785	9,785

TITLE XXVII - 2005 BASE REALIGNMENT AND CLOSURE ROUND
Fiscal Year 2009 Project Listing
(Dollars in Thousands)

Agency	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	-	Various	Various	MilPers PCS	6,786	6,786
Defense Wide	-	Various	Various	MilPers PCS	0	0
				Total MilPers PCS	**16,571**	**16,571**
Army	-	Various	Various	Other	157,991	157,991
Navy	-	Various	Various	Other	12,099	12,099
Air Force	-	Various	Various	Other	63,226	63,226
Defense Wide	-	Various	Various	Other	186,439	186,439
				Total Other	**419,755**	**419,755**
				TOTAL FY 2009 FUNDING FOR BRAC 2005	**6,982,334**	**9,065,386**

Subtitle A—Authorizations

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 2009 for ongoing activities that are required to implement the decisions of the 1988, 1991, 1993, and 1995 base realignment and closure (BRAC) rounds.

The Senate bill contained an identical provision (sec. 2701).

The agreement includes this provision.

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 2009 that are required to implement the decisions of the 2005 Base Realignment and Closure (BRAC) round.

The Senate bill included a similar provision (sec. 2702).

The agreement includes this provision.

The table included in the joint explanatory statement lists the specific projects 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 2009 that are required to implement the decisions of the 2005 Base Realignment and Closure (BRAC) round. This provision would also provide an overall limit on the amount authorized for BRAC military construction projects.

The Senate bill contained a similar provision (sec. 2703).

The agreement includes this provision.

The State list contained in this joint explanatory statement is the binding list of the specific amounts authorized at each location.

Subtitle B—Amendments to Base Closure and Related Laws

Modification of annual base closure and realignment reporting requirements (sec. 2711)

The House bill contained a provision (sec. 2712) that would modify the annual reporting requirements associated with the 2005 round of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510).

The Senate bill contained a similar provision (sec. 2704).

The agreement includes the House provision.

Technical corrections regarding authorized cost and scope of work variations for military construction and military family housing projects related to base closures and realignments (sec. 2712)

The House bill contained a provision (sec. 2713) that would make technical corrections to the Base Closure and Realignment Act notification requirements for cost and scope of work variations.

The Senate bill contained a similar provision (sec. 2705).

The agreement includes the House provision.

Subtitle C—Other Matters

Independent design review of National Naval Medical Center and military hospital at Fort Belvoir (sec. 2721)

The House bill contained a provision (sec. 2721) that would direct the Department of Defense to cease construction of the replacement facilities until the Secretary of Defense certifies the following items have been completed: a 90 percent construction design; an independent cost estimate to complete the realignment of the Walter Reed Army Medical Center; and a milestone schedule to complete the proposed realignment.

The Senate bill contained no similar provision.

The agreement includes a provision that would state congressional findings and would require an independent design review of the new medical facilities, a new cost estimate, and a schedule for the transition of operations to the new facilities. The agreement is not intended to cease construction of replacement facilities related to the closure of Walter Reed Army Medical Center.

Report on use of BRAC properties as sites for refineries or nuclear power plants (sec. 2722)

The House bill contained a provision (sec. 2722) that would require a study evaluating the feasibility of using military installations selected for closure under the base closure and realignment process as locations for the construction of petroleum or natural gas refineries or nuclear power plants.

The Senate bill contained no similar provision.

The agreement includes the House provision.

LEGISLATIVE PROVISION NOT ADOPTED

Repeal of commission approach for development of recommendations in any future round of base closures and realignments

The House bill contained a provision (sec. 2711) that would, with respect to any future base closure round, repeal the independent commission that is provided for under the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510).

The Senate bill contained no similar provision.

The agreement does not include the provision.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Incorporation of principles of sustainable design in documents submitted as part of proposed military construction projects (sec. 2801)

The House bill contained a provision (sec. 2801) that would require the Department of Defense to incorporate sustainable design concepts and life cycle analysis into a review of options that would be submitted with the annual budget documents.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Revision of maximum lease amount applicable to certain domestic Army family housing leases to reflect previously made annual adjustments in amount (sec. 2802)

The House bill contained a provision (sec. 2803) that would increase the maximum lease amount available to Army family housing leases from $18,620 per unit to $35,000 per unit.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Use of military family housing constructed under build and lease authority to house members without dependents (sec. 2803)

The House bill contained a provision (sec. 2804) that would allow service members without dependents to be assigned to quarters leased pursuant to section 2835 of title 10, United States Code. This authority would also allow the conversion of the family housing units, previously provided by the build-to-lease authority, to military unaccompanied housing.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Leasing of military family housing to Secretary of Defense (sec. 2804)

The House bill contained a provision (sec. 2805) that would allow the Secretary of Defense to lease military family housing in the National Capital Region.

The Senate bill contained a similar provision (sec. 2804).

The agreement includes the Senate provision.

Improved oversight and accountability for military housing privatization initiative projects (sec. 2805)

The House bill contained a provision (sec. 2807) that would modify the existing privatization authorities and provide better visibility over, and management of privatization projects. Specifically, it would: require the Department of Defense to partner with the family housing developer; require 100 percent performance and payment bonds; require competition for conveyance actions; repeal the authority to assign service members to privatized family hous-

ing; and require additional reporting associated with general and flag officer quarters.

The House bill also contained a provision (sec. 2808) that would require a report on best business practices for the execution of housing privatization initiatives.

The Senate bill contained a provision (sec. 2803) that would require enhanced oversight of, and reporting on, housing privatization projects. The provision would require greater interaction among the government and private entities involved in these projects, establish minimum bonding levels of 50 percent, specify procedures to be used in the case of significant schedule or performance deficiencies, ensure that the Department of Defense maintains a database of entities that achieve unsatisfactory performance ratings on such projects, and require the Department to identify and establish regulations to implement best practices for monitoring the progress and performance of housing privatization projects.

The agreement includes elements of the House and the Senate provisions.

Authority to use operation and maintenance funds for construction projects inside the United States Central Command and United States Africa Command areas of responsibility (sec. 2806)

The House bill contained a provision (sec. 2802) that would extend the current use of operations and maintenance funds to meet urgent military construction requirements outside the United States for 1 year, through fiscal year 2009.

The Senate bill contained a similar provision (sec. 2802) that would exempt projects in Afghanistan from the restriction against the use of this authority at installations where the Department of Defense anticipates having a long term presence. The Senate bill would also modify the quarterly reporting requirement on the use of this authority.

The agreement includes the Senate provision with an amendment that would provide an additional $300.0 million of authority for fiscal year 2009 that would be available only for urgent operational requirements in Afghanistan. The agreement would also restrict the use of this authority to the Central Command and Africa Command areas of responsibility.

Cost-benefit analysis of dissolution of Patrick Family Housing LLC (sec. 2807)

The Senate bill contained a provision (sec. 2805) that would require the Secretary of the Air Force to submit to the congressional defense committees a cost-benefit analysis regarding the dissolution of the Patrick Family Housing LLC created in connection with the privatization of military family housing at Patrick Air Force Base, Florida, and would prohibit the Secretary from dissolving that entity until this analysis has been submitted.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that requires the cost-benefit analysis be submitted within 30 days of the date of enactment of this Act, but would not restrict the dissolution of the LLC.

Subtitle B—Real Property and Facilities Administration

Clarification of congressional reporting requirements for certain real property transactions (sec. 2811)

The House bill contained a provision (sec. 2811) that would clarify reporting requirements associated with civil works and other real estate transactions.

The Senate bill contained a similar provision (sec. 2812).

The agreement contains the Senate provision.

Authority to lease non-excess property of military departments and Defense Agencies (sec. 2812)

The House bill contained a provision (sec. 2812) that would modify the Department of Defense's leasing authority and restrict certain uses of that authority. Specifically, the Department would be limited to leases of less than 50 years, and would be limited on the use of proceeds derived from leases. Also, the secretaries concerned would be required to determine that property is not excess and would be required to provide expanded notifications to the congressional defense committees during the course of the lease review process. The House bill would also prohibit the acceptance of in-kind consideration for morale, welfare and recreation activities. Finally, the secretary would be required to submit a report 30 days before the secretary enters into a lease that describes the agreement reached with the local municipality on taxation issues and further describes the proposed lessee payment.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that removes the restrictions on leases over 50 years and on receipt of in-kind consideration related to morale, welfare and recreation activities and makes other technical changes.

Modification of utility system conveyance authority (sec. 2813)

The House bill contained a provision (sec. 2813) that would modify the existing utility privatization authorities and provide the secretary concerned the discretion to convey additional, discrete utility elements without competition to an existing utility privatization interest, if certain criteria are met.

The Senate bill contained no similar provision.

The agreement contains the House provision with an amendment to the criteria for conveyances of additional elements of a utility system.

Defense access roads (sec. 2814)

The House bill included a provision (sec. 2815) that would require a needs assessment of the improvements needed in cases where the Secretary of Defense determines that a Department of Defense action has caused a significant transportation impact. The House bill would also require the Secretary of Defense to submit to the congressional defense committees and the Committee on Transportation and Infrastructure of the House of Representatives a report that details the significant transportation impacts resulting from actions of the Department of Defense since January 1, 2005.

The Senate bill contained no similar provision.

The agreement includes the House provision.

The current Defense Access Road (DAR) eligibility criteria contained in the Federal-aid Policy Guide of the Federal Highway Administration do not consider the full range of transportation impacts or requirements. We are aware that the criteria currently do not account for safety and security concerns for local roads, even though certain DAR projects have been carried out in the past 5 years in order to correct significant deficiencies threatening the safety of military personnel. The Department of Defense is strongly encouraged to consider incorporating the standards put forth by the Transportation Research Board, which serves as an independent adviser to the President, Congress, and federal agencies on scientific and technical questions, in the Highway Capacity Manual. This manual contains state-of-the-art techniques for estimating road capacity and determining levels of service for transportation facilities and modes. These techniques have been adopted by the Federal Highway Administration as a basis for assessing road requirements based on current congestion and saturation levels for traffic flows on public roads.

Report on application of force protection and anti-terrorism standards to gates and entry points on military installations (sec. 2815)

The Senate bill contained a provision (sec. 2841) that would require the Secretary of Defense to submit to the congressional defense committees, not later than February 1, 2009, a report on the implementation of Department of Defense anti-terrorism/force protection (AT/FP) standards for main gates or entry points of military installations.

The House bill contained no similar provision.

The agreement includes the Senate provision.

We recognize the importance of AT/FP measures for Department of Defense installations and facilities. We are concerned that adequate funding has not been requested to construct permanent facilities and infrastructure, including fences, physical anti-terrorism barriers, large vehicle inspection stations, and reinforced, blast-protected facilities for guards since updated AT/FP standards were adopted by the Department of Defense in 2003. Timely funding of these requirements is necessary to protect the safety and welfare of service members and their families. We expect the Department of Defense to include, in conjunction with this report, funding in the fiscal year 2010 budget and future-years defense program to ensure that main gates and entry points at military installations comply with AT/FP standards.

Subtitle C—Provisions Related to Guam Realignment

Sense of Congress regarding military housing and utilities related to Guam realignment (sec. 2821)

The House bill contained a provision (sec. 2822) that would express the sense of Congress that the Special Purpose Entities proposed to support military family members in Guam should closely follow the model and standards associated with the privatized fam-

ily housing initiative authorized by subchapter IV of chapter 169 of title 10, United States Code. Furthermore, it would express the sense of Congress that the military and civilian utility systems on Guam should be integrated to maximize effectiveness of the overall system.

The Senate bill contained no similar provision.

The agreement contains the House provision with an amendment that would modify the sense of Congress to state that any integration of the utility infrastructure should be subject to appropriate cost-sharing and quality standards.

Federal assistance to Guam (sec. 2822)

The House bill contained a provision (sec. 2823) that would express the sense of Congress that the Secretary of Defense, in coordination with the Interagency Group on Insular Affairs, should enter into a memorandum of understanding with the Government of Guam to identify civilian infrastructure associated with the capabilities expansion on Guam.

The House bill also contained a provision (sec. 2824) that would require the Comptroller General to submit a report on the status of interagency coordination related to the realignment of military forces in Guam.

The Senate bill contained no similar provisions.

The agreement modifies and combines the House provisions.

Eligibility of the Commonwealth of the Northern Mariana Islands for military base reuse studies and community planning assistance (sec. 2823)

The House bill contained a provision (sec. 2827) that would authorize the Commonwealth of the Northern Mariana Islands to be eligible to receive military base reuse studies and community planning assistance.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Support for realignment of military installations and relocation of military personnel on Guam (sec. 2824)

The House bill contained a provision (sec. 2821) that would establish an account for the purposes of centralizing management and oversight of funding related to the realignment of military installations on Guam and the relocation of military personnel to Guam.

The Senate bill contained no similar provision.

The agreement contains the House provision with amendments to the procedures under which the fund would operate. The agreement also states the sense of Congress regarding the participation of United States firms in projects related to this relocation.

Subtitle D—Energy Security

Certification of enhanced use leases for energy-related projects (sec. 2831)

The House bill contained a provision (sec. 2841) that would require that, if a proposed enhanced use lease involves a project re-

lated to energy production, and the term of the lease exceeds 20 years, the secretary of a military department may not enter into the lease until 30 days after the Secretary of Defense certifies to the congressional defense committees that the lease is consistent with the Department of Defense energy performance goals and the plan required by section 2911 of title 10, United States Code.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Annual report on Department of Defense installations energy management (sec. 2832)

The House bill contained a provision (sec. 2842) that would require the Secretary of Defense to report on efforts taken to meet the new energy goals set forth in the Energy Independence and Security Act of 2007 (Public Law 110–140) and on efforts to meet certification requirements for sustainable green-building standards for construction and major renovations.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would clarify that the report should describe Department of Defense efforts to meet the requirements in section 433 of Public Law 110–140.

Subtitle E—Land Conveyances

Land conveyance, former Naval Air Station, Alameda, California (sec. 2841)

The House bill contained a provision (sec. 2851) that would require the Secretary of the Navy to convey the Former Naval Air Station, Alameda, California, to the Alameda Reuse and Redevelopment Authority, except those lands designated as public benefit conveyances and certain other surplus lands.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would permit rather than require the conveyance of the property and would make other technical changes regarding the form of the consideration for the property to be conveyed.

Transfer of administrative jurisdiction, decommissioned Naval Security Group Activity, Skaggs Island, California (sec. 2842)

The House bill contained a provision (sec. 2860) that would direct the Secretary of the Navy and the Secretary of the Interior to negotiate a memorandum of agreement that stipulates the conditions upon which the decommissioned Naval Security Group Activity, Skaggs Island, Sonoma, California would be transferred from the administrative jurisdiction of the Department of the Navy to the United States Fish and Wildlife Service for inclusion in the National Wildlife Refuge System.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Transfer of proceeds from property conveyance, Marine Corps Logistics Base, Albany, Georgia (sec. 2843)

The Senate bill contained a provision (sec. 2821) that would allow the Secretary of Defense to transfer the proceeds from the sale of the Boyett Village Housing Complex at the Marine Corps Logistics Base Albany, Georgia, into the Family Housing Improvement Fund for carrying out military family housing privatization activities.

The House bill contained no similar provision.

The agreement includes the Senate provision, but does not direct the Department of Defense to comply with the use of proceeds suggested in the Senate report.

Land conveyance, Sergeant First Class M.L. Downs Army Reserve Center, Springfield, Ohio (sec. 2844)

The House bill contained a provision (sec. 2855) that would authorize the Secretary of the Army to convey the Sergeant First Class M.L. Downs Army Reserve Center, Springfield, Ohio to the City of Springfield, Ohio for use for municipal government services.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Land conveyance, John Sevier Range, Knox county, Tennessee (sec. 2845)

The House bill contained a provision (sec. 2856) that would authorize the Secretary of the Army to convey 124 acres known as the John Sevier Range in Knox County, Tennessee, to the State of Tennessee for use as a public firing range and for associated recreational activities.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Land conveyance, Army property, Camp Williams, Utah (sec. 2846)

The House bill contained a provision (sec. 2858) that would authorize the Secretary of the Army to convey 608 acres and 308 acres, respectively, to the State of Utah for military use by the Utah National Guard at Camp Williams, Utah.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would add a condition to the conveyance and make other technical changes.

Extension of Potomac Heritage National Scenic Trail through Fort Belvoir, Virginia (sec. 2847)

The House bill contained a provision (sec. 2859) that would authorize the Secretary of the Army to enter into a revocable-at-will easement with the Secretary of the Interior to provide land along the perimeter of Fort Belvoir, Virginia, to be used to extend the Potomac Heritage National Scenic Trail.

The Senate bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Subtitle F—Other Matters

Revised deadline for transfer of Arlington Naval Annex to Arlington National Cemetery (sec. 2851)

The House bill contained a provision (sec. 2871) that would extend the current deadline for the transfer of approximately 36 acres of land at the Arlington Naval Annex to the Secretary of the Army for incorporation into Arlington National Cemetery from January 1, 2011, to no later than January 1, 2012.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Acceptance and use of gifts for construction of additional building at National Museum of the United States Air Force, Wright-Patterson Air Force Base (sec. 2852)

The House bill contained a provision (sec. 2873) that would authorize the Secretary of the Air Force to accept a gift from the Air Force Museum Foundation that would allow construction of the fourth building for the National Museum of the United States Air Force at Wright Patterson Air Force Base, Ohio.

The Senate bill contained no similar provision.

The agreement contains the House provision with an amendment that would require all funds used for design, construction, and contract management of the fourth building to come from gifts, or the proceeds of the investment of those gifts.

Lease involving pier on Ford Island, Pearl Harbor Naval Base, Hawaii (sec. 2853)

The House bill contained a provision (sec. 2875) that would direct the Secretary of the Navy to enter into a 2 year lease with the USS Missouri Memorial Association to use a pier on Ford Island, Hawaii.

The Senate bill contained no similar provision.

The agreement contains the House provision with an amendment that would require as a condition of the lease that the Navy be allowed the use of the ex-USS *Missouri*, and of the property leased to the Association, at no cost.

Use of runway at NASJRB Willow Grove, Pennsylvania (sec. 2854)

The House bill contained a provision (sec. 1076) that would limit commercial use of the airfield at NASJRB Willow Grove, Pennsylvania.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Naming of health facility, Fort Rucker, Alabama (sec. 2855)

The House bill contained a provision (sec. 2876) that would designate a health facility at Fort Rucker, Alabama, as the "Lyster Army/VA Health Clinic."

The Senate bill contained no similar provision.

The agreement includes the House provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Increase in threshold for unspecified minor military construction projects

The Senate bill contained a provision (sec. 2801) that would amend section 2805(a)(1) of title 10, United States Code, by raising the cost ceiling of a construction project authorized by this section from $2.0 million to $3.0 million. This provision would also eliminate the separate threshold for projects intended solely to correct deficiencies that are life-threatening, health-threatening, or safety-threatening.

The House bill contained no similar provision.

The agreement does not include the Senate provision.

Repeal of reporting requirement in connection with installation vulnerability assessments

The House bill contained a provision (sec. 2806) that would repeal a reporting requirement regarding installation vulnerability assessments.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Modification of land management restrictions applicable to Utah national defense lands

The Senate bill contained a provision (sec. 2813) that would sunset the restrictions contained in section 2815 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) on October 1, 2013, and would also clarify the definition of Utah national defense lands in that Act.

The House bill contained no similar provision.

The agreement does not include the provision.

Permanent authority to purchase municipal services for military installations

The House bill contained a provision (sec. 2814) that would extend the authority of the Secretary of the Army to purchase local government services for Department of Defense installations from the neighboring local governments to the other military departments. This provision would also make this authority permanent and would restrict the services that could be purchased to refuse collection and disposal.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Protecting private property rights during Department of Defense land acquisitions

The House bill contained a provision (sec. 2816) that would direct officials of the Department of Defense to make every effort to acquire real property by negotiation.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Energy and environmental design initiatives in Guam military construction and installations

The House bill contained a provision (sec. 2825) that would require that facilities constructed to support the military expansion at Guam have energy efficiencies and energy conservation measures incorporated into the overall design process. Specifically, this section would require that military construction projects on Guam incorporate Leadership in Energy and Environmental Design to achieve not less than the U.S. Green Building Council silver standard for new construction.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Department of Defense Inspector General report regarding Guam realignment

The House bill contained a provision (sec. 2826) that would require the Inspector General of the Department of Defense to submit a report to Congress within 180 days of the date of enactment of this Act on the efforts of the Inspector General to address potential waste and fraud associated with the realignment of military forces in Guam.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Prevailing wage applicable to Guam

The House bill contained a provision (sec. 2828) that would make the requirements of subchapter IV of chapter 31 of title 40, United States Code, applicable to military construction of any facilities on Guam.

The Senate bill contained no similar provision.

The agreement does not include this provision.

Expansion of authority of the military departments to develop energy on military lands

The Senate bill contained a provision (sec. 2831) that would enable the Secretary of Defense to enter long-term contracts for renewable energy from resources developed on military lands.

The House bill contained no similar provision.

The agreement does not include the provision.

Land conveyance, Norwalk Defense Fuel Supply Point, Norwalk, California

The House bill contained a provision (sec. 2852) that would authorize the Secretary of the Air Force to convey 10 acres at the Norwalk Defense Fuel Supply Point to the City of Norwalk, California, for recreational purposes.

The Senate bill contained no similar provision.

The agreement does not include the House provision.

Land conveyance, former Naval Station, Treasure Island, California

The House bill contained a provision (sec. 2853) that would direct the Secretary of the Navy to convey the former Naval Station Treasure Island, California, to the Treasure Island redevelopment authority.

The Senate bill contained no similar provision.
The agreement does not include the House provision.

Condition on lease involving Naval Air Station, Barbers Point, Hawaii

The House bill contained a provision (sec. 2854) that would require the Secretary of the Navy and Ford Island Properties/ Hunt Development to enter into a memorandum of understanding with the Hawaii Community Development Authority to ensure that the development plan for real property to be conveyed at Barbers Point, Hawaii, conforms to Hawaii Community Development Authority land use controls.
The Senate bill contained no similar provision.
The agreement does not include the House provision.

Land conveyance, Bureau of Land Management land, Camp Williams, Utah

The House bill contained a provision (sec. 2857) that would direct the Secretary of the Interior to convey 431 acres to the State of Utah for military use by the Utah National Guard at Camp Williams, Utah.
The Senate bill contained no similar provision.
The agreement does not include this provision.

Decontamination and use of former bombardment area on island of Culebra

The House bill contained a provision (sec. 2872) that would amend the Military Construction Authorization Act of 1974 (Public Law 93–166) to remove restrictions on environmental remediation of the former bombardment area on the island of Culebra, Puerto Rico.
The Senate bill contained no similar provision.
The agreement does not include this provision.

Establishment of memorial to American Rangers at Fort Belvoir, Virginia

The House bill contained a provision (sec. 2874) that would authorize the Secretary of the Army to permit the American Ranger Memorial Association, Inc., to establish and maintain a memorial at a suitable location at Fort Belvoir, Virginia.
The Senate bill contained no similar provision.
The agreement does not include the House provision.

TITLE XXIX—WAR-RELATED AND EMERGENCY MILITARY CONSTRUCTION AUTHORIZATIONS

TITLE XXIX
SUBTITLE A - FY2008 AUTHORIZATIONS

State / Country	Service	Installation	Project Title	Previous FY2008 Authorized	Conference Change	Conference Authorized
			Projects Inside the United States			
ALASKA	ARMY	FORT WAINWRIGHT	CHILD DEVELOPMENT CENTER	0	17,000	17,000
CALIFORNIA	ARMY	FORT IRWIN	CHILD DEVELOPMENT CENTER	0	11,800	11,800
CALIFORNIA	NAVY	SAN DIEGO	CHILD DEVELOPMENT CENTER	0	12,299	12,299
CALIFORNIA	AIR FORCE	BEALE AFB	CHILD DEVELOPMENT CENTER	0	17,600	17,600
COLORADO	ARMY	FORT CARSON	CHILD DEVELOPMENT CENTER	0	8,400	8,400
FLORIDA	AIR FORCE	EGLIN AFB	CHILD DEVELOPMENT CENTER	0	11,000	11,000
GEORGIA	ARMY	FORT GORDON	CHILD DEVELOPMENT CENTER	0	7,800	7,800
HAWAII	ARMY	SCHOFIELD BARRACKS	CHILD DEVELOPMENT CENTER	0	12,500	12,500
KENTUCKY	ARMY	FORT CAMPBELL	CHILD DEVELOPMENT CENTER	0	9,900	9,900
KENTUCKY	ARMY	FORT KNOX	CHILD DEVELOPMENT CENTER	0	7,400	7,400
NEW MEXICO	AIR FORCE	CANNON AFB	CHILD DEVELOPMENT CENTER	0	8,000	8,000
NORTH CAROLINA	ARMY	FORT BRAGG	CHILD DEVELOPMENT CENTER	0	8,500	8,500
NORTH CAROLINA	NAVY	CAMP LEJEUNE	CHILD DEVELOPMENT CENTER	0	16,000	16,000
OKLAHOMA	ARMY	FORT SILL	CHILD DEVELOPMENT CENTER	0	9,000	9,000
TEXAS	ARMY	FORT BLISS	CHILD DEVELOPMENT CENTER	0	5,700	5,700
TEXAS	ARMY	FORT BLISS	CHILD DEVELOPMENT CENTER	0	5,900	5,900
TEXAS	ARMY	FORT BLISS	CHILD DEVELOPMENT CENTER	0	5,700	5,700
TEXAS	ARMY	FORT HOOD	CHILD DEVELOPMENT CENTER	0	7,200	7,200
TEXAS	ARMY	FORT SAM HOUSTON	CHILD DEVELOPMENT CENTER	0	7,000	7,000
VIRGINIA	ARMY	FORT LEE	CHILD DEVELOPMENT CENTER	0	7,400	7,400
WORLDWIDE UNSPE	ARMY	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN - CDCs	0	6,000	6,000
WORLDWIDE UNSPE	NAVY	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN - CDCs	0	1,052	1,052
WORLDWIDE UNSPE	AIR FORCE	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN - CDCs	0	1,427	1,427

TITLE XXIX
SUBTITLE A - FY2008 AUTHORIZATIONS

State / Country	Service	Installation	Project Title	Previous FY2008 Authorized	Conference Change	Conference Authorized
			Subtotal Child Development Centers	**0**	**204,578**	**204,578**
CALIFORNIA	NAVY	CAMP PENDLETON	JIEDDO BATTLE COURSES	0	9,270	9,270
CALIFORNIA	NAVY	CHINA LAKE	JIEDDO BATTLE COURSES	0	7,210	7,210
CALIFORNIA	NAVY	POINT MUGU	JIEDDO BATTLE COURSES	0	7,250	7,250
CALIFORNIA	NAVY	TWENTYNINE PALMS	JIEDDO BATTLE COURSES	0	11,250	11,250
FLORIDA	NAVY	EGLIN AFB	JIEDDO BATTLE COURSE ADDITIONS	0	780	780
MISSISSIPPI	NAVY	GULFPORT	JIEDDO BATTLE COURSES	0	6,570	6,570
NORTH CAROLINA	NAVY	CAMP LEJEUNE	JIEDDO BATTLE COURSES	0	11,980	11,980
VIRGINIA	NAVY	YORKTOWN	JIEDDO BATTLE COURSES	0	8,070	8,070
WORLDWIDE UNSPI	NAVY	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN - JIEDDO	0	3,000	3,000
			Subtotal JIEDDO Battle Courses	**0**	**65,380**	**65,380**
CALIFORNIA	NAVY	SAN DIEGO MCRD	Recruit Barracks	0	43,200	43,200
GEORGIA	ARMY	FORT GORDON	AIT Complex I, Phase I	0	32,000	32,000
NORTH CAROLINA	TMA	CAMP LEJEUNE	Hospital Addition/Alteration	0	57,900	57,900
TEXAS	ARMY	FORT SAM HOUSTON	AIT Barracks	0	47,000	47,000
WORLDWIDE UNSPI	TMA	UNSPECIFIED WORLDWIDE	Planning and Design-TMA	0	52,835	52,835
			Subtotal Various	**0**	**232,935**	**232,935**
			United States Total	**0**	**502,893**	**502,893**

TITLE XXIX
SUBTITLE A - FY2008 AUTHORIZATIONS

State / Country	Service	Installation	Project Title	Previous FY2008 Authorized	Conference Change	Conference Authorized
			Projects Outside the United States			
IRAQ	ARMY	CAMP ADDER	CORPS SUPPORT CENTER PHASE 3	0	13,200	13,200
IRAQ	ARMY	CAMP RAMADI	INCINERATOR	0	6,200	6,200
IRAQ	ARMY	FALLUJAH	INCINERATORS	0	5,500	5,500
QATAR	AIR FORCE	AL UDEID	CLOSE AIR SUPPORT PARKING APRON	0	60,400	60,400
			Overseas Total	**0**	**85,300**	**85,300**
			Subtotal New FY 2008 Authorizations	**0**	**588,193**	**588,193**
			Repeal of Previous Authorizations			
IRAQ	ARMY	CAMP ADDER	ENTRY CONTROL POINT	4,850	-4,850	0
IRAQ	ARMY	CAMP ANACONDA	URBAN BYPASS ROAD	43,000	-43,000	0
IRAQ	ARMY	CAMP SPEICHER	WASTE WATER TREATMENT & COLLECTION S	9,800	-9,800	0
IRAQ	ARMY	CAMP VICTORY	ENTRY CONTROL POINT	5,000	-5,000	0
IRAQ	ARMY	TIKRIT	URBAN BYPASS ROAD	43,000	-43,000	0
			Subtotal Repeal of Previous Authorizations	**105,650**	**-105,650**	**0**
			Grand Total FY2008 Authorization Changes	**105,650**	**482,543**	**588,193**

Subtitle A—Fiscal Year 2008 Projects

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 bill contained a similar provision (sec. 2901).

The agreement includes this provision.

The authorized amounts are listed on an installation-by-installation basis in this provision. These authorizations are in addition to the projects and amounts authorized in title XXIX of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181).

Authorized Navy 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 Navy.

The Senate bill contained a similar provision (sec. 2902).

The agreement includes this provision.

The authorized amounts are listed on an installation-by-installation basis in this provision. These authorizations are in addition to the projects and amounts authorized in title XXIX of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181).

Authorized Air Force construction and land acquisition projects (sec. 2903)

The House bill contained a provision (sec. 2903) that would authorize war-related military construction projects of the Air Force.

The Senate bill contained a similar provision (sec. 2903).

The agreement includes the Senate provision.

The authorized amounts are listed on an installation-by-installation basis in this provision. These authorizations are in addition to the projects and amounts authorized in title XXIX of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181).

Authorized Defense Agencies construction and land acquisition projects (sec. 2904)

The House bill contained a provision (sec. 2904) that would authorize war-related military construction projects for the defense agencies.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that reduces the amounts authorized.

Termination of authority to carry out fiscal year 2008 Army projects (sec. 2905)

The House bill contained a provision (sec. 2905) that would repeal the project authorizations for military construction projects authorized in fiscal year 2008 for which no funds were appropriated.

The Senate bill contained a similar provision (sec. 2904).

The agreement includes this provision.

Subtitle B—Fiscal Year 2009 Projects

Authorized Army construction and land acquisition projects (sec. 2911)

The Senate bill contained a provision (sec. 2911) that would authorize $450.0 million for military construction projects for the Army for fiscal year 2009. The Senate provision would provide additional funding for warrior transition unit facilities, primarily barracks. The funding would be available 14 days after the Secretary of Defense submits a report to Congress with a description and justification of the specific projects to be funded.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Authorized Navy construction and land acquisition projects (sec. 2912)

The Senate bill contained a provision (sec. 2912) that would authorize $50.0 million in military construction projects for the Navy for fiscal year 2009. The Senate provision would provide additional funding for warrior transition unit facilities, primarily barracks. The funding would be available 14 days after the Secretary of Defense submits a report to Congress with a description and justification of the specific projects to be funded.

The House bill contained no similar provision.

The agreement includes this provision.

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 2009, 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 $16.0 billion for atomic energy de-

fense activities, a 5.6 percent increase above the fiscal year 2008 appropriated level. Of the total amount requested:

(1) $9.1 billion is for NNSA, of which

(a) $6.6 billion is for weapons activities,

(b) $1.2 billion is for defense nuclear nonproliferation activities,

(c) $828.1 million is for naval reactors, and

(d) $404.1 million is for the Office of the Administrator;

(2) $5.3 billion is for defense environmental cleanup;

(3) $1.3 billion is for other defense activities; and

(4) $247.4 million is for defense nuclear waste disposal.

The budget request also included $7.6 million for energy security and assurance within energy supply.

We agree to authorize $16.1 billion for atomic energy defense activities, an increase of $143.2 million above the budget request.

Of this amount, we authorize:

(1) $9.8 billion for NNSA, of which

(a) $6.6 billion would be for weapons activities, a decrease of $7.0 million below the budget request,

(b) $1.9 billion would be for defense nuclear nonproliferation, an increase of $648.2 million above the budget request,

(c) $828.1 million would be for naval reactors, the amount of the budget request, and

(d) $404.0 million would be for the Office of the Administrator, the amount of the budget request;

(2) $5.3 billion would be for defense environmental cleanup activities, the amount of the budget request;

(3) $826.5 million would be for other defense activities, a decrease of $487.0 million below the amount of the budget request; and

(4) $222.4 million would be for defense nuclear waste disposal, a reduction of $25.0 million below the amount of the budget request.

We agree to authorize $7.6 million for energy security and assurance, the amount of the budget request.

The following table summarizes the budget request and the authorizations:

LEGISLATIVE PROVISIONS ADOPTED

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Discretionary Summary By Appropriation					
Appropriation Summary:					
Electricity Delivery and Energy Reliability	7,622	7,622			7,622
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities	6,618,079	6,646,739	6,610,701	7,032	6,625,111
Defense nuclear nonproliferation	1,247,048	1,443,248	1,799,056	648,213	1,895,261
Naval reactors	828,054	828,054	828,054		828,054
Office of the administrator	404,081	409,081	404,081		404,081
Total, National Nuclear Security Administration	9,097,262	9,327,122	9,641,892	655,245	9,752,507
Environmental and Other Defense Activities:					
Defense Environmental Cleanup	5,297,256	5,317,256	5,297,256		5,297,256
Other Defense Activities	1,313,461	1,321,461	826,453	-487,008	826,453
Defense Nuclear Waste Disposal	247,371	247,371	197,371	-25,000	222,371
Total, Environmental and Other Defense Activities	6,858,088	6,886,088	6,321,080	-512,008	6,346,080
Total, Atomic Energy Defense Activities	15,955,350	16,213,210	15,962,972	143,237	16,098,587
Total, Discretionary Funding	15,962,972	16,220,832	15,962,972	143,237	16,106,209
Electricity Delivery & Energy Reliability					
Operations and analysis					
Infrastructure security & energy restoration	7,622	7,622			7,622

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Weapons Activities					
Directed stockpile work					
Life extension programs					
B61 Life extension program	2,189	2,189	2,189		2,189
W76 Life extension program	209,196	209,196	191,196		209,196
Total, Life extension programs	**211,385**	**211,385**	**193,385**		**211,385**
Stockpile systems					
B61 Stockpile systems	80,434	80,434	80,434		80,434
W62 Stockpile systems	1,645	1,645	1,645		1,645
W76 Stockpile systems	68,418	68,418	68,418		68,418
W78 Stockpile systems	43,349	43,349	43,349		43,349
W80 Stockpile systems	32,034	32,034	32,034		32,034
B83 Stockpile systems	25,759	25,759	25,759		25,759
W87 Stockpile systems	37,189	37,189	37,189		37,189
W88 Stockpile systems	49,854	49,854	49,854		49,854
Total, Stockpile systems	**338,682**	**338,682**	**338,682**		**338,682**
Reliable replacement warhead	**10,000**		**10,000**	**-10,000**	

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Weapons dismantlement and disposition					
Operations and maintenance	116,822	109,322	128,822	**5,000**	**121,822**
Pit Disassembly and Conversion Facility OPC		-7,500			
Construction:					
99-D-141 Pit disassembly and conversion facility, SRS	66,890	66,890	66,890		66,890
Total, Weapons dismantlement and disposition	**183,712**	**168,712**	**195,712**	**5,000**	**188,712**
Stockpile services					
Production support	302,126	302,126	302,126		302,126
Research and development support	36,231	32,691	36,231		36,231
R&D certification and safety	193,375	198,375	193,375		193,375
Facility free hydro-dynamic test capabilities		5,000			
Management, technology, and production	201,375	201,375	201,375		201,375
Pit manufacturing	145,269	110,269	125,269	-20,000	125,269
Pit manufacturing capability	53,560	38,560	53,560		53,560
Total, Stockpile services	**931,936**	**888,396**	**911,936**	**-20,000**	**911,936**
Total, Directed stockpile work	**1,675,715**	**1,607,175**	**1,649,715**	**-25,000**	**1,650,715**
Campaigns:					
Science campaign					
Advanced certification	20,000	30,000	20,000		20,000
Primary assessment technologies	74,413	74,413	74,413		74,413

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Dynamic plutonium experiments	23,734	23,734	23,734		23,734
Dynamic materials properties	85,805	85,805	85,805		85,805
Advanced radiography	29,418	29,418	29,418		29,418
Secondary assessment technologies	79,292	79,292	79,292		79,292
Test readiness	10,408	10,408	10,408	-5,000	5,408
Total, Science campaign	**323,070**	**333,070**	**323,070**	**-5,000**	**318,070**
Engineering campaign					
Enhanced surety	35,641	40,641	35,641	5,000	40,641
Weapons Systems Engineering Assessment Technology	17,105	17,105	17,105		17,105
Nuclear survivability	21,753	21,753	21,753		21,753
Enhanced surveillance	68,243	71,243	68,243	3,000	71,243
Total, Engineering campaign	**142,742**	**150,742**	**142,742**	**8,000**	**150,742**
Inertial confinement fusion ignition and high yield campaign					
Ignition	103,644	103,644	103,644		103,644
NIF diagnostics, cryogenics and experimental support	68,248	68,248	68,248		68,248
Pulsed power inertial confinement fusion	8,920	8,920	8,920		8,920
Joint Program in High Energy Density Laboratory Plasmas	3,147	3,147	3,147		3,147
Facility operations and target production	180,384	194,984	180,384	14,600	194,984
Fully fund NIC baseline plan		4,600			
NIC risk mitigation		10,000			
Inertial fusion technology					

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Naval Research Laboratory					
NIF assembly and installation	56,899	56,899	56,899		56,899
Total, Inertial confinement fusion and high yield campaign	**421,242**	**450,442**	**421,242**	14,600	**435,842**
Advanced simulation and computing campaign					
Operations and maintenance	561,742	561,742	561,742		561,742
Readiness Campaign					
Stockpile readiness	28,731	28,731	28,731		28,731
High explosives and weapon operations	8,927	8,927	8,927		8,927
Nonnuclear readiness	40,165	40,165	40,165		40,165
Tritium readiness	82,265	72,265	54,665	-10,000	72,265
Operation and Maintenance					
Advanced design and production technologies	22,949	22,949	22,949		22,949
Total, Readiness campaign	**183,037**	**173,037**	**155,437**	-10,000	**173,037**
Total, Campaigns	**1,631,833**	**1,669,033**	**1,604,233**	7,600	**1,639,433**
Readiness in technical base and facilities (RTBF)					
Operations of facilities					
Kansas City Plant	122,389	122,389	122,389	-19,000	103,389
Lawrence Livermore National Laboratory	85,160	95,160	85,160	10,000	95,160
De-Inventory SNM from LLNL		10,000			
Los Alamos National Laboratory	298,112	298,112	298,112		298,112

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Nevada Test Site	92,203	92,203	92,203		92,203
Pantex	104,361	114,361	104,361	10,000	114,361
Sandia National Laboratory	127,827	127,827	127,827		127,827
Savannah River Site	108,114	108,114	108,114		108,114
Y-12 National Security Complex	216,904	223,904	216,904		216,904
Maintenance of facilities		5,000			
Storage/HEUMF		2,000			
Institutional site support	57,837	57,837	57,837		57,837
Total, Operations of facilities	**1,212,907**	**1,256,907**	**1,212,907**	1,000	**1,213,907**
Program readiness	73,841	73,841	73,841		73,841
Material recycle and recovery	72,509	72,509	72,509		72,509
Containers	23,398	23,398	23,398		23,398
Storage	29,846	29,846	29,846		29,846
Subtotal, Readiness in technical base and facilities (RTBF)	**1,412,501**	**1,456,501**	**1,412,501**	1,000	**1,413,501**
Construction:					
09-D-404, Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM	3,200	3,200	3,200		3,200
08-D-801 High pressure fire loop (HPFL), Pantex Plant, Amarillo, TX	2,000	2,000	2,000		2,000

801

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
08-D-802 High explosive pressing facility, Pantex Plant, Amarillo, TX	28,233	28,233	28,233		28,233
08-D-804 TA-55 Reinvestment project, Los Alamos National Laboratory, Los Alamos, NM	7,900	7,900	7,900		7,900
08-D-806 Ion beam laboratory refurbishment, Sandia National Laboratories, Albuquerque, NM	10,014	10,014	10,014		10,014
07-D-140 Project engineering and design (PED), various locations	7,446	7,446	7,446		7,446
07-D-220 Radioactive liquid waste treatment facility upgrade project, Los Alamos National Laboratory, Los Alamos, NM	19,660	19,660	19,660		19,660
06-D-140 Project engineering design (PED), various locations	104,661	104,661	104,661		104,661
06-D-402 NTS replace fire stations 1 & 2, Nevada Test Site, Las Vegas, NV	9,340	9,340	9,340		9,340
05-D-402 Beryllium capability (BEC) project					

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Y-12 National Security Complex, Oak Ridge, TN	5,015	5,015	5,015		5,015
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM	100,200	100,200	50,200		100,200
04-D-128 TA-18 Criticality experiments facility (CEF), Los Alamos National Laboratory, Los Alamos, NM; Nevada Test Site, Las Vegas, NV	10,353	10,353	10,353		10,353
Total, Construction	**308,022**	**308,022**	**258,022**		**308,022**
Total, Readiness in technical base and facilities	**1,720,523**	**1,764,523**	**1,670,523**	1,000	**1,721,523**
Secure transportation asset					
Operations and equipment	131,651	131,651	131,651		131,651
Program direction	89,421	89,421	89,421		89,421
Total, Secure transportation asset	**221,072**	**221,072**	**221,072**		**221,072**
Nuclear weapons incident response	**221,936**	**226,936**	**221,936**		**221,936**
National technical nuclear forensics		5,000			
Facilities and infrastructure recapitalization program					
Operations and maintenance	**99,550**	**99,550**	**163,772**		**99,550**

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Construction:					
08-D-601 Mercury highway Nevada Test Site, Las Vegas, NV	11,700	11,700	11,700		11,700
08-D-602 Portable water system upgrades Y-12 Plant, Oak Ridge, TN	27,666	27,666	27,666		27,666
07-D-253 TA 1 heating systems modernization (HSM) Sandia National Laboratories, Albuquerque, NM	15,755	15,755	15,755		15,755
06-D-601 Electrical distribution system upgrade, Pantex Plant, Amarillo, TX	4,000	4,000	4,000		4,000
06-D-603 Steam plant life extension project (SLEP), Y-12 National Security Complex, Oak Ridge, TN	10,878	10,878	10,878		10,878
Total, Construction	**69,999**	**69,999**	**69,999**		**69,999**
Total, Facilities and infrastructure recapitalization program	**169,549**	**169,549**	**233,771**		**169,549**
Environmental projects and operations					
Long term stewardship	40,587	40,587	40,587		40,587
Transformation disposition	**77,391**	**77,391**	**77,391**		**77,391**

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Safeguards and Security					
Defense nuclear security					
Operations and maintenance	**690,217**	**693,217**	**730,217**	23,432	**713,649**
Physical Security Systems - Y-12, Oak Ridge, TN		3,000			
Construction:					
08-D-701 Nuclear materials S&S upgrade project, Los Alamos National Laboratory, Los Alamos, NM	46,000	46,000	46,000		46,000
05-D-170 Project engineering and design, various locations	1,111	1,111	1,111		1,111
Total, Construction	**47,111**	**47,111**	**47,111**		**47,111**
Total, Defense nuclear security	**737,328**	**743,328**	**777,328**	23,432	**760,760**
Cyber security	122,511	122,511	122,511		122,511
Total, Safeguards and Security	**859,839**	**865,839**	**899,839**	23,432	**883,271**
Subtotal, Weapons Activities	**6,618,445**	**6,647,105**	**6,619,067**	7,032	**6,625,477**
Adjustments					
Use of prior year balances	-366	-366	-8,366		-366
Rescission of prior year balances					

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Total, Adjustments	**-366**	**-366**	**-8,366**		**-366**
Total, Weapons Activities	**6,618,079**	**6,646,739**	**6,610,701**	7,032	**6,625,111**
Defense Nuclear Nonproliferation					
Nonproliferation and verification R&D					
Operations and maintenance	261,944	261,944	286,944	25,000	286,944
Construction:					
07-SC-05 Physical Science Facility Pacific Northwest National Laboratory, Richland, WA	13,147	13,147	13,147		13,147
Total, Construction	**13,147**	**13,147**	**13,147**		**13,147**
Total, Nonproliferation & verification R&D	**275,091**	**275,091**	**300,091**	25,000	**300,091**
Nonproliferation and international security	140,467	128,567	120,467	-5,795	134,672
Global Nuclear Energy Partnership		-6,900	-15,000		
Global Initiatives for Proliferation Prevention		-5,000	-5,000		
International nuclear materials protection and cooperation	429,694	479,694	479,694	22,000	451,694
North Korea denuclearization			50,000		
Elimination of weapons-grade plutonium production program	141,299	141,299	141,299		141,299

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Fissile materials disposition					
U.S. surplus fissile materials disposition					
Operations and maintenance	40,774	40,774	59,974	19,200	59,974
Construction					
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC			467,808	467,808	467,808
Total, U.S. Surplus Fissile Materials Disposition			527,782	487,008	527,782
Russian surplus materials disposition	1,000	1,000	11,000		1,000
Total, Fissile materials disposition	**41,774**	41,774	**538,782**	487,008	**528,782**
Global threat reduction initiative	219,641	389,641	219,641	120,000	339,641
Subtotal, Defense Nuclear Nonproliferation	**1,247,966**	**1,444,166**	**1,799,974**	648,213	**1,896,179**
Use of prior year balances (NN)	-918	-918	-918	—	-918
Total, Defense Nuclear Nonproliferation	**1,247,048**	**1,443,248**	**1,799,056**	648,213	**1,895,261**
Naval Reactors					
Naval reactors development					
Operation and maintenance	771,600	771,600	771,600		771,600

807

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Construction:					
09-D-190, PED, Infrastructure upgrades, KAPL	1,000	1,000	1,000		1,000
09-D-902, Production Support Complex, NRF, Idaho Falls, ID	8,300	8,300	8,300		8,300
08-D-190 Project engineering and design Expended Core Facility M-290 recovering discharge station, Naval Reactor Facility, Idaho Falls, ID	300	300	300		300
07-D-190 Materials research technology complex (MRTC)	12,400	12,400	12,400		12,400
Total, Construction	**22,000**	**22,000**	**22,000**		**22,000**
Total, Naval reactors development	**793,600**	**793,600**	**793,600**		**793,600**
Program direction	34,454	34,454	34,454		34,454
Total, Naval Reactors	**828,054**	**828,054**	**828,054**		**828,054**
Office of the Administrator					
Office of the administrator	404,081	409,081	404,081		404,081
Total, Office of the Administrator	**404,081**	**409,081**	**404,081**		**404,081**
Defense Environmental Cleanup					

808

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Closure sites:					
Closure sites administration	13,209	13,209	13,209		13,209
Fernald	2,100	2,100	15,600	13,500	15,600
Miamisburg	30,574	40,574	30,574		30,574
Total, Closure sites	**45,883**	**55,883**	**59,383**	**13,500**	**59,383**
Hanford Site:					
Program increase for high risk cleanup activities		10,000			
2012 completion projects					
Nuclear facility D&D river corridor closure project	165,248	165,248	245,825		
NM stabilization and disposition PFP	113,483	113,483	122,455		
SNF stabilization and disposition	122,171	122,171	122,171		
Total, 2012 completion projects	**400,902**	**400,902**	**490,451**	**89,549**	**490,451**
2035 completion projects					
Nuclear facility D&D - remainder of Hanford	85,653	85,653	85,653		
Richland community and regulatory support	19,620	19,620	19,620		
Soil and water remediation - groundwater vadose zone	169,682	169,682	169,682		
Solid waste stabilization and disposition 200 area	175,930	175,930	220,930		
Total, 2035 completion projects	**450,885**	**450,885**	**495,885**	**45,000**	**495,885**
Total, Hanford Site	**851,787**	**861,787**	**986,336**	**134,549**	**986,336**
Idaho National Laboratory:					

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Nuclear material stabilization and disposition	2,030	2,030	2,030		
SNF stabilization and disposition - 2012	20,334	20,334	27,334		
Solid waste stabilization and disposition	178,767	178,767	178,767		
Radioactive liquid tank waste stabilization and disposition	46,025	46,025	46,025		
Construction:					
06-D-401 Sodium bearing waste treatment project, Idaho	86,700	86,700	86,700		
Soil and water remediation - 2012	70,268	70,268	102,268		
Nuclear facility D & D	24,133	24,133	32,133		
Idaho community and regulatory support	3,867	3,867	3,867		
Total, Idaho National Laboratory	**432,124**	**432,124**	**479,124**	40,000	**472,124**
NNSA sites					
NNSA Service Center/SPRU	16,943	16,943	34,199	5,000	21,943
Nevada	65,674	65,674	75,674	10,000	75,674
Sandia National Laboratories			3,000	3,000	3,000
Pantex			5,000		
Los Alamos National Laboratory	162,467	162,467	229,568	67,101	229,568
Total, NNSA sites and Nevada off-sites	**245,084**	**245,084**	**347,441**	**85,101**	**330,185**
Oak Ridge Reservation:					
Building 3019	58,000	58,000	58,000		
Nuclear facility D & D ORNL	58,160	58,160	65,160		
Nuclear facility D & D Y-12	32,392	32,392	52,392		

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Nuclear facility D & D East Tennessee Technology Park	105	105	105		
OR reservation community and regulatory support	6,100	6,100	6,100		
Soil and water remediation - offsites	4,730	4,730	4,730		
Solid waste stabilization and disposition - 2012	78,183	78,183	82,183		
Total, Oak Ridge Reservation	**237,670**	**237,670**	**268,670**	25,000	**262,670**
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	160,000	160,000	160,000		
01-D-16B Analytical laboratory	65,000	65,000	65,000		
01-D-16C Balance of facilities	75,000	75,000	75,000		
01-D-16D High level waste facility	125,000	125,000	125,000		
01-D-16E Pretreatment facility	265,000	265,000	265,000		
Total, Waste treatment and immobilization plant	**690,000**	**690,000**	**690,000**		**690,000**
Tank farm activities					
Rad liquid tank waste stabilization and disposition	288,443	288,443	341,886	53,000	341,443
Total, Tank farm activities	**288,443**	**288,443**	**341,886**	**53,000**	**341,443**
Total, Office of River protection	**978,443**	**978,443**	**1,031,886**	**53,000**	**1,031,443**
Savannah River Site:					

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2012 completion projects					
04-D-414 Container surveillance capability in 105K	2,032	2,032	2,032		2,032
Total, 2012 completion projects	**2,032**	**2,032**	**2,032**		**2,032**
2035 completion projects					
SR community and regulatory support	12,500	12,500	12,500		
Nuclear material stabilization and disposition	339,311	339,311	347,311		
Spent nuclear fuel stabilization and disposition	24,108	24,108	27,608		
Solid waste stabilization and disposition	53,559	53,559	53,559		
Soil and water remediation	67,121	67,121	83,121		
Nuclear facility D & D	2,052	2,052	48,552		
Total, 2035 completion projects	**498,651**	**498,651**	**572,651**	58,536	**557,187**
Tank farm activities					
Radioactive liquid tank waste stabilization and disposition	578,218	578,218	578,218		578,218
Construction:					
05-D-405 Salt waste processing facility, Savannah River	127,524	127,524	127,524		127,524
Total, Construction	**127,524**	**127,524**	**127,524**		**127,524**
Total, Tank farm activities	**705,742**	**705,742**	**705,742**		**705,742**
Total, Savannah River Site	**1,206,425**	**1,206,425**	**1,280,425**	**58,536**	**1,264,961**
Waste Isolation Pilot Plant					
Waste isolation pilot plant	126,425	126,425	136,425		

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Central characterization project	29,069	29,069	37,763		
Transportation	28,170	28,170	28,170		
Community and regulatory support	27,860	27,860	27,860		
Total, Waste Isolation Pilot Plant	**211,524**	**211,524**	**230,218**	18,694	**230,218**
Program direction	308,765	308,765	318,765		308,765
Program support	33,930	33,930	42,430		33,930
Safeguards and Security:					
Waste Isolation Pilot Project	5,124	5,124	5,124		5,124
Oak Ridge Reservation	27,020	27,020	27,020		27,020
West Valley	1,400	1,400	1,400		1,400
Paducah	8,196	8,196	8,196		8,196
Richland/Hanford Site	75,265	75,265	83,435	8,170	83,435
Savannah River Site	134,336	134,336	134,336		134,336
Total, Safeguards and Security	**251,341**	**251,341**	**259,511**	**8,170**	**259,511**
Technology development	32,389	32,389	32,389		32,389
Uranium enrichment D&D fund contribution	463,000	463,000	463,000		463,000
Subtotal, Defense environmental cleanup	**5,298,365**	**5,318,365**	**5,799,578**	**495,933**	**5,794,298**
Use of prior year balances	-1,109	-1,109	-502,322	-495,933	-497,042
Total, Defense Environmental Cleanup	**5,297,256**	**5,317,256**	**5,297,256**		**5,297,256**

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Other Defense Activities					
Health, Safety and Security					
Health, safety, and security	347,271	355,271	347,271		347,271
Program direction	99,597	99,597	99,597		99,597
Total, Health, Safety and Security	**446,868**	**454,868**	**446,868**		**446,868**
Office of Legacy Management					
Legacy management	174,397	174,397	174,397		174,397
Program direction	11,584	11,584	11,584		11,584
Total, Office of Legacy Management	**185,981**	**185,981**	**185,981**		**185,981**
Nuclear Energy					
Infrastructure					
Idaho sitewide safeguards and security	78,811	78,811	78,811		78,811
Total, Infrastructure	**78,811**	**78,811**	**78,811**		**78,811**
Mixed oxide fuel fabrication facility					
Operations and maintenance	19,200	19,200		-19,200	
Construction and other project costs:					
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	467,808	467,808		-467,808	
Total, Mixed oxide fuel fabrication facility	**487,008**	**487,008**		**-487,008**	

Title XXXI -- DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

Program	FY2009 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Total, Nuclear Energy	**565,819**	**565,819**	**78,811**	**-487,008**	**78,811**
Defense related administrative support	108,190	108,190	108,190		108,190
Office of hearings and appeals	6,603	6,603	6,603		6,603
Subtotal, Other Defense Activities	**1,313,461**	**1,321,461**	**826,453**	**-487,008**	**826,453**
Congressionally directed projects					
Total, Other Defense Activities	**1,313,461**	**1,321,461**	**826,453**	**-487,008**	**826,453**
Defense Nuclear Waste Disposal	247,371	247,371	197,371	-25,000	222,371
Total, Department of Energy	**15,962,972**	**16,220,832**	**15,962,972**	**143,237**	**16,106,209**

National Nuclear Security Administration (sec. 3101)

The House bill contained a provision (sec. 3101) that would authorize $9.3 billion for the activities of the National Nuclear Security Administration (NNSA) for fiscal year 2009, an increase of $204.7 million above the budget request.

The Senate bill contained a similar provision (sec. 3101) that would authorize $9.6 billion for the activities of the NNSA for fiscal year 2009, an increase of $544.6 million above the budget request.

The agreement includes a provision (sec. 3101) that would authorize $9.8 billion, an increase of $655.2 million above the budget request.

Within NNSA, the provision would authorize $6.6 billion for weapons activities, a decrease of $7.0 million; $1.9 billion for defense nuclear nonproliferation, an increase of $648.2 million; $828.1 million for naval reactors, the amount of the budget request, and $404.1 million for the Office of the Administrator, the amount of the request.

The budget request included $6.6 billion for weapons activities. The provision would authorize $6.6 billion, a decrease of $7.0 million below the budget request. The budget request included $10.0 million for the Reliable Replacement Warhead, no funds are provided for this item. The provision would authorize an increase of $5.0 million above the budget request for weapons dismantlement and disposition and a decrease of $20.0 million below the budget request for pit manufacturing. Within campaigns, the provision would authorize a reduction of $5.0 million below the budget request for test readiness, an increase of $5.0 million above the budget request for enhanced surety, an increase of $3.0 million above the budget request for enhanced surveillance, an increase of $14.6 million above the budget request for inertial confinement fusion, and a decrease of $10.0 million below the budget request for tritium readiness. Within readiness in technical base and facilities, the provision would authorize an increase of $1.0 million above the budget request, which includes an increase of $10.0 million above the budget request for the Lawrence Livermore National Laboratory, an increase of $10.0 million above the budget request for the Pantex Plant, and a decrease of $19.0 million for the Kansas City Plant. We note that the $19.0 million reduction for the Kansas City Plant is without prejudice. The provision provides an additional $23.4 million above the budget request for defense nuclear security.

The budget request included $1.2 billion for defense nuclear nonproliferation. The provision would authorize $1.9 billion for defense nuclear nonproliferation, an increase of $648.2 million, including $487.0 million transferred from nuclear energy for the mixed oxide fuel fabrication facility. The provision would include an increase of $25.0 million above the budget request for the Nonproliferation and Verification Research and Development program including technologies to support improved nuclear material forensic and attribution capabilities and seismic research. The provision would authorize a reduction of $5.8 million for the Nonproliferation and International Security (NIS) program, of which $5.0 million shall be applied to the Global Initiatives for Proliferation (GIPP) Prevention and the balance shall be applied across the NIS as a reduction for Global Nuclear Energy Partnership activities including GIPP. The

provision would authorize an increase of $22.0 million above the budget request for the International Nuclear Materials and Cooperation program to secure nuclear weapons and weapons materials outside the United States. Funding for the mixed oxide fuel fabrication facility, $467.8 million, and $19.2 million for operations and maintenance for the U.S. surplus fissile materials disposition, has been moved from nuclear energy back to the NNSA to reflect that this is a nonproliferation program. The NNSA is the responsible entity within the Department of Energy to manage nonproliferation programs. The provision would authorize an increase of $120.0 million above the budget request for the Global Threat Reduction Initiative for highly enriched uranium reactor conversion, to secure domestic research and test reactors, to secure and remove U.S. origin high risk radiological sources, to secure and remove international high risk radiological sources, and to dispose of U.S. origin highly enriched uranium located outside the United States.

The budget request included $828.1 million for naval reactors. The provision would authorize the amount of the budget request.

The budget request included $404.1 million for the Office of the Administrator. The provision would authorize the amount of the budget request.

Defense environmental cleanup (sec. 3102)

The Senate bill contained a provision (sec. 3102) that would authorize $5.3 billion for environmental defense cleanup activities, the amount of the budget request.

The House bill contained a similar provision (sec. 3102) that would authorize $5.3 billion, an increase of $20 million above the budget request.

The agreement includes the Senate provision that would authorize $5.3 billion, the amount of the budget request.

The agreement would authorize a number of projects not included in the budget request. The Department of Energy (DOE) has identified these projects as unfunded and not included in the budget request but necessary to meet environmental cleanup commitments and requirements. Due to the uncertainty of the appropriations process for fiscal year 2009, the agreement would authorize these additional projects but offset the amount of the cost of the additional projects through the use of prior year balances. This will allow the DOE discretion and flexibility in implementing these additional projects should additional appropriated funds be available. In the event that additional funds are not available, the DOE would retain the flexibility to implement these projects with prior year balances, or through reprogramming actions should the decision be made to do so. We view implementation of the additional projects as being within the discretion of the Secretary.

Funding for these projects is authorized by site and by account. The increases for the sites and accounts are as follows: Fernald, $13.5 million; 2012 completion projects at the Hanford Site, $89.5 million; 2035 completion projects at the Hanford Site, $45.0 million; Idaho National Laboratory, $40.0 million; National Nuclear Security Administration (NNSA) sites $85.101, which includes $5.0 million for NNSA/SPRU, $10.0 million for Nevada, $3.0 million for

Sandia National Laboratory, and $67.1 million for Los Alamos National Laboratory; Oak Ridge reservation, $25.0 million; Office of River Protection, $53.0 million; 2035 completion projects at the Savannah River Site, $58.5 million; Waste Isolation Pilot Project, $18.7 million; and safeguards and security at the Hanford Site, $8.2 million.

Other defense activities (sec. 3103)

The Senate bill contained a provision (sec. 3103) that would authorize $826.5 million for other defense activities, a decrease of $487.0 million.

The House bill contained a similar provision (sec. 3103) that would authorize $1.3 billion for other defense activities, an increase of $8.0 million.

The agreement includes the Senate provision.

The amount authorized is a decrease of $487.0 million from the amount of the budget request. We recommend: $446.9 million for health, safety, and security, the amount of the budget request; $186.0 million for legacy management, the amount of the request; $6.6 million for the Office of Hearings and Appeals; and $78.8 million for nuclear energy, a decrease of $487.0 million from the budget request. We recommend that the $487.0 million included in the budget request for other defense activities for the mixed oxide fuel fabrication facility be transferred to the National Nuclear Security Administration.

Defense nuclear waste disposal (sec. 3104)

The House bill contained a provision (sec. 3104) that would authorize $247.4 million for defense nuclear waste disposal, the amount of the budget request.

The Senate bill contained a similar provision (sec. 3104) that would authorize $197.4 million for defense nuclear waste disposal, a reduction of $50.0 million below the budget request.

The agreement includes the House provision with an amendment that would authorize $222.4 million for defense nuclear waste disposal, a reduction of $25.0 million below the budget request.

Energy security and assurance (sec. 3105)

The House bill contained a provision (sec. 3105) that would authorize $7.6 million for energy security and assurance at the Department of Energy.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Modification of functions of Administrator for Nuclear Security to include elimination of surplus fissile materials usable for nuclear weapons (sec. 3111)

The Senate bill contained a provision (sec. 3111) that would amend section 2402(b)(1) of title 50, United States Code, by adding a new paragraph assigning responsibility for elimination of surplus fissile materials usable for nuclear weapons to the Administrator for Nuclear Security.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Limitation on funding for project 04–D–125 Chemistry and Metallurgy Research Replacement facility project, Los Alamos National Laboratory, Los Alamos, New Mexico (sec. 3112)

The House bill provided full funding for project 04–D–125, the chemistry and metallurgy research replacement (CMRR) facility project at the Department of Energy Los Alamos National Laboratory.

The Senate bill provided $50.2 million for CMRR, a reduction of $50.0 million from the budget request.

The agreement includes a provision that would authorize $100.2 million for the CMRR, the amount of the budget request, but would prohibit the Administrator of the National Nuclear Security Administration (NNSA) from obligating more than $50.2 million of the CMRR funding until 15 days after the Administrator and the Defense Nuclear Facilities Safety Board have each certified to the congressional defense committees that the issues associated with the design of the safety class systems at the CMRR and seismic related design issues have been resolved.

Nonproliferation and national security scholarship and fellowship program (sec. 3113)

The Senate bill contained a provision (sec. 3114) that would direct the Administrator of the National Nuclear Security Administration (NNSA) to establish a nonproliferation scholarship program. The scholarship program would be available to both undergraduate and graduate students in disciplines to be determined by the NNSA administrator. A student would be required to work as a Federal Government employee or as a laboratory employee for 1 year for each year that the student received support under the program.

The House bill contained a similar provision (sec. 3113(a)) that would establish a fellowship program for graduate students in nuclear chemistry.

The agreement includes the Senate provision with an amendment that would direct the NNSA Administrator to establish a scholarship program for nonproliferation and national security programs at the Department of Energy. The provision would authorize $3.0 million from funds available to the Administrator to be used for the scholarship program in fiscal year 2009.

There is concern that experts in certain technical areas critical to nonproliferation and national security programs, such as radiochemistry, are increasingly difficult for the NNSA and the Department of Energy laboratories to attract and retain.

Enhancing nuclear forensics capabilities (sec. 3114)

The House bill contained a provision (sec. 3113) that would establish a fellowship program for graduate students in nuclear chemistry and direct the Administrator of the National Nuclear Security Administration (NNSA) to prepare and carry out a research and development plan to improve the speed and accuracy of nuclear forensics radiation measurement equipment. In addition, the

provision would direct the Secretary of Energy to prepare a research and development plan to support technical forensics and attribution capabilities, including an international database on nuclear material to allow prompt attribution of material or weapons.

The provision would also amend the report on nuclear forensics capabilities required to be submitted by section 3129(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to include a requirement to identify any treaty, legislative, or regulatory actions needed to establish the international database. The provision would also direct the Secretary of Defense, in consultation with the Secretary of Energy and Homeland Security, to submit a report with respect to a nuclear forensics advisory panel.

The provision would also require a series of reports including, a report on the costs of the fellowship program; a research and development plan with the costs to implement the plan; a report on the research and development plan for technical capabilities to enhance forensics and attribution; and a report on the involvement of senior Executive Branch leadership in nuclear terrorism preparedness exercises.

The Senate bill contained a provision (sec. 3114) that would establish a nonproliferation scholarship and fellowship program.

The agreement includes the House provision with an amendment that would direct the Secretary of Energy to establish, prepare and implement a research and development plan to improve nuclear forensics capabilities in the Department of Energy (DOE) and at the DOE national laboratories. The Secretary of Energy should ensure that the House Committee on Science and Technology receives a copy of the report.

In addition, the amendment would amend the report on nuclear forensics capabilities required to be submitted by section 3129(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to include a requirement to identify any treaty, legislative, or regulatory actions needed to establish the international database.

The amendment would also direct the President to submit a report to the appropriate congressional committees on the involvement of senior level Executive Branch leadership in nuclear terrorism exercises including nuclear forensics analysis.

Elsewhere in the agreement there is a separate provision that would establish a scholarship and fellowship program for nonproliferation and national security.

Utilization of contributions to International Nuclear Materials Protection and Cooperation program and Russian Plutonium Disposition program (sec. 3115)

The House bill contained a provision (sec. 3111) that would establish the authority of the Secretary of Energy, in consultation with the Secretary of State, to enter into agreements with any person, including a foreign government or entity, which the Secretary of Energy considers appropriate, to accept funds to assist with the disposition of excess Russian plutonium as part of the Russian Plutonium Disposition program. Contributed funds would be maintained in a separate account in the Treasury, and would be re-

turned to the donor if not used in 5 years. The provision would also require the Secretary of Energy to submit a report on the receipt and use of funds. The authority provided in the provision would terminate on December 31, 2013.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify existing authority that allows the Department of Energy (DOE) to accept contributions for other nonproliferation programs to allow DOE to accept contributions for the Russian Plutonium Disposition Program and for the International Nuclear Materials Protection and Cooperation Program. The DOE authority to accept contributions for these nonproliferation programs would expire on December 31, 2015.

Review of and reports on Global Initiatives for Proliferation Prevention program (sec. 3116)

The Senate bill contained a provision (sec. 3115) that would direct the Administrator of the National Nuclear Security Administration (NNSA) to conduct a review of the Global Initiatives for Proliferation Prevention (GIPP) program and submit a report on the review to the congressional defense committees no later than February 1, 2009.

The report would include a description of the goals for the GIPP program and the criteria for partnership projects together with recommendations regarding the future of projects in Russia and the other countries of the former Soviet Union as well as plans for projects in countries other than the former Soviet Union. In addition, the report would include a plan for completing all projects in the countries of the former Soviet Union by 2012.

The provision would also restrict funds associated with the Global Nuclear Energy Partnership (GNEP).

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would change the due date of the report to October 1, 2009, and that would require a plan and criteria for completing all partnership projects under the program, not just in the countries of the former Soviet Union. In addition, recognizing that each country has different needs and presents different opportunities for partnerships, the agreement does not include a deadline by which projects have to be completed.

The GNEP funding restriction is addressed in a separate provision.

We appreciate the GIPP program information recently provided by the NNSA and the NNSA efforts to continue to strengthen the management, implementation and oversight of the program. This additional attention and oversight by the NNSA will ensure that the GIPP program achieves its intended nonproliferation objectives, and will address the concerns the Government Accountability Office has raised about the GIPP program. We also are encouraged that NNSA is reducing unobligated and uncosted balances in GIPP program funding and will re-baseline the program by December 2008 as part of its Strategic Plan.

Limitation on availability of funds for Global Nuclear Energy Partnership (sec. 3117)

The Senate bill contained a provision (sec. 3115(c)) that would prohibit funds authorized to be appropriated for defense nuclear nonproliferation and available for use in the Global Initiatives for Proliferation Prevention program from being used to support the Global Nuclear Energy Partnership (GNEP).

The House bill contained no similar provision. House Report 110–652 did not support using any defense nuclear nonproliferation funds for GNEP.

The agreement includes the Senate provision with an amendment that would allow no more than $3.0 million of the funds authorized to be appropriated by section 3101(a)(2) for defense nuclear nonproliferation to be used for projects specifically designed for the GNEP. None of the $3.0 million amount shall be obligated until 30 days after the Administrator of the National Nuclear Security Administration (NNSA) submits to Congress a report describing in detail the amount proposed to be used for GNEP and the specific activities that would be funded.

The agreement specifies that the $3.0 million is available to be used for nonproliferation risk assessments relating to the GNEP and related work on export control reviews.

Subtitle C—Reports

Extension of deadline for Comptroller General report on Department of Energy protective force management (sec. 3121)

The House bill contained a provision (sec. 3112) that would extend the due date for the Comptroller General to complete a report on the management of the Department of Energy protective forces to March 1, 2009.

The Senate bill contained no similar provision.

The agreement contains the House provision.

Report on compliance with Design Basis Threat issued by the Department of Energy in 2005 (sec. 3122)

The Senate amendment contained a provision (sec. 3112) that would direct the Secretary of Energy to submit a report on the progress made by the Department of Energy (DOE) to achieve compliance with the requirements of the 2005 design basis threat (DBT) for each DOE site with Category I nuclear materials. The DBT establishes the physical security requirements for each DOE site. This report would be a follow-on report to the 2006 DBT report, which laid out a plan for each site to either be compliant by 2008 or obtain a waiver. The provision would also direct the Secretary to conduct an assessment of the 2005 DBT and to identify any necessary modifications, updates, or revisions to the 2005 DBT. The committee is concerned that several sites may not be in compliance with the 2005 DBT by the end of 2008.

The House bill contained no similar provision.

The agreement contains the Senate provision.

Modification of submittal of reports on inadvertent releases of restricted data (sec. 3123)

The Senate bill (sec. 3113) contained a provision that would amend section 2672 of title 50, United States Code, to make the annual report on inadvertent releases of restricted data due every other year rather than annually. The provision would further amend section 2672 to change the frequency of the report that the Secretary of Energy submits to Congress to identify the plans of various federal agencies to prevent the inadvertent release of restricted data. The provision would modify the frequency of the Department of Energy review of the agencies' plans from periodic, which has been treated by the Secretary as an annual requirement, to once every 2 years.

The House bill contained no similar provision.

The agreement contains the provision.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Authorization (sec. 3201)

The House bill contained a provision (sec. 3201) that would authorize $25.5 million for the activities of the Defense Nuclear Facilities Safety Board, the amount of the budget request.

The Senate bill contained a similar provision (sec. 3201) that would authorize $29.0 million for the activities of the Defense Nuclear Facilities Safety Board, an increase of $3.5 million above the amount of the budget request.

The agreement includes the House provision.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Authorization of appropriations (sec. 3401)

The House bill contained a provision (sec. 3401) that would authorize $19.1 million for the operation and maintenance of the Naval Petroleum and Oil Shale Reserves.

The Senate bill contained no similar provision.

The agreement includes the House provision.

TITLE XXXV—MARITIME ADMINISTRATION

LEGISLATIVE PROVISIONS ADOPTED

Authorization of appropriations for fiscal year 2009 (sec. 3501)

The House bill contained a provision (sec. 3501) for the authorization of appropriations for the Maritime Administration of the Department of Transportation for fiscal year 2009.

The Senate bill contained no similar provision.

The agreement includes the House provision with clarifying amendments for capital improvements at the United States Merchant Marine Academy and maintenance and repair of school ships of the various State Maritime Academies.

Limitation on export of vessels owned by the Government of the United States for the purpose of dismantling, recycling, or scrapping (sec. 3502)

The House bill contained a provision (sec. 3502) that would place limits on the export of vessels owned by the United States government for the purpose of scrapping or recycling in foreign shipyards.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Student incentive payment agreements (sec. 3503)

The House bill contained a provision (sec. 3503) that would raise the maximum yearly incentive payment for students at the various state maritime academies from $4,000 to $8,000 per year.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Riding gang member requirements (sec. 3504)

The House bill contained a provision (sec. 3504) that would amend section 1018 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) to require that riding gang members of vessels engaged in the carriage of cargo for the Department of Defense possess a merchant mariners' document issued under chapter 73 of title 46, United States Code, or a transportation security card issued under section 70105 of such title. In addition, the provision clarifies those personnel onboard such vessels at the direction of the Secretary of Defense shall not be classified as riding gang members under section 8106 of title 46, United States Code.

The Senate bill contained no similar provision.

The agreement includes the House provision.

Maintenance and repair reimbursement program for the maritime security fleet (sec. 3505)

The House bill contained a provision (sec. 3505) that would direct the Administrator of the Maritime Administration to seek to enter into agreements for the maintenance and repair pilot program as authorized by section 5301 of title 46 United States Code, as amended by section 3503 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163).

The Senate bill contained no similar provision.

The agreement includes the House provision.

Temporary program authorizing contracts with adjunct professors at the United States Merchant Marine Academy (sec. 3506)

The House bill contained a provision (sec. 3506) that would grant temporary authority to the Administrator of the Maritime Administration to enter into contracts with Adjunct Professors at the United States Merchant Marine Academy.

The Senate bill contained no similar provision.

The agreement includes the House provision with an amendment that grants temporary authority to the Administrator to transition employees of the Academy's Non-Appropriated Funded Instrumentalities (NAFIs) to the General Schedule. In addition, the amendment would grant authority to the Administrator to accept and use

conditional or unconditional gifts of money or property for the benefit of the Academy.

Actions to address sexual harassment and violence at the United States Merchant Marine Academy (sec. 3507)

The agreement includes a provision that would direct the Secretary of Transportation to direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

Assistance for small shipyards and maritime communities (sec. 3508)

The agreement includes a provision that would repeal section 3506 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) and add a new section in chapter 541 of title 46, United States Code, for assistance to small shipyards and maritime communities clarifying the program's intent to provide assistance to projects that would be effective in fostering efficiencies and enhancing employee technical skills.

Marine war risk insurance (sec. 3509)

The agreement includes a provision that would extend the authorities granted in section 53912 of title 46, United States Code, to December 31, 2015.

MARAD consultation on Jones Act Waivers (sec. 3510)

The agreement includes a provision that would require that the head of any agency responsible for the administration of the navigation or vessel-inspection laws to obtain a determination from the Administrator of the Maritime Administration, acting in the capacity as Director, National Shipping Authority, that sufficient United States flag capacity does not exist to meet national defense requirements prior to any waiver of those laws.

Transportation in American vessels of government personnel and certain cargoes (sec. 3511)

The agreement includes a provision to amend section 55305 of title 46, United States Code, to clarify the requirements of that section with respect to the transportation of government personnel and cargo in American vessels.

Port of Guam improvement enterprise program (sec. 3512)

The House bill contained a provision (sec. 2829) that would create a Port of Guam Improvement Enterprise Program to provide for the planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities.

The Senate bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
TITLE: 1						
Procurement of ammunition, Army						
26		Grenades, all types	5,000	Lincoln	Pine Bluff Arsenal	Pine Bluff, AR
26		Grenades, all types	5,000	Pryor	Pine Bluff Arsenal	Pine Bluff, AR
Other procurement, Army						
54		Information technology upgrades	2,000	Levin	Detroit Arsenal	Warren, MI
169		Combat Arms Training System	2,000	Chambliss	Meggitt Training Systems	Suwanee, GA
169		Combat Arms Training System	2,000	Isakson	GA Army National Guard; Meggitt Training Systems	Suwanee, GA
169		Laser collective combat training	4,000	Reed	MPRI/L-3	Middletown, RI
Aircraft procurement, Navy						
32		Integrated mechanical diagnostics health & usage management system (IMDS)	5,000	Thune	Goodrich Corporation	Vergennes, VT
51		AN/AAR-47 hostile fire improvements	4,000	Nelson, Bill	ATK Mission Systems, Integrated Systems Division	Clearwater, FL
51		AN/AAR-47 hostile fire improvements	4,000	Collins	University of Maine	Orono, ME
Weapons procurement, Navy						
16		Accelerate facility restoration program	30,000	Byrd	NAVSEA	ABL, Rocket Ctr,WV
Procurement of ammunition, Navy and Marine Corps						
28		Grenades, all types	2,000	Lincoln	Pine Bluff Arsenal	Pine Bluff, AR
28		Grenades, all types	2,000	Pryor	Pine Bluff Arsenal	Pine Bluff, AR
Other procurement, Navy						
119		Standardize metrics assessment of readiness & training	3,500	Reed	MIKEL, Inc.	Middletown, RI
134		Man overboard indicators (MOBI)	3,500	Akaka	Briar Tek	Alexandria, VA

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Other procurement, Navy						
134		Man overboard indicators (MOBI)	3,500	Bayh	BriarTek, Inc	Indianapolis, IN
134		Man overboard indicators (MOBI)	3,500	Warner	BriarTek, Inc	Arlington, VA
134		Man overboard indicators (MOBI)	3,500	Webb	BriarTek, Inc	Arlington, VA
Aircraft procurement, Air Force						
2		F136 engine advance procurement	35,000	Bayh	Rolls-Royce	Cincinnati, OH
2		F136 engine advance procurement	35,000	McConnell	General Electric	Evendale, Ohio and Lynn, MA
2		F136 engine advance procurement	35,000	Kennedy	General Electric and Rolls Royce Naval Marine	Lynn and Walpole, MA
48		Accelerate LAIRCM upgrades for C-130 aircraft	4,000	Martinez	L-3 Crestview Aerospace	Crestview, FL
48		Accelerate LAIRCM upgrades for C-130 aircraft	4,000	Chambliss	Georgia National Guard	Savannah, GA
48		Accelerate LAIRCM upgrades for C-130 aircraft	4,000	Isakson	GA Air National Guard; Northrop Grumman Corporation	Savannah, GA
80		Litening targeting pod upgrades	20,000	Lincoln	USAF Targeting Pod Programs Office	WPAFB, OH
80		Litening targeting pod upgrades	20,000	Pryor	USAF Targeting Pod Programs Office	WPAFB, OH
80		Litening targeting pod upgrades	20,000	Lieberman	Rafael USA	Rolling Meadows, IL
80		Litening targeting pod upgrades	20,000	Nelson, Bill	Northrop Grumman Corporation	Homestead, FL
80		Litening targeting pod upgrades	20,000	Craig	Northrop Grumman Corporation	Arlington, VA
80		Litening targeting pod upgrades	20,000	Thune	Northrop Grumman	Rolling Meadows, IL
Missile procurement, Air Force						

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Missile procurement, Air Force						
16		Advance procurement of AEHF 4	100,000	CI	N/A	N/A
Other procurement, Air Force						
16		Eagle Vision one meter SAR upgrades	3,500	Akaka	Hawaii Air National Guard	State of HI
28		Unmanned threat emitter (UMTE) modernization	5,000	Reid	98 Range Wing	Nellis AFB, NV
28		Unmanned threat emitter (UMTE) modernization	5,000	Schumer	DRS-Electronic Warfare and Network	Buffalo, NY
Procurement, Defense-wide						
65		MK 17 rifle	3,000	Graham	FN	Columbia, SC
87		M53 joint chemical biological protective mask	2,000	Levin	Avon Protection Systems	Cadillac, MI
94		Joint bio standoff detection system (JBSDS)	5,000	Sessions	Science & Engineering Services, Inc.	Huntsville, AL
94		Joint chemical agent detector (JCAD)	5,000	Lincoln	Smith's Detection	Edgewood, MD
94		Joint chemical agent detector (JCAD)	5,000	Pryor	Smith's Detection	Edgewood, MD
94		Joint chemical agent detector (JCAD)	5,000	Bayh	Smiths Detection	Edgewood, MD
TITLE: 2						
Research, development, test, and evaluation, Army						
2	0601102A	Advanced energy storage research	2,000	Levin	Michigan State University	East Lansing, MI
2	0601102A	Advanced energy storage research	2,000	Stabenow	Michigan State University	East Lansing, MI
2	0601102A	Drug resistant infections research	1,500	Nelson, Ben	University of Nebraska Medial Center	Omaha, NE
2	0601102A	Military operating environments research	1,500	Ensign	Defense Research Institute	Las Vegas, NV
2	0601102A	Military operating environments research	1,500	Reid	Desert Research Institute (DRI)	Reno, NV

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
2	0601102A	Organic semiconductor modeling and simulation	1,000	Cornyn	University of Texas at Tyler	Tyler, TX
3	0601103A	Low temperature vehicle performance research	2,000	Levin	Wayne State University	Detroit, MI
3	0601103A	Nanocomposite materials research	2,000	Martinez	Florida State University	Tallahassee, FL
3	0601103A	Nanocomposite materials research	2,000	Nelson, Bill	Florida State University	Tallahassee, FL
3	0601103A	Nanoscale biosensor research	1,500	Lincoln	University of Arkansas at Fayetteville	Fayetteville, AR
3	0601103A	Nanoscale biosensor research	1,500	Pryor	University of Arkansas at Fayetteville	Fayetteville, AR
3	0601103A	Urban simulation and training research	1,200	McConnell	University of Kentucky Research Foundation	Lexington, KY and Fort Knox, KY
5	0602105A	Composite materials applied research and technology	2,000	Carper	University of Delaware	Newark, DE
5	0602105A	Improvised explosive device blast simulations	475	Thune	South Dakota School of Mines and Technology	Rapid City, SD
5	0602105A	Magnetic nanosensor development	2,000	Nelson, Ben	University of Nebraska - Lincoln	Lincoln, NE
5	0602105A	Nanosensor manufacturing research	1,000	Kennedy	University of Massachusetts Lowell	Lowell, MA
5	0602105A	Nanosensor manufacturing research	1,000	Kerry	University of Massachusetts Lowell	Lowell, MA
5	0602105A	Ultrasonic consolidation for armor applications	1,500	Levin	Solidica Inc.	Ann Arbor, MI
5	0602105A	Ultrasonic consolidation for armor applications	1,500	Stabenow	Solidica, Inc.	Ann Arbor, MI
6	0602120A	Hydrogen battery research	2,000	Graham	Gecko Energy Technologies	Columbia, SC

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
12	060230BA	Photonics research for sniper detection	3,000	Kennedy	Boston University Photonics Center	Boston, MA
12	0602308A	Photonics research for sniper detection	3,000	Kerry	Boston University Photonics Center	Boston, MA
13	0602601A	Advanced vehicle technology and fuel development	1,000	Levin	Central Michigan University	Mt. Pleasant, MI
13	0602601A	Condition based maintenance simulation tools	3,000	Isakson	Ricardo US	Georgia Tech and other various universities
13	0602601A	Condition based maintenance simulation tools	3,000	Levin	Ricardo Inc.	Van Buren Township, MI
13	0602601A	Condition based maintenance simulation tools	3,000	Stabenow	Ricardo US	Belleville, MI
13	0602601A	DOD hydrogen PEM fuel cell medium	3,000	Lieberman	UTC Power	South Windsor, CT
13	0602601A	Ground vehicle reliability modeling	1,000	Levin	Western Michigan University	Kalamazoo, MI
13	0602601A	Hybrid electric vehicle batteries for FCS	2,000	Bayh	EnerDel, Inc	Indianapolis, IN
13	0602601A	Hybrid electric vehicle batteries for FCS	2,000	Lugar	EnerDel	Indianapolis, IN
13	0602601A	Military fuels research program	2,000	McConnell	University of Kentucky Research Foundation	Lexington, KY
17	0602624A	UGV weaponization	1,500	Collins	Howe and Howe Technologies, Inc.	North Berwick, ME
17	0602624A	UGV weaponization	1,500	Snowe	Howe and Howe Technologies	North Berwick, ME
18	0602705A	Soldier portable power pack technologies	2,000	Dodd	Ensign Bickford	Simsbury, CT
18	0602705A	Soldier portable power pack technologies	2,000	Lieberman	Ensign Bickford Aerospace and Defense	Simsbury, CT

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
18	060270SA	Soldier portable power pack technologies	2,000	Dole	INI Power Systems	Morrisville, NC
20	0602712A	Standoff IED detection technologies	3,000	Lincoln	Arkansas State University	Jonesboro, AR
20	0602712A	Standoff IED detection technologies	3,000	Pryor	Arkansas State University	Jonesboro, AR
20	0602712A	Standoff IED detection technologies	3,000	Akaka	University of Hawaii, Arkansas State University; Florida A&M	Honolulu, HI; Jonesboro, AR; Tallahassee, FL
23	0602782A	Portable compass/positioning/timing device development	2,000	Collins	CrossRate Technologies, LLC	Standish, ME
23	0602782A	Portable compass/positioning/timing device development	2,000	Snowe	Cross Rate Technologies	Standish, ME
25	0602784A	Geosciences and atmospheric research	2,000	Allard	Colorado State University	Fort Collins, CO
25	0602784A	Geosciences and atmospheric research	2,000	Salazar	Colorado State University	Fort Collins, CO
25	0602784A	Nanocomposite panels for blast and ballistic protection	1,500	Collins	University of Maine	Orono, ME
25	0602784A	Nanocomposite panels for blast and ballistic protection	1,500	Snowe	University of Maine	Orono, ME
27	0602786A	Ballistic materials for force protection	1,000	Collins	University of Maine	Orono, ME
27	0602786A	Ballistic materials for force protection	1,000	Snowe	University of Maine	Orono, ME
28	0602787A	Advanced functional nanomaterials for biological processes	2,000	Lincoln	University of Arkansas at Little Rock	Little Rock, AR
28	0602787A	Advanced functional nanomaterials for biological processes	2,000	Pryor	University of Arkansas at Little Rock	Little Rock, AR
28	0602787A	Biomechanics research	1,000	Warner	Virginia Tech, Wake Forest	Blacksburg, VA
28	0602787A	Biomechanics research	1,000	Webb	Virginia Tech, Wake Forest	Blacksburg, VA
28	0602787A	Dried blood technology clinical research	2,000	Cardin	Core Dynamics, Inc.	Ft. Detrick, MD
28	0602787A	Dried blood technology clinical research	2,000	Inhofe	Core Dynamics	Rockville, MD

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
28	0602787A	Extremity war Injuries research program	5,000	Cornyn	Medical Research and Materiel Command, US Army Institute of Surgical Research, Ft. Sam Houston	San Antonio, TX
28	0602787A	Genetics research for soldier survivability	2,000	Nelson, Ben	University of Nebraska Medical Center	Omaha, NE
28	0602787A	Military photomedicine program	3,500	Kennedy	Administered by Air Force Office of Scientific Research	Competitive
28	0602787A	Military photomedicine program	3,500	Dole	Military Photomedicine Program (Fort Detrick, MD)	Peer reviewed competitive process to university research centers.
29	0603001A	Biosensor controller systems development	3,500	Reid	Eye-Com Corporation	Reno, NV
30	0603002A	Advanced fibrin dressings	3,000	Cardin	STB Lifesaving Technologies	Rockville, MD
30	0603002A	Advanced fibrin dressings	3,000	Dole	STB Lifesaving Technologies	Rockville, MD
30	0603002A	Battlefield tracheal intubation technologies	2,000	Nelson, Ben	University of Nebraska Medial Center UNMC	Omaha, NE
30	0603002A	Bioelectrics research	2,000	Warner	Old Dominion University	Norfolk, VA
30	0603002A	Bioelectrics research	2,000	Webb	Old Dominion University	Norfolk, VA
30	0603002A	Combat wound initiative	2,000	Reed	TRT	Walter Reed, Washington DC
30	0603002A	Electronic vital signs monitoring	3,000	Reed	Northeast Knitting	Pawtucket, RI
30	0603002A	Gulf War veterans' illnesses research	10,000	Boxer	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Feinstein	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Dodd	Competitive	N/A

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
30	0603002A	Gulf War veterans' illnesses research	10,000	Akaka	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Durbin	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Bayh	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Kerry	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Snowe	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Bond	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Baucus	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Tester	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Lautenberg	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Schumer	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Brown	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Sanders	Competitive	N/A
30	0603002A	Gulf War veterans' illnesses research	10,000	Rockefeller	Competitive	N/A
30	0603002A	Lower limb prosthetics research	2,000	Kennedy	Foster-Miller	Waltham, MA
30	0603002A	Lower limb prosthetics research	2,000	Kerry	Foster-Miller, Inc	Waltham, MA
30	0603002A	Online military medical training program	3,000	McConnell	Accella Learning and the University of Louisville	Louisville, KY
30	0603002A	Regenerative medicine research	3,000	Dole	Wake Forrest University Institute for Regenerative Medicine	Winston-Salem, NC
31	0603003A	Helicopter vulnerability reduction technologies	1,500	Dodd	UTC Research Center	East Hartford, CT
31	0603003A	Helicopter vulnerability reduction technologies	1,500	Lieberman	UTC Research Center	East Hartford, CT

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
31	0603003A	Tactical integration systems development	2,000	Sessions	People Tec	Huntsville, AL
31	0603003A	UAV payload delivery systems	1,000	Sessions	Dynetics Inc.	Huntsville, AL
33	0603005A	Advanced digital hydraulic hybrid drive systems	2,500	Levin	Eaton	Southfield, MI
33	0603005A	Advanced digital hydraulic hybrid drive systems	2,500	Stabenow	Eaton Corporation	Southfield, MI
33	0603005A	Advanced digital hydraulic hybrid drive systems	2,500	Coleman	Eaton Corporation	Eden Prairie, MN
33	0603005A	Advanced lithium vehicle battery systems	2,000	Levin	T/J Technologies	Ann Arbor, MI
33	0603005A	Advanced lithium vehicle battery systems	2,000	Stabenow	T/J Technologies, Advanced Research & Government Solutions Division, A123Systems, Inc.	Ann Arbor, MI
33	060300SA	Advanced tactical wheeled vehicle electric drive systems	3,000	Levin	Advanced Defense Vehicle Systems	Shelby Township, MI
33	0603005A	Advanced thermal and oil management controls research	3,000	Levin	Engineered Machined Products	Escanaba, MI
33	0603005A	Antiballistic windshield armor	4,500	Bayh	DefenseCS	Mishawaka, IN
33	0603005A	Antiballistic windshield armor	4,500	Lugar	Defense CS, Inc.	Mishawaka, IN
33	0603005A	Antiballistic windshield armor	4,500	Graham	Defense CS	Mishawaka, IN
33	0603005A	Development of logistical fuel processors	2,800	Sessions	Auburn University	Auburn, AL
33	0603005A	Diverse threat sensor development	1,000	Levin	Michigan Technological University	Houghton, MI
33	0603005A	Diverse threat sensor development	1,000	Stabenow	Michigan Technological University	Houghton, MI
33	0603005A	Dynamometer facility upgrade	4,000	Levin	AVL North America	Plymouth, MI

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
33	0603005A	Dynamometer facility upgrade	4,000	Stabenow	AVL North America	Plymouth, MI
33	0603005A	Ground vehicle integration technologies	3,000	Levin	U.S. Army Tank-Automotive Research Development and Engineering Center	Warren, MI
33	0603005A	Hostile fire detection systems	2,000	Cornyn	Mustang Technology	Allen, TX
33	0603005A	Hybrid electric blast protected vehicle technologies	1,500	Graham	Force Protection	Ladson, SC
33	0603005A	Hydraulic hybrid vehicle systems	1,000	Levin	Bosch Rexroth	Rochester Hills, MI
33	0603005A	Hydraulic hybrid vehicle systems	1,000	Stabenow	Bosch Rexroth Corporation	Rochester Hills, MI
33	0603005A	Next generation non-tactical vehicle propulsion technologies	2,000	Cardin	General Motors	Michigan
33	0603005A	Next generation non-tactical vehicle propulsion technologies	2,000	Levin	General Motors	Warren, MI
33	0603005A	Next generation non-tactical vehicle propulsion technologies	2,000	Stabenow	General Motors	Detroit, MI
33	0603005A	Next generation non-tactical vehicle propulsion technologies	2,000	Schumer	General Motors	Honeoye Falls, NY
33	0603005A	Power and energy research equipment upgrades	6,000	Levin	U.S. Army Tank-Automotive Research Development and Engineering Center	Warren, MI
33	0603005A	Power management control and integration systems	1,000	Levin	Global Embedded Technologies	Farmington Hills, MI
33	0603005A	Power management control and integration systems	1,000	Stabenow	Global Embedded Technologies, Inc.	Farmington Hills, MI
33	0603005A	Solid hydrogen storage systems development	1,000	Levin	Energy Conversion Devices	Auburn Hills, MI

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
33	0603005A	Unmanned ground vehicle initiative	12,000	Levin	U.S. Army Tank-Automotive Research Development and Engineering Center	Warren, MI
38	0603015A	Joint fires and effects training system	2,500	Inhofe	Institute for Creative Technologies	Marina Del Ray, CA
46	0603313A	Hypersonic interceptor studies	1,000	Brownback	Iron Tree Research	Lansing, KS
50	0603710A	Short range electro-optic sensors	2,000	Nelson, Bill	DRS Technologies, Inc.	Melbourne, FL
52	0603734A	Direct methanol fuel cell development	1,000	Martinez	University of North Florida	Jacksonville, FL
52	0603734A	Direct methanol fuel cell development	1,000	Nelson, Bill	University of North Florda	Jacksonville, FL
55	0603305A	Advanced electronics integration	4,000	Thune	Rosebud Sioux Tribe	Mission, SD
55	0603305A	Advanced environmental control systems	5,000	Reid	Rocky Research	Boulder City, NV
55	0603305A	Advanced fuel cell research	3,000	Cornyn	Lamar University	Beaumont, TX
55	0603305A	Radiation hardening initiative	3,000	Sessions	Analytical Services, Inc.	Huntsville, AL
56	0603308A	High-altitude integration testbed	3,000	Sessions	COLSA Corporation	Huntsville, AL
62	0603653A	Stryker active protection system	1,500	Cornyn	Raytheon Network Centric Systems	McKinney, TX
100	0604715A	Urban training development	3,000	Nelson, Bill	National Center For Simulation	Camp Blanding, FL
135	0605602A	LIDAR and modeling improvements	3,000	Hatch	Dugway Proving Ground, Utah; Utah State University's Space Dynamics Laboratory; and ITT, UT	Dugway Proving Ground, UT; Utah State University's Space Dynamics Laboratory; and ITT, UT
137	0605605A	HELSTF	5,000	Bingaman	Northrop Grumman	White Sands NM

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Army						
137	0605605A	HELSTF	5,000	Domenici	Northrop Grumman	White Sands Missile Range, NM
179	0708045A	Castings research for weapons systems	2,000	Lincoln	Benet Labs at Watervliet Arsenal	Watervliet, NY
179	0708045A	Castings research for weapons systems	2,000	Pryor	Benet Labs at Watervliet Arsenal	Watervliet, NY
179	0708045A	Castings research for weapons systems	2,000	Brownback	Atchison Steel Castings	Atchison, KS
179	0708045A	Manufacturing metrology research	2,200	Reed	Independent Quality Labs	Rockville, RI
179	0708045A	Nanotechnology manufacturing research	2,000	Chambliss	GA NanoFAB	Swainsboro, GA
179	0708045A	Near-net shaped body armor plate development	2,000	Lincoln	CoorsTek	Benton, AR
179	0708045A	Near-net shaped body armor plate development	2,000	Pryor	CoorsTek	Benton, AR
Research, development, test, and evaluation, Navy						
1	0601103N	Automated technology for landmine detection	1,500	Nelson, Ben	University of Nebraska - Omaha	Omaha, NE
1	0601103N	Radiation hardened electronic systems	1,000	Bayh	University of Notre Dame	South Bend, IN
1	0601103N	Radiation hardened electronic systems	1,000	Lugar	University of Notre Dame	Notre Dame, IN
3	0601153N	Manufacturing engineering educational outreach program	2,000	Levin	Focus:HOPE	Detroit, MI
3	0601153N	Quantum studies research	1,500	Warner	George Mason University	Fairfax, VA
3	0601153N	Quantum studies research	1,500	Webb	George Mason University	Fairfax, VA
4	0602114N	Free electron laser development	3,000	Warner	Jefferson Science Associates / Thomas Jefferson National Accelerator Facility	Newport News, VA

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Navy						
4	0602114N	Free electron laser development	3,000	Webb	Jefferson Science Associates / Thomas Jefferson National Accelerator Facility	Newport News, VA
4	0602114N	UAV fuel cell technologies	2,000	Schumer	NanoDynamics Energy, Inc	Buffalo, NY
5	0602123N	Composite Sea Lion craft project	2,000	Wicker	Seemann Composites, Inc.	Gulfport, MS
5	0602123N	Energy systems integration research	3,000	Martinez	Florida State University	Tallahassee, FL
5	0602123N	Energy systems integration research	3,000	Nelson, Bill	Florida State University	Tallahassee, FL
5	0602123N	Novel coating technologies for military equipment	3,500	Nelson, Ben	University of Nebraska - Lincoln	Lincoln, NE
5	0602123N	Port security technologies	3,500	Voinovich	Battelle	Columbus, OH
5	0602123N	Port security technologies	3,500	Reed	Battelle	Newport, RI
5	0602123N	SOF combatant signature and weight performance research	2,000	Collins	Maine Marine Manufacturing	Portland, ME
5	0602123N	SOF combatant signature and weight performance research	2,000	Snowe	Maine Marine Manufacturing	East Boothbay, ME
6	0602131M	Warfighter rapid awareness processing technology	4,000	Akaka	Archinoetics	Honolulu, HI
7	0602123N	Infrared materials laboratories	2,500	Inhofe	Ardmore Development Authority	Ardmore, OK
9	0602236N	Acoustic Research Detachment test support upgrades	1,500	Craig	BAE Systems, Naval Surface Warfare Center	Bayview, ID
9	0602236N	Acoustic Research Detachment test support upgrades	1,500	Crapo	BAE Systems, Naval Surface Warfare Center	Bayview, ID
10	0602271N	RF power technologies	1,500	Dole	RF Micro Devices	Charlotte, NC

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Navy						
15	0603114N	Mobile target tracking technologies	3,000	Akaka	Pukoa Scientific	Honolulu, HI
16	0603123N	Navy / USMC fuel cell non-tactical vehicle initiative	2,000	Cardin	General Motors	Detroit, MI
16	0603123N	Navy / USMC fuel cell non-tactical vehicle initiative	2,000	Levin	General Motors	Warren, MI
16	0603123N	Navy / USMC fuel cell non-tactical vehicle initiative	2,000	Stabenow	General Motors	Detroit, MI
16	0603123N	Navy / USMC fuel cell non-tactical vehicle initiative	2,000	Schumer	General Motors	Honeoye Falls, NY
16	0603123N	Single generator operations lithium ion battery	5,000	Lugar	Altairnano Inc.	Anderson, IN
16	0603123N	Single generator operations lithium ion battery	5,000	Reid	Altairnano, Inc.	Reno, NV
20	0603640M	Acoustic combat sensors	2,000	Inhofe	GWACS Defense, Inc.	Claremore, OK
35	0603513N	DDG-51 permanent magnet hybrid electric propulsion	6,600	Dodd	DRS Technologies	Danbury, CT
35	0603513N	DDG-51 permanent magnet hybrid electric propulsion	6,600	Lieberman	DRS Power Systems	Danbury, CT
35	0603513N	DDG-51 permanent magnet hybrid electric propulsion	6,600	Kennedy	DRS Power Technology, Inc	Fitchburg, MA
60	0603725N	Hydrokinetic power generator	2,000	Levin	Vortex Hydro	Ann Arbor, MI
60	0603725N	Hydrokinetic power generator	2,000	Stabenow	Vortex Hydro Energy, LLC	Ann Arbor, MI
62	0603739N	Highly integrated optical interconnect for military avionics	2,000	Levin	Calumet Electronics	Calumet, MI
62	0603739N	Highly integrated optical interconnect for military avionics	2,000	Stabenow	Calumet Electronics Corporation	Calumet, MI
75	0603925N	Develop directed energy weapons for asymmetric threats	2,200	Warner	Navy	Dahlgren, VA
75	0603925N	Develop directed energy weapons for asymmetric threats	2,200	Webb	Navy	Dahlgren, VA
120	0604756N	Next generation Phalanx	10,700	McConnell	Raytheon	Louisville, KY
120	0604756N	Next generation Phalanx	10,700	Hatch	Colemek Systems Engineering, Utah and Raytheon, KY	Colemek Systems Engineering, UT and Raytheon, KY

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Navy						
121	0604757N	NULKA improvements	2,000	Kennedy	Lockheed Martain Sippican, Inc.	Marion, MA
123	0604771N	Composite tissue transplantation research	2,000	Chambliss	Emory University and Naval Medical Research Center	Decatur, GA
126	0604800N	JSF competitive engine	247,500	Bayh	Rolls-Royce	Cincinnati, OH
126	0604800N	JSF competitive engine	247,500	McConnell	General Electric	Evendale, Ohio and Lynn, MA
126	0604800N	JSF competitive engine	247,500	Kennedy	General Electric and Rolls Royce Naval Marine	Lynn and Walpole, MA
159	0101221N	Advanced LINAC facility	4,000	Bayh	Indiana University	Bloomington, IN
159	0101221N	Advanced LINAC facility	4,000	Lugar	Indiana University	Bloomington, IN
177	0205633N	Rapid repair structural adhesives	1,000	Reed	Epoxies Etc, Inc.	Cranston, RI
Research, development, test, and evaluation, Air Force						
2	0601103F	Advanced design technologies for hypersonic research	2,000	Coleman	Univ of MN	Univ of MN
2	0601103F	Diamond substrates for microelectronics research	2,500	Reed	Group 4 Labs	CA, RI
2	0601103F	Information security research	2,000	Inhofe	University of Tulsa	Tulsa, OK
2	0601103F	Military decision cycle time research	1,600	Nelson, Ben	University of Nebraska - Omaha	Omaha, NE
8	0602102F	Advanced carbon fiber research and test initiative	3,000	Graham	Cytec Engineered Materials	Piedmont, SC
8	0602102F	Fire and blast resistant materials research	2,000	Kennedy	Triton Systems, Inc.	Chelmsford, MA and Milwaukee, WI
8	0602102F	Health monitoring sensors for aerospace components	1,500	Collins	University of Maine	Orono, ME
8	0602102F	Health monitoring sensors for aerospace components	1,500	Snowe	University of Maine	Orono, ME

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Air Force						
10	0602202F	Joint theater air-ground simulation system	2,500	Martinez	Dynamic Animation Systems, Inc	Orlando, FL
10	0602202F	Satellite control system training technology	2,000	Warner	Star Technologies Corporation	Great Falls, VA; Seattle, WA
10	0602202F	Satellite control system training technology	2,000	Webb	Star Technologies Corporation	Great Falls, VA; Seattle, WA
11	0602203F	Hybrid bearing development	2,000	Dodd	Purdy Transmissions	Manchester, CT
11	0602203F	Hybrid bearing development	2,000	Lieberman	Timken Company	Manchester, CT
11	0602203F	Hybrid bearing development	2,000	Dole	The Timken Company	Canton, OH
11	0602203F	Hybrid bearing development	2,000	Voinovich	The Timken Company	Canton, OH
12	0602204F	Information quality tools - persistent surveillance data sets	2,000	Lincoln	University of Arkansas at Little Rock	Little Rock, AR
12	0602204F	Information quality tools - persistent surveillance data sets	2,000	Pryor	University of Arkansas at Little Rock	Little Rock, AR
12	0602204F	Wideband electronic sensing technologies	3,000	Reed	Applied Radar	North Kingstown, RI
13	0602601F	Seismic research program	2,500	Kennedy	Weston Geophysical Corp.	Hanscom Air Force Base
13	0602601F	Seismic research program	2,500	Kerry	Weston Geophysical Corp.	Lexington, MA
16	0602702F	Cyber attack mitigation technologies	2,000	Schumer	CACI Technologies	Rome, NY
18	0603112F	Metals affordability initiative	5,000	Salazar	Metals Affordability Initiative	Multi-state
18	0603112F	Metals affordability initiative	5,000	Dodd	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Lieberman	Competitive	N/A

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Air Force						
18	0603112F	Metals affordability initiative	5,000	Levin	Metals Affordability Initiative	Multiple
18	0603112F	Metals affordability initiative	5,000	Dole	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Bingaman	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Reid	Metals Affordability Initiative Consortium	Huron, OH
18	0603112F	Metals affordability initiative	5,000	Brown	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Voinovich	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Wyden	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Casey	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Reed	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Kohl	Competitive	N/A
18	0603112F	Metals affordability initiative	5,000	Rockefeller	Competitive	N/A
19	0603203F	Reconfigurable secure computing technologies	1,500	Warner	Curtiss-Wright Controls Embedded Computing	Leesburg, VA
19	0603203F	Reconfigurable secure computing technologies	1,500	Webb	Curtiss-Wright Controls Embedded Computing	Leesburg, VA
21	0603216F	Assured aerospace fuels research	2,000	Voinovich	University of Dayton Research Institute	Dayton, OH
25	0603401F	Thin film amorphous solar arrays	2,000	Levin	Energy Conversion Devices	Auburn Hills, MI
27	0603601F	Integrated targeting devices	3,000	Nelson, Bill	Argon ST Imaging Systems	Orlando, FL
30	0603789F	Optical interconnects research	2,000	Reid	OptiComp Corporation	Zephyr Cove, NV
69	0604441F	SBIRS ops and training	30,000	CI	N/A	N/A

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Air Force						
94	0604759F	High speed test track	4,000	Bingaman	General Atomics	San Diego CA
94	0604759F	High speed test track	4,000	Domenici	General Atomics	Holloman AFB, NM
145	0207581F	Improve maturity of MP-RTIP sensor suite for larger aircraft	20,000	Lieberman	Northrop Grumman Norden Systems	Norwalk, CT
145	0207581F	Improve maturity of MP-RTIP sensor suite for larger aircraft	20,000	Martinez	Northrop Grumman Integrated Systems	Melbourne, FL
145	0207581F	Improve maturity of MP-RTIP sensor suite for larger aircraft	20,000	Chambliss	Northrop Grumman Corp	Robins AFB, GA
194	0305219F	UAV sense and avoid	6,000	Reid	Sierra Nevada Corporation	Sparks, NV
Research, development, test, and evaluation, Defense-wide						
4	0601114D8Z	DEPSCoR program increase	10,000	Collins	University of Maine	Orono, ME
4	0601114D8Z	DEPSCoR program increase	10,000	Nelson, Ben	University of Nebraska - Lincoln	Lincoln, NE
4	0601114D8Z	DEPSCoR program increase	10,000	Inhofe	DEPSCoR	Norman, OK; Stillwater, OK; Tulsa, OK
4	0601114D8Z	DEPSCoR program increase	10,000	Reed	DEPSCoR	RI Companies and University
6	0601384BP	In-vitro models for biodefense vaccines	1,000	Nelson, Bill	University of Central Florida	Orlando, FL
6	0601384BP	Superstructural particle evaluation	1,500	Dole	East Carolina University	Greenville, NC
14	0602384BP	Agent fate response tool	2,000	Levin	Kettering University	Flint, MI
14	0602384BP	Agent fate response tool	2,000	Stabenow	Kettering University	Flint, MI
14	0602384BP	Chem-bio IR detector	1,500	Collins	Orono Spectral Solutions, Inc.	Orono, ME
14	0602384BP	Multivalent Marburg/Ebola vaccine	3,500	Graham	GenPhar	Mount Pleasant, SC
19	0602716E	Three dimensional integrated circuit research	1,800	Craig	Boise State University	Boise, ID

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Defense-wide						
19	0602716E	Three dimensional integrated circuit research	1,800	Crapo	Boise State University	Boise, ID
19	0602716E	Three dimensional integrated circuit research	1,800	Dole	RTI International	Research Triangle, NC
21	0602718BR	National incident management system	2,000	Warner	Virginia Tech	Blacksburg, VA
21	0602718BR	National incident management system	2,000	Webb	Virginia Tech	Blacksburg, VA
23	1160401BB	FOPEN radar technologies	2,000	Akaka	Novasol	Honolulu, HI
33	0603384BP	Improved CBR filters	2,000	Warner	New World Associates	Fredericksburg, VA
33	0603384BP	Improved CBR filters	2,000	Webb	New World Associates	Fredericksburg, VA
39	0603680D8Z	High performance defense manufacturing technology program	8,000	CI	N/A	N/A
41	0603712S	Biofuels research program	2,000	Levin	Defense Logistics Agency	Fort Belvior, VA
41	0603712S	Emerging critical interconnection technology program	2,000	Bayh	IPC Association Connecting Electronics Industries / SAIC / NAVSEA Crane	Crane, IN
41	0603712S	Emerging critical interconnection technology program	2,000	Lugar	IPC Association Connecting Electronics Industries/ SAIC/ NAVSEA	Crane, IN
41	0603712S	Mobile microgrid research	3,000	Levin	NextEnergy	Detroit, MI
41	0603712S	Mobile microgrid research	3,000	Stabenow	NextEnergy Center	Detroit, MI
41	0603712S	Vehicle fuel cell & hydrogen logistics program	8,000	CI	N/A	N/A
44	0603720S	Superlattice nanotechnology research	2,000	Dole	University of North Carolina Charlotte -Northrop Grumman	Charlotte, NC; Baltimore, MD
59	0603826D8Z	Special warfare domain awareness	2,000	Collins	Technology Systems Inc	Wiscasset, ME

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Research, development, test, and evaluation, Defense-wide						
59	0603826D8Z	Special warfare domain awareness	2,000	Snowe	Technology Systems, Inc	Brunswick, ME
70	0603714D8Z	ASAP	20,000	CI	N/A	N/A
72	0603881C	Short-range ballistic missile defense	28,000	Wicker	ATK	AZ/MA
72	0603881C	Upper-tier follow-on to Arrow	30,000	Wicker	ATK	Iuka, MS
72	0603881C	Upper-tier follow-on to Arrow	30,000	Graham	Boeing	Alabama
76	0603884C	Mobile sensor network concept	4,000	Kennedy	Raytheon Integrated Defense Systems	Tewksbury, MA
81	0603892C	Aegis BMD/SM-3 enhancements	50,000	Lincoln	Raytheon Company	East Camden, AR
81	0603892C	Aegis BMD/SM-3 enhancements	50,000	Pryor	Raytheon Company	East Camden, AR
94	0604016D8Z	Corrosion control, prevention and prediction research	3,000	Wicker	The University of Southern Mississippi	Hattiesburg, MS
103	060416SD8Z	Army advanced hypersonic weapon	3,000	Sessions	Space and Missile Defence Command	Huntsville, AL
121	0604940D8Z	Range network enterprise technologies	3,500	Chambliss	Prologic, GA National Guard	Savannah, GA
121	0604940D8Z	Range network enterprise technologies	3,500	Isakson	GA Air National Guard; ProLogic Inc.	Savannah, GA
121	0604940D8Z	SAM hardware simulators	5,000	Chambliss	Georgia Institute of Technology	Atlanta, GA
121	0604940D8Z	SAM hardware simulators	5,000	Isakson	Georgia Institute of Technology	Georgia Tech and Smyrna, GA
184	0303140G	Software assurance	1,000	Levin	University of Detroit Mercy	Detroit, MI
184	0303140G	Software assurance	1,000	Stabenow	University of Detroit Mercy	Detroit, MI
225	0708011S	Industrial base innovation fund	24,000	CI	N/A	N/A

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
TITLE: 3						
Operation and maintenance, Army						
60		Unmanned aircraft systems concept development	3,000	Sessions	Navigator Development Group, Inc.	Enterprise, AL
80		Shipping containers	2,000	Graham	Charleston Marine Containers	Charleston, SC
Operation and maintenance, Navy						
250		MK 45 gun depot overhauls	9,000	McConnell	BAE Systems	Louisville, KY
Operation and maintenance, Marine Corps						
10		Marine Corps shelters	2,000	Warner	Base-X Inc.	Fairfield, VA
10		Marine Corps shelters	2,000	Webb	Base-X Inc.	Fairfield, VA
Operation and maintenance, Air Force						
10		B-52 flying hours	47,900	Landrieu	US Air Force	N/A
10		B-52 flying hours	47,900	Vitter	US Air Force	N/A
10		B-52 flying hours	47,900	Conrad	US Air Force	N/A
10		B-52 flying hours	47,900	Dorgan	US Air Force	N/A
60		B-52 depot maintenance	48,000	Landrieu	US Air Force	N/A
60		B-52 depot maintenance	48,000	Vitter	US Air Force	N/A
60		B-52 depot maintenance	48,000	Conrad	US Air Force	N/A
60		B-52 depot maintenance	48,000	Dorgan	US Air Force	N/A
60		Engine trailer life extension	3,000	Reid	Phoenix Aerospace	Moundhouse, NV
80		Land mobile radios	2,000	Reid	98 Range Wing	Nellis AFB, NV
90		National Security Space Institute	2,800	Allard	Air Force Space Command	CO Springs, CO

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Operation and maintenance, Air Force						
480		Advanced ultrasonic inspections	1,000	Inhofe	Veracity Technology Solutions, LLC	Midwest City, OK
Operation and maintenance, Defense-wide						
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Boxer	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Allard	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Salazar	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Martinez	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Nelson, Bill	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Isakson	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Akaka	Military Installations Nationwide	Military Installations Nationwide
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Inouye	N/A	Army Garrisson HI
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Cardin	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Bond	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Cochran	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Landrieu	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Burr	N/A	N/A
270		Readiness and Environmental Protection Initiative (REPI)	15,000	Dole	Office of the Secretary of Defense (Range and Environmental Protection Initiative (REPI))	Funds to be expended throughout NC.
Operation and maintenance, Army National Guard						
10		Expandable light air mobility shelters	5,000	Levin	AAR Mobility Systems	Cadillac, MI

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee Initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Operation and maintenance, Army National Guard						
10		Expandable light air mobility shelters	5,000	Stabenow	AAR Mobility Systems	Cadillac, MI
70		Extended cold weather clothing system	1,000	Carper	Army National Guard	Elkton, MD
70		Extended cold weather clothing system	1,000	Reed	Kenyon and Duro Industries	Kenyon, RI and Fall River, MA
70		Rapid data management system	5,000	Collins	Global Relief Technologies	Portsmouth, NH
70		Weapons skills trainer	3,000	Nelson, Bill	Cubic Simulation Systems Division	St. Augustine, FL
80		Emergency Satellite Communications	3,000	Cornyn	Texas Army National Guard	N/A
Operation and maintenance, Air National Guard						
10		Controlled humidity protection	2,000	Graham	SC Army National Guard	Columbia, SC
10		Crypto-linguist/Intel Officer Initiative	750	Hagel	Nebraska ANG	Offutt AFB, NE
10		Crypto-linguist/Intel Officer Initiative	750	Nelson, Ben	Nebraska Nat'l Guard	Omaha, NE
TITLE: 4						
National Guard personnel, Air Force						
		Crypto-linguist/Intel Officer Initiative	3,300	Hagel	Nebraska ANG	Offutt AFB, NE
		Crypto-linguist/Intel Officer Initiative	3,300	Nelson, Ben	Nebraska Nat'l Guard	Omaha, NE
TITLE: 5						
Operation and maintenance, Defense-wide						
998		Impact Aid	$0,000	CI	N/A	N/A
998		Impact Aid for children with disabilities	5,000	Boxer	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Salazar	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Akaka	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Durbin	Defense Department	N/A

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Operation and maintenance, Defense-wide						
998		Impact Aid for children with disabilities	5,000	Roberts	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Mikulski	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Conrad	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Lautenberg	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Menendez	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Clinton	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Reed	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Whitehouse	Defense Department	N/A
998		Impact Aid for children with disabilities	5,000	Webb	Defense Department	N/A
TITLE: 13						
Operation and maintenance, miscellaneous appropriations						
10		Cooperative Threat Reduction	20,000	CI	N/A	N/A
TITLE: 21						
Military construction, Army						
		Multipurpose Machine Gun Range	3,100	Stevens	Fort Richardson, AK	
		System Software Engineering Annex Phase III	16,500	Sessions	Redstone Arsenal, AL	
		System Software Engineering Annex Phase III	16,500	Shelby	Redstone Arsenal, AL	
		Saddle Road, Phase 5A	30,000	Akaka	Pohakuloa Training Area, HI	
		Saddle Road, Phase 5A, 5B	30,000	Inouye	Pohakulo Training Area, HI	
		Ready Service Magazine Complex	8,300	Bayh	Crane Army Ammo Activity, IN	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Army						
		Ready Service Magazine Complex	8,300	Lugar	Crane Army Ammo Activity, IN	
		School Age Services Center	10,000	McConnell	Fort Campbell, KY	
		Access Control Point	6,100	Levin	Detroit Arsenal, MI	
		Access Control Point	6,100	Stabenow	Detroit Arsenal, MI	
		Mine Detection Training Facility and K-9 Kennel	10,800	Bond	Fort Leonard Wood, MO	
		Upgrade Munition Igloos Phase 2	7,500	Casey	Letterkenny Army Depot, PA	
		Upgrade Munition Igloos Phase 2	7,500	Specter	Letterkenny Army Depot, PA	
		School Age Services Center	10,000	Alexander	Fort Campbell, KY	
		School Age Services Center	10,000	Corker	Fort Campbell, KY	
		Training Support Center, Phase 1	13,600	Warner	Fort Eustis, VA	
		Training Support Center, Phase 1	13,600	Webb	Fort Eustis, VA	
TITLE: 22						
Military construction, Navy						
		Indoor Small Arms Range	11,000	Dodd	Naval Submarine Base New London, CT	
		Indoor Small Arms Range	11,000	Lieberman	Naval Submarine Base New London, CT	
		Energetics Systems and Technology Lab Complex	12,050	Cardin	NWSC, Indian Head, MD	
		Energetics Systems and Technology Lab Complex	12,050	Mikulski	NSWC, Indian Head, MD	
		Dry Dock #3 Waterfront Support Facility	20,660	Collins	Portsmouth Naval Shipyard, ME	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Navy						
		Dry Dock #3 Waterfront Support Facility	20,660	Gregg	Portsmouth Naval Shipyard, ME	
		Dry Dock #3 Waterfront Support Facility	20,660	Snowe	Portsmouth Naval Shipyard, ME	
		Dry Dock #3 Waterfront Support Facility	20,660	Sununu	Portsmouth Naval Shipyard, ME	
		Battalion Maintenance Facility & Equip Yard	5,870	Wicker	CBC Gulfport, MS	
		Fitness Center	6,340	Cochran	Naval Air Station Meridian, MS	
		Fitness Center	6,340	Wicker	Naval Air Station Meridian, MS	
		Main Gate Security Improvements	8,160	Lautenberg	Earle Naval Weapons Station, NJ	
		Main Gate Security Improvements	8,160	Menendez	Earle Naval Weapons Station, NJ	
		Marine Corps Officer Candidate School HQ Facility	5,980	Warner	Marine Corps Base, Quantico, VA	
		Marine Corps Officer Candidate School HQ Facility	5,980	Webb	Marine Corps Base, Quantico, VA	
TITLE: 23						
Military construction, Air Force						
		Fire/Crash Rescue Station	15,000	Kyl	Davis Monthan AFB, AZ	
		Large Crash Rescue Station	12,100	Boxer	Travis AFB, CA	
		Large Crash Rescue Station	12,100	Feinstein	Travis AFB, CA	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Air Force						
		Land Acquisition - 23 Acres	4,900	Allard	Peterson AFB, CO	
		Land Acquisition - 23 Acres	4,900	Salazar	Peterson AFB, CO	
		Satellite Operations Support Facility	8,000	Martinez	Cape Canaveral Air Station, FL	
		Satellite Operations Support Facility	8,000	Nelson, Bill	Cape Canaveral Air Station, FL	
		Logistics Readiness Center (P&D only)	1,800	Craig	Mountain Home AFB, ID	
		Logistics Readiness Center (P&D only)	1,800	Crapo	Mountain Home AFB, ID	
		Security Forces Complex	14,600	Landrieu	Barksdale AFB, LA	
		Security Forces Complex	14,600	Vitter	Barksdale AFB, LA	
		Indoor Firing Range	6,600	Wicker	Keesler AFB, MS	
		Upgrade Weapons Storage Area, Phase 1	10,000	Baucus	Malmstrom AFB, MT	
		Upgrade Weapons Storage Area, Phase 1	10,000	Tester	Malmstrom AFB, MT	
		Consolidated Support Center	12,200	Burr	Seymour Johnson AFB, NC	
		Consolidated Support Center	12,200	Dole	Seymour Johnson AFB, NC	
		Fire Station	13,000	Conrad	Grand Forks AFB, ND	
		Fire Station	13,000	Dorgan	Grand Forks AFB, ND	
		38th Recon Squadron Facility	11,800	Nelson, Ben	Offutt AFB, NE	
		Airfield Fire Rescue Station, Nellis	9,800	Ensign	Nellis AFB, NV	
		Airfield Fire Rescue Station, Nellis	9,800	Reid	Nellis AFB, NV	
		Consol Digital Airport Surveill Radar (DASR)/RAPCON Facility	10,200	Inhofe	Altus AFB, OK	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Air Force						
		Physical Fitness Center	9,900	Graham	Shaw AFB, SC	
		Base Entry and Perimeter Gates	11,000	Johnson	Ellsworth AFB, SD	
		Multipurpose C-130 Maintenance Hangar	21,000	Cornyn	Dyess AFB, TX	
		Multipurpose C-130 Maintenance Hangar	21,000	Hutchison	Dyess AFB, TX	
		Three-bay Fire Station	5,400	Bennett	Hill AFB, UT	
		Three-bay Fire Station	5,400	Hatch	Hill AFB, UT	
		Missile Service Complex (P&D only)	810	Barrasso	F.E. Warren AFB, WY	
		Missile Service Complex (P&D only)	810	Enzi	F.E. Warren AFB, WY	
TITLE: 24						
Military construction, Defense-wide						
		Ammo Demilitarization Facility Phase IX	10,000	McConnell	Blue Grass Army Depot, KY	
		CV-22 Flight Simulator Facility	8,300	Bingaman	Cannon AFB, NM	
		CV-22 Flight Simulator Facility	8,300	Domenici	Cannon AFB, NM	
TITLE: 26						
Military construction, Army National Guard						
		Bethel Readiness Center	16,000	Murkowski	Bethel Armory, AK	
		Bethel Readiness Center	16,000	Stevens	Bethel Armory, AK	
		Infantry Platoon Battle Course (P&D only)	204	Lincoln	Fort Chaffee MTC, AR	
		Infantry Platoon Battle Course (P&D only)	204	Pryor	Fort Chaffee MTC, AR	
		Readiness Center	16,186	Durbin	Urbana Armory, IL	
		Barracks Replacement, Phase I	16,943	Levin	Camp Grayling, MI	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Army National Guard						
		Barracks Replacement, Phase I	16,943	Stabenow	Camp Grayling, MI	
		Infantry Squad Battle Course	2,000	Levin	Camp Grayling, MI	
		Infantry Squad Battle Course	2,000	Stabenow	Camp Grayling, MI	
		Field Maintenance Shop (P&D only)	2,058	Ensign	Las Vegas, NV	
		Field Maintenance Shop (P&D only)	2,058	Reid	Las Vegas, NV	
		Readiness Center	11,375	Ensign	Elko, NV	
		Readiness Center	11,375	Reid	Elko, NV	
		Readiness Center (P&D only)	682	Smith	The Dalles Armory, OR	
		Readiness Center (P&D only)	682	Wyden	The Dalles Armory, OR	
		Army Aviation Support Facility (addtion to FY08)	5,000	Reed	N. Kingstown, RI	
		Barracks/Dining/Admin and Parking Complex Phase I	14,463	Johnson	Camp Rapid, SD	
		Barracks/Dining/Admin and Parking Complex Phase I	14,463	Thune	Camp Rapid, SD	
		Readiness Center	10,200	Leahy	Ethan Allen Range, Jericho, VT	
		Readiness Center	10,200	Sanders	Ethan Allen Range, Jericho, VT	
Military construction, Air National Guard						
		Engine Inspection and Maintenance Facility	4,000	Lincoln	Little Rock AFB, AR	
		Engine Inspection and Maintenance Facility	4,000	Pryor	Little Rock AFB, AR	
		Alert Crew Headquarters	4,200	Allard	Buckley AFB, CO	
		Alert Crew Headquarters	4,200	Salazar	Buckley AFB, CO	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Air National Guard						
		Replace C-130 Aircraft Maintenance Shops	11,600	Biden	New Castle County Airport, DE	
		Replace C-130 Aircraft Maintenance Shops	11,600	Carper	New Castle County Airport, DE	
		Vehicle Maintenance and Communications Training	5,600	Grassley	Fort Dodge, IA	
		Vehicle Maintenance and Communications Training	5,600	Harkin	Fort Dodge, IA	
		Smoky Hill Range Support Facility	7,100	Brownback	Smoky Hill ANG Range, KS	
		Digital Ground Station	14,300	Kerry	Otis ANG Base, MA	
		Fuel Cell Hangar	4,500	Coleman	Duluth 148th FW Base, MN	
		Fuel Cell Hangar	4,500	Klobuchar	Duluth 148th FW Base, MN	
		Relocate Munitions Storage Complex	3,400	Wicker	Gulfport-Biloxi IAP, MS	
		Pararescue Facility, 106th Rescue Wing, Phase 2	7,500	Clinton	Gabreski Airport, Westhampton, NY	
		Pararescue Facility, 106th Rescue Wing, Phase 2	7,500	Schumer	Gabreski Airport, Westhampton, NY	
		Combat Communications Training Complex (P&D only)	1,100	Brown	Springfield-Beckley ANG Base, OH	
		Combat Communications Training Complex (P&D only)	1,100	Voinovich	Springfield-Beckley ANG Base, OH	
		Construct Air Traffic Control Tower	7,700	Reed	Quonset State Airport, RI	
		Replace Squadron Operations	8,000	Alexander	Knoxville, TN	
		Replace Squadron Operations	8,000	Corker	Knoxville, TN	
		262 Info Warfare Aggressor Squadron (IWAS) Facility	8,600	Cantwell	McChord AFB, WA	

COMPLIANCE WITH RULE XLIV OF THE STANDING RULES OF THE SENATE

LINE	PE	DESCRIPTION	CHANGE (thousands)	MEMBER CI = committee initiative	SUGGESTED RECIPIENT	SUGGESTED LOCATION OF PERFORMANCE
Military construction, Air National Guard						
		262 Info Warfare Aggressor Squadron (IWAS) Facility	8,600	Murray	McChord AFB, WA	
		Communications and Audio Visual Training Facility	6,300	Kohl	Truax Field, WI	
		C-5 Upgrade Taxiways (P&D only)	850	Byrd	EWVRA Sheperd Field, WV	
		Fuel System/Corrosiion Control Hangar	27,000	Byrd	Yeager Airport, Charleston, WV	
Military construction, Air Force Reserve						
		Construct New Control Tower	6,450	Chambliss	Dobbins ARB, GA	
		Construct New Control Tower	6,450	Isakson	Dobbins ARB, GA	
		Digital Ground Station	14,300	Kennedy	Otis ANG Base, MA	
		Joint Services Lodging Facility – Phase 2 (P&D only)	900	Brown	Youngstown ARS, OH	
		Joint Services Lodging Facility – Phase 2 (P&D only)	900	Voinovich	Youngstown ARS, OH	
TITLE: 31						
Department of Energy National Security Programs						
		NNSA nonproliferation research and development	25,000	CI		
		NNSA Security	12,900	CI	N/A	N/A
		NNSA Security	10,500	Cornyn	Pantex	Amarillo, TX

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		020	UH-60 A to L Upgrades	$5,000.0	Alexander	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Bilirakis	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Brady (PA)	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Chabot	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	DeLauro	Sikorsky Aircraft Corporation	Stratford, CT
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Ehlers	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	English	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Gillibrand	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Gingrey	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Granger	Sikorsky Aircraft Corporation	Stratford, CT
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Kuhl	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Marshall	Sikorsky Aircraft Corporation	Stratford, CT
I	APA		020	UH-60 A to L Upgrades	$5,000.0	McCarthy (NY)	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Ortiz	United Technologies Corporation - Sikorsky Aircraft	Corpus Christi, TX
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Richardson	Army National Guard	
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Rogers (AL)	Sikorsky Aircraft Corporation	Stratford, CT
I	APA		020	UH-60 A to L Upgrades	$5,000.0	Rohrabacher	Army National Guard	
I	OPA		013	Family of Medium Tactical Vehicles (FMTV, HIMARS)	$1,000.0	Mitchell	Firetrace Aerospace	Scottsdale, AZ
I	OPA		027	Defense Advanced GPS Receiver	$2,500.0	Braley	Rockwell Collins	Cedar Rapids, IA
I	OPA		027	Defense Advanced GPS Receiver	$2,500.0	Loebsack	Rockwell Collins	Cedar Rapids, IA
I	OPA		083	Retrofit 30th HBCT radios with Embedded SAASM GPS card	$1,000.0	McIntyre	North Carolina National Guard	Raleigh, NC
I	OPA		111	Interoperable Radios for Texas National Guard Disaster Response	$1,000.0	Conaway	Texas Army National Guard	Austin, TX
I	OPA		111	Joint Incident Scene Communication Capability	$1,000.0	Conaway	Texas Army National Guard	Austin, TX
I	OPA		118	SAASM PPS GPS Upgrade	$2,000.0	Souder	ITT	Fort Wayne, IN
I	OPA		137	Multi-Temperature Refrigerated Container System (MTRCS)	$2,200.0	Davis (KY)	DRS	Florence, KY
I	OPA		169	Call For Fire Trainer II / Joint Fires and Effects Trainer System	$4,500.0	Cole	Stanley Associates	Lawton, OK
I	OPA		169	Combat Skills Marksmanship Trainer (CSMT)	$3,000.0	Gingrey	Meggitt Training Systems	Suwanee, GA

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
I	OPA		169	Combat Skills Simulation Systems, Ohio Army National Guard	$4,650.0	Space	Ohio Army National Guard	Columbus, OH
I	OPA		169	Immersive Group Simulation Virtual Training System (IGS-VTS) for the Hawaii Army National Guard	$1,500.0	Abercrombie	Atlantis Cyberspace, Inc.	Honolulu, HI
I	OPA		169	Instrumentation for Urban Assault Course - Tennessee National Guard	$1,750.0	Tanner	Tennessee National Guard	Nashville, TN
I	OPA		169	Virtual Interactive Combat Environment (VICE) - New Jersey National Guard	$2,000.0	Saxton	Dynamic Animation Systems	Fairfax, VA
I	OPA		170	Deployable/Mobile/Digital Target System-Armor-Infantry Set	$450.0	Tanner	Tennessee National Guard	Nashville, TN
I	OPA		170	M1 Abrams Mobile Conduct of Fire Trainers Upgrades - Tennessee National Guard.	$1,500.0	Tanner	Tennessee National Guard	Nashville, TN
I	OPA		170	Texas Army National Guard Future Solider Trainer Program	$3,000.0	Lampson	Texas Army National Guard	Austin, TX
I	OPA		176	Battlefield Anti-Intrusion System (BAIS)	$3,000.0	Andrews	L-3 Communications	Camden, NJ
I	OPA		176	Battlefield Anti-Intrusion System (BAIS)	$3,000.0	LoBiondo	L-3 Communications	Camden, NJ
I	OPA		176	Battlefield Anti-Intrusion System (BAIS)	$3,000.0	Saxton	L-3 Communications	Camden, NJ
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Courtney	General Dynamics - Electric Boat	Groton, CT
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Ellsworth	Babcock & Wilcox Company	Mt. Vernon, IN
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Forbes	The Navy	Various
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Hunter	Navy	Connecticut and Virginia
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Langevin	General Dynamics - Electric Boat	Groton, CT
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Pascrell	General Dynamics - Electric Boat	Groton, CT
I	SCN		004	Virginia Class Submarine Advance Procurement/Advance Construction	$300,000.0	Rothman	General Dynamics - Electric Boat	Groton, CT
I	SCN		015	LPD-17	$600,000.0	Butterfield	Northrop Grumman	Arlington, VA

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
I	SCN		015	LPD-17	$600,000.0	Drake	Northrop Grumman Corporation Ship Systems Avondale Operations	New Orleans, LA
I	SCN		015	LPD-17	$600,000.0	Forbes	N/A	Various locations
I	SCN		015	LPD-17	$600,000.0	Jefferson	Northrop Grumman Corporation	Arlington, VA
I	SCN		015	LPD-17	$600,000.0	Scott (VA)	Northrop Grumman	Newport News, VA
I	SCN		015	LPD-17	$600,000.0	Taylor	Northrop Grumman	Avondale, LA
I	APN		051	Crane NSWC IDECM Depot Capability	$2,000.0	Ellsworth	ITT Corporation	Crane, IN
I	OPN		019	Canned Lube Pumps (CLP) LSD-41/49 Class Amphibious Ships	$2,500.0	Hayes	IMO Pump	Monroe, NC
I	OPN		019	CVN Propeller Replacement Program	$5,000.0	Taylor	Rolls-Royce Naval Marine, Inc	Pascagoula, MS
I	OPN		019	Jet Fuel (JP-5) Electric Valve Operators	$3,000.0	Bishop (NY)	Curtiss-Wright Flow Control Corp	East Farmingdale, NY
I	OPN		019	Jet Fuel (JP-5) Electric Valve Operators	$3,000.0	King (NY)	Curtiss-Wright Flow Control Corp	East Farmingdale, NY
I	OPN		019	Jet Fuel (JP-5) Electric Valve Operators	$3,000.0	McCarthy (NY)	Curtiss-Wright Flow Control Corp	East Farmingdale, NY
I	OPN		033	AN/SPQ-9B Surface Ship Radar	$5,400.0	Ackerman	NGC Electronic Systems	Melville, NY
I	OPN		033	AN/SPQ-9B Surface Ship Radar	$5,400.0	Bishop (NY)	Sperry Marine Ship Defense Systems	Melville, NY
I	OPN		033	AN/SPQ-9B Surface Ship Radar	$5,400.0	McCarthy (NY)	NGC Electronic Systems	Melville, NY
I	OPN		097	Multi Climate Protection System (MCPS)	$2,000.0	Hodes	Polartec, LLC	Hudson, NH
I	OPN		097	Multi Climate Protection System (MCPS)	$2,000.0	Rogers (MI)	Peckham Industries	Lansing, MI
I	OPN		097	Multi Climate Protection System (MCPS)	$2,000.0	Shea-Porter	Polartec, LLC	Hudson, NH
I	OPN		097	Multi Climate Protection System (MCPS)	$2,000.0	Tsongas	Polartec, LLC	Lawrence, MA
I	OPN		097	Multi Climate Protection System (MCPS)	$2,000.0	Walberg	Peckham Industries	Lansing, MI
I	OPN		134	High Performance Computing Capability	$1,000.0	Hunter	IBM & Delphi Research	San Diego, CA
I	PMC		042	USMC Tactical Fuel Systems (Nitrile Rubber Collapsible Storage Units)	$1,500.0	Taylor	Avon Engineered Fabrications, Inc.	Picayune, MS
I	PMC		050	Combat Casualty Care Equipment Upgrade Program	$4,000.0	Barrett	North American Rescue Products, Inc.	Greenville, SC
I	PMC		050	Combat Casualty Care Equipment Upgrade Program	$4,000.0	Spratt	North American Rescue Products, Inc.	Greenville, SC
I	APAF		017	C-40 Aircraft	$88,000.0	Costello	Scott Air Force Base	Belleville, IL
I	APAF		017	C-40 Aircraft	$88,000.0	Shimkus	Scott Air Force Base	Belleville, IL
I	APAF		048	Podded Reconnaissance System, Scathe View, C-130H	$500.0	Berkley	Nevada Military Department	Carson City, NV

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
I	APAF		048	Podded Reconnaissance System, Scathe View, C-130H	$500.0	Granger	ATK Integrated Systems	Fort Worth, TX
I	APAF		048	Podded Reconnaissance System, Scathe View, C-130H	$500.0	Porter	ATK Integrated Systems	Fort Worth, TX
I	APAF		059	RC-26B ANG Modernization	$3,000.0	Granger	ATK Integrated Systems	Fort Worth, TX
I	APAF		059	RC-26B ANG Modernization	$3,000.0	Lampson	The National Guard Bureau	
I	APAF		059	RC-26B ANG Modernization	$3,000.0	Rogers (AL)	Alabama Air National Guard	Montgomery, AL
I	OPAF		016	Force Protection Surveillance System	$2,500.0	Sanchez, Loretta	Rockwell Collins	Anaheim Hills, CA
I	OPAF		024	ANG-Combat Communications on the Move	$2,000.0	Hunter	147 Combat Communications Squadron	San Diego, CA
I	OPAF		024	IMPACT (Information Modernization for Processing with Advanced Coating Technologies)	$2,000.0	Marshall	Warner Robins AFB	Warner Robins, GA
I	OPAF		024	Science, Engineering and Laboratory Data Integration (SELDI)	$1,000.0	Bishop (UT)	Ogden Air Logistics Center / ES3, Inc.	Hill AFB, UT
I	PDW		065	Mk 47 Advanced Lightweight Grenade Launcher	$4,500.0	Allen	General Dynamics Armament and Technical Products	Saco, ME
I	PDW		069	Special Operations Craft - Riverine	$3,600.0	Taylor	United States Marine, Inc.	Gulfport, MS
I	PDW		082	Special Operations Visual Augmentation Systems Hand Held Imager/Long Range	$3,000.0	Tsongas	FLIR Systems, Inc.	North Billerica, MA
I	PDW		083	Multi-Band Multi-Mission Radio	$2,000.0	Castor	Raytheon Company	Largo, FL
I	PDW		083	Multi-Band Multi-Mission Radio	$2,000.0	Souder	Raytheon	Fort Wayne, IN
II	RDA	0601102A	2	Nanocrystal Source Display	$1,500.0	Markey	QD Vision	Watertown, MA
II	RDA	0601102A	2	Nanostructured Materials For Photovoltaic Applications	$2,000.0	McHugh	Clarkson University	Potsdam, NY
II	RDA	0601102A	2	Solid State Shelter Lighting System	$480.0	Hill	Techshot, Inc.	Greenville, IN
II	RDA	0602105A	5	Ultrasonic Consolidation for Armor Applications	$1,500.0	Dingell	Solidica, Inc.	Ann Arbor, MI
II	RDA	0602120A	6	Command and Control, Communications and Computers (C4) module	$1,500.0	Young (AK)	Gerald Meyers, Alkan Shelter, LLC	Fairbanks, AK
II	RDA	0602120A	6	Semi-Autonomous or Unattended Psychological Operations and Reconnaissance Tool (SUPORT)	$3,000.0	Spratt	Defense Technologies, Inc.	Gastonia, NC

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	0602211A	8	Intensive Quenching for Advanced Weapon Systems	$1,200.0	Sutton	IQ Technologies, Inc.	Akron, OH
II	RDA	0602270A	9	Silver Fox and Manta UAS	$2,500.0	Giffords	Advanced Ceramics Research	Tucson, AZ
II	RDA	0602601A	13	DoD Hydrogen PEM Fuel Cell Medium/Heavy Duty Vehicle Demonstration Program	$3,000.0	Larson	UTC Power	South Windsor, CT
II	RDA	0602105A	13	Dual Stage Variable Energy Absorber	$3,000.0	Murphy, Patrick	ARRCA, Incorporated	Penns Park, PA
II	RDA	0602601A	13	Fire Resistant Fuels	$4,000.0	Rodriguez	Southwest Reasearch Institute	San Antonio, TX
II	RDA	0602601A	13	Nanofluids for Advanced Military Mobility	$1,000.0	Davis (KY)	Ashland Inc.	Covington, KY
II	RDA	0602601A	13	Rapid Up-Armor Synthesis and Crashworthiness Design for Improved Soldier Survivability	$1,500.0	Donnelly	The University of Notre Dame	Notre Dame, IN
II	RDA	0602601A	13	Tactical Metal Fabrication (TacFab)	$2,500.0	Markey	Thermo Fisher Scientific	Waltham, Woburn, Beverly, Billerica, Lowell, MA
II	RDA	0602601A	13	Tactical Metal Fabrication (TacFab)	$2,500.0	Tierney	Thermo Fisher Scientific	Waltham, Woburn, Beverly, Billerica, Lowell, MA
II	RDA	0602601A	13	Tactical Metal Fabrication (TacFab)	$2,500.0	Tsongas	Thermo Fisher Scientific	Billerica, MA
II	RDA	0602601A	13	Tactical Metal Fabrication (TacFab)	$2,500.0	Turner	BuyCastings.com	Dayton, ON
II	RDA	0602618A	14	Beneficial Infrastructure for Rotorcraft Risk Reduction Demonstrations (BIRRRD)	$1,000.0	Sestak	Dragonfly Pictures, Inc	Essington, PA
II	RDA	0602618A	14	Globally Accessible Manufacturing and Maintenance Activity (GAMMA)	$2,000.0	Knollenberg	POM Group Inc.	Auburn Hills, MI
II	RDA	0602624A	17	Specialized Compact Automated Mechanical Clearance Platform	$2,000.0	Murphy, Patrick	Humanistic Robotics, Inc.	Philadelphia, PA
II	RDA	0602709A	19	Miniaturized Sensors for Small and Tactical Unmanned Aerial Vehicles (MINISENS)	$1,500.0	Reyes	Aerospace Missions Corporation	El Paso, TX
II	RDA	0602712A	20	Hawaii Undersea Chemical Military Munitions Assessment Plan	$5,000.0	Abercrombie	University of Hawaii	Honolulu, HI
II	RDA	0602716A	21	LWI Training-based Collaborative Research	$25,000.0	Skelton	Leonard Wood Institute	Fort Leonard Wood, MO
II	RDA	0602720A	22	Range Scrap Disposal, Hawthorne Army Depot	$1,000.0	Brady (PA)	Hawthorne Army Depot	Hawthorne, NV
II	RDA	0602720A	22	Range Scrap Disposal, Hawthorne Army Depot	$1,000.0	Sestak	Hawthorne Army Depot	Hawthorne, NV
II	RDA	0602786A	27	Advanced Thermal Processing of Packaged Combat Rations	$2,100.0	Gingrey	Printpack, Inc.	Atlanta, 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	RDA	0602786A	27	Wearable Personal Area Network Technology	$3,000.0	Spratt	Advanced Mission Systems, Inc.	Fort Mill, SC
II	RDA	0602787A	28	Advanced Functional Nanomaterials for Biological Processes	$2,000.0	Snyder	University of Arkansas Little Rock	Little Rock, AR
II	RDA	0602787A	28	Military Photomedicine Program	$3,500.0	Sanchez, Loretta	Air Force Office of Scientific Research	Arlington, VA
II	RDA	0602787A	28	Minimizing Health Effects of Air Toxics on Military Personnel	$1,200.0	Yarmuth	University of Lousiville Research Foundation	Louisville, KY
II	RDA	0602787A	28	Plasma Technology Laboratory	$1,000.0	Ortiz	Texas A&M University - Corpus Christi	Corpus Christi, TX
II	RDA	0603001A	29	Ballistic Precision Aerial Delivery System (BPADS)	$4,600.0	Larson	Pioneer Aerospace Corporation	South Windsor, CT
II	RDA	0603001A	29	Ballistic Precision Aerial Delivery System (BPADS)	$4,600.0	Taylor	Pioneer Aerospace Corporation	Columbia, MS
II	RDA	0603001A	29	Novel Flame Retardant Nylon Fabrics	$1,500.0	Spratt	Milliken & Company	Spartanburg, SC
II	RDA	0603002A	30	Center for Robotic Computerized Telemanipulation	$2,000.0	Brady (PA)	Thomas Jefferson University Hospital	Philadelphia, PA
II	RDA	0603002A	30	Chronic Tinnitus Treatment Program	$1,000.0	Dent	Neuromonics, Inc.	Bethlehem, PA
II	RDA	0603002A	30	Composite Tissue Allotransplantation Research and Clinical Program	$2,000.0	Yarmuth	National Foundation to Support Cell Transplant Research	Louisville, KY
II	RDA	0603002A	30	Controlled Release of Anti-Inflammatory and Tissue Repair	$6,000.0	Blunt	Crosslink	Springfield, MO
II	RDA	0603002A	30	Corneal Wound Repair	$5,500.0	Blunt	St. John's Medical Research	Springfield, MO
II	RDA	0603002A	30	Institute of Surgical and Interventional Simulation	$3,000.0	Smith (WA)	University of Washington	Seattle, WA
II	RDA	0603002A	30	Personal Status Monitor (Nightengale)	$2,500.0	McHugh	Welch Allyn	Skaneateles Falls, NY
II	RDA	0603002A	30	Ultra High-Speed MEMS Electromagnetic Cell Sorter (UHSMECS)	$3,000.0	Capps	Innovative Micro Technology	Santa Barbara, CA
II	RDA	0603002A	30	Ultra-High Resolution Display for Army Medicine (UHRDARM)	$3,000.0	Hall (NY)	eMagin Corporation	Hopewell Junction, NY
II	RDA	0603003A	31	Drive System Composite Structural Component Risk Reduction Program	$3,000.0	Brady (PA)	V System Composites, Inc	Chester, PA
II	RDA	0603003A	31	Mission Execution Technology Implementation	$4,000.0	Akin	Westar Aerospace & Defense Group, Inc.	St. Charles, MO
II	RDA	0603003A	31	Mission Execution Technology Implementation	$4,000.0	Hulshof	Aeromechanics Division	Redstone Arsenal, 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	0603003A	31	Non-Hazardous Infrared Anti-Reflective Coatings for Army Aircraft Sensors	$1,500.0	Hayes	United Protective Technologies (UPT)	Charlotte, NC
II	RDA	0603003A	31	UAV-Resupply BURRO	$1,500.0	Larson	Kaman Aerospace Corporation	Bloomfield, CT
II	RDA	0603003A	31	Universal Control–Full Authority Digital Engine Control (FADEC)	$4,000.0	Larson	Goodrich Engine Control Systems	West Hartford, CT
II	RDA	0603004A	32	Lens-Less Micro Seeker System for Small Steerable Projectiles	$2,000.0	Dreier	Tanner Research, Inc.	Monrovia, CA
II	RDA	0603004A	32	Precision Molding Manufacturing Technology for InfraRed Aspheric Optics	$2,900.0	Andrews	Edmund Optics, Inc	Barrington, NY
II	RDA	0603004A	32	Precision Molding Manufacturing Technology for InfraRed Aspheric Optics	$2,900.0	Dent	Edmund Optics, Inc	Barrington, NY
II	RDA	0603004A	32	Precision Molding Manufacturing Technology for InfraRed Aspheric Optics	$2,900.0	Saxton	Edmund Optics, Inc	Barrington, NY
II	RDA	0603005A	33	Advanced Composites for Light Weight, Low Cost Transportation Systems using 3+ Extruder	$3,000.0	Stupak	Century/3 Plus, LLC	Traverse City, MI
II	RDA	0603005A	33	Advanced Drivetrains for Enhanced Mobility and Safety	$2,000.0	Upton	Eaton Corporation	Marshall, MI
II	RDA	0603005A	33	Advanced Drivetrains for Enhanced Mobility and Safety	$2,000.0	Walberg	Eaton Automotive -Torque Control Products Division	Marshall, MI
II	RDA	0603005A	33	Antiballistic Windshield Armor	$4,500.0	Donnelly	Defense, CS	Mishawaka, IN
II	RDA	0603005A	33	Commercially Viable Si/C Power Semiconductors Using Superlattice Technology	$3,200.0	Gillibrand	C9 Corporation	Wilton, NY
II	RDA	0603005A	33	Dynamometer Facility Upgrade Program	$4,000.0	Dingell	AVL North America, Inc.	Ann Arbor, MI
II	RDA	0603005A	33	Dynamometer Facility Upgrade Program	$4,000.0	Levin	AVL North America, Inc.	Plymouth, MI
II	RDA	0603005A	33	Fire Shield	$4,000.0	Dreier	Chang Industry	La Verne, CA
II	RDA	0603005A	33	Hybrid Electric (heavy truck) Vehicle	$3,000.0	Bartlett	Volvo Powertrain of North America	Hagerstown, MD
II	RDA	0603008A	36	Applied Communications and Information Networking (ACIN)	$4,000.0	Andrews	U.S. Army CERDEC	Camden, NJ
II	RDA	0603008A	36	Applied Communications and Information Networking (ACIN)	$4,000.0	LoBiondo	U.S. Army CERDEC	Camden, NJ
II	RDA	0603008A	36	Maritime C4ISR System	$1,000.0	Shuster	Mission Critical Solutions, LLC	Alum Bank, 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 & Effects Training System (JFETS)	$2,500.0	Cole	Institute for Creative Technologies	Marina Del Ray, CA
II	RDA	0603103A	41	Unserviceable Ammunition Demilitarization	$1,000.0	Bishop (UT)	Tooele Army Depot, Battelle Memorial Institute	Tooele, UT
II	RDA	0603710A	50	Brownout Situational Awareness Sensor	$2,000.0	Hunter	TREX Enterprises Corporation	San Diego, CA
II	RDA	0603710A	50	Personal Miniature Thermal Viewer	$2,000.0	Michaud	Elscott Manufacturing	Ellsworth, ME
II	RDA	0603710A	50	Personal Miniature Thermal Viewer	$2,000.0	Sanchez, Loretta	Irvine Sensors Corporation	Costa Mesa, CA
II	RDA	0603734A	52	Enhanced Holographic Imager	$2,800.0	Conaway	Zebra Imaging, Inc.	Austin, TX
II	RDA	0603734A	52	Enhanced Holographic Imager	$2,800.0	Granger	Zebra Imaging, Inc.	Austin, TX
II	RDA	0603734A	52	S.A.V.E.: Synthetic Automotive Virtual Environments	$2,000.0	Hodes	Vehicle Control Training, LLC	Dalton, NH
II	RDA	0603772A	53	Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER)	$4,000.0	McHugh	Syracuse Research Corporation	North Syracuse, NY
II	RDA	0603772A	53	Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER)	$4,000.0	Walsh	Syracuse Research Corporation	North Syracuse, NY
II	RDA	0603747A	53	Software Lifecycle Affordability Management Phase II (SLAM II)	$1,000.0	Saxton	PRICE Systems, LLC	Mount Laurel, NJ
II	RDA	0603305A	55	Compact Pulsed Power for Defense Applications	$3,000.0	Conaway	Texas Tech University	Lubbock, TX
II	RDA	0603305A	55	Compact Pulsed Power for Defense Applications	$3,000.0	Neugebauer	Texas Tech University	Lubbock, TX
II	RDA	0603305A	55	Composite Structure Design	$2,000.0	Johnson (GA)	Army Space and Missile Defense Command	Anniston, AL
II	RDA	0603305A	55	Deployable Space and Electronic Warfare Analysis Tool	$1,000.0	Lamborn	Analytical Graphics, Inc.	Colorado Springs, CO
II	RDA	0603653A	62	Stryker Common Active Protection System Radar	$2,000.0	Hall (TX)	Raytheon Network Centric Systems	McKinney, TX
II	RDA	0603653A	62	Stryker Common Active Protection System Radar	$2,000.0	Reyes	Raytheon Network Centric Systems	McKinney, TX
II	RDA	0604601A	63	Headborne Energy Analysis and Diagnostic System (HEADS)	$2,000.0	Mitchell	BAE Systems	Tucson, AZ

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	0603779A	66	Demonstration Project at Travis AFB Environmental Mangament Information System	$500.0	Tauscher	Travis Air Force Base	Fairfield, CA
II	RDA	0603779A	66	Renewable Energy Testing Center	$2,000.0	Matsui	Renewable Energy Institute International	Sacramento, CA
II	RDA	0603807A	72	Leishmania Skin Test	$1,000.0	Hunter	Allermed Laboratories, Inc	San Diego, CA
II	RDA	0604270A	78	Hostile Fire Indicator	$5,000.0	Shea-Porter	BAE Systems E&IS	Nashua, NH
II	RDA	0604807A	110	Rotary Valve Pressure Swing Absorption Oxygen Generator (RVPSAOG)	$1,000.0	Davis (CA)	SeQual Technologies, Inc	San Diego, CA
II	RDA	0605013A	123	Health Informatics Initiative	$2,500.0	Castor	USF College of Public Health	Tampa, FL
II	RDA	0605326A	132	Gunfire Detection System for Unmanned Aerial Vehicles	$1,000.0	Everett	Radiance Technologies / Army Aviation Warfighting Center	Fort Rucker, AL
II	RDA	0605602A	135	MOTS All Sky Imager (MASI)	$1,500.0	Reyes	Trex Enterprises	San Diego, CA
II	RDA	0203726A	154	Fire Support Technology Improvement Program	$1,000.0	Shuster	Szanca Solutions, Inc.	Bedford, PA
II	RDA	0203735A	155	Ground Combat Systems Electronic Enhancements	$3,000.0	McKeon	Curtiss Wright	Santa Clarita, CA
II	RDA	0203802A	163	Close Combat Missile Modernization (Javelin)	$3,700.0	Everett	Lockheed Martin	Huntsville/Redstone Arsenal/Troy, AL
II	RDA	0305208A	177	Asymmetric Threat Response and Analysis Program (ATRAP)	$3,000.0	Giffords	University of Arizona	Tucson, AZ
II	RDA	0305208A	177	Blast Damage Assessment Risk Analysis and Mitigation Application - Enhancements (BRAMA-E)	$1,000.0	Young (AK)	ISR Battle Command Battle Lab	Ft. Huachuca, AZ
II	RDA	0305208A	177	Constant Look Operational Support Environment (CLOSE)	$2,000.0	Young (AK)	ISR Battle Command Battle Lab	Ft. Huachuca, AZ
II	RDA	0305208A	177	Heuristic Internet Protocol Packet Inspection Engine (HIPPIE)	$2,500.0	Akin	TechGuard Securities	Chesterfield, MO
II	RDA	0708045A	179	Helicopter Vulerability Reduction	$3,000.0	Shays	United Technologies Research Center	East Hartford, CT
II	RDA	0708045A	179	Helicopter Vulnerability Reduction	$3,000.0	Courtney	United Technologies Research Center	East Hartford, CT
II	RDA	0708045A	179	Near-net shaped body armor plate development	$2,000.0	Snyder	Army PEO Soldier	

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	0708045A	179	Vehicle Common Armor Manufacturing Process (VCAMP)	$2,500.0	Saxton	SMH International, LLC	Mount Laurel, NJ
II	RDN	0601153N	3	Energetics S&T Workforce	$3,000.0	Hoyer	Naval Surface Warfare Center	Indian Head, MD
II	RDN	0602114N	4	High Energy Conventional Energetics (Phase 2)	$1,500.0	Hoyer	Naval Surface Warfare Center	Indian Head, MD
II	RDN	0602114N	4	Marine Mammal Hearing and Echolocation Research	$2,000.0	Abercrombie	Marine Mammal Research Program, University of Hawaii	Kailua, HI
II	RDN	0602123N	5	Composite Sea Lion Craft Project	$2,000.0	Taylor	Seemann Composites	Gulfport, MS
II	RDN	0602131M	6	Warfighter Rapid Awareness Processing Technology (WRAPT)	$4,000.0	Abercrombie	Archinoetics, LLC	Honolulu, HI
II	RDN	0602234N	7	Infrared Materials Laboratories	$2,500.0	Cole	Amethyst Research, Inc.	Ardmore, OK
II	RDN	0602235N	8	All Weather Sense and Avoid for UAVs	$2,500.0	Hoyer	Naval Air Station	Patuxent River, MD
II	RDN	0602235N	8	SOF Test Environment for Advanced Team Collaboration Missions	$2,000.0	Hoyer	Naval Air Station	Patuxent River, MD
II	RDN	0602271N	10	Center for Hetero-Functional Materials	$1,000.0	Conaway	Angelo State University	San Angelo, TX
II	RDN	0603114N	15	Countermine Lidar UAV-based System (CLUBS)	$1,200.0	Taylor	Optech International Inc.	Kiln, MS
II	RDN	0603114N	15	High Speed Anti-Radiation Demonstrator	$1,000.0	McKeon	Aerojet	Sacramento and China Lake, CA
II	RDN	0603114N	15	Real-Time Hyperspectral Targeting Sensor	$3,000.0	Hunter	Surface Optics Corporation	San Diego, CA
II	RDN	0603123N	16	High Strength Flame Resistant LCP Reinforced Netting	$2,000.0	Larsen	Diamond Nets, Inc.	Everson, WA
II	RDN	0603123N	16	Integrated Ship and Motion Control Technology	$4,300.0	Courtney	Mystic Innovations Group, Inc.	Mystic, CT
II	RDN	0603123N	16	Integrated Ship and Motion Control Technology	$4,300.0	Gillibrand	Advanced Energy Conversion, LLC	Malta, NY
II	RDN	0603123N	16	Mobile Manufacturing and Repair Cell/Engineering Education Outreach Program	$1,000.0	Knollenberg	Focus: HOPE	Detroit, MI
II	RDN	0603123N	16	Mobile Manufacturing and Repair Cell/Engineering Education Outreach Program	$1,000.0	Levin	Focus: HOPE	Detroit, MI
II	RDN	0603123N	16	Navy Multi-Fuel Combustor for Shipboard Fuel Cell Systems	$2,000.0	Lampson	Office of Naval Research	Missouri City, TX

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	0603236N	18	System for Intelligent Task Assignment & Readiness (SITAR)	$1,000.0	Hunter	SYS Technologies	San Diego, CA
II	RDN	0603640M	20	Ballistic Helmet Development	$1,500.0	King (NY)	American Defense Systems, Inc.	Hicksville, NY
II	RDN	0603216N	27	In Buoy Processor for Trigger and Alert Sonobuoy System	$2,500.0	Abercrombie	Guide Star Engineering, LLC	Kapolei, HI
II	RDN	0603254N	29	Holographic Optical Filters for LIDAR	$1,200.0	Murphy, Patrick	RL Associates, Inc.	Langhorne, PA
II	RDN	0603254N	29	Holographic Optical Filters for LIDAR	$1,200.0	Sestak	RL Associates, Inc.	Chester, PA
II	RDN	0603254N	29	Marine Mammal Awareness, Alert and Response Systems (MMAARS)	$3,000.0	Abercrombie	BAE Systems	Honolulu, HI
II	RDN	0603254N	29	Tactical E-Field Buoy Development	$2,000.0	Hunter	Information Systems Laboratories	San Diego, CA
II	RDN	0603512N	34	Improved Corrosion Protection for Electromagnetic Aircraft Launch System for CVN-21	$3,000.0	LoBiondo	NAVAIR	Lakehurst, NJ
II	RDN	0603512N	34	Improved Corrosion Protection for Electromagnetic Aircraft Launch System for CVN-21	$3,000.0	Sestak	McGee Industries	Aston, PA
II	RDN	0603512N	34	Improved Corrosion Protection for Electromagnetic Aircraft Launch System for CVN-21	$3,000.0	Smith (NJ)	McGee Industries Inc	Aston, PA
II	RDN	0603513N	35	Data Acquisition Reporting and Trending System (DARTS)	$3,000.0	Brady (PA)	Progeny Systems Corporation	Manassas, VA
II	RDN	0603513N	35	IR LED Free Space Optics Communications Advancement	$500.0	Hunter	Torrey Pines Logic	San Diego, CA
II	RDN	0603561N	42	Advanced Submarine System Development (ULMS)	$4,000.0	Forbes	Navy	Various
II	RDN	0603561N	42	Sea Based Strategic Deterrent (SBSD)/ Undersea Launched Missile Study (ULMS)	$4,000.0	Courtney	General Dynamics Electric Boat	Groton, CT
II	RDN	0603561N	42	Sea Based Strategic Deterrent (SBSD)/ Undersea Launched Missile Study (ULMS)	$4,000.0	Langevin	General Dynamics - Electric Boat	Groton, 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	RDN	0603561N	42	Sea Based Strategic Deterrent (SBSD)/ Undersea Launched Missile Study (ULMS)	$4,000.0	Scott (VA)	Northrop Grumman	Newport News, VA
II	RDN	0603561N	42	Sea Based Strategic Deterrent (SBSD)/ Undersea Launched Missile Study (ULMS)	$4,000.0	Wittman	Northrop Grumman	Newport News, VA
II	RDN	0603563N	44	Analytics for Shipboard Monitoring Systems (ASMS)	$1,000.0	Drake	Oceana Sensor Technologies, Inc.	Virginia Beach, VA
II	RDN	0603564N	45	Naval Ship Hydrodynamic Test Facilities, NSWC, Carderock	$5,000.0	Van Hollen	Naval Surface Warfare Center, Carderock	Bethesda, MD
II	RDN	0603635M	54	Urban Operations Laboratory	$2,000.0	Boyda	Kansas State University & M2 Technologies	Manhattan, KS
II	RDN	0603725N	60	Hydrokinetic Power Generator	$2,000.0	Dingell	Vortex Hydro Energy, LLC	Ann Arbor, MI
II	RDN	0603725N	60	Regenerative Fuel Cell Back-up Power	$1,500.0	Larson	Infinity Fel Cells and Hydrogen, Inc.	Windsor, CT
II	RDN	0603725N	60	Swimmer Detection Sonar Network for the Portsmouth Naval Shipyard	$4,000.0	Hodes	Scientific Solutions, Inc.	Nashua, NH
II	RDN	0603725N	60	Swimmer Detection Sonar Network for the Portsmouth Naval Shipyard	$4,000.0	Shea-Porter	Scientific Solutions, Inc.	Nashua, NH
II	RDN	0603725N	60	Testing of Critical Components for Ocean Alternate Energy Options	$2,500.0	Abercrombie	Naval Facilities Engineering Services Center (NFESC)	Port Hueneme, CA
II	RDN	0603725N	60	Wave Energy PowerBuoy Generating System	$2,000.0	Abercrombie	Ocean Power Technologies	Honolulu, HI
II	RDN	0603795N	70	Affordable Weapon System	$14,000.0	Hunter	N/A	San Diego, CA, Los Angeles, CA, Tucson, AZ, St. Louis, MO
II	RDN	0603795N	70	Affordable Weapons System	$14,000.0	Gallegly	MBDA	Westlake Village, CA
II	RDN	0604272N	76	Compact Ultra-fast Laser System Development	$2,000.0	Ellsworth	Rose-Hulman Institute of Technology and SAIC	Crane, IN
II	RDN	0604215N	82	U.S. Navy METCAL RDT&E	$2,000.0	Calvert	NSWC, Corona	Corona, CA
II	RDN	0604307N	98	DDG 51 Class Permanent Magnet Hybrid Electric Propulsion	$3,000.0	Bartlett	DRS Power Technology, Inc.	Fitchburg, MA
II	RDN	0604307N	98	DDG 51 Class Permanent Magnet Hybrid Electric Propulsion	$3,000.0	Murphy (CT)	DRS Power and Control Technologies	Danbury, CT
II	RDN	0604307N	98	DDG 51 Class Permanent Magnet Hybrid Electric Propulsion	$3,000.0	Tsongas	DRS Power Technology, Inc.	Fitchburg, 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	0604501N	104	National Radio Frequency (RF) R&D and Technology Transfer Center	$5,000.0	Ellsworth	Technology Service Corporation	Crane, IN
II	RDN	0604501N	104	National Radio Frequency R&D and Technology Transfer Center	$5,000.0	Buyer	Technology Service Corporation	Bloomington, IN
II	RDN	0604558N	109	Large-Scale Demonstration Item for VA-Class Bow Dome	$2,000.0	Taylor	Seeman Composites, Inc	Gulfport, MS
II	RDN	0604567N	112	Automated Fiber Optic Manufacturing Initiative	$3,500.0	Drake	KITCO Fiber Optics	Virginia Beach, VA
II	RDN	0604567N	112	Automated Fiber Optic Manufacturing Initiative	$3,500.0	Scott (VA)	KITCO Fiber Optics	Virginia Beach, VA
II	RDN	0604771N	123	U.S. Navy Pandemic Influenza Vaccine Program	$2,000.0	McHugh	Trudeau Institute	Saranac Lake, NY
II	RDN	0604759N	137	Air Combat Environment Test & Evaluation Facility (ACETEF) Upgrades	$3,000.0	Hoyer	NAS Patuxent River	Patuxent River, MD
II	RDN	0604759N	137	Improved Interoperability RDT&E to Support NAVAIR and GWOT Missions	$1,500.0	Hoyer	NAS Patuxent River	Patuxent River, MD
II	RDN	0101221N	159	Advanced LINAC Facility	$4,000.0	Hill	Indiana University	Bloomington, IN
II	RDN	0204229N	167	ImageNav— Low-Cost Image-Based Navigation and Precision Targeting	$1,000.0	Markey	Scientific Systems Company, Inc	Woburn, MA
II	RDN	0205632N	176	MK 48 Torpedo Post-Launch Communication System	$1,000.0	Arcuri	Naval Sea Systems Command	Washington Navy Yard, DC
II	RDN	0205633N	177	Reduction of Weapon System Downtime Rapid Repair Structural Adhesives	$2,000.0	Langevin	Epoxies, Etc., Inc.	Cranston, RI
II	RDN	0205633N	177	Sacrificial Film Laminates for Navy Helicopter Windscreens	$1,200.0	Spratt	United Protective Technologies	Charlotte, NC
II	RDN	0206623M	181	Marine Corps Shotgun Modernization Program	$3,000.0	Hoyer	USMC	Quantico, VA
II	RDN	0303109N	190	Joint- Integrated Systems Technology for Advanced Digital Networking (JIST-NET)	$1,000.0	Hunter	San Diego DEFCOMM	El Cajon, CA
II	RDAF	0601103F	2	Aerodynamic Wind Tunnel Upgrade Initiative	$2,000.0	Giffords	University of Arizona	Tucson, AZ
II	RDAF	0301555F	4	Remote Suspect Identification	$4,000.0	Alexander	Air Force Cyberspace Command (P)/Louisiana Tech University (Ruston, LA)	Bossier City, LA
II	RDAF	0301555F	4	Remote Suspect Identification	$4,000.0	McCrery	Air Force Cyberspace Command (P)/Louisiana Tech University (Ruston, LA)	Bossier City, LA

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	0602102F	8	Advanced Carbon Fiber Research and Test Initiative	$3,000.0	Inglis	Cytec Industries Inc.	Piedmont, SC
II	RDAF	0602102F	8	Advanced Carbon Fiber Research and Test Initiative	$3,000.0	Spratt	Cytec Industries Inc.	Rock Hill, SC
II	RDAF	0602102F	8	Advanced Casting and Coating Technologies	$3,500.0	Sutton	PPG Industries	Barberton, OH
II	RDAF	0602102F	8	Ceramic Matrix Composite Turbine Blade Demonstration	$4,000.0	Shays	UTC Research Center	East Hartford, CT
II	RDAF	0602102F	8	FEL Capabilities for Aerospace Microfabrication	$1,400.0	Wittman	Air Force	Newport News, VA
II	RDAF	0602102F	8	Next Generation Manufacturing Processes	$1,500.0	Smith (TX)	University of Texas at Austin	Austin, TX
II	RDAF	0602102F	8	ONAMI Safer Nanomaterials and Nanomanufacturing	$1,000.0	DeFazio	University of Oregon	Eugene, OR
II	RDAF	0602102F	8	ONAMI Safer Nanomaterials and Nanomanufacturing	$1,000.0	Walden	Portland State University, University of Oregon, Oregon State University	Portland, Eugene, Corvallis, OR
II	RDAF	0602203F	11	Advanced Vehicle Propulsion Center	$1,500.0	McKeon	Advatech Pacific	Palmdale, CA
II	RDAF	0602203F	11	Hydrocarbon Boost Technology Demonstrator	$1,750.0	Doolittle	Aerojet-General Corporation	Sacramento, CA
II	RDAF	0602203F	11	Hydrocarbon Boost Technology Demonstrator	$1,750.0	McCarthy (CA)	Aerojet-General Corporation	Sacramento, CA
II	RDAF	0602203F	11	Hydrocarbon Boost Technology Demonstrator	$1,750.0	McKeon	Aerojet-General Corporation	Sacramento and Edwards AFB, CA
II	RDAF	0602203F	11	Integrated Electrical Starter/Generator (IES/G)	$2,000.0	Turner	GE Aviation, Electrical Power Systems	Vandalia, OH
II	RDAF	0602203F	11	National Test Facility for Aerospace Fuels and Propulsion	$1,700.0	Buyer	Purdue University	West Lafayette, IN
II	RDAF	0602203F	11	WASH Oxygen Sensor	$1,000.0	Dreier	Advanced Projects Research, Incorporated	La Verne, CA
II	RDAF	0602204F	12	Information Quality Tools for Persistent Surveillance Data Sets	$2,000.0	Snyder	University of Arkansas Little Rock	Little Rock, AR
II	RDAF	0602204F	12	Net-Centric Sensor Grids	$1,000.0	Hill	Indiana University	Bloomington, IN
II	RDAF	0602601F	13	Radiation Hardened Non-Volatile Memory Technology	$2,000.0	Lamborn	Aeroflex	Colorado Springs, CO
II	RDAF	0603112F	18	Metals Affordability Initiative	$5,000.0	Cannon	Air Force Research Laboratory	Dayton, OH
II	RDAF	0603112F	18	Metals Affordability Initiative	$5,000.0	DeFazio		Albany, OR
II	RDAF	0603112F	18	Metals Affordability Initiative	$5,000.0	Hayes	Air Force Research Laboratory	Dayton, OH
II	RDAF	0603112F	18	Metals Affordability Initiative	$5,000.0	Kaptur	Air Force Research Laboratory	Dayton, OH

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	0603112F	18	Metals Affordability Initiative	$5,000.0	Ryan (OH)	Air Force Research Laboratory	Dayton, OH
II	RDAF	0603112F	18	Metals Affordability Initiative	$5,000.0	Turner	Air Force Research Laboratory	Dayton, OH
II	RDAF	0603203F	19	Moving Target Strike	$2,500.0	Miller (FL)	General Atomics/Alpha Data Corporation	Fort Walton Beach, FL
II	RDAF	0603216F	21	Versatile Affordable Advanced Turbine Engines (VAATE) for Supersonic Cruise Missiles	$4,500.0	Bishop (UT)	Air Force Research Lab/Williams International, Inc.	Ogden, UT
II	RDAF	0603270F	23	COTS Analysis Tools for Navigational Warfare	$1,500.0	Sestak	Analytical Graphics, Inc.	Exton, PA
II	RDAF	0603401F	25	Hybrid Sounding Rocket Propulsion	$1,000.0	Hunter	SpaceDev Inc	Poway, CA
II	RDAF	0603401F	25	Small Low Cost Reconnaisance Spacecraft Components	$2,000.0	Bishop (UT)	Utah State University Space Dynamics Laboratory	Logan, UT
II	RDAF	0603680F	29	Prepreg Thickness Variability Reduction Program	$2,000.0	Hall (TX)	Cytec Engineering	Greenville, TX
II	RDAF	0604240F	61	B-2 Moving Target Kill (MTK)/SDB II	$10,300.0	Dicks	Northrop Grumman Corporation	Palmdale, CA
II	RDAF	0604240F	61	B-2 Moving Target Kill (MTK)/SDB II	$10,300.0	McKeon	Northrop Grumman Corporation	Palmdale, CA
II	RDAF	0604421F	66	Space Control Test Capabilities	$2,000.0	Everett	Davidson Technologies	Huntsville, AL
II	RDAF	0604421F	66	Space Control Test Capabilities	$2,000.0	Rogers (AL)	Computer Science Corporation	Redstone Arsenal, AL
II	RDAF	0604706F	75	ACES 5 Ejection Seat	$6,000.0	Lamborn	Air Force Human Systems Group	Brooks Air Force Base, TX
II	RDAF	0604740F	77	Distributed Mission Interoperability Toolkit (DMIT)	$2,000.0	LoBiondo	Gestalt	Camden, NJ
II	RDAF	0604740F	77	Distributed Mission Interoperability Toolkit (DMIT)	$2,000.0	Sestak	Accenture National Security Service	King of Prussia, PA
II	RDAF	0604740F	77	Distributed Mission Interoperablility Toolkit (DMIT)	$2,000.0	Andrews	Hanscom AFB	Camden, NJ
II	RDAF	0207434F	86	Flexible Access Secure Transfer (FAST)	$1,500.0	Pascrell	BAE Systems	Wayne, NJ
II	RDAF	0207434F	86	Flexible Access Secure Transfer (FAST)	$1,500.0	Rothman	BAE Systems	Wayne, NJ
II	RDAF	0604759F	94	Eglin AFB Range Operations Control Center (ROCC) Initiative	$1,000.0	Miller (FL)	Cubic Defense Applications	Arlington, VA
II	RDAF	0604759F	94	FPS-16 Radar Mobilization Upgrade	$3,500.0	Miller (FL)	BAE Systems	Fort Walton Beach, FL
II	RDAF	0605976F	102	Low Profile Arresting Gear	$1,000.0	Sestak	Engineered Arresting Systems Corporation	Aston, PA
II	RDAF	0305206F	191	Multiple UAS cooperative concentrated observation and engagement against a common ground objective	$5,500.0	Bartlett	Proxy Aviation Systems	Germantown, MD

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	0305206F	191	Multiple UAS cooperative concentrated observation and engagement against a common ground objective	$5,500.0	Sestak	Proxy Aviation Systems	Germantown, MD
II	RDAF	0305207F	192	RIVET JOINT ISR Network Integration	$2,500.0	Hall (TX)	L-3	Greenville, TX
II	RDAF	0401115F	205	Electromagnetic In-Flight Propeller Balancing	$1,500.0	English	LORD Corporation	Erie, PA
II	RDAF	0408011F	215	Next Generation Tactical Environmental Clothing for AFSOC	$2,000.0	Rogers (AL)	THY Enterprises	Alexander City, AL
II	RDAF	0708611F	221	Eielson Air Force Base Alternative Energy Source Program	$3,000.0	Young (AK)	Biomass Energy Systems, Inc.	Princeton, NJ
II	RDAF	0708611F	221	Expeditionary 200 kW+ Alternative Power Generator - Phase 1	$1,000.0	Lamborn	Peterson Air Force Base	Colorado Springs, CO
II	RDDW	0602228D8Z	9	John H. Hopps Defense Research Scholars Program	$2,000.0	Marshall	Morehouse College	Atlanta, GA
II	RDDW	0603122D8Z	27	BOPPER (Bioterrorism Operations Policy and Public Emergency Response)	$1,500.0	Watt	Clean Earth Technologies	Winston-Salem, NC
II	RDDW	0603122D8Z	27	EDIT Technology for Counter-Tunnel Operations and Cache Detections	$1,000.0	Udall (NM)	Stolar Research Corporation	Raton, NM
II	RDDW	0603122D8Z	27	Full Scale Impact and Blast Loading Laboratory Testing Program	$2,000.0	Davis (CA)	University of California, San Diego	San Diego, CA
II	RDDW	0603160BR	28	Next Generation Intelligent Portable Radionuclide Detection and Identification Systems	$2,000.0	English	eV Products, a division of II-VI, Incorporated	Saxonburg, PA
II	RDDW	0603648D8Z	35	Distributed Network Switching	$2,500.0	Sanchez, Loretta	Raptor Networks Technology, Inc.	Santa Ana, CA
II	RDDW	0603711D8Z	40	Connectory Expansion for Rapid Identification of Technology Sources for DOD	$500.0	Hunter	East County Economic Development Council	El Cajon, CA
II	RDDW	0603712S	41	Emerging/Critical Interconnection Technology E/CIT Program	$2,000.0	Ellsworth	NSWC Crane, IPC, and SAIC	Crane, IN
II	RDDW	0603720S	44	3-D Electronics and Power	$3,000.0	Calvert	Center for Nanoscale Science and Engineering, University of California, Riverside	Riverside, CA
II	RDDW	0603720S	44	Feature Size Yield Enhancement at DMEA ARMS Foundry	$2,500.0	Matsui	Defense Microelectronics Activity	McClellan, CA
II	RDDW	0603720S	44	Superlattice Nanotechnology	$2,000.0	Hayes	University of North Carolina	Charlotte, NC

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	0603832D8Z	61	Modeling and Simulation Standards Development	$800.0	Forbes	Virginia Modeling, Analysis, and Simulation Center, Old Dominion University	Suffolk, VA
II	RDDW	0603881C	72	Short Range Ballistic Missile Defense (David's Sling)	$28,000.0	Akin	LaBarge Corporation (subcontractor to Raytheon)	St. Louis, MO
II	RDDW	0603881C	72	Short Range Ballistic Missile Defense (David's Sling)	$28,000.0	Blunt	LaBarge Corporation (subcontractor to Raytheon)	Joplin, MO
II	RDDW	0603881C	72	Short Range Ballistic Missile Defense (David's Sling)	$28,000.0	Saxton	Rafael Advanced Defense Systems, Ltd	Bethesda, MD
II	RDDW	0603892C	81	Aegis Ballistic Missile Defense - Signal Processor	$20,000.0	Andrews	Lockheed Martin	Moorestown, NJ
II	RDDW	0603892C	81	Aegis Ballistic Missile Defense - Signal Processor	$20,000.0	Saxton	Lockheed Martin	Moorestown, NJ
II	RDDW	0603892C	81	SM-3 Deployment	$50,000.0	Ross	Pine Bluff Arsenal	Pine Bluff, AR
II	RDDW	0604016D8Z	94	Managing and Extending DoD Asset Lifecycles (MEDAL)	$2,500.0	Abercrombie	Refermtial Systems Incorporated	Honolulu, HI
II	RDDW	0604165D8Z	103	Advanced Hypersonic Weapon Technology Demonstration	$3,000.0	Everett	Westar Aerospace and Defense Group / Army Space and Missile Defense Command	Huntsville, AL
II	RDDW	0603757D8Z	118	Indiana Complex Operations Partnership	$2,000.0	Hill	Indiana National Guard	Indianapolis, IN
II	RDDW	0604940D8Z	121	Advanced SAM Hardware Simulator Development	$5,000.0	Gingrey	Georgia Institute of Technology	Atlanta, GA
II	RDDW	0604940D8Z	121	Advanced SAM Hardware Simulator Development	$5,000.0	Johnson (GA)	Georgia Institute of Technology	Atlanta, GA
II	RDDW	0604940D8Z	121	Advanced SAM Hardware Simulator Development	$5,000.0	Marshall	Georgia Institute of Technology	Atlanta, GA
II	RDDW	0604940D8Z	121	Gulf Range Mobile Instrumentation Capability (GR-MIC)	$1,000.0	Miller (FL)	ProLogic, Inc.	Manassas, VA
II	RDDW	0604940D8Z	121	Joint Gulf Range Complex Upgrade	$1,500.0	Miller (FL)	The Boeing Company	Fort Walton Beach, FL
II	RDDW	0605799D8Z	142	Defense Command Integration Center	$1,100.0	Boyda	Kansas National Guard	Topeka, KS
II	RDDW	0605799D8Z	142	Defense Command Integration Center	$1,100.0	Moore (KS)	Kansas National Guard Bureau, Forbes Field ANG Base	Topeka, KS
II	RDDW	0605804D8Z	145	Renewable Fuel Systems (RFS) for Defense Applications	$4,000.0	Andrews	Stevens Institute of Technology	Hoboken, NJ

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	0605804D8Z	145	Renewable Fuel Systems (RFS) for Defense Applications	$4,000.0	Sires	Stevens Institute of Technology	Hoboken, NJ
II	RDDW	0304210BB	193	Expeditionary Persistent Power	$2,000.0	Shuster	Mission Critical Solutions, LLC	Alum Bank, PA
II	RDDW	0304210BB	193	Unmanned Aerial Systems Test Facility upgrade	$3,000.0	Cole	Oklahoma State University Multispectral Laboratory	Ponca City, OK
II	RDDW	1160405BB	233	Advanced, Long Endurance Unattended Ground Sensor Technologies	$4,200.0	Pickering	U.S. Special Operations Command	Tampa, FL
III	OMA	ba01-2020a	030	Army Force Generation Synchronization Tool	$2,000.0	Dent	ProModel Corporation	Allentown, PA
III	OMA	ba01-2020a	030	Army Force Generation Synchronization Tool	$2,000.0	Dingell	ProModel Corporation	Ann Arbor, MI
III	OMA	ba01-2020a	090	M24 Sniper Weapons System Upgrade	$4,000.0	Arcuri	U.S. Army Small Arms Division, Combat Developments	Fort Benning, GA
III	OMA	ba04-2020a	200	Army Manufacturing Technical Assistance Production Program (MTAPP)	$2,000.0	Markey	The AbasaGroup	Natick, MA
III	OMA	ba04-2020a	200	Army Manufacturing Technical Assistance Production Program (MTAPP)	$2,000.0	Miller (MI)	Army MTAPP	Warren, MI
III	OMA	ba03-2020a	270	Leadership for Leaders	$2,000.0	Boyda	Kansas State University	Manhattan, KS
III	OMA	ba03-2020a	280	United States Army Sergeants Major Academy Lecture Center Audio-Visual Equipment replacement	$610.0	Reyes	US Army Sergeants Major Academy	Fort Bliss, TX
III	OMA	ba04-2020a	370	Condition Based Maintenance Information Management	$3,000.0	Sanchez, Loretta	Integrated Data Corporation	Culver City, CA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Bartlett	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Bishop (NY)	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Boyda	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Davis (CA)	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Hayes	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Larsen	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Levin	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	LoBiondo	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Ortiz	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Renzi	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Rothman	U.S. Naval Sea Cadet Corps	Arlington, VA
III	OMN	ba03-1804n	440	Naval Sea Cadet Corps Operational Funding	$300.0	Sanchez, Loretta	U.S. Naval Sea Cadet Corps	Arlington, VA

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
III	OMMC	ba01-1106n	010	Clothing and Flame Resistant Organizational Gear (FROG)	$2,000.0	Cummings	180s	Baltimore, MD
III	OMMC	ba01-1106n	010	Clothing and Flame Resistant Organizational Gear (FROG)	$2,000.0	Hayes	Longworth Industries	Candor, NC
III	OMMC	ba01-1106n	010	Cold Weather Layering System (CWLS)	$3,000.0	Hodes	Polartec, LLC	Hudson, NH
III	OMMC	ba01-1106n	010	Cold Weather Layering System (CWLS)	$3,000.0	Rogers (MI)	Peckham Industries	Lansing, MI
III	OMMC	ba01-1106n	010	Cold Weather Layering System (CWLS)	$3,000.0	Shea-Porter	Polartec, LLC	Hudson, NH
III	OMMC	ba01-1106n	010	Cold Weather Layering System (CWLS)	$3,000.0	Tsongas	Polartec, Inc.	Lawrence, MA
III	OMMC	ba01-1106n	010	Cold Weather Layering System (CWLS)	$3,000.0	Walberg	Peckham Industries	Lansing, MI
III	OMAF	ba01-3400f	010	MBU-20A/P Oxygen Masks with Lights	$1,000.0	Dreier	Gentex Corporation	Rancho Cucamonga, CA
III	OMAF	ba03-3400f	360	Engineering Training and Knowledge Preservation System	$2,000.0	Davis (KY)	Tier 1 Performance Solutions	Covington, KY
III	OMARNG	ba04-2065	170	Delaware Valley Continuing Education Initiative	$1,000.0	Murphy, Patrick	Collegiate Consortium for Workforce and Economic Development	Philadelphia, PA
III	OMDW	undistributed-0100d		Interdisciplinary Critical Language and Area Studies	$2,000.0	Davis (CA)	San Diego State University Research Foundation	San Diego, CA
XIV	DHP			Copper Antimicrobial Research Program	$2,000.0	Arcuri	Telemedicine and Advanced Technology Research Center	Fort Detrick, MD
XIV	DHP			Copper Antimicrobial Research Program	$2,000.0	Costello	Olin Brass	East Alton, IL
XIV	DHP			Copper Antimicrobial Research Program	$2,000.0	Higgins	Luvata Buffalo	Buffalo, NY
XIV	DHP			Copper Antimicrobial Research Program	$2,000.0	Loebsack	Advanced Technology Institute	North Charleston,SC
XIV	DHP			Copper Antimicrobial Research Program	$2,000.0	Murphy (CT)	The Miller Company	Meriden, CT
XIV	DHP			Madigan Army Medical Center Trauma Assistance Program	$2,000.0	Smith (WA)	Madigan Army Medical Center, Tacoma General Hospital and St. Joseph's Hospital	Fort Lewis and Tacoma, WA
XIV	DHP			Fort Drum Regional Health Planning Organization	$800.0	McHugh	Fort Drum Regional Health Planning Organization	Watertown, NY
XIV	DHP			PULSE!! Virtual Clinical Learning Lab	$3,000.0	Ortiz	Texas A&M University - Corpus Christi	Corpus Christi, TX
XIV	DHP			Wide Angle Virtual Environment for the Uniformed Services University	$5,000.0	Van Hollen	Uniformed Services University	Bethesda, MD
XIV	OOM			Southwest Border Fence	$2,000.0	Hunter	California National Guard	San Diego, CA
XV	APAF		004	F-22A Raptor	$523,000.0	Allen	Pratt & Whitney	East Hartford, CT

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
XV	APAF		004	F-22A Raptor	$523,000.0	DeLauro	Pratt & Whitney	East Hartford / Middletown, CT
XV	APAF		004	F-22A Raptor	$523,000.0	Dicks	Lockheed Martin Corporation	Bethesda, MD
XV	APAF		004	F-22A Raptor	$523,000.0	Gingrey	Lockheed Martin Corporation	Marietta, GA
XV	APAF		004	F-22A Raptor	$523,000.0	Granger	Pratt & Whintey	East Hartford, CT
XV	APAF		004	F-22A Raptor	$523,000.0	Marshall	Pratt & Whintey	East Hartford, CT
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Akin	The Boeing Company	St. Louis, MO
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Allen	Pratt & Whitney	East Hartford, CT
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Bishop (UT)	The Boeing Company	Multiple Locations Nationwide
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Camahan	The Boeing Company	Long Beach, CA
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	DeLauro	Pratt & Whitney	East Hartford / Middletown, CT
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Granger	The Boeing Company	Long Beach, CA
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Hulshof	The Boeing Company	St. Louis, MO
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Rohrabacher	The Boeing Company	Long Beach, CA
XV	APAF		005	C-17A Globemaster III	$2,076,000.0	Smith (WA)	The Boeing Company	Long Beach, CA
XXI	MCA	67471		Air Traffic Control Radar Operations Building Upgrade/Expansion	$2,000.0	Giffords	Fort Huachuca	Sierra Vista, AZ
XXI	MCA	58346		AP3 Connecting Rail	$5,800.0	Boren	McAlester Army Ammunition Plant	McAlester, OK
XXI	MCA	66725		Ballistic Evaluation Facility (Phase 1)	$9,900.0	Frelinghuysen	Picatinney Arsenal	Picatinny, NJ
XXI	MCA	10903		Chapel	$6,800.0	Everett	Fort Rucker	Fort Rucker, AL
XXI	MCA	61035		Chapel	$11,600.0	McIntyre	Fort Bragg	Ft. Bragg, NC
XXI	MCA	70157		Chapel Complex Construction, 2nd Phase	$4,200.0	Boyda	Fort Leavenworth	Leavenworth, KS
XXI	MCA	63573		Defense Access Road	$30,000.0	Abercrombie	Bradshaw Airfield/Pohakuloa Training Area Base Camp	Honolulu, HI
XXI	MCA	17322		Fire Station	$3,000.0	Boyda	Fort Riley	Fort Riley, KS
XXI	MCA	57711		Fire Station Number 2	$6,900.0	McHugh	Fort Drum	Ft. Drum, NY
XXI	MCA	61539		Fort Bragg Access Roads, Phase I (Bragg Boulevard/Murchison Road)	$8,600.0	Hayes	Fort Bragg	Ft. Bragg, NC
XXI	MCA	61539		Fort Bragg Access Roads, Phase I (Bragg Boulevard/Murchison Road)	$8,600.0	McIntyre	Fort Bragg	Ft. Bragg, NC
XXI	MCA	57894		Hatfield Gate Expansion	$300.0	Moran (VA)	Fort Myer	Arlington, VA
XXI	MCA	66907		Lake Yard Interchange	$1,400.0	Rogers (AL)	Anniston Army Depot	Anniston, AL

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
XXI	MCA	67014		Live Fire Exercise Shoothouse	$4,200.0	Rodriguez	Camp Bullis	San Antonio, TX
XXI	MCA	063618		Medical Parking Garage	$12,500.0	Reyes	Fort Bliss	El Paso, TX
XXI	MCA	63241		Upgrade Munition Igloos, Phase 2	$7,500.0	Shuster	Letterkenny Army Depot	Franklin County, PA
XXI	MCA	71530		Vehicle Paint Facility	$3,900.0	Scott (VA)	Fort Eustis	Newport News, VA
XXI	MCA	71530		Vehicle Paint Facility	$3,900.0	Wittman	Fort Eustis	Newport News, VA
XXI	MCA	67852		Wastewater Treatment Plant	$7,400.0	Skelton	Fort Leonard Wood	Fort Leonard Wood, MO
XXI	MCA	08448-9		Womack Army Medical Center MASCAL/DECON Facility	$1,300.0	Etheridge	Fort Bragg	Ft. Bragg, NC
XXI	MCA	56336		Chapel Complex Increment II	$3,500.0	Skelton	Fort Leonard Wood	Ft. Leonard Wood, MO
XXI	MCA	25033		Chapel with Religious Education Facility	$17,500.0	Carter	Fort Hood	Fort Hood, TX
XXI	MCA	25033		Chapel with Religious Education Facility	$17,500.0	Edwards	Fort Hood	Fort Hood, TX
XXII	MCN	P-602		Addition to Limited Area Reaction Force Facility	$6,130.0	Kingston	Naval Submarine Base Kings Bay	Kings Bay, GA
XXII	MCN	190		Aircraft Refueling	$3,380.0	Crenshaw	Naval Station Mayport	Jacksonville, FL
XXII	MCN	P-215		Battalion Maintenance Facility and Equipment Yard	$5,870.0	Taylor	CBC Gulfport	Gulfport, MS
XXII	MCN	P-166		Energetics systems and Technology Laboratory Complex Phase I (P-166)	$12,050.0	Hoyer	Indian Head	Indian Head, MD
XXII	MCN	701		Fire and Emergency Services Station	$9,960.0	Drake	Naval Air Station Norfolk	Norfolk, VA
XXII	MCN	P-279		Fitness Center, Naval Air Station Kingsville	$11,580.0	Ortiz	Naval Air Station Kingsville	Kingsville, TX
XXII	MCN	P-581		Industrial Access Improvements, Main Gate 15	$9,990.0	Forbes	Norfolk Naval Shipyard	Portsmouth, VA
XXII	MCN	P-581		Industrial Access Improvements, Main Gate 15	$9,990.0	Scott (VA)	Norfolk Naval Shipyard	Portsmouth, VA
XXII	MCN	P-0926A		Library/Lifelong Learning Center	$9,760.0	Lewis (CA)	Marine Corps Base Twentynine Palms	Twentynine Palms, CA
XXII	MCN	P-206		NAS Whidbey Firefighting Facility	$6,160.0	Larsen	Naval Air Station Whidbey	Oak Harbor, WA
XXII	MCN	P-197		NPS Graduate School of Business and Public Policy	$9,990.0	Farr	Naval Postgraduate School	Monterey, CA
XXII	MCN	P-570		OCS Headquarters Facility	$5,980.0	Wittman	Marine Corps Base Quantico	Quantico, VA
XXII	MCN	448		Parking Apron Recapitalization	$3,500.0	Ortiz	Naval Air Station Corpus Christi	Corpus Christi, TX
XXII	MCN	P-753		Pool Replacement at NAB	$6,890.0	Davis (CA)	Naval Air Station North Island	Coronado, CA
XXII	MCN	P-188		RDT&E Support Facility at NSWC Carderock Division, MILCON (P-188)	$6,980.0	Van Hollen	Carderock Division, Naval Surface Warfare Center	Bethesda, MD
XXII	MCN	P-402		Saltwater Cooling And Fire Protection Improvements	$5,110.0	Dicks	Naval Base Kitsap	Bremerton, WA
XXII	MCN	082		Unmanned ASW Support Facility	$9,900.0	Kennedy	Naval Station Newport	Newport, RI

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
XXII	MCN	P-268		Waterfront Support Facility	$20,660.0	Allen	Portsmouth Naval Shipyard	Kittery, ME
XXII	MCN	282		Consolidated Global Sub Component, Phase 1	$9,980.0	Shea-Porter	Portsmouth Naval Shipyard	Portsmouth, ME
XXIII	MCAF	UHHZ033013		116th ACW Avionics Facility	$5,250.0	Marshall	Warner Robins AFB	Warner Robins, GA
XXIII	MCAF	XLWU063004		Air Command and Operations Classroom Facility	$11,600.0	Boyd	Tyndall Air Force Base	Panama City, FL
XXIII	MCAF	QJVF012002		Air Traffic Control Complex	$1,704.0	Pomeroy	Minot Air Force Base	Minot, ND
XXIII	MCAF	MPLS993284A		Consolidated Security Forces Operations Center Phase 1	$900.0	Gonzalez	Lackland Air Force Base 37 TRW	San Antonio, TX
XXIII	MCAF	FSPM063509D		Edwards AFB Main Base Runway replacement	$6,000.0	McCarthy (CA)	Edwards Air Force Base	Edwards, CA
XXIII	MCAF	FSPM063509D		Edwards AFB Main Base Runway replacement	$6,000.0	McKeon	Edwards Air Force Base	Edwards, CA
XXIII	MCAF	TYMX053001		Fire and Rescue Station	$972.0	Cuellar	Randolph AFB	San Antonio, TX
XXIII	MCAF	AJJY059112		ISF/STF Realign Arc Light Boulevard	$5,400.0	Bordallo	Andersen Air Force Base	Yigo, GU
XXIII	MCAF	NUEX013014		Luke AFB Runway Rehabilitation Construction	$1,755.0	Pastor	Luke Air Force Base	Phoenix
XXIII	MCAF	NVZR063714		MacDill AFB Combat Training Facility	$5,000.0	Castor	MacDill Air Force Base	Tampa, FL
XXIII	MCAF	PROE 07-5110P2		MXG Consolidation and Forward Logistic Center, Phase 2	$6,800.0	Tiahrt	McConnell Air Force Base	Wichita, KS
XXIII	MCAF	WWYK033005		Realign Air Depot Street at Tinker Gate	$5,400.0	Cole	Tinker Air Force Base	OK
XXIII	MCAF	FMKM059001		Replacement Fuel Cell Hangar Minnesota	$4,500.0	Oberstar	148th Air Wing	Duluth, MN
XXIII	MCAF	YWHG041005		Security Forces Animal Clinic/Kennel	$4,200.0	Skelton	Whiteman Air Force Base	MO
XXIII	MCAF	ZHTV063202		Security Forces Operations Facility	$14,000.0	Turner	Wright-Patterson Air Force Base	Dayton, OH
XXIII	MCAF	VLSB043001R3		Shaw AFB Physical Fitness Center	$9,900.0	Spratt	Shaw Air Force Base	Sumter, SC
XXIII	MCAF	MXDP993002P2		Student Officer Quarters PH-2	$1,440.0	Rodriguez	Laughlin Air Force Base	Del Rio, TX
XXIII	MCAF	SPBN079049		TFI- Digital Ground Station FOC Beddown	$14,300.0	Delahunt	Otis Air National Guard Base	Bourne, MA
XXIII	MCAF	SPBN079049		TFI- Digital Ground Station FOC Beddown	$14,300.0	Olver	Otis Air National Guard Base	Bourne, MA
XXIII	MCAF	KRSM093002		Three-Bay Fire Station	$5,400.0	Bishop (UT)	Hill Air Force Base	UT
XXIV	MCDW	270259		Arden Hills Army Training Site (AHATS) Infrastructure Development Plan	$1,005.0	McCollum	Minnesota National Guard	St. Paul, MN
XXIV	MCDW	CZQZ063027		SOF CV-22 Simulator Facility	$8,300.0	Udall (NM)	Cannon Air Force Base	Clovis, NM
XXIV	MCDW	PTFL073003P1		Unified Security Forces Operations Facility Phase 1	$7,200.0	Saxton	McGuire Air Force Base	NJ
XXVI	MCAR	69675		Army Reserve Center	$920.0	Edwards	Army Reserve	Bryan, TX
XXVI	MCAR	180137		Muscatatuck Urban Training Center Combined Arms Collective Training Facility	$6,000.0	Hill	Indiana National Guard	Indianapolis, IN

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
XXVI	MCAR	180137		Muscatatuck Urban Training Center Combined Arms Collective Training Facility	$6,000.0	Visclosky	Indiana National Guard	Indianapolis, IN
XXVI	MCARNG	540205A		Access Control Point	$2,000.0	Mollohan	Camp Dawson	Charleston, WV
XXVI	MCARNG	390257A		Barracks Housing	$2,000.0	Kaptur	Camp Perry	Port Clinton, OH
XXVI	MCARNG	INSNO 39430		Barracks, INSNO 39430	$2,000.0	Ryan (OH)	Ravenna Training and Logistics Site	Columbus, OH
XXVI	MCARNG	050167		Cabot Readiness Center	$10,868.0	Berry	Arkansas National Guard Cabot Readiness Center	North Little Rock, AR
XXVI	MCARNG	420103		Combined Support Maintenance Shop, Coraopolis, PA	$3,250.0	Murphy, Timothy	Pennsylvania National Guard	Ft. Indiantown Gap, PA
XXVI	MCARNG	420103		Combined Support Maintenance Shop, Coraopolis, PA	$3,250.0	Murtha	Pennsylvania National Guard	Ft. Indiantown Gap, PA
XXVI	MCARNG	190136		Davenport Aviation Readiness Center	$1,550.0	Braley	Camp Dodge	Davenport, IA
XXVI	MCARNG	240017		Dundalk Readiness Center	$579.0	Ruppersberger	Maryland National Guard	Dundalk, MD
XXVI	MCARNG	120191		Florida Regional Training Institute (RTI) Phase IV	$20,907.0	Young (FL)	Camp Blanding Joint Training Center	Starke, FL
XXVI	MCARNG	420511A		Honesdale Readiness Center, Addition/Alteration	$6,117.0	Carney	Honesdale Readiness Center	Honesdale, PA
XXVI	MCARNG	26010		Live Fire Shoot House and Urban Assault Course	$4,000.0	Knollenberg	Camp Grayling	Lansing, MI
XXVI	MCARNG	26010		Live Fire Shoot House and Urban Assault Course	$4,000.0	Stupak	Camp Grayling	Lansing, MI
XXVI	MCARNG	190134		Military Operations in Urbanized Terrain (MOUT) training site	$1,500.0	Boswell	Camp Dodge	Johnston, IA
XXVI	MCARNG	190146		Mount Pleasant Readiness Center	$1,500.0	Loebsack	Mount Pleasant Readiness Center	Johnston, IA
XXVI	MCARNG	540111A		Multi-Purpose Building Phase II	$5,000.0	Mollohan	Camp Dawson	Charleston, WV
XXVI	MCARNG	500052		Readiness Center	$10,200.0	Welch	Ethan Allen Firing Range	Jericho, VT
XXVI	MCARNG	66839		Readiness Center Addition	$1,085.0	Moran (VA)	Fort Belvoir	Arlington, VA
XXVI	MCARNG	N/A		Readiness Center Phase 3-London Joint Support Operations Center	$7,191.0	Rogers (KY)	Kentucky National Guard	London, KY
XXVI	MCARNG	54006A		Shoot House	$2,000.0	Mollohan	Camp Dawson	Charleston, WV
XXVI	MCARNG	470043A		Tullahoma Readiness Center	$10,372.0	Davis, Lincoln	Tullahoma Readiness Center	Tullahoma, TN
XXVI	MCARNG	390257A		Barracks Housing	$2,000.0	Latta	Camp Perry	Port Clinton, OH

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
XXVI	MCARNG	450185		Hemingway Field Maintenance Shop Phase I	$4,600.0	Clyburn	Army National Guard	Columbia, SC
XXVI	MCARNG	10263		Readiness Center Phase II	$200.0	Rogers (AL)	Fort McClellan Training Center	Anniston, AL
XXVI	MCARNG	WKVB079038		Replace pararescue operations facility	$7,500.0	Ackerman	Francis S. Gabreski Airport	Westhampton, NY
XXVI	MCARNG	WKVB079038		Replace pararescue operations facility	$7,500.0	Bishop (NY)	Francis S. Gabreski Airport	Westhampton, NY
XXVI	MCARNG	WKVB079038		Replace pararescue operations facility	$7,500.0	Israel	Francis S. Gabreski Airport	Westhampton, NY
XXVI	MCARNG	WKVB079038		Replace pararescue operations facility	$7,500.0	King (NY)	Francis S. Gabreski Airport	Westhampton, NY
XXVI	MCARNG	WKVB079038		Replace pararescue operations facility	$7,500.0	McCarthy (NY)	Francis S. Gabreski Airport	Westhampton, NY
XXVI	MCARNG	450368		Sumter Readiness Center	$382.0	Clyburn	Army National Guard	Columbia, SC
XXVI	MCARNG	370084		Training Complex	$1,376.0	Miller (NC)	North Carolina National Guard	Camp Butner, NC
XXVI	MCARNG	470043A		Tullahoma Readiness Center	$10,372.0	Wamp	Tullahoma Readiness Center	Tullahoma, TN
XXVI	MCAFR	RVKQ 08-9092		Dining Facility/Community Center	$9,000.0	Slaughter	Niagara Falls Air Reserve Station	Lockport, NY
XXVI	MCAFR	YTPM029002P1		Joint Service Lodging Facility	$943.0	Olver	Westover Air Reserve Base	Chicopee, MA
XXVI	MCANG	PQWY059045		262 Information Warfare Aggressor Squadron (IWAS) Facility	$8,600.0	Smith (WA)	Washington Air National Guard	McChord AFB,WA
XXVI	MCANG	JLQN069160		C-130 Squadron Operations Facility	$400.0	LaHood	Greater Peoria Regional Airport	Peoria, IL
XXVI	MCANG	WAAR009098		Combat Communications Training Complex	$12,800.0	Hobson	Springfield Air National Guard Base	Springfield, OH
XXVI	MCANG	QJKL079050		Construct Aircraft Deicing Pad and Install Underground Storage Tank	$1,500.0	Ellison	Minneapolis St. Paul International Airport	Minneapolis, MN
XXVI	MCANG	ATQZ049049		Fort Wayne Aircraft Shelter/ Fuel Fill Project	$5,600.0	Souder	Fort Wayne International Airport	Fort Wayne, IN
XXVI	MCANG	LUXC 07089		Relocate Aircraft Ready Shelters and AMU Upgrade	$4,500.0	Herseth Sandlin	Joe Foss Field	Sioux Falls, SD
XXVI	MCANG	TWLR039186		Replace Control Tower	$7,700.0	Langevin	Quonset State Airport	North Kingstown, RI
XXVI	MCANG	NKAK049051		Replace Engine Shop	$4,000.0	Snyder	Little Rock Air Force Base	Little Rock, AR
XXVI	MCANG	959554		Replace Fire Station	$7,900.0	Bartlett	Martin State Airport	Baltimore, MD
XXVI	MCANG	959554		Replace Fire Station	$7,900.0	Ruppersberger	Martin State Airport	Baltimore, MD
XXVI	MCANG	959554		Replace Fire Station	$7,900.0	Sarbanes	Martin State Airport	Baltimore, MD
XXVI	MCANG	DDPM009116		Security Forces Building, 136th Airlift Wing, Fort Worth	$5,000.0	Granger	Texas Air National Guard	Fort Worth, TX
XXVI	MCANG	HAAW039012		TFI- Upgrade ASOS Facilities	$5,400.0	Walsh	Hancock Field	Syracuse, NY
XXVI	MCANG	AQRC039059		Training and Operations Facility	$8,400.0	LoBiondo	177th Fighter Wing	Egg Harbor Township, NJ
XXVI	MCANG	HEMT039066		Vehicle Maintenance/Communications Training Center	$5,600.0	Latham	Camp Dodge	Fort Dodge, IA

COMPLIANCE WITH HOUSE RULE XXI
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
XXVI	MCANG	FWJH069154		Air Support Operations Squadron	$7,600.0	Lampson	Ellington Field	Houston, TX
XXVI	MCANG	CEKT069119		TFI - Upgrade Engine Shop	$7,200.0	Courtney	Bradley Air National Guard Base	Windsor Locks, CT
XXVI	MCANG	CEKT069119		TFI - Upgrade Engine Shop	$7,200.0	Larson	Bradley Air National Guard Base	Windsor Locks, CT
XXVI	MCANG	XDQU069146		Troop Training Quarters	$7,500.0	Barrow	Georgia Air National Guard	Savannah, GA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Baird	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Blumenauer	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	DeFazio	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Dicks	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Hastings (WA)	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Hooley	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Inslee	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Larsen	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	McDermott	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Smith (WA)	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Walden	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-EM			Environmental Management at the Hanford Site	$187,549.0	Wu	U.S. Department of Energy	Hanford Site, WA
XXXI	DOE-NA			De-Inventory of Special Nuclear Material from Lawrence Livermore National Laboratory	$10,000.0	Tauscher	Livermore National Laboratory	Livermore, CA
XXXI	DOE-NA			National Ignition Campaign (NIC) -- Facility Operations and Target Production	$14,600.0	Tauscher	Livermore National Laboratory	Livermore, CA

[Note from the Director of Legislative Operations: The following text is an addendum to the Joint Explanatory Statement as printed in the Congressional Record on September 24, 2008]

Mr. SKELTON. Mr. Speaker, pursuant to H. Res. 1476, which the House adopted yesterday, I submit an addendum to the Joint Explanatory Statement which I entered into the RECORD yesterday.

Due to administrative error, a number of Member requests were not included in the transparency table in yesterday's submission.

COMPLIANCE WITH HOUSE RULE XXI
Addendum
(Dollars in Thousands)

TITLE	ACCT	PE OR PROJECT	LINE	DESCRIPTION	AMOUNT	MEMBER	INTENDED RECIPIENT	INTENDED LOCATION OF PERFORMANCE
Due to administrative error, the following eleven congressional Member requests were not included in the transparency table which was entered into the Congressional Record on September 23, 2008, on the proposed amendment to S. 3001								
II	RDA	0603002A	30	Infectious and Inflammatory Disease Center (IIDC)	$2,000.0	Bilbray	Burnham Institute for Medical Research	La Jolla, CA
II	RDA	0603002A	30	Infectious and Inflammatory Disease Center (IIDC)	$2,000.0	Davis (CA)	Burnham Institute for Medical Research	San Diego, CA
II	RDA	0603002A	30	Telepharmacy Remote Medicine Device Unit (TRMDU)	$3,000.0	Brady (PA)	INRange Systems, Inc	Altoona, PA
II	RDA	0603005A	33	Tactical Wheeled Vehicle Conditioned Based Maintenance Fleet Mission Readiness	$4,000.0	Rogers (AL)	Honeywell International	Washington, DC
II	RDA	0603710A	50	Hyper-IFP (Hyperspectral Sensor for Improved Force Protection)	$2,000.0	Akin	Clean Earth Technologies, LLC	St. Louis, MO
II	RDN	0603640M	20	Acoustic Combat Sensors	$2,000.0	Boren	GWACS Defense Inc.	Tulsa, OK
II	RDN	0603640M	20	Acoustic Combat Sensors	$2,000.0	Sullivan	GWACS Defense Inc	Tulsa, OK
XXII	MCN	P-268		Waterfront Support Facility	$20,660.0	Hodes	Portsmouth Naval Shipyard	Kittery, ME
XXII	MCN	P-268		Waterfront Support Facility	$20,660.0	Michaud	Portsmouth Naval Shipyard	Kittery, ME
XXII	MCN	P-268		Waterfront Support Facility	$20,660.0	Shea-Porter	Portsmouth Naval Shipyard	Kittery, ME
XXVI	MCARNG	P-XXX		National Guard Armory Improvements	$1,091.0	Cuellar	National Guard Armory Laredo, TX	Laredo, TX